PERRY COUNTY

TIERED ENVIRONMENTAL BROAD REVIEW

for the

HURRICANES SALLY AND ZETA

COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY:

HOME RECOVERY ALABAMA PROGRAM

ADECA
Alabama Department of Economic and Community Affairs

HRAP
HOME RECOVERY
ALABAMA PROGRAM

March 2023

Tier I Environmental Review Record:
Home Recovery Alabama Program – Perry County

Responsible Entity [24 CFR 58.2(a)(7)]	Alabama Department of Economic and Community Affairs
Certifying Officer [24 CFR 58.2(a)(2)]	Kenneth W. Boswell, Director
Program Name	Home Recovery Alabama Program (HRAP)
Federal Agency	U.S. Department of Housing and Urban Development (HUD)
Project Locations	Scattered locations throughout Perry County
Estimated Total Program Cost	$280,000,000
Estimated Perry County Total Program Cost	$2,800,000
Grant Recipient	State of Alabama
Recipient Address	P.O. Box 5690 Montgomery, AL 36103-5690
Program Representative	Kenneth W. Boswell, Director
Telephone Number	334-353-1028
Conditions for Approval	See Section 4.0
FINDING [58.40(g)]	**_X_ Finding of No Significant Impact (FONSI)** (The project will not result in a significant impact on the quality of the human environment) **___Finding of Significant Impact** (The project may significantly affect the quality of the human environment)
Preparer Signature	
Name/Company	HORNE LLP
RE Certifying Officer Signature	
Name/Agency	Kenneth W. Boswell, Director, Alabama Department of Economic and Community Affairs
Publication Date	March 15, 2023

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Acronyms and Abbreviations

Acronym	Meaning
ACAMP	Alabama Coastal Area Management Program
ACRES	Assessment, Cleanup and Redevelopment Exchange System
ADCNR	Alabama Department of Conservation & Natural Resources
ADEM	Alabama Department of Environmental Management
ASD	Acceptable Separation Distance
ADECA	Alabama Department of Economic and Community Affairs
AMI	Area Median Income
APZ	Accident Potential Zone
BFE	Base Flood Elevation
BMP	Best Management Practice
CBRA	Coastal Barrier Resource Act
CBRS	Coastal Barrier Resource System
CDBG	Community Development Block Grant
CDBG-DR	Community Development Block Grant – Disaster Recovery
CERCLIS	Comprehensive Environmental Response, Compensation, and Liability Information System
CFR	Code of Federal Regulations
CPD	Community Planning and Development
CZ	Clear Zone
CZMA	Coastal Zone Management Act
EA	Environmental Assessment
EO	Executive Order
EPA	Environmental Protection Agency
ERR	Environmental Review Record
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
GIS	Geographical Information System
GS	General Statutes
HQS	HUD Housing Quality Standards
HRAP	Home Recovery Alabama Program
HUD	United States Department of Housing and Urban Development
iPaC	Information for Planning and Consultation
LEED	Leadership in Energy and Environmental Design
LMI	Low to Moderate Income
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NOI	Notice of Intent
NPIAS	National Plan of Integrated Airport Systems
NPL	National Priorities List
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NRI	Nationwide Rivers Inventory
PA	Programmatic Agreement
PHIUS	The Passive House Institute US
RCRA	Resource Conservation and Recovery Act
RCW	Red Cockaded Woodpecker

RE	Responsible Entity
RPZ	Runway protection zone
RROF	Request for Release of Funds
RRP	Repair, Renovation, and Painting Rule
SCS	Soil Conservation Service
SFHA	Special Flood Hazard Area
SHPO	State Historic Preservation Office
SMA	Special Management Areas
TDAT	Tribal Directory Assessment Tool
T&E	Threatened and Endangered Species
THPO	Tribal Historic Preservation Office
URA	Uniform Relocation Act
US	United States
USACE	United States Army Corps of Engineers
USC	United States Code
USFWS	United States Fish and Wildlife Service

1.0 PROJECT DESCRIPTION

1.1 Background and Statement of Purpose [40 CFR 1508.9(b)]

On Wednesday, September 16, 2020, Hurricane Sally made landfall near Gulf Shores, Alabama, as a Category 2 hurricane with torrential rainfall, powerful storm surge and maximum sustained winds of 105 mph. Flooding rainfall spread heavy rain inland into parts of Georgia, the Carolinas and as far north as Virginia. The storm tore through buildings, flooded neighborhoods, submerged homes, and reports indicate that nearly 400,000 residents were left without power in Mobile and Baldwin Counties. Hurricane Sally is estimated to have caused approximately $311.9 million in damage in Alabama, according to National Centers for Environmental Information, and was directly responsible for three deaths.

Hurricane Zeta struck downtown Mobile, Alabama on October 28th of 2020, only about a month after Hurricane Sally hit the same area. Hurricane Zeta made landfall as a Category 2 with 110 mph winds Wednesday in southeast Louisiana then moved northeast into southwest Alabama late Wednesday night. These strong winds caused widespread tree and power line damage. On October 28th Alabama Power reported at least 494,000 outages across the state. Rainfall totals were generally in the 2-5 inches range. Hurricane Zeta is estimated to have caused approximately $840 million in damage across the state, according to National Centers for Environmental Information, and was responsible for six total deaths.

On February 3, 2022, the U.S. Department of Housing and Urban Development (HUD) published Federal Register Vol. 87, No. 23 (87 FR 6364) allocating $311,732,000 in Community Development Block Grant – Disaster Recovery (CDBG-DR) funding to the State of Alabama. On May 24, 2022, HUD published Federal Register Vol. 87, No. 100 (87 FR 31636) allocating a supplemental amount to Alabama of $189,520,000 for a total allocation of $501,252,000. These funds will be administered through the Alabama Department of Economic and Community Affairs (ADECA). CDBG-DR funding is designed to address remaining unmet disaster recovery needs after all other forms of assistance have been exhausted.

ADECA is the lead agency and responsible entity for administering $501,252,000 in CDBG-DR funds allocated for disaster recovery. ADECA has prioritized programs that will assist in meeting the short- and long-term needs of impacted citizens and communities, in accordance with the unmet needs analysis and input from community stakeholders. Based on the best available data at time of analysis, the unmet need in the housing sector accounts for over 90% of the total remaining unmet need in impacted areas. As such, the largest portion of program funding is dedicated to housing recovery efforts, with a specific focus on restoration and hardening of single-family owner and renter occupied units. To address the overwhelming amount of unmet housing needs, ADECA

will allocate 80% ($280,000,000) of funds to a state-administered Home Recovery Alabama Program (HRAP).

1.2 Project Location

Proposed project activities which are eligible for HRAP must fall within the HUD-identified Most Impacted and Distressed (MID) areas of Baldwin, Mobile, Escambia, and Clarke Counties, or the state-identified MIDs of Dallas, Washington, Marengo, Wilcox, and Perry Counties. Proposed projects actions under this Tiered Environmental Review Record will be limited to Perry County including all municipalities and rural areas therein. While it is not specifically known as to the number of persons that will apply to the program, in Perry County approximately 563 residents submitted Federal Emergency Management Agency (FEMA) individual assistance applications as a result of Hurricanes Sally and Zeta. Of these, approximately 208 or 36.9% of residents were approved for FEMA individual assistance. Therefore, it is expected that a significant number of residents in Perry County with unmet housing needs may apply to HRAP for assistance.

1.3 Project Description

(Include all contemplated actions which logically are either geographically or functionally a composite part of the project, regardless of the source of funding. [24 CFR 58.32, 40 CFR 1508.25])

The impacts of Hurricane's Sally and Zeta on homes in the impacted areas are estimated to be nearly $750 million. The housing stock suffered damage from flooding, rain, and wind, impacting homes from the ground up, leaving homes severely damaged, families living in substandard or unsafe conditions or even displacing them from their communities. These storm impacts affected both owner-occupied housing, and rental occupied housing. To assist the most vulnerable and impacted households, the State will directly implement HRAP to meet the housing needs identified in the unmet needs assessment. Proposed project activities may include:

- Repair/rehabilitation with no substantial change in footprint on the same parcel;
- Elevation within developed or otherwise disturbed areas on the same parcel;
- Reconstruction/replacement within developed or otherwise disturbed areas on the same parcel;
- Relocation to a previously disturbed parcel or undisturbed land.

Housing assistance via HRAP would be available to eligible single-family owner/occupant applicants and owners of single-family rental properties that suffered damage from one or both of the qualifying storms.

The State of Alabama will require construction methods, standards, and materials that are quality, durable, energy efficient, sustainable, and mold resistant. All work would comply with applicable state and local building codes. The proposed project would follow Green Building Standards as stated in Federal Register Vol. 87, No. 23. Published on Thursday, February 3, 2022 (87 FR 6364)

which requires all new construction and replacement of substantially damaged residential structures to meet the Green and Resilient Building Standard, by meeting an industry recognized standard that has achieved certification under at least one of the following Programs:

- Enterprise Green Communities;
- Leadership in Energy and Environmental Design (LEED);
- ICC–700 National Green Building Standard Green + Resilience,
- Living Building Challenge, or
- Any other equivalent comprehensive green building Program acceptable to HUD.

Additionally, all reconstruction and rehabilitation of substantially damaged residential structures must achieve a minimum energy efficiency standard, under at least one of the following:

- ENERGY STAR (Certified Homes or Multifamily High-Rise);
- Department of Energy Zero Energy Ready Home;
- EarthCraft House, EarthCraft Multifamily;
- Passive House Institute Passive Building or EnerPHit certification from the Passive House Institute US (PHIUS), International Passive House Association;
- Greenpoint Rated New Home, Greenpoint Rated Existing Home (Whole House or Whole Building label);
- Earth Advantage New Homes; or
- Any other equivalent energy efficiency standard acceptable to HUD.

HRAP will follow the guidelines specified in the HUD Community Planning and Development (CPD) Green Building Retrofit checklist for all rehabilitation of non-substantially damaged properties. The Green Building Retrofit checklist will be used to the extent applicable for the rehabilitation work undertaken, for example mold resistant building materials will be used if drywall replacement is required in wet rooms.

The program will follow HUD guidance to ensure all structures, as defined in 44 CFR 59.1, designed principally for residential use, and located in the 100-year floodplain (areas with a 1% annual chance of flooding), that receive assistance for new construction, repair of substantial damage, or substantial improvement, as defined at 24 CFR 55.2(b)(10), will be elevated with the lowest floor, including the basement, at least two (2) feet above the most applicable Base Flood Elevation (BFE). Proposed activities involving relocation to another parcel or landlord-occupant applicants will not be eligible for assistance within the 100-year floodplain. Additionally, assisted applicants with structures located in a Special Flood Hazard Area must obtain and maintain flood insurance in the amount and duration prescribed by FEMA's National Flood Insurance Program.

Hazard mitigation and long-term resilience is a priority for the program; therefore, it may fund any necessary and appropriate mitigative, or resilience measure to that end. In addition to funding

physical resilience measures, the program may provide assistance to eligible applicants for the initial purchase of required flood insurance coverage of the property for a duration up to the required occupancy period. Through this type of assistance, the homeowner will remain compliant with Federal flood insurance requirements during the initial occupancy period and provide necessary protection to the property for future disasters. During the period, it is expected that the homeowner will assume responsibility of the flood insurance premium to remain compliant after the initial term.

ADECA, as the Responsible Entity, has determined that the project will be reviewed in a tiered environmental assessment. The specific addresses of homes that may be served by HRAP are not known at this time because the intake and eligibility portion of the program has not yet concluded. Therefore, under 24 CFR 58.15 (Tiering) and 24 CFR 58.32 (Project Aggregation), a tiered approach will be used to combine similar work into geographic as well as functional packages for the environmental review of each MID county in under HRAP.

1.4 Existing and Future Need

(Describe the existing conditions of the project area and its surroundings, and trends likely to continue in the absence of the project. [24 CFR 58.40(a)])

To comply with requirements outlined in the Federal Register, ADECA developed a 2022 State Action Plan for Disaster Recovery to describe how the allocated funding will be administered to address long-term recovery needs in the HUD- and State-identified MID areas impacted by Hurricanes Sally and Zeta. As part of this plan an unmet needs assessment was conducted. The assessment determined that housing impacts from Hurricanes Sally and Zeta were widespread. Single-family homeowners and renters in various types of housing stock were affected. More than 95,000 applicants filed for FEMA Individual Assistance statewide as a result of these storms. Of those who specified housing unit type, approximately 45% were homeowners, while approximately 55% were renters. Applicants from renter-occupied units were found to have slightly higher verified damage in their category than owner-occupied units. Approximately 0.2% of FEMA Individual Assistance applicants were in Perry County. Of these, approximately 208 or 36.9% of residents were approved for FEMA individual assistance.

Total FEMA verified loss for Individual Assistance applicants was approximately $158,154,591. Approximately $114,808,557 of verified loss was from owner-occupied units, while approximately $43,346,034 was from renter occupied units. Approximately 0.6% ($945,545) of FEMA verified loss was in Perry County. Although the unmet housing need in Perry County encompasses a smaller percentage than the other counties, addressing the housing needs of impacted residents remains a priority to ensure housing stock is maintained and housing quality is improved. This will in turn create the foundation for livable, resilient communities.

1.5 Evaluation of the Effects

Individual actions undertaken by HRAP would provide a safe and secure environment for a substantial number of its low, moderate, and middle-income households recovering from Hurricanes Sally and Zeta. The CDBG-DR funds would provide a positive financial impact on these households, their damaged neighborhoods, and extended communities.

As proposed, the described Program activities would improve or replace residential structures on scattered properties throughout damaged neighborhoods for which addresses will remain unknown until applicant eligibility is determined. The desire of the State is to perform a Tiered Environmental Assessment per HUD regulation at 24 CFR Part 58.40 Subpart E. A Broad-Level Review will be combined with a Site-Specific review and shall be prepared for each construction site as described in **Section 2.0,** the Tiering Plan for Environmental Review. This includes a review of the provisions outlined under Parts 58.5 and 58.6.

1.6 Finding

[24 CFR 58.40(g)]

☒ **Finding of No Significant Impact (FONSI)**
(The project will not result in a significant impact on the quality of the human environment.)

☐ **Finding of Significant Impact**
(The project may significantly affect the quality of the human environment.)

Home Recovery Alabama Program (HRAP) Funding: $280,000,000

Environmental Review Preparer's Information

Environmental Preparer's name, title, and organization (printed or typed):

Juliet Jacobs, Environmental Consultant, HORNE LLP

Environmental Preparer's Signature:

Date: March 15, 2023

Responsible Entity, Representative's Information / Certification

Responsible Entity, Representative's name, title, and organization (printed or typed):

Kenneth W. Boswell, Director, Alabama Department of Economic and Community Affairs Responsible Entity, Representative's Signature:

Date: March 15, 2023

2.0 TIERING PLAN FOR ENVIRONMENTAL REVIEW

The Proposed Actions under this program will be evaluated under an Environmental Assessment (24 CFR 36). The environmental "Statutory Checklist" contains compliance components related to 24 CFR 58.5, 24 CFR 58.6 and HUD environmental standards in addition to the Environmental Assessment (EA) checklist, intended to compliment findings in the statutory checklist, which would also be part of the Environmental Review Record (ERR). The State of Alabama (the State) will be the responsible entity for all environmental work. The EA, as prepared for the State, is essentially a two-step, tiered process, per 24 CFR 58.15.

The following EA serves as the Tier I environmental compliance document for the proposed CDBG-DR Program for Perry County. Applying the tiering rule gives the State the ability to aggregate work on individual project sites into categories of activities having similar geographic and/or functional environmental attributes. Documentation of site-specific environmental issues requiring individual evaluation or additional agency consultation will be compiled separately. Site-specific review is also referred to as "Tier II EA Review." No reconstruction, rehabilitation, elevation, new construction or mitigation work on properties will begin until both the broad and site-specific levels of environmental review have been completed and the proposed work has been found compliant.

Compliance with 24 CFR 58.5

The Statutory Worksheet in **Section 3.0** lists each of the Federal laws and authorities found in HUD's regulations listed at 24 CFR 58.5. It addresses the specific environmental factors for which compliance has been documented regardless of specific site locations within the subject counties.

A Site-Specific Checklist, to be completed for each site, has been developed to assess all environmental statutes, authorities and regulations for which the compliance review has not been completed using the Statutory Worksheet. The Site-Specific Checklist in **Appendix B** will document how those requirements have been met.

Compliance with 24 CFR 58.6

In addition to the duties under the laws and authorities specified in 24 CFR 58.5 for assumption by the State under the laws cited in Section 58.1(b), the State must comply with the requirements listed at 24 CFR 58.6. The information needed for compliance with 24 CFR 58.6 will be included in **Section 3.0** and in the Tier II site-specific reviews in **Appendix B** for those proposed actions that require compliance with both 24 CFR 58.5 and 58.6.

Compliance with 24 CFR 58.36

In addition to the duties under the laws and authorities specified in 24 CFR Part 58.5 and 58.6 for assumption by the State under the laws cited in Section 58.1(b), the State must comply with the requirements listed at 24 CFR 58.36 (Environmental Assessment) and the EA Checklist (24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27). All EA requirements are addressed in **Section 3.0** of the Tier I ERR and further addressed, as necessary, in the Tier II Site-Specific Review in **Appendix B**.

2.1 Tier I Environmental Review Record

This Tier I Environmental Review Record (Tier I ERR) describes the action-area targeted by HRAP. It provides a basic profile of the proposed rehabilitation, reconstruction, new construction, elevation and other mitigation activities relative to required compliance factors, as presented in the Statutory Checklist, Other Requirements (24 CFR 58.6) and the Environmental Assessment Checklist (**Section 3.0**) This level of review evaluates impacts of the proposed housing activities in an aggregated way as determined by the potential for impacts relative to the protected or regulated resources and HUD Environmental Standards. Documentation prepared to support the Tier I analysis of environmental compliance factors are presented in Appendices following.

Maps and figures supporting compliance determination are presented in **Appendix A.**

A sample Tier II checklist and field inspection form are presented in **Appendix B.**

A list of sources, figures, Agencies, and Persons consulted in support of the Tier I analysis are presented in **Appendix C**.

The process for decision making at 24 CFR 55.20 (also known as the Eight (8)-step process) is presented in **Appendix D**.

Appendix E presents the Programmatic Agreement (PA) with the Alabama State Historic Preservation Office (SHPO). The Request for Release of Funds and HUD's Authority to Use Grant Funds, which is used to formally authorize the use of CDBG-DR grant funds, will be incorporated into **Appendix E**, once approved by HUD.

2.2 Tier II ERR or Site-Specific Environmental Review Record

No Adverse impact findings cannot be made for all factors in the Tier I ERR, so HRAP (Perry County) compliance cannot be fully achieved at the Broad-Level review. A Tier II site-specific ERR would be conducted for each proposed action site to address those environmental compliance factors and HUD standards that remained unresolved by the Tier I analysis. A site-specific compliance documentation checklist has been developed, and is presented in **Appendix B**. The following compliance factors will be analyzed for each site-specific activity:

- Historic Preservation [36 CFR Part 800]
- Floodplain Management and Flood Insurance [24 CFR 58.5(b) and 24 CFR 58.6]
- Wetland Protection [24 CFR 55, Executive Order 11990]
- Endangered Species [50 CFR 402]
- Toxic Chemicals and Gases, Hazardous Materials, Contamination, and Radioactive Substances [24 CFR 58.5(i)(2)(i)]
- Noise Control and Abatement [24 CFR 51B]
- Farmland Protection [7 CFR 658]
- Explosive and Flammable Hazards [24 CFR 51C]

Site-specific reviews would include evaluation of the application, the proposed site activity, and its location relative to the above compliance factors. Reviews would also include direct field observation with photographs, measurements, and notes for the file, as well as possible resource agency consultations. If there are no impacts identified, or if impacts will be fully mitigated through individual site actions, then the proposed project activity would proceed without further notice to the public. If impacts cannot be identified and mitigated during the site-specific reviews, then that site may be subject to further studies, treated as a separate project, subject to agency consultations, and the ERR process may require the publishing or posting of notices for that individual site. In some isolated cases, the proposed project activity may not be eligible for funding, based up a specific mitigation or environmental issue.

Completed site-specific checklists and supporting documentation would be submitted to the State for review and approval before individual activity site work or construction begins. All steps of the ERR process would be completely documented at the site-specific level before the construction activity proceeds.

3.0 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 supporting 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. The responsible entity is also required to complete the §58.6 Compliance Checklist and include in the ERR.

A "Yes" answer below means further steps are needed and a Tier II site-specific review is required. A "No" answer indicates that compliance is met at the programmatic level.

Compliance Factors: Statutes, Executive Orders, and Regulations Listed at 24 CFR 50.4 & 58.5	Are formal compliance steps or mitigation required?	Compliance Documentation/Determinations
Historic Preservation [36 CFR 800]	Yes ☒ No ☐	ADECA has signed on to a Programmatic Agreement (PA) with the Alabama State Historic Preservation Office (SHPO). This PA exempts from further historic preservation review repair projects of buildings constructed less than 50 years of age that are not National Register of Historic Places (NRHP) eligible or listed. For repair projects of buildings 50 years or more in age, the PA provides exemptions for certain activities so long as the proposed project does not require ground disturbance. Site-specific consultation with SHPO will be required for properties which do not meet the exemptions outlined in the PA. Additionally, any properties in an eligible or listed Historic District or that are individually eligible or listed in the NRHP will require consultation with the SHPO and local historic commissions. The consultation process for these properties is set forth in the PA, and all projects will be submitted on the SHPO's Section 106 Project Review Consultation Forms. Additional consultation with SHPO will be needed for projects that are determined to meet the criteria of adverse effect per 36 CFR 800.5 (a)(2)(i) to discuss alternatives or modifications to the undertaking that could avoid, minimize, or mitigate those adverse effects as per 36 CFR 800.6. Additionally, consultation was initiated with Tribal Nations which may have an interest in the proposed project, as determined by HUD's Tribal Directory Assessment Tool (TDAT) (see Appendix C7). The Choctaw Nation of Oklahoma responded that they are interested in being a consulting party for HRAP projects within all nine counties, as all are of significance within the

		Choctaw homeland. Therefore, site-specific consultation with the Choctaw Nation of Oklahoma will be required. If site inspections or construction activities inadvertently discover evidence of historical or cultural significance on any project site, work will be stopped to gather information and complete site-specific coordination with the SHPO and Tribal Nations for further activities. <u>Regulatory Agency and Source Review</u> See Appendix C for SHPO and Tribal Historic Preservation Office (THPO) correspondence (C6 and C7, respectively) See Appendix E1 for Programmatic Agreement <u>Consultation for Tier II, if Required</u> Alabama Historical Commission - State Historic Preservation Office (SHPO) Choctaw Nation of Oklahoma **Refer to the Tier II: Site-specific Project Review for each individual property for compliance determination.**
Floodplain Management [24 CFR 55, Executive Order 11988]	Yes ☒ No ☐	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. HUD's regulations in 24 CFR Part 55 outline HUD's procedures for complying with EO 11988. Sites within the 100-year floodplain, also known as the FEMA-designated Special Flood Hazard Areas (SFHA), are sites with at least a 1% chance of flood occurrence in any given year. Coastal High Hazard Areas (or V Zones) are areas along the coasts subject to inundation by the 1% annual chance flood event with additional hazards associated with storm or tidal induced waves. In Perry County, approximately 73,431 acres of land (15.8% of the county's land area) are within the 100-year floodplain (Zone A), as shown on the effective Flood Insurance Rate Map (FIRM) (see Appendix A, Figure 4). At this time no Preliminary FIRMS have been developed for Perry County (see Appendix A, Figure 5). Although specific project sites have not yet been identified, the proposed project would repair, reconstruct, or replace single-family housing, some of which, may be located in the 100-year floodplain. Proposed activities involving relocation to another parcel or landlord-occupant applicants will not be eligible for assistance within the 100-year floodplain.

		Site-specific reviews would be conducted to ensure project activities are in compliance with 24 CFR 55 and Executive Order 11988. For activities that occur outside of the 100-year floodplain no further compliance with this part is required. No critical actions (as defined in 24 CFR 55.2(b)(2)(i)) will be undertaken as part of HRAP; therefore, critical actions would not be addressed. Eligible, substantially damaged structures, which are located within the 100-year floodplain would require elevation. All structures within the 100-year floodplain, that receive assistance for new construction, repair of substantial damage, or substantial improvement, as defined at 24 CFR 55.2(b) (10), would be elevated with the lowest floor, including the basement, at least two (2) feet above the BFE. HUD financial assistance is prohibited in floodways unless an exception in section 55.12(c) applies or the project is a functionally dependent use (e.g. dams, marinas, and port facilities) or a floodplain function restoration activity. Therefore, proposed activities located in Floodways would not be eligible for this project, with the possible exception of demolition if the land may be kept as a functional restoration activity in perpetuity. In accordance with 24 CFR 55.20, an 8-Step Decision Making Process was completed for Perry County, which analyzed the long- and short-term adverse impacts associated with the continued occupancy of the floodplain and considered whether there were any practicable alternatives to providing CDBG-DR assistance in the floodplain (see Appendix D). The Early and Final Floodplain / Wetland Notices were published in the Perry County Herald on January 5, 2023 and March 16, 2023, respectively, and provided to interested agencies (see Appendix D2 and D3). Once the required public comment periods have been met, all substantive comments will be responded to and documented herein prior to the request or obligation of funds for any construction activities. <u>Regulatory Agency and Source Review</u> See Appendix D <u>Consultation for Tier II, if Required</u> Alabama Emergency Management Agency Federal Emergency Management Agency (FEMA) **<u>Refer to Tier II</u>: Site-Specific Project Review form for each individual property for compliance documentation.**
Wetland Protection [24 CFR 55,	Yes ☒ No ☐	Executive Order 11990: Protection of Wetlands requires Federal activities to avoid adverse impacts to wetlands where practicable. Based on a review of the National Wetlands Inventory data, there

Executive Order 11990]		are approximately 57,292 acres of land that fall within jurisdictional wetlands in Perry County and it is assumed that at least some of the proposed project sites will intersect with NWI-mapped wetlands (see Appendix A, Figure 10). The potential for construction activities to impact wetlands exists, thus the completion of an 8-step decision-making process (combined floodplain / wetlands process) was conducted (see Appendix D) in consideration of housing program activities located in the wetlands. The Early and Final Floodplain / Wetland Notices were published in the Perry County Democrat on January 5, 2023 and March 16, 2023, respectively, and provided to interested agencies (see Appendix D2 and D3). Once the required public comment periods have been met, all substantive comments will be responded to and documented herein prior to the request or obligation of funds for any construction activities. Additionally, a consultation letter seeking comments regarding project compliance for activities related to Hurricanes Sally and Zeta was provided to the U.S. Army Corps of Engineers Mobile District (USACE) (see Appendix C8). The letter proposes that site-specific consultation with USACE for wetlands does not appear to be warranted for project activities, other than relocation on previously-undisturbed land, as activities would only occur in disturbed areas. USACE concurred with the approach outlined in the letter. Site-specific reviews would be conducted to ensure project activities are in compliance with 24 CFR 55 and Executive Order 11990. Mitigation measures for housing sites located adjacent to wetlands will include the implementation of Best Management Practices (BMPs) for stormwater management and soil erosion control. Construction debris will be properly handled and disposed of to avoid impact on surrounding wetlands. Construction staging will be restricted to the target residential property and its adjacent roads. As described above, projects that involve new construction (as defined in Executive Order 11990) would be limited to those involving relocation on previously-undisturbed land. During the site-specific review, if it is determined that the proposed project activities could adversely impact wetlands, additional processing under 24 CFR 55.20 and consultation with USACE would be required. If approved by the USACE, the project will proceed and will be required to comply with permit and mitigation requirements. <u>Regulatory Agency and Source Review</u> See Appendix C8 and Appendix D <u>Consultation for Tier II, if Required</u>

		U.S. Army Corps of Engineers (USACE) Mobile District **<u>Refer to Tier II</u>: Site-Specific Project Review form for each individual property for compliance documentation.**
Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]	Yes ☐ No ☒	The Coastal Zone Management Program is authorized by the Coastal Zone Management Act (CZMA) of 1972 (16 U.S.C. 1451 et seq) Projects that can affect the coastal zone must be carried out in a manner consistent with the state coastal zone management program under Section 307(c) and (d) of the Act, as amended. The Alabama Coastal Area Management Program (ACAMP), revised January 25, 2017, was developed by the state and derives authority from the 1976 Alabama Coastal Area Act (Act No. 534) and the 1982 Alabama Environmental Management Act (Act No. 82-612) In Alabama, the Coastal Area is defined as the area that lies between the continuous 10-foot contour in Mobile and Baldwin counties seaward to the outer limits of the United States territorial sea (Code of Alabama 1975 §9-7-10(1)). Further, the ACAMP is authorized to inventory and designate Special Management Areas (SMA) within the Coastal Area. These areas are identified, based on established guidelines, as requiring attention beyond the general provisions of the legislation that established the ACAMP. Certain areas that have been designated as SMAs are further classified as Geographic Areas of Particular Concern or Areas for Preservation and Restoration. The 1976 act adheres to the federal rules and regulations established by the CZMA, as amended. The ACAMP is implemented by two state agencies: the Alabama Department of Conservation & Natural Resources (ADCNR) and the Alabama Department of Environmental Management (ADEM). ADCNR is responsible for administration, planning and public engagement functions, while ADEM is responsible for permitting, monitoring and enforcement functions. There are no Coastal Areas and SMAs in Perry County; therefore, the proposed activities will comply with the Coastal Zone Management Act sections 307(c) & (d). See **Appendix A Figure 3**. *Review regarding Coastal Zone Management is complete.*
Sole Source Aquifers [40 CFR 149]	Yes ☐ No ☒	No Sole Source Aquifers exist in the State of Alabama. See **Appendix A Figure 8.** *Review regarding Sole Source Aquifers is complete.*
Endangered Species [50 CFR 402]	Yes No	The Endangered Species Act (ESA), as amended, and its implementing regulations provide federal agencies with a

	☒ ☐	mandate to conserve threatened and endangered (T&E) species and ensure that any action they authorize, fund, or implement is not likely to jeopardize the continued existence of a T&E species in the wild or destroy or adversely modify its critical habitat. The environmental review must consider potential impacts of the HUD-assisted project activities to T&E species and, for animals, critical habitats. The review must evaluate potential impacts not only to any listed, but also to any proposed or candidate, endangered or threatened species and critical habitats. Project activities that affect T&E species or critical habitats require consultation with the Department of the Interior, US Fish and Wildlife Service (USFWS) in compliance with the procedure of Section 7 of the ESA. Site-specific reviews would be conducted to ensure project activities are in compliance with the ESA. The USFWS Clearance to Proceed with Federally-Insured Loan and Grant Project Requests (see Appendix C10) indicates that activities which fall under the definition of covered projects, as listed in this memo, would generally have no effect on species protected under the Endangered Species Act, and that consultation with the USFWS would not be necessary. The majority of HRAP activities would involve covered projects. However, for activities which do not meet the definition of a covered project, the Information for Planning and Consultation (iPaC) website will be used, to determine if species or their critical habitat are affected by proposed project activities. If, after analysis, it is determined that the proposed project May Affect or is Likely to Adversely Affect listed species and/or critical habitats, consultation with the USFWS would be initiated. The Bald Eagle (*Haliaeetus leucacephalus*), though no longer listed under the ESA, continues to be protected by the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act (16 USC 703 et seq.). If proposed project activities would occur within 660 feet of an active or alternate bald eagle (Haliaeetus leucocephalus) nest, work would not occur during nesting season (October 1 through May 15). If that limitation is not possible, consultation with the USFWS would be initiated. Site-specific reviews will include conditional language to avoid disturbing migratory birds or their, nests, eggs, or chicks as this could lead to a potential violation of the Migratory Bird Treaty Act. If project activities cannot be undertaken without disturbing migratory birds, consultation with the USFWS would be initiated. <u>Regulatory Agency and Source Review</u> See Appendix C10. As the proposed project is not expected to impact aquatic resources, the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) was not consulted.

		Consultation for Tier II, if Required US Fish and Wildlife Service Alabama Department of Conservation & Natural Resources **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance documentation.**
Wild and Scenic Rivers [36 CFR 297]	Yes ☐ No ☒	The Wild and Scenic Rivers Act created the National Wild and Scenic Rivers System in 1968 to protect selected rivers in a free-flowing condition and to recognize their importance to our cultural and natural heritage (16 USC 1271). The Act prohibits federal support for activities such as construction of dams or other on-stream activities that could harm a designated river's free-flowing condition, water quality or outstanding resource values. Activities require review by the National Park Service only if they would disturb the bed or bank of a designated river. Within Perry County, there are no designated National Wild and Scenic Rivers. The Nationwide Rivers Inventory (NRI) is a listing of more than 3,400 free-flowing rivers or river segments in the US that are believed to possess one or more "outstanding remarkable" natural or cultural value. Under a 1979 Presidential Directive, all federal agencies must seek to avoid or mitigate actions that would adversely affect one or more of the NRI segments. Perry County does not contain any designated National Wild and Scenic Rivers or rivers in the NRI; therefore, the proposed activities will comply with the Wild and Scenic Rivers Act [36 CFR 297]. See Appendix A Figure 11. *Review regarding Wild and Scenic Rivers is complete*.
Air Quality [40 CFR parts 6, 51,61 93]	Yes ☐ No ☒	The proposed project is in compliance with Air Quality regulations. Emissions associated with the proposed project are limited to use of residential and small construction equipment and are estimated to be well below the threshold when compared to the federal General Conformity Rule de minimis thresholds. Currently no areas in the state of Alabama fail to meet any of the National Ambient Air Quality Standards (NAAQS) (Source: https://www3.epa.gov/airquality/greenbook/astate.html) Emission Methodology - As Perry County is not listed as a Non-attainment area, a determination of emissions as they compare to NAAQS is not required. *Review regarding Air Quality is complete.*
Farmland Protection [7 CFR 658]	Yes ☒ No ☐	The Farmland Protection Policy Act (FPPA) of 1981 (7 USC 4201 et seq.) regulates Federal actions with the potential to convert farmland to non-agricultural uses. The purpose of the

		Act, as regulated in 7 CFR 658, is "to minimize the extent to which Federal programs contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses." "Farmland", in accordance with 7 CFR 658.2(a), is defined as "prime or unique farmlands as defined in section 1540(c)(1) of the Act or farmland that is determined by the appropriate government agency to be farmland of statewide or local importance." The definition further explains that farmland does not include land already in or committed to urban development or water storage, and that farmland already in urban development includes all land with a density of 30 structures per 40-acre area. The Department of Agriculture Natural Resources Conservation Service (NRCS) makes determinations of prime and unique farmlands in Alabama, and consultation with the NRCS is required if farmland that is protected under the FPPA is to be converted to nonagricultural uses. The NRCS uses Form AD-1006 ("Farmland Conversion Impact Rating") to make determinations regarding the relative value of land deemed as farmland. Form AD-1006 involves scoring of the relative value of the site for preservation. Total scores below 160 require no further analysis. Scores between 160 and 200 may have potential impacts and require further consideration of alternatives that would avoid this loss. The regulations to protect Farmlands do not apply to projects involving rehabilitation, reconstruction, replacement of existing homes, and relocation of replacement manufactured homes onto previously developed lots where all existing utility connections and systems are in place, as these properties were previously converted to non-agricultural use when the initial development occurred. However, relocation involving undeveloped parcels would require additional review. Site-specific reviews would be conducted to assess whether project activities would involve conversion of farmland which is regulated under the FPPA. If conversion would occur, consultation with the NRCS would be required to ensure adverse impacts to farmlands are avoided. <u>Regulatory Agency and Source Review</u> See Appendix C9 <u>Consultation for Tier II, if Required</u> Department of Agriculture Natural Resources Conservation Service **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance documentation.**

Environmental Justice [Executive Order 12898]	Yes ☐ No ☒	The proposed project would encourage people in the areas most affected by Hurricanes Sally and Zeta to continue living where they live now. Pre-existing environmental conditions would continue under the proposed programs. However, the primary effects of the proposed programs would be to improve the condition of the housing, making it more durable, energy-efficient, safe from mold, asbestos, lead based paint, and other health and safety impacts. The programs would also enhance health and safety by making many homes less vulnerable to flooding by elevating them above base flood elevations. Low- to moderate-income (LMI) households would receive significant benefits from these programs. There are no environmental issues for these Programs that would disproportionately affect LMI and/or minority populations. Therefore, the proposed project would comply with Executive Order 12898. *Review regarding Environmental Justice is complete.*
Noise Control and Abatement [24 CFR 51B]	Yes ☒ No ☐	HUD's noise standards may be found in 24 CFR Part 51, Subpart B. Project construction activities would be completed on single-family homes or mobile/modular homes and would result in the same level of development that existed prior to Hurricanes Sally and Zeta. The proposed activities may cause temporary noise level increases. These will be mitigated by complying with local noise ordinances. HUD has determined that noise abatement and control is not applicable to a disaster recovery program which meets the definition under 24 CFR 51.101(a)(3): "The policy does not apply to…any action or 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." Therefore, the repair / rehabilitation, elevation, and reconstruction / replacement of homes do not require additional review. Relocation to an existing residentially developed lot is considered a previously existing noise-sensitive (residential) land use and, therefore, would not require further assessment. However, proposed projects which involve relocation to previously undeveloped land would be evaluated at the site-specific level to determine noise zones. Projects in Acceptable noise zone can proceed. Any projects in a Normally Unacceptable or Unacceptable zone will be ineligible for funding unless approved noise attenuation methods are implemented. <u>Consultation for Tier II, if Required</u>

		HUD, Region IV **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance documentation.**
Explosive and Flammable Hazards [24 CFR 51C]	Yes ☒ No ☐	The definition of "HUD-assisted project" at 24 CFR 51.201 is predicated on whether the project increases the number of people exposed to hazardous operations. Therefore, the environmental review for activities to reconstruct, rehabilitate, or elevate housing that existed prior to the disaster is not required to apply the acceptable separation distance (ASD) standards in 24 CFR Part 51C where the number of dwelling units is not increased, and the activities are limited to the general area of the pre-existing footprint. However, the project activity associated with "New Construction on a Previously Undisturbed Parcel" has the potential to result in exposure in a higher density of people to Explosive and Flammable Hazards. Project activities which would involve relocation to a site (or portion of a site) not in residential use at the time of the storm or an increase the number of dwelling units, an ASD analysis would be required. For sites where analysis determines that the project area would intersect an ASD, project design would include measures to mitigate all adverse impacts, in order for the site to remain eligible for assistance under HRAP. <u>Consultation for Tier II, if Required</u> HUD, Region IV **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance documentation.**
Airport Hazards (Runway Protection Zones and Clear Zones/Accident Potential Zones) [24 CFR 51D]	Yes ☐ No ☒	The restrictions on construction and major rehabilitation of structures in runway protection zones (formerly called runway clear zones) apply to civil airports (24 CFR 51.303). Civil airports are defined as commercial service airports designated in the Federal Aviation Administration's National Plan of Integrated Airport Systems (NPIAS) (24 CFR 51.301(c)). There are no civil airports within Perry County. The closest Civil airport to Perry County is the Montgomery Regional Airport (Dannelly Field) in Montgomery County. The Montgomery Regional Airport is located approximately 43 miles (227,040 feet) to the southeast of Perry County. HUD regulations also include restrictions on construction and major rehabilitation in clear zones and accident potential zones (APZ) associated with runways at military airfields (24 CFR 51.303). There are no military airfields within Perry County. The closest military airfield, Maxwell AFB, located within Montgomery County, are approximately 49 miles (258,720 feet) to the southeast of Perry County.

		The proposed activities will comply with the Airport Hazards and RPZ and CZ/APZ conditions. See **Appendix A, Figure 1**. *Review regarding Airport Hazards is complete.*
Toxic Chemicals and Gases, Hazardous Materials, Contamination, and Radioactive Substances [24 CFR 58.5(i)(2)]	Yes ☒ No ☐	HUD policy requires that the proposed site and adjacent areas be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants of the property or conflict with the intended utilization of the property. Once individual project locations are identified, a field inspection by a trained environmental professional, using current techniques to assess for hazards and potential contamination at and adjacent to the project is required pursuant to 24 CFR §58.5(i)(2)(iv). Mitigation measures will be proposed should the project site contain suspect hazardous conditions such as drums, USTs, containers, soil staining from petroleum hydrocarbons, monitoring wells, distressed vegetation, dumps, etc. Although not likely, should the investigation reveal that the project site's previous use(s) include any potentially hazardous activities (i.e. dry cleaners; auto shops; railyards; foundries, incinerators; gas stations; dumps; commercial printing operations; hospitals; waste treatment, storage, disposal, processing or recycling facilities; agricultural operations; tanneries; mining operations; etc.), a Phase I Environmental Site Assessment may be warranted. To identify facilities near the proposed project location that have hazardous materials, contamination, or toxic chemicals, as specified in 24 CFR 58.5(i), a review of web-based data information will be conducted from the Environmental Protection Agency's (EPA's) Geographic Information System (GIS) database, including EPA NEPAssist database and other relevant databases, as appropriate. A query to identify hazardous facilities within a 3,000-foot radius of the proposed project location such as Superfund (CERCLIS) (includes National Priorities List [NPL]), Brownfields (ACRES), and Hazardous Waste (RCRA) facilities will be conducted. All identified facilities will be reviewed for determination if the hazard poses a threat to the health or safety of the project site occupants or restricts property usage. <u>Asbestos</u> In the state of Alabama, privately owned residential buildings of 4 or less units that remain residential property are exempt from asbestos regulations; however, compliance with disposal regulations is required. In the event that evidence of asbestos is noted during a site inspection of homes demolition debris must adhere to applicable

		federal, state, and local laws and regulations regarding asbestos, including but not limited to: National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 61.145 and 150. Disposal requirements for friable asbestos at Alabama Admin. Code 335-13-4-.26(2) <u>Lead-Based Paint</u> It is HUD policy that all occupied structures proposed for inclusion in HUD-funded programs be free of hazardous materials that could affect the health of the occupants. Structures to be reconstructed or rehabilitated may include lead-based paint which is a hazardous material that could affect the health of residents. All rehabilitation activities on housing constructed prior to January 1, 1978, must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to: • EPA's Repair, Renovation, and Painting (RRP) Rule (40 CFR 745.80(e)) • HUD's lead-based paint regulations in 24 CFR 35(a)(b)(h)(j)(r) • HUD's "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing" <u>Mold</u> Mold can also have an adverse effect on human health and is a very common problem in houses that have been flooded. Mold should not be a problem in houses that are demolished and reconstructed but could remain in rehabilitated housing if steps are not taken to mitigate and eliminate mold during the rehabilitation. All residential structures undergoing rehabilitation must be remediated for mold attributable to the disaster event in accordance with federal, state or local guidelines. <u>Radon</u> Perry County is listed as Zone 2 – Medium Potential for Radon (see Appendix A, Figure 8). Indications are that radon concentrations in the project area are less than 4 picocuries per liter of air as potentially existing in the subsurface, which is the EPA action level for radon. Therefore, no additional requirements for radon are necessary.

		During project implementation, Radon-Resistant New Construction techniques should be used, whenever possible (see www.epa.gov/radon/radon-resistant-construction-basics-and-techniques). Regulatory Agency and Source Review See Appendix C4 Consultation for Tier II, if Required Alabama Department of Environmental Management (ADEM) US EPA **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance documentation.**
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes ☐ No ☒	There are no civil airports or military airfields in Perry County or in the vicinity of the county, as outlined in the Airport Hazards section of the Statutory Checklist above. The proposed activities are in compliance with Airport Hazards 24 CFR Part 51 Subpart D. *Review regarding Airport Hazards is complete.*
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes ☐ No ☒	There are no designated units or Otherwise Protected Areas of the Coastal Barrier Resource System (CBRS) in Perry County as determined by the U.S. Fish & Wildlife Service's Coastal Barrier Resources Act (CBRA) of 1982 (see Appendix A, Figure 2). The proposed activities are in compliance with the CBRA. *Review regarding Coastal Barrier Resources Act is complete.*
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] and 24 CFR 55	Yes ☒ No ☐	Proposed projects are required to comply with the Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994. Applicants would be screened prior to environmental review to determine if the property previously received federal flood disaster assistance conditioned upon obtaining and maintaining insurance and will only be allowed to proceed after providing proof of having met this requirement; therefore, ADECA will only provide assistance to proposed project sites in the 100-year floodplain, where the community is participating in the National Flood Program and in good standing. The program would obtain flood insurance for the first year for all applicants who are assisted by HRAP and thereafter, all assisted properties which are located in the 100-year floodplain, as seen on the Effective FIRM, are required to obtain and maintain flood insurance in perpetuity.

		<u>Regulatory Agency and Source Review</u> See Appendix D <u>Consultation for Tier II, if Required</u> Alabama Emergency Management Agency Federal Emergency Management Agency (FEMA) **<u>Refer to Tier II</u>: Site-Specific Project Review form for each individual property for compliance documentation.**

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	Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans/Compatible Land Use and Zoning/Scale and Urban Design	2	The proposed project would demolish, repair, replace and/or construct homes consistent with current local plans and zoning ordinances. If it is determined that permits are needed, the contractor will obtain them from the appropriate department prior to construction activities. The proposed project sites would maintain current land use and would therefore be compatible with surrounding and existing land uses. Most of the proposed actions will consist of replacement or reconstruction of an existing home. Though there is an option for new construction, the number of applicants who will choose this proposed action is not anticipated to increase urban sprawl.
Soil Suitability / Slope / Erosion / Drainage / Storm Water Runoff	2	Proposed project activities would demolish, repair, replace and/or construct homes maintaining current land use and would therefore be compatible with surrounding and existing land uses. Most of the proposed actions will consist of replacement or reconstruction of an existing home. Though there is an option for new construction, the number of applicants who will choose this proposed action is not anticipated to increase urban sprawl. In project activities not involving new construction erosion controls are expected to have been put in place during the initial establishment of the home site. For these actions, the placement of fill or creation of bare soil will be minimized and therefore will not cause significant erosion. Further, on sites adjacent to wetlands, best management practices will be implemented to protect wetlands from sedimentation caused by erosion. For proposed activities that include new construction or elevation, the parcel will be evaluated prior to construction activities and best management practices will be implemented to reduce possible

		erosion impacts where slope conditions may exist. Existing storm water disposal and treatment systems are anticipated to adequately service all proposed projects.
Hazards and Nuisances Including Site Safety and Noise	2	Construction activities may result in temporary sidewalk closures, fugitive dust and noise, which would be addressed under existing regulations governing construction activities in Alabama and local municipalities. Each site will be assessed during the site-specific review to determine if the site is impacted by hazards, nuisances or threats to the safety of future residents of the property. If a site is determined to be impacted by nuisances, site safety issues or hazardous materials; these items are required to be sufficiently mitigated prior to the project being implemented in order to minimize the risks residents, construction workers and the public. Contractors would be required to comply with the applicable local/county noise ordinances.
Energy Consumption	2	Though some energy will be consumed in implementing the program, additional energy consumption due to the project activities will be minimal as the program is not anticipated to significantly expand the housing stock. All proposed actions will be carried out in accordance with HUD standards and local codes.
SOCIOECONOMIC		
Demographic Character Changes, Displacement	1	The proposed project would not significantly alter the demographic characteristics of the communities involved. Most of the proposed activities will allow for displaced community members to return to their previous residences and communities. The number of actions that include new construction would not significantly alter the demographics of chosen communities and would allow for a better quality of life for the families involved. Residential, commercial or industrial uses will not be altered because proposed activities will be carried out on parcels that have already been designated for residential use. There is no potential to destroy or harm community institutions. Proposed actions that include demolition would involve homes that have previously been inhabited or managed by program applicants. The proposed project involves the rehabilitation or reconstruction of damaged homes. Homeowners currently living in homes may be displaced for a period during construction activities but will be allowed to move back into their homes immediately following construction. Further, persons participating in the program that have been displaced due to hurricane damage will be able to return home after construction is complete, leading to a decrease in displaced citizens due to the proposed project.
Employment and Income Patterns	1	The proposed project will aid in restoring homeowners to their previous communities, employment, and income patterns; thus, leading to favorable developments to commercial, industrial and institutional operations in the project area. Additionally, the proposed program would help to alleviate some of the financial burden from homeowners for the repair / reconstruction of their home.

COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	The proposed use of CDBG-DR funding for the reconstruction, rehabilitation, and redevelopment of storm damaged residential properties, allowing previous residents to return to their homes, would not result in a significant effect on existing education or cultural facilities. Local educational facilities were able to accommodate student levels prior to Hurricanes Sally and Zeta and should therefore be able to accommodate returning students. The number of applicants moving to new areas via relocation is not expected to be substantial and would therefore not cause a need for additional facilities.
Commercial Facilities	2	The proposed project would allow previously displaced residents to return to their homes which would in turn increase the demand for local commercial services. Though local retail services will be available, the increase in demand may lead to shorter supplies for some businesses while the commercial sector adjusts to the returned homeowners. The number of applicants moving to new areas via relocation is not expected to be substantial and would therefore not cause a need for additional commercial facilities.
Health Care and Social Services	2	The return of residents to their homes would increase the demand for health care services in the affected neighborhoods, and there maybe be a period of adjustment during which the demand for some health care services in some neighborhoods exceed the supply although no new demand would be generated. The proposed project would have little effect on regional health care or social service facilities, which should be able to return to providing services at the same level as before Hurricanes Sally and Zeta. Social services in Perry County are provided by a range of agencies. The number of applicants moving to new areas via relocation is not expected to be substantial and would therefore not cause a need for additional health care facilities.
Solid Waste Disposal/Recycling	2	The proposed project would likely lead to a temporary increase in the generation of municipal wastes; however, it is not anticipated that the project will overload design capacities of local facilities. Nor would it lead to a prolonged increase in municipal waste generation following project completion.
Waste Water/Sanitary Sewers	2	The proposed project is not expected to lead to a significant demand on waste water disposal/treatment services above the levels seen prior to Hurricanes Sally and Zeta. Although returning homeowners may cause an increase to pre-storm levels, no significant impact is expected to occur.
Water Supply	2	The returning homeowners will cause increases in the demand for water in the target area; however, the number of homes contributing to water supply demand will be similar to those that existed before hurricanes Sally and Zeta. The existing or planned municipal water utility or supplies are therefore believed to be adequate and available to service the proposed project.

Public Safety (Police, Fire, Emergency Medical)	1	Most of the homes included in the program are currently occupied and the residents are receiving local police and fire services as needed and are able to obtain emergency medical services. Though the returning homeowners will also receive the services described above, it is not anticipated that the increase in community members will cause a strain on the effectiveness of these local services. Though rehabilitation of unoccupied homes and new construction on previously undeveloped parcels will cause some increases in the population eligible to receive medical services in certain areas, this impact is not anticipated to overload the current emergency medical services available. The proposed project activities would replace, repair, elevate, mitigate or provide for new construction of damaged homes. Unrepaired structures pose a potential fire risk and the program would assist in removing the potential hazards.
Parks, Open Space, and Recreation	2	The proposed project activities take place on properties that previously contained housing structures. These activities would have no impact on open space or recreational facilities. The proposed project would not introduce a sizeable new population to communities struck by Hurricanes Sally and Zeta; therefore no new demand on open space or recreational facilities would be generated. No significant impacts would occur.
Transportation and Accessibility	2	The proposed project would not generate significant levels of traffic or place a significant demand on transportation systems in the area. The proposed project would help people return to their homes and would therefore cause a slight increase in traffic levels and demand for public transportation services relative to current conditions but would not increase levels or demand relative to conditions prior to Hurricanes Sally and Zeta. Proposed projects which include the option of new construction are anticipated to be minimal and would not cause a significant impact to the availability of transportation facilities and services in the project area.
NATURAL FEATURES		
Unique Natural Features and Water Resources	2	The proposed project is not anticipated to cause water quality issues in or around construction sites. Construction activities will implement best management practices and will not involve discharge or sewage effluent into surface water bodies. Construction activities will occur primarily on previously developed parcels where homes currently reside. The projects that include new construction will be on parcels designated for residential use. Therefore, unique and natural features are not anticipated to be impacted or cause impacts to the proposed project.
Vegetation and Wildlife	2	Construction activities will occur primarily on previously developed parcels where homes currently reside. The projects that include new construction will be on parcels designated for residential use, and it is not anticipated that trees, vegetation, or native plant community habitats will be negatively affected.
OTHER FACTORS		

Environmental Justice	1	Adverse environmental impacts resulting from the proposed project were not identified in the Broad-Level review. Site-specific reviews would be conducted at each project site to ensure adverse impacts are avoided or mitigated prior to implementation of project activities. Therefore, disproportionate adverse impacts of the program are not expected for LMI and / or minority populations. The intention of the proposed project is to assist LMI Alabama residents who were affected by Hurricanes Sally and Zeta to repair or replace their storm-damaged homes. Applicants who live in the storm damaged structure must qualify as LMI with a total household annual gross income that does not exceed 80% of Area Median Income (AMI) to participate in HRAP. Landlord applicants must agree to lease the HRAP-assisted property at affordable rates for a period of five years following receipt of program assistance, thus benefitting the LMI renters who occupy the property. Additionally, the project would result in homes that are more durable, energy-efficient, safe from mold, asbestos, lead based paint, and other health and safety impacts. The programs would also enhance health and safety by making many homes less vulnerable to flooding by elevating them above base flood elevations. Therefore, LMI households are expected to receive significant benefits from the proposed project.
Climate Change	2	The primary purpose of the proposed project is to rehabilitate and replace homes which already existed prior to Hurricanes Sally and Zeta. Although some fossil fuels would be used during project implementation, long-term pre-storm levels of fossil fuel use are not anticipated beyond completion of the proposed project. The project would result in housing stock which is more resilient to climate change than the structures that existed prior to Hurricanes Sally and Zeta. Under HRAP, all homes in the 100-year floodplain, that receive assistance for new construction, repair of substantial damage, or substantial improvement, as defined at 24 CFR 55.2(b) (10), will be elevated with the lowest floor, including the basement, at least two feet above the BFE. Additionally, comprehensive green building standards would be incorporated into HRAP. Work must comply with Green Building Standards as stated in Federal Register Vol. 87, No. 23 and / or the guidelines specified in the HUD CPD Green Building Retrofit checklist.

Additional Studies Performed: No additional studies were performed as part of this Tier I Review.

Field Inspection (Date and completed by)**:** Field inspections will be conducted at the site-specific level as individual project locations are identified and documented within the Tier II Site-Specific Environmental Review.

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

The following agencies and tribes received a consultation letter and a coordination letter with the Early Floodplain Notice as published on January 5, 2023. For further information please see Appendices C and D.

Agency or Tribe	Contact Information
Alabama-Coushatta Tribe of Texas	Chairperson Ricky Sylestine 571 State Park Road 56 Livingston, Texas 77351 tcrsylestine@actribe.org
Alabama Department of Environmental Management (ADEM) Attn: Coastal Program	3664 Dauphin Street, Suite B Mobile, Alabama 36608 coastal@adem.alabama.gov
Alabama Department of Conservation & Natural Resources	Greg Lein - Director - State Parks Division Patti Powell McCurdy - Director - State Lands Division 64 North Union Street, Suite 551 Montgomery, Alabama 36104 greg.lein@dcnr.alabama.gov patti.mccurdy@dcnr.alabama.gov
Alabama Emergency Management Agency	ATTN: LaTonya Stephens Post Office Drawer 2160 Clanton, Alabama 35046-2160 LaTonya.Stephens@ema.alabama.gov
Alabama Historical Commission	ATTN: Lee Anne Wofford 468 South Perry St Montgomery, AL 36104 LeeAnne.Wofford@ahc.alabama.gov Section.106@ahc.alabama.gov
Alabama-Quassarte Tribal Town	Wilson Yargee Chief PO Box 188 Wetumka, Oklahoma 74883 wilson.yargee@alabama-quassarte.org
Choctaw Nation of Oklahoma	Gary Batton Chief PO Box 1210 Durant, Oklahoma 74702-1210 gbatton@choctawnation.com
Coushatta Tribe of Louisiana	Jonathan Cernek Chairman PO Box 818 Elton, LA 70532 rrich@coushatta.org

Federal Emergency Management Agency (FEMA)	ATTN: Jacky Bell 3003 Chamblee Tucker Road Atlanta, Georgia 30341 FEMA-R4EHP@FEMA.DHS.gov
Mississippi Band of Choctaw Indians	Cyrus Ben Chief PO Box 6010 Choctaw, Mississippi 39350 info@choctaw.org
Muscogee (Creek) Nation	David Hill Principal Chief PO Box 580 Okmulgee, Oklahoma 74447 dhill@mcn-nsn.gov
Poarch Band of Creeks	Stephanie Bryan Chairperson 5811 Jack Springs Road Atmore, Alabama 36502-5025 sbryan@pci-nsn.gov
U.S. Army Corps of Engineers (USACE) Mobile District	P.O. Box 2288 Mobile, Alabama 36628-0001 CESAM-PA@usace.army.mil
United States Department of Agriculture (USDA)	Kevin Norwood Soil Survey Regional Director, Southeast kevin.norwood@usda.gov
U.S. Environmental Protection Agency (USEPA) ATTN: ENSV/NEPA Section	Atlanta Federal Center 61 Forsyth Street, SW Atlanta, Georgia 30303-3104 kajumba.ntale@epa.gov
U.S. Fish and Wildlife Service (USFWS)	Region 4 Ecological Field Office 1208 B Main Street Daphne, AL 36526-4419 Alabama@fws.gov

Data Sources

Public Action Plan for Hurricanes Sally and Zeta: adeca.alabama.gov/wpcontent/uploads/Alabama-DRGR-Public-Action-Plan-Submitted-11.18.22.pdf

AirNav: https://www.airnav.com/airports/

Alabama Department of Conservation and Natural Resources: www.outdooralabama.com

Alabama Department of Economic and Community Affairs, 2020 Hurricanes Sally and Zeta: adeca.alabama.gov/cdbg-disaster-recovery/hurricanes-sally-and-zeta/

Alabama Department of Environmental Management; adem.alabama.gov/

Alabama Department of Environmental Management Notice of Asbestos Abatement and/or Demolition: adem.alabama.gov/DeptForms/Form496.pdf

ESRI Imagery: www.arcgis.com/home/item.html?id=10df2279f9684e4a9f6a7f08febac2a9

Federal Aviation Administration, Airport Data and Information Portal: adip.faa.gov/agis/public/#/public

Federal Aviation Administration, National Plan of Integrated Airport Systems (NPIAS) - Current: www.faa.gov/airports/planning_capacity/npias/current

Federal Emergency Management Agency, National Flood Hazard Layers (Preliminary and Effective): fema.maps.arcgis.com/apps/webappviewer/index.html?id=e7a7dc3ebd7f4ad39bb8e485bb64ce44

Federal Register Vol. 87, No. 23: www.govinfo.gov/content/pkg/FR-2022-02-03/pdf/2022-02339.pdf

Federal Register, Vol. 87, No. 100: www.govinfo.gov/content/pkg/FR-2022-05-24/pdf/2022-11164.pdf

National Oceanic and Atmostpheric Administration, The National Coastal Zone Management Program: https://coast.noaa.gov/czm/

National Parks Service, Nationwide Rivers Inventory: www.nps.gov/maps/full.html?mapId=8adbe798-0d7e-40fb-bd48-225513d64977

National Wild and Scenic Rivers System: www.rivers.gov/

United States Department of Housing and Urban Development Acceptable Separation Distance (ASD) Electronic Assessment Tool: https://www.hudexchange.info/environmental-review/asd-calculator/

United States Department of Housing and Urban Development Noise Guidebook: https://www.hudexchange.info/resource/313/hud-noise-guidebook/

United States Department of Transportation, National Transportation Atlas Database: www.bts.gov/ntad

United States Department of Housing and Urban Development Tribal Directory Assessment Tool: https://egis.hud.gov/TDAT/

United States Environmental Protection Agency, ALABAMA - EPA Map of Radon Zones: www.epa.gov/radon/zonemap.html

United States Environmental Protection Agency Envirofacts: enviro.epa.gov/index.html

United States Environmental Protection Agency, Mold: https://www.epa.gov/mold

United States Environmental Protection Agency NEPAssist: nepassisttool.epa.gov/nepassist/nepamap.aspx

United States Environmental Protection Agency Nonattainment Areas for NAAQS Criteria Pollutants (Green Book): https://www.epa.gov/green-book

United States Environmental Protection Agency, Radon-Resistant Construction Basics and Techniques: https://www.epa.gov/radon/radon-resistant-construction-basics-and-techniques

United States Environmental Protection Agency, Sole Source Aquifers: epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b

United States Fish and Wildlife Service Coastal Barrier Resource System Mapper: https://www.fws.gov/cbra/maps/index.html; https://www.fws.gov/cbra/maps/mapper.html

United States Fish and Wildlife Service, National Wetlands Inventory Mapper: www.fws.gov/wetlands/data/mapper.html

List of Permits Obtained:
All necessary permits will be obtained at the site-specific level.

Public Outreach [24 CFR 50.23 & 58.43]**:**
Agency Correspondence Letters, sent January 6, 2023

Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain or Wetland, published on January 5, 2023

Final Combined Notice and Public Explanation of a Proposed Activity in a 100-year Floodplain or Wetland, Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds, published on March 16, 2023.

Cumulative Impact Analysis [24 CFR 58.32]**:**
The federal Council on Environmental Quality's regulations implementing procedural provisions of NEPA are set forth in 40 CFR 1508.7. They require federal agencies to consider the environmental consequences of their actions, including not only direct and indirect effects, but also cumulative effects. Cumulative impacts result from incremental consequences of program actions when added to other past, present, and reasonably foreseeable future actions.

Cumulative effects may be imperceptible when viewed at the individual level of context but can lead to a measurable environmental change when seen in the aggregate. ADECA has designed

HRAP to identify environmental conditions at both the site-specific and county level so that there will be no significant lasting changes to the existing environment. HRAP is focused on restoring single-family homes on residential lots that existed prior to Hurricanes Sally and Zeta. Any movement from the preexisting home footprint would be based on documented needs that physically prevent it to be rebuilt in the pre-storm location and would be decided on a case-by case basis. All issues that could cause environmental concern will be identified and mitigated through appropriate agency consultation and adjustments to project design. If mitigation is not possible at a proposed project site it would not be eligible for funding consideration.

Alternatives to the Proposed Action

[24 CFR 58.40(e), 40 CFR 1508.9] (Identify and discuss all reasonable alternative courses of action that were considered and were not selected, such as alternative sites, designs, or other uses of the subject site(s). Describe the benefits and adverse impacts to the human environment of each alternative, in terms of environmental, economic, and design contexts, and the reasons for rejecting each alternative. Also, finally discuss the merits of the alternative selected.)

No Action Alternative: This alternative would mean that homeowners within the 100-year floodplain or a wetland would not receive funding to provide for rehabilitated or reconstructed housing under HRAP. As a result, these property owners or renters may not be able to recover from the storms. Further, it would significantly inhibit the program's rehabilitation and reconstruction goals given that structures in the 100-year floodplain are significantly more likely to experience flood damage, in addition to preventing the program from addressing the housing needs of the most vulnerable and disproportionally impacted residents of Alabama, particularly low - to moderate - income households still suffering from hurricane - related losses. Most of these residents would continue to live in the 100-year floodplain, in damaged, unsafe, and unsanitary housing. These residents would be at greater risk during future flood events, particularly if the homes do not meet current elevation requirements. Thus, the No-Action alternative would neither address Alabama's need for safe, decent and affordable housing, nor would it require homes within the floodplain to be elevated to the highest standard for flood or wetlands protection. Therefore, this alternative is not the most practicable for all the applicants affected by Hurricanes Sally and Zeta.

Relocate All Projects Outside the Floodplain / Wetlands Alternative: Relocating projects outside of the 100-year floodplain is another highly desirable outcome from a perspective of flood risk reduction, by moving people and structures out of harm's way. However, acquiring land for the purpose of development and relocating housing outside of the 100-year floodplain, is exorbitantly expensive and would vastly increase the cost of each individual housing project, thereby drastically reducing the number of projects the program could potentially fund. Additionally, the preference of most residents is to repair or rebuild their home in its current location. For these residents or tenants, relocating outside of the floodplain would negatively affect their proximity to their current employment and social network, including schools, churches, local services, neighbors, and family/relatives. Further, this alternative would leave behind pockets of areas with deteriorating flood-damaged and vacant homes and contribute to a decline that will lead

to an increase in blighted conditions, become overgrown with vegetation, further damaged by possible vagrants, attract associated biological hazards, result in poor housing in their respective neighborhoods, thus creating a public safety hazard at the properties and the communities, and would even serve to lower the value of the surrounding real estate. Also, the economic feasibility of mass relocations would likely not be practical given funding restrictions. Therefore, this alternative is not the most practicable for all the applicants affected by Hurricanes Sally and Zeta.

ADECA does acknowledge however, that less commonly, due to circumstances beyond the applicant's control, replacement of a residence in the same location as their storm-damaged home may not be feasible. Therefore, ADECA has opted to allow the implementation of this alternative in very limited circumstances, to be considered on a case-by-case basis.

The Selected Alternative:

This alternative will provide financial assistance to rehabilitate, reconstruct, or elevate housing structures on the same area in which the home resides; some of which may be located in the 100-year floodplain or wetlands. This action is designed to recover the affordable housing and structures that may have been destroyed or damaged due to Hurricanes Sally and Zeta. Under limited circumstances, HRAP may allow replacement manufactured homes to be relocated outside of the 100-year floodplain / wetland.

In addition to requiring all proposed projects to comply with Green Building Standards as stated in Federal Register Vol. 87, No. 23 or the HUD Green Building Retrofit checklist, Alabama would implement construction methods that emphasize quality, durability, energy efficiency, sustainability, and mold resistance. All rehabilitation, reconstruction, and new construction would be designed to incorporate principles of sustainability, including water and energy efficiency, resilience, and mitigation against the impact of future disasters.

One purpose of HRAP is to reduce future damages from flooding. Under HRAP, all homes in the 100-year floodplain, that receive assistance for new construction, repair of substantial damage, or substantial improvement, as defined at 24 CFR 55.2(b) (10), will be elevated with the lowest floor, including the basement, at least two feet above the BFE. Further, the owners of all properties in the 100-year floodplain, would be required to obtain and maintain flood insurance and informed that they must notify prospective future owners of the requirement to maintain flood insurance regardless of the transfer of ownership. This requirement is mandated to protect safety of residents and their property and the investment of federal dollars.

Structures that are not substantially damaged would have minimal or no floodplain / wetland impacts as the project activities are in previously disturbed areas and within their construction footprints. If project activities are within or adjacent to wetlands, appropriate mitigation would be implemented to avoid adverse effects.

The proposed project will greatly assist the future homeowners and tenants who meet the low-moderate income criteria and provide them with homes that meet current minimum property standards with the use of better and higher quality building materials, provide safe and affordable housing, prevent future loss of life, and reduce future damages from flooding since all substantially damaged structures located in the SFHA, as applicable, will be elevated at least two feet above the most current BFE.

This alternative would meet the purposes of the HRAP and is therefore, selected.

Summary of Findings and Conclusions

Based upon completion of this environmental assessment, environmental review of the proposed project indicates there will be no significant changes to existing environmental conditions across the impact categories implemented by HUD in response to the National Environmental Policy Act of 1969. The following subject areas require additional site-specific analysis before it can be concluded that a specific proposed project activity would have no significant environmental impacts on an individual site. These authorities are referenced under HUD's regulations at 24 CFR 58.5:

- Historic Preservation [36 CFR Part 800]
- Floodplain Management and Flood Insurance [24 CFR 58.5(b) and 24 CFR 58.6]
- Wetland Protection [24 CFR 55, Executive Order 11990]
- Endangered Species [50 CFR 402]
- Toxic Chemicals and Gases, Hazardous Materials, Contamination, and Radioactive Substances [24 CFR 58.5(i)(2)(i)]
- Noise Control and Abatement [24 CFR 51B]
- Farmland Protection [7 CFR 658]
- Explosive and Flammable Hazards [24 CFR 51C]

4.0 APPLICABLE MITIGATION MEASURES

While specific mitigation measures cannot be fully defined within the Broad-Level review, a general list of mitigation measures is summarized below. These will be supplemented with Site-Specific mitigation measures and / or project conditions, included in the Tier II site-specific checklist for each project site. For each site, the general contractor would note what the specific mitigation measures are required for the assigned project by the Tier II checklist and incorporate these into their construction plans and document how compliance was achieved.

Conditions for Mitigation

The following mitigation measures are required as conditions for approval of the project, as applicable:

General

1. All work must comply with applicable state and local building codes. Required federal, state and local permits must be acquired prior to commencement of construction and permit conditions must be adhered to.
2. Work must comply with Green Building Standards as stated in Federal Register Vol. 87, No. 23 and / or the guidelines specified in the HUD Community Planning and Development (CPD) Green Building Retrofit checklist.
3. Contractors will be required to prepare and implement health and safety plans and conduct monitoring during construction to protect the health and safety of site workers and the public.
4. Contractors must use best management practices to control soil and sediment movement (assuming the work is of such nature as to impact the surrounding surface area) off the work-site during rainfall events, reduce the impact to streams and manage rainwater runoff both during construction and after completion of the work. Examples of construction best management practices are silt fences, hay bales in ditches, constructed detention basins, and other basins to hold silt-laden water on site.
5. If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for re-evaluation under the National Environmental Policy Act.

Historic Preservation

6. All activities must comply with Section 106 of the National Historic Preservation Act (NHPA) per the implementing regulations 36 CFR Part 800. Compliance with Section 106 is achieved through the procedures set forth in the Programmatic Agreement with the Alabama State Historic Preservation Office signed on to by ADECA.
7. If archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted, and the applicant shall stop all work immediately near the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The applicant would inform ADECA immediately so that consultation with the State Historic Preservation Office (SHPO) and Tribes can occur. Work in sensitive areas cannot resume until

consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act (NHPA).

Floodplain Management and Flood Insurance

8. All proposed reconstruction, repair, elevation and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the minimum standard of Base Flood Elevation plus 2 feet or the local floodplain requirements, whichever is more restrictive.
9. All structures funded by the Home Recovery Alabama Program, if in, or partially in, the 100-year floodplain shown on the latest Effective FEMA Flood Insurance Rate Map (FIRM), will be covered by flood insurance and the flood insurance must be maintained for the economic life of the structure [24 CFR 58.6(a)(1)].
10. No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance but failed to obtain and maintain the insurance [24 CFR 58.6(b)].
11. Duration of Flood Insurance Coverage. The statutory period for flood insurance coverage may extend beyond project completion. For loans, loan insurance or guaranty, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of assistance, coverage must be continued for the life of the property, regardless of transfer of ownership of such property. Section 582(c) of the Community Development and Regulatory Improvement Act of 1994 mandates that "The requirement of maintaining flood insurance shall apply during the life of the property, regardless of transfer of ownership of such property." (42 USC 4012a).
12. Dollar Amount of Flood Insurance Coverage. For loans, loan insurance or guaranty, the amount of flood insurance coverage need not exceed the outstanding principal balance of the loan. For grants and other forms of financial assistance, the amount of flood insurance coverage must be at least equal to the development or project cost (less estimated land cost) or to the maximum limit of coverage made available by the Act with respect to the particular type of building involved (SF-Single Family, OR-Other Residential, NR-Non-Residential, or SB-Small Business), whichever is less. The development or project cost is the total cost for acquiring, constructing, reconstructing, repairing or improving the building. This cost covers both the federally assisted and the non-Federally assisted portion of the cost, including any machinery, equipment, fixtures, and furnishings.
13. Proof of Purchase. The standard documentation for compliance with Section102 (a) is the Policy Declarations form issued by the NFIP or issued by any property insurance company offering coverage under the NFIP. The insured has its insurer automatically forward to the grantee in the same manner as to the insured, information copies of the Policy Declarations form for verification of compliance with the Act. Any financially assisted Special Flood Hazard Area (SFHA) building lacking a current Policy Declarations form is in Noncompliance.
14. Reconstruction or substantial improvement projects in "Coastal High Hazard" areas ("V" zones on the latest [most recent] FEMA-issued maps) must meet the current standards for V zones in FEMA regulations (44 CFR 60.3(e)) and, if applicable, the Minimum Property Standards for such construction in 24 CFR 200.926d(c)(4)(iii)

Wetlands Protection and Water Quality

15. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters and to prevent erosion in onsite and offsite wetlands and waters.
16. Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.

Endangered Species

17. If nests are found or any birds are using the structures regularly for roosting purposes, the contractor should immediately notify ADECA to coordinate next steps. An environmental specialist with the Program will coordinate with the USFWS as necessary. If any native birds are using the structure for nesting, no action should be taken that might disturb the adults, nests, eggs, or chicks, as this could lead to a potential violation of the Migratory Bird Treaty Act

Noise

18. Outfit all equipment with operating mufflers.
19. Comply will applicable local noise ordinance.

Air Quality

20. Use water or chemical dust suppressant in exposed areas to control dust.
21. Cover the load compartments of trucks hauling dust-generating materials.
22. Wash heavy trucks and construction vehicles before they leave the site.
23. Reduce vehicle speed on non-paved areas and keep paved areas clean.
24. Retrofit older equipment with pollution controls.
25. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.
26. Employ spill mitigation measures immediately upon a spill of fuel or hazardous material.
27. Employ air pollution control measures on all vehicles and equipment, as required.
28. Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (<15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 86, 89, 94, 1039, 1051, 1065, 1068).
29. Operate, if possible, newer on-road diesel vehicles and non-road construction equipment equipped with tier 4 engines, or equipment equipped with an exhaust retrofit device.

Hazardous Materials

30. All activities must comply with applicable federal, state and local laws and regulations regarding asbestos, including but not limited to the following:
    a. National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145 and 150
    b. Disposal requirements for friable asbestos at Alabama Admin. Code 335-13-4-.26(2)

31. Applicant or contractor must comply will all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g., asbestos, lead-based paint) or household waste (e.g., construction and demolition debris, pesticides / herbicides, white goods).
32. All activities must comply with applicable federal, state and local laws and regulations regarding lead-based paint including, but not limited to:
    a. EPA's Repair, Renovation, and Painting (RRP) Rule (40 CFR 745.80(e))
    b. HUD's lead-based paint regulations in 24 CFR 35(a)(b)(h)(j)(r)
    c. HUD's "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing"
33. Homes built prior to 1978 to be rehabilitated will be checked for lead-based paint in accordance with HUD's Lead Safe Housing Rule located under 24 CFR Part 35. Homes demolished are "exempt" from the LBP testing, mitigation/abatement and clearance requirements. State and local disposal requirements will be followed.
34. All residential structures must be treated for mold attributable to Hurricanes Sally or Zeta in accordance with federal, state or local guidelines.
35. During project implementation, Radon-Resistant New Construction techniques should be used, whenever possible.

Wild and Scenic Rivers

36. Contractors are required to "take care to avoid or mitigate adverse effects on the rivers identified in the Nationwide Inventory" when present in the vicinity of construction activities.

Appendix A

Figures and Tables

Figure 1. Perry County Airports

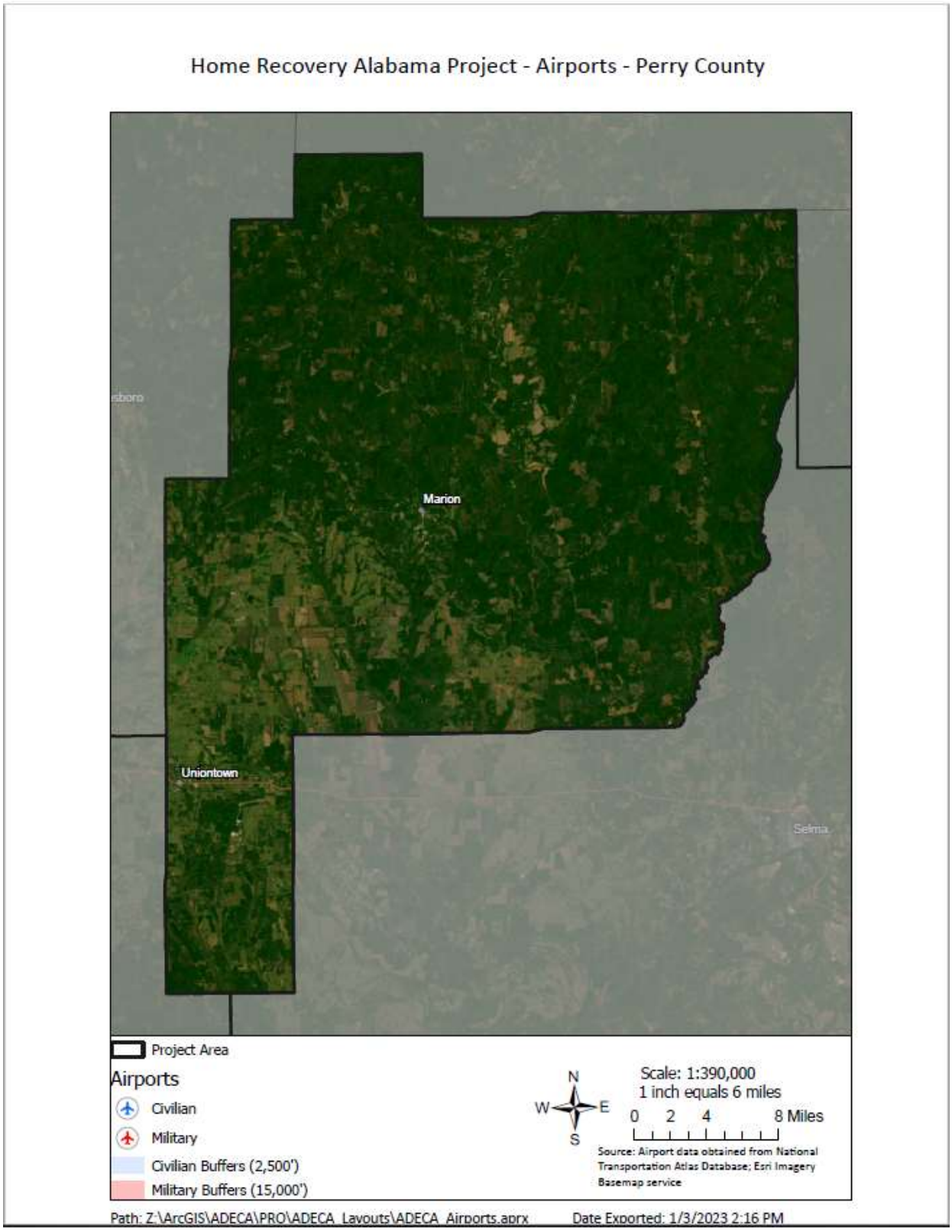


Figure 2. Perry County Coastal Barrier Resources

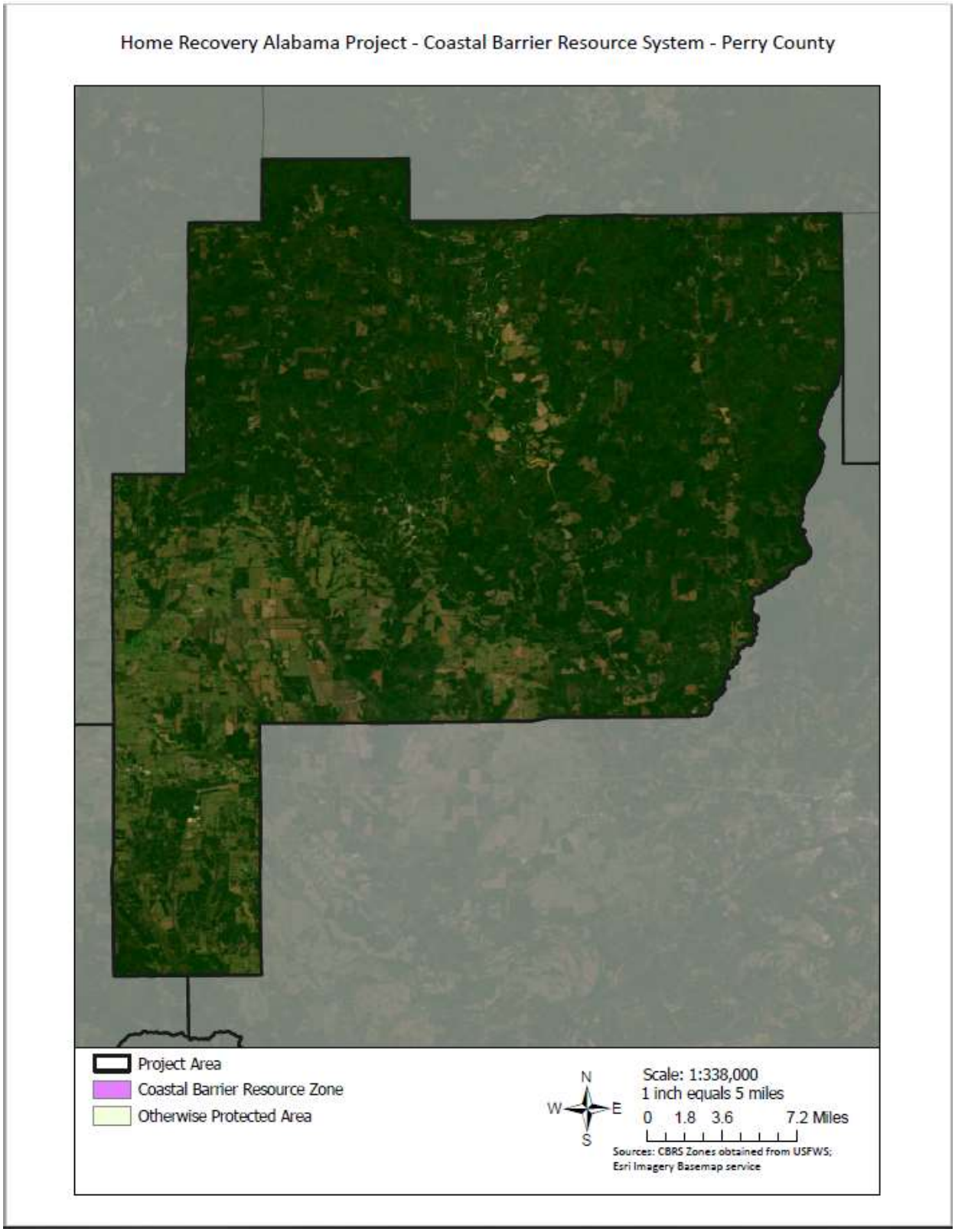


Figure 3. Coastal Zone Management Perry County

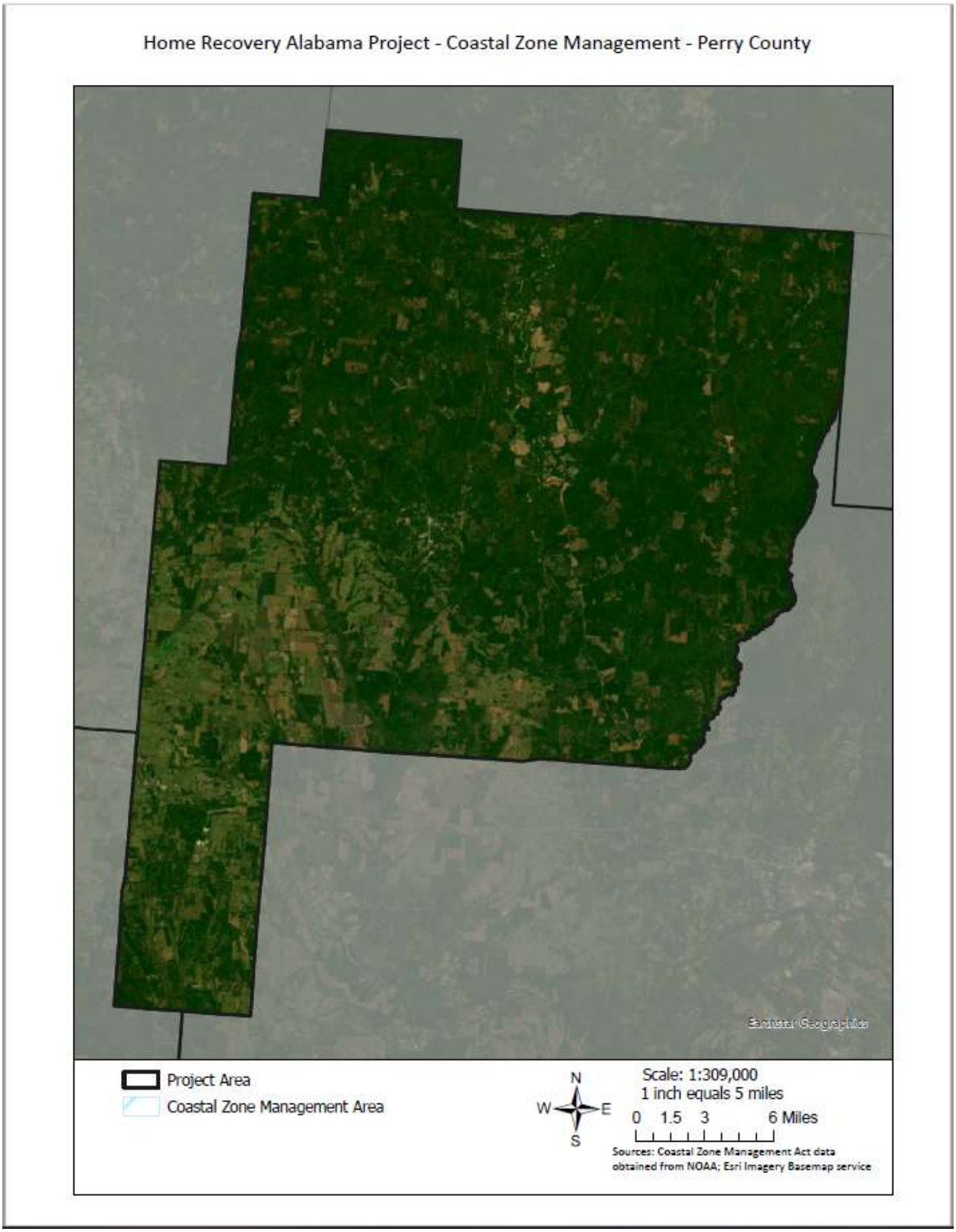


Figure 4. Effective FIRM – Perry County

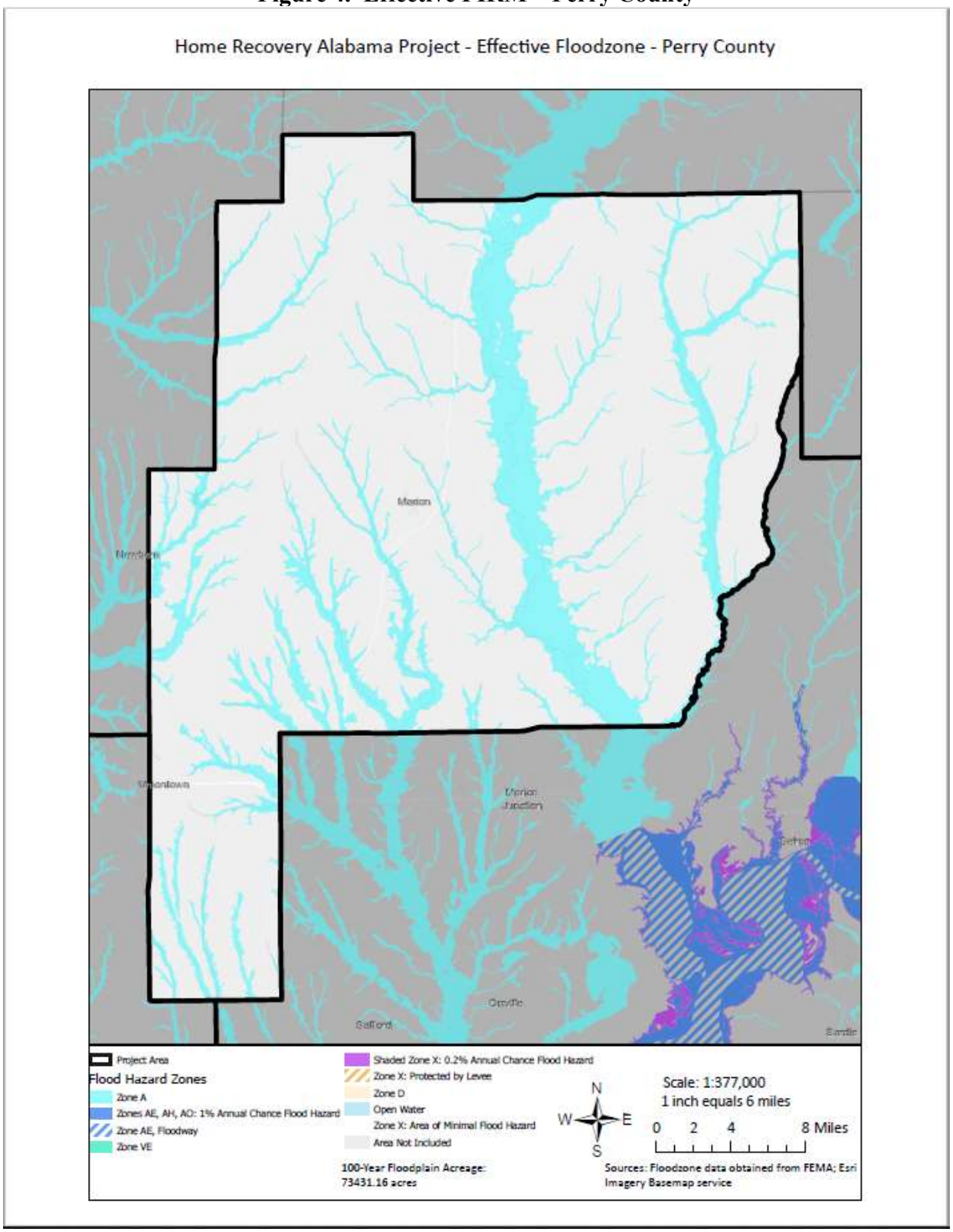


Figure 5. Preliminary FIRM - Perry County

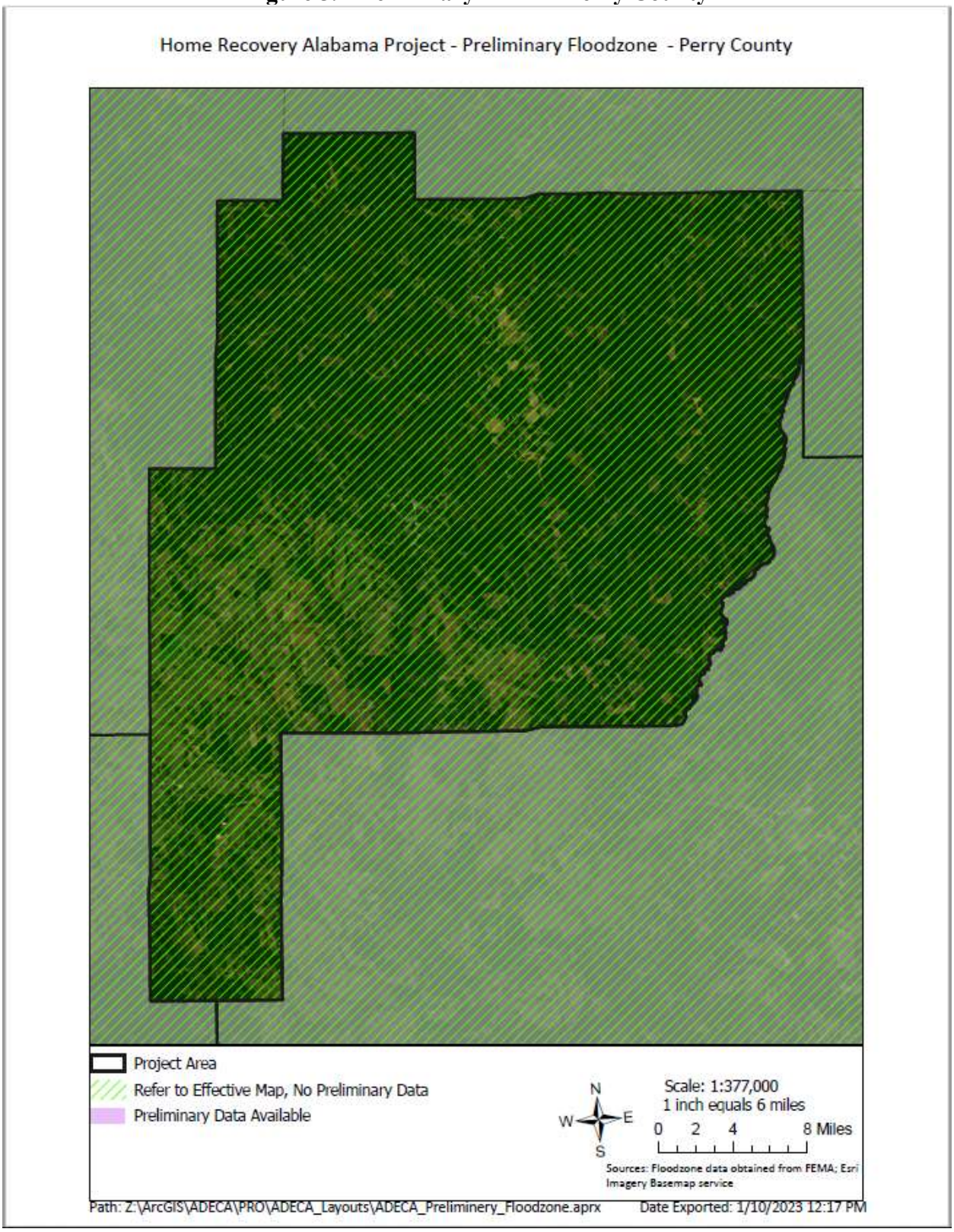


Figure 6. Project Area - HRAP

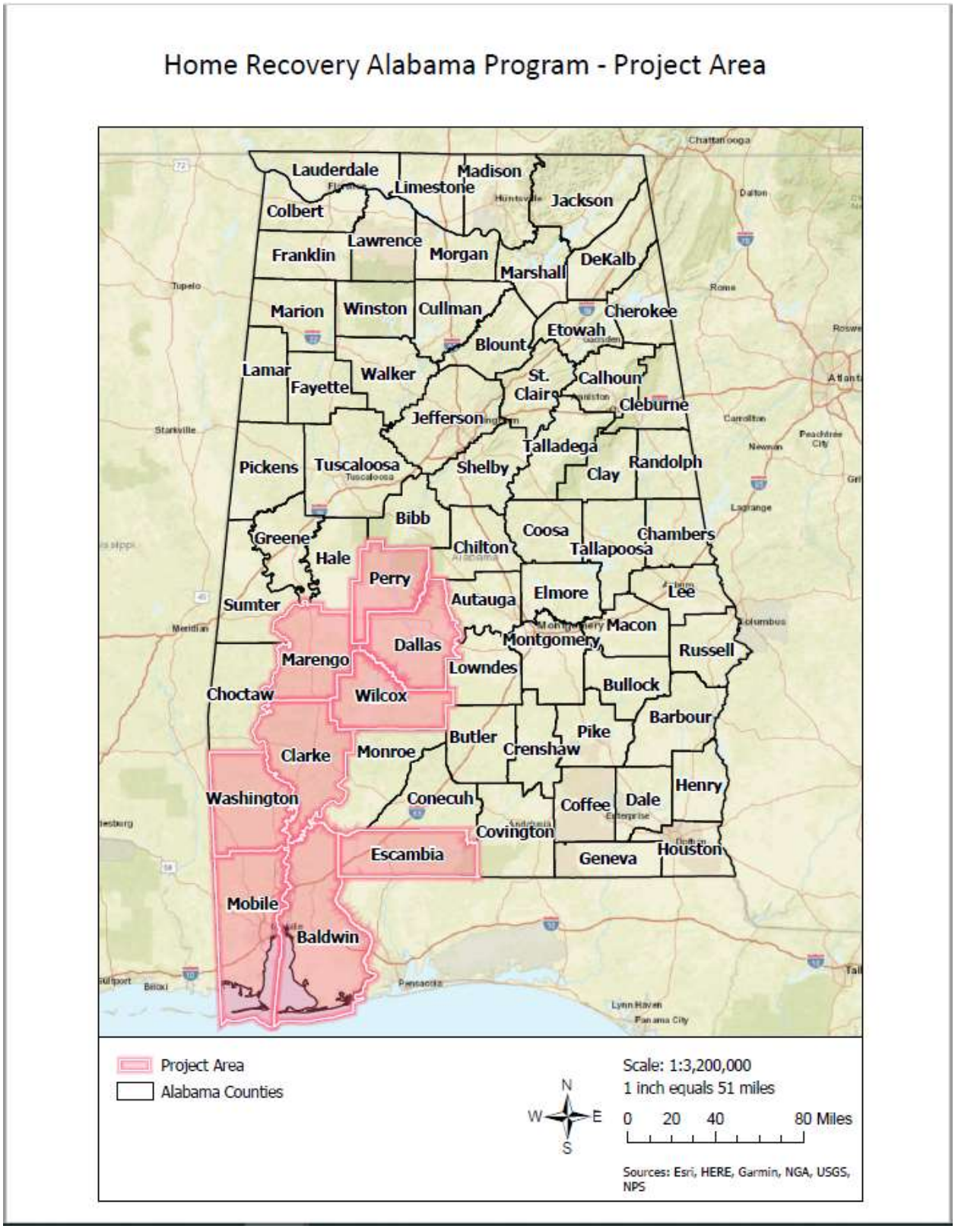


Figure 7. Project Area – Perry County

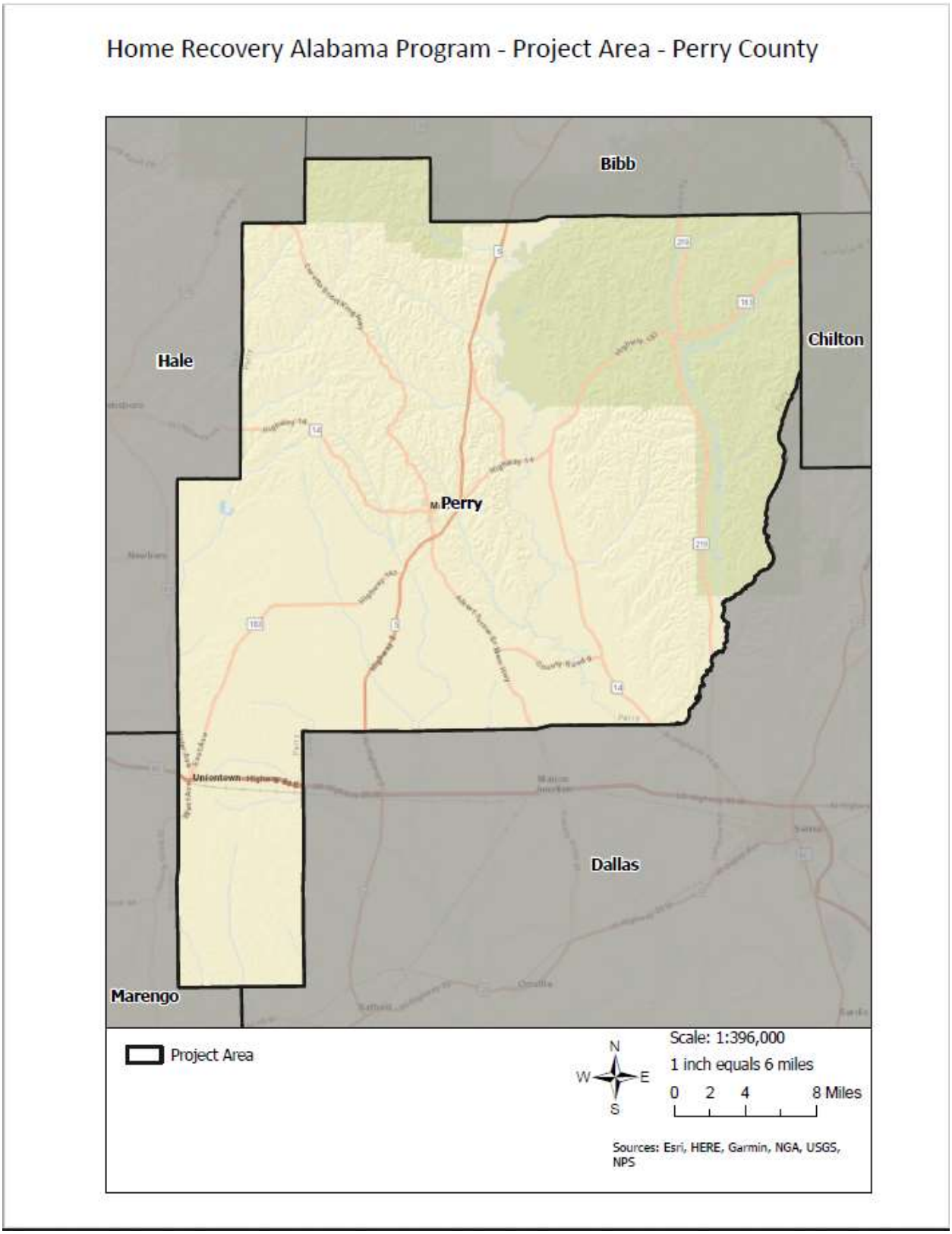


Figure 8. Radon Map

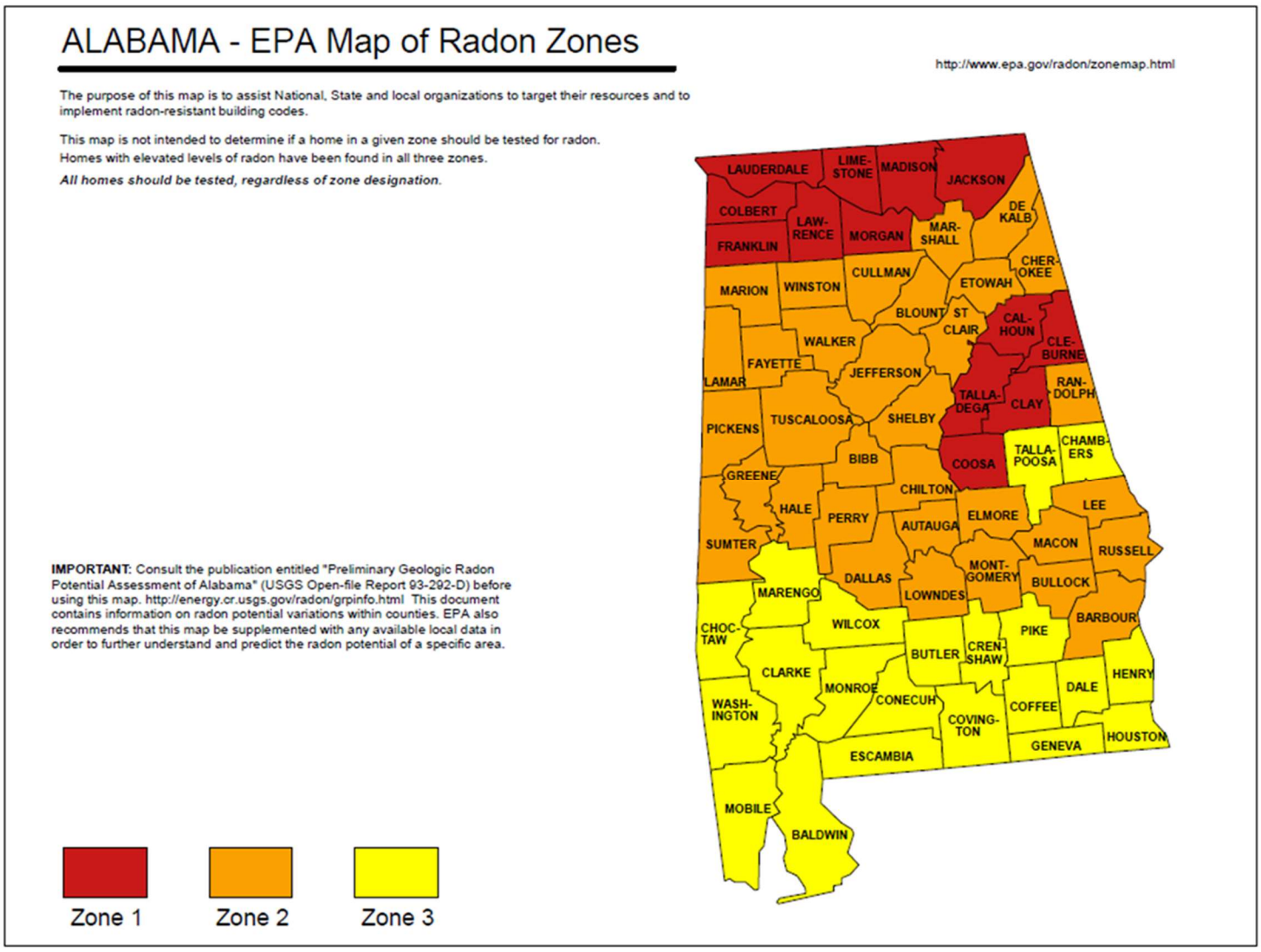


Figure 9. Sole Source Aquifers Perry County

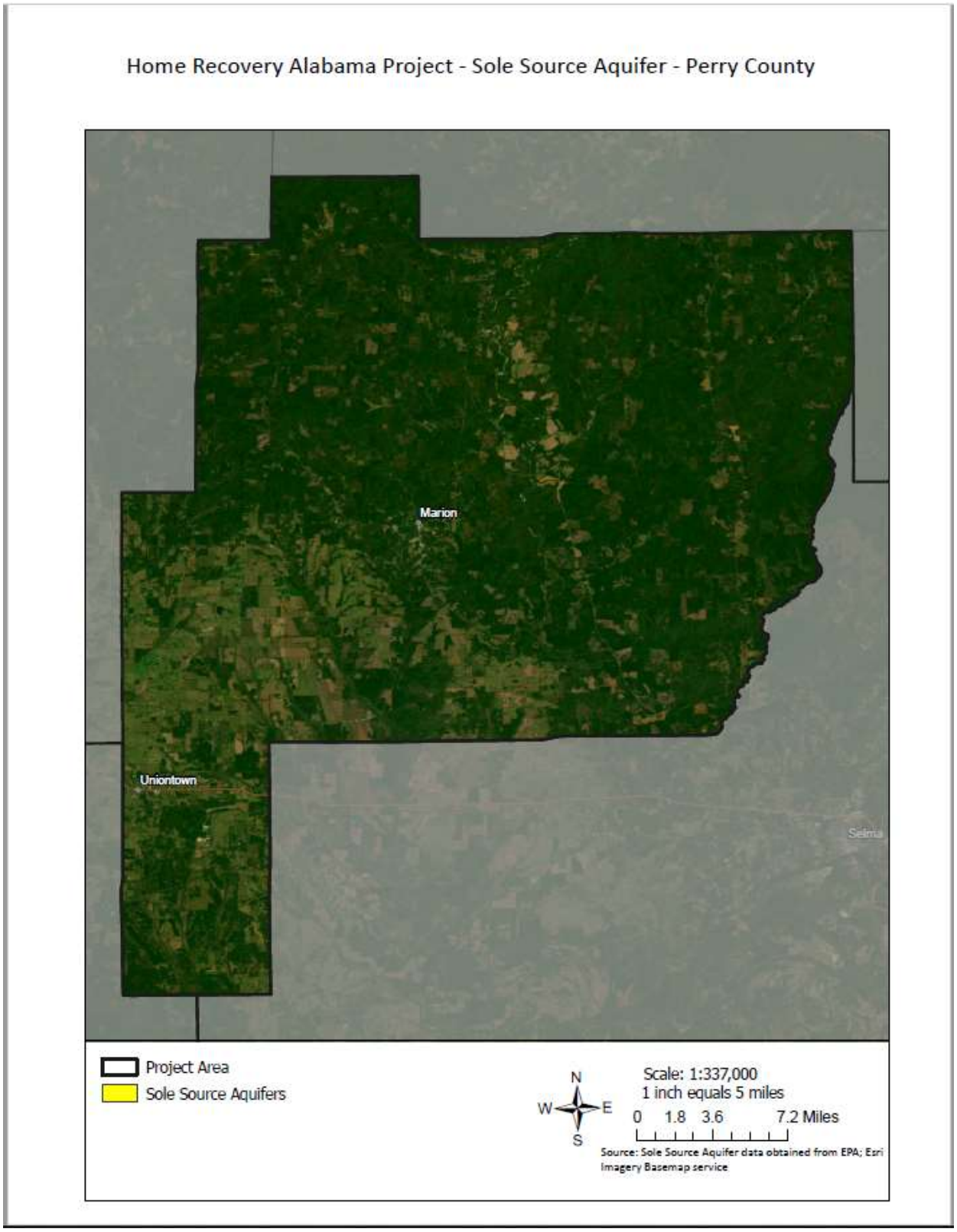


Figure 10. Perry County Wetlands

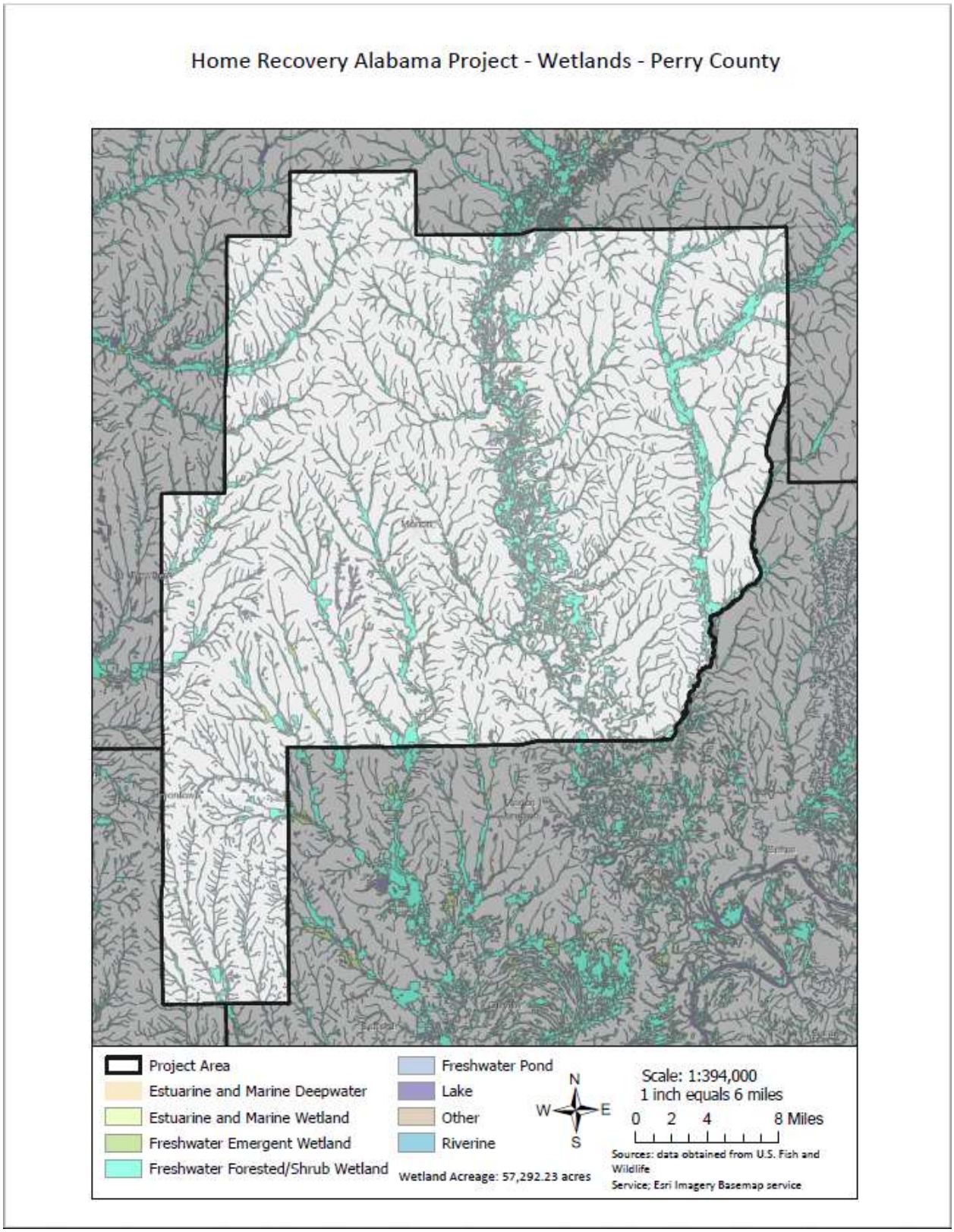
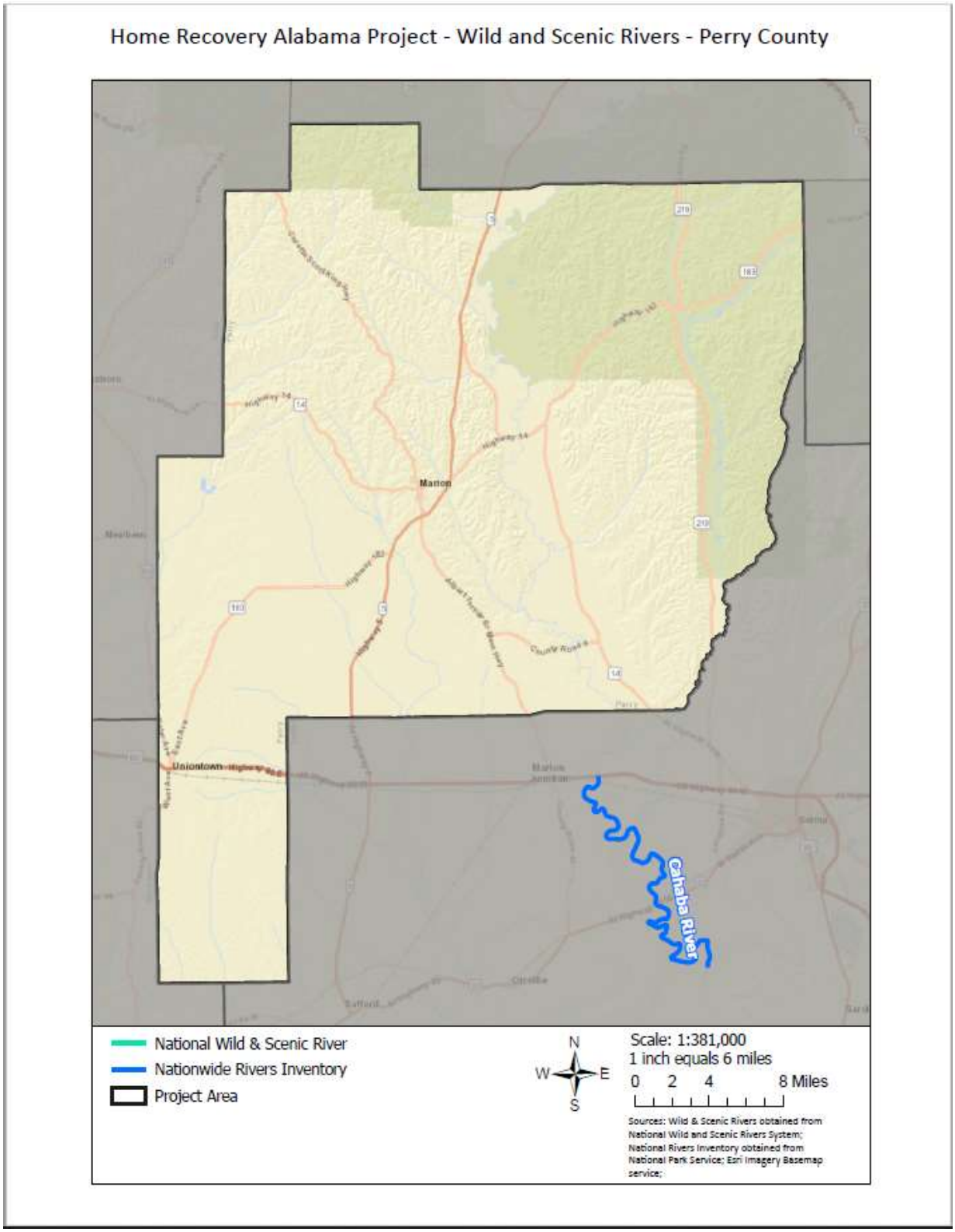


Figure 11. Perry County Wild and Scenic Rivers



Appendix B

Tier II Environmental Review Record

B1 – Example Tier II Checklist

B2 – Example Field Inspection Form

Tier II Environmental Review Record

Community Development Block Grant – Disaster Recovery
Home Recovery Alabama Program (1-4 Units)
SSC Version 1.0

Application	
Property Street	
City:	**Zip /**
Parcel	**Coordinates*:**
Field Inspection	**Field**
QA/QC	**QA/QC Date of**
Submission Date:	**Grant Number:**

*Geographic Coordinate System: GCS_North_American_1983

Construction Intent (check all that apply):
- ☐ Rehabilitation
- ☐ Elevation
- ☐ Reconstruction
- ☐ MHU Relocation to a Previously Developed Lot
- ☐ Reevaluation

Structure Type:
- ☐ Detached Single-Family Site Built / Conventional Home
- ☐ Attached Single-Family Site Built (2-4 units)
- ☐ Manufactured Housing Unit (MHU)

Ownership:
- ☐ Owner-occupied
- ☐ Renter occupied

Project Description:

A Tiered Environmental Broad-Level Review (Tier I EA) for proposed activities to be funded through the Home Recovery Alabama Program was completed for each program-eligible county in accordance with the state, federal and local environmental laws, regulations and executive orders. This Tier II Site-Specific Environmental Review is being completed in anticipation of proposed activities at an individual project site where the residential structure sustained damage from Hurricanes Sally and / or Zeta. Funds were released at the Tier I level for each county.

(Choose one)

Rehabilitation

The proposed activity is rehabilitation of the (insert number)-unit residential structure at the address listed above. The (rental or owner-occupied) structure was constructed in (insert year). Renovations will include addressing storm-related damage and repairing the property to current minimum property standards and compliance with applicable Americans with Disabilities Act requirements. All rehabilitation activities will be limited to the existing structure. Equipment storage and staging of materials will be limited to the disturbed area of the previously developed lot. Pre-award and pre-application activities will be limited to work completed in the same footprint of the damaged structure. A map showing the location of the property is attached.

Elevation

The proposed activity is elevation of the (insert number)-unit residential structure at the address listed above. The owner-occupied structure was constructed in (insert year). The lowest habitable floor of the structure will be elevated at least 2 feet above the base flood elevation (BFE) as shown on the effective Flood Insurance Rate Map or Preliminary Flood Insurance Rate Map published by FEMA, in accordance with federal requirements or local code, whichever is higher. The structure will be elevated substantially within the footprint of the existing structure. Equipment storage and staging of materials will be limited to the disturbed area of the previously developed lot. Additional ground disturbance may be necessary to install pier and beam foundation and/or accommodate required utilities. Pre-award and pre-application activities will be limited to work completed in the same footprint of the damaged structure. A map showing the location of the property is attached.

Reconstruction Substantially Within the Existing Footprint (with or without elevation)
The proposed activity involves demolition and reconstruction of an existing (insert number)-unit residential structure built in (insert year) with no change in residential density, at the above-listed address, where the (rental or owner-occupied) structure received damage to the extent that rehabilitation was not feasible. Proposed activities would include reconstruction in accordance with minimum property standards and site-specific mitigation measures. (remove inapplicable elevation language) The home site is not in the 100-year floodplain; therefore, elevation is not required. OR OWNER-OCCUPIED ONLY The home site is in the 100-year floodplain; therefore, compliance with the federal requirements and local floodplain ordinance will be required to include elevating the home at least 2 feet above the base flood elevation (BFE), in accordance with the effective Flood Insurance Rate Map or Preliminary Flood Insurance Rate Map published by FEMA. The structure will be reconstructed substantially within the existing footprint (will not increase by more than 20%) and all project activities, including equipment storage and staging of materials, will be limited to the disturbed area of the previously developed lot. Additional ground disturbance may be necessary to install pier and beam foundation and/or accommodate required utilities. A map showing the location of the property is attached.

Reconstruction and Expansion/Alteration of the Footprint (with or without elevation)
The proposed activity involves demolition and reconstruction of an existing (insert number)-unit residential structure built in (insert year) with no change in residential density, at the above-listed address, where the (rental or owner-occupied) structure received damage to the extent that rehabilitation was not feasible. Proposed activities would include reconstruction in accordance with minimum property standards and site-specific mitigation measures. (remove inapplicable elevation language) The home site is not in the 100-year floodplain; therefore, elevation is not required. OR OWNER-OCCUPIED ONLY The home site is in the 100-year floodplain; therefore, compliance with the federal requirements and local floodplain ordinance will be required to include elevating the home at least 2 feet above the base flood elevation (BFE), in accordance with the effective Flood Insurance Rate Map or Preliminary Flood Insurance Rate Map published by FEMA. The structure will be reconstructed within the disturbed area of the previously developed lot with construction activities occurring partially or entirely outside of the existing footprint; however, all project activities, including equipment storage and staging of materials, will be limited to the disturbed area of the previously developed lot. Additional ground disturbance may be necessary to install pier and beam foundation and/or accommodate required utilities. A map showing the location of the property is attached.

Relocation of an MHU to a Previously Developed Lot
The proposed activity involves demolition of an existing MHU built in (insert year) where the structure received damage to the extent that rehabilitation was not feasible, and relocation of the replacement MHU to a previously developed lot at the above-listed address, with no net change in residential density. The demolition activities were previously reviewed on the Tier II ERR in the project file for the damaged property location. Proposed activities at the relocation site would include installing the replacement MHU in accordance with minimum property standards and site-specific mitigation measures. The home site is

not in the 100-year floodplain; therefore, elevation is not required. The MHU will be installed substantially within the previously extant footprint on an existing pad and connected to existing utilities. All project activities, including equipment storage and staging of materials, will be limited to the disturbed area of the previously developed lot. A map showing the location of the property is attached.

Environmental Review Determination:

1. Is project in compliance with applicable laws and regulations? ☐ Yes ☐ No
2. Are mitigation measures required for this project? ☐ Yes ☐ No
   If "Yes," provide the mitigation measures on the form that follows the checklists.
3. Do conditions exist that result in the proposed action being Ineligible for HUD funding? ☐ Yes ☐ No
   If "Yes", describe:

Signatory Information and Approval:

PREPARER:

Prepared By: _____ Title: _____

Signature: _____ Date: _____

ADECA REVIEWER:

Reviewed By: _____ Title: _____

Signature: _____ Date: _____

AUTHORIZING OFFICER:

Approved By: _____ Title: _____

Signature: _____ Date: _____

Finding of Tier II Review	☐ The proposed activity complies with environmental requirements for funding. ☐ The proposed activity does not comply with environmental requirements for funding.

Site Specific Findings

1. Historic Preservation
(36 CFR Part 800)

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded")

A. Tribal Consultation

Did the Choctaw Nation of Oklahoma concur with proposed project activities or can concurrence be assumed?

☐ Yes. Attach supporting documentation. Are project conditions required?

☐ Yes. Attach conditions. **(Proceed to Programmatic Agreement and National Historic Landmark Review)**

☐ No. **(Proceed to Programmatic Agreement and National Historic Landmark Review)**

☐ No. Adverse Effect Determination (THPO concurrence on file)

☐ Adverse effect resolved. Method of resolution:

Are project conditions required?

☐ No. **(Proceed to Programmatic Agreement and National Historic Landmark Review)**

☐ Yes. Attach conditions. **(Proceed to Programmatic Agreement and National Historic Landmark Review)**

☐ Mitigation to resolve adverse effects is not possible. **STOP – Application Is Not Eligible For Funding. Inform Certifying Officer.**

B. Programmatic Agreement and National Historic Landmark Review

The review must be concluded for both above ground and below ground resources.

☐ Property Appraiser Document/Tax Card or other year-built documentation attached.

The proposed project has been reviewed by person(s) meeting the Secretary of Interior's Professional Qualification Standards to determine if the project conforms to an Excluded Activity or requires consultation in accordance with the PA. The reviewer has determined that the project:

☐ Is limited to activities that conform to the Excluded Activities of the Programmatic Agreement for both above and below ground resources.

PA Allowances:

Applied By:

Does the Undertaking involve a National Historic Landmark?

☐ No. **(Review Concluded)**

☐ Yes. Attach documentation that notification and appropriate information has been provided to the Southeast Region's National Park Service National Historic Landmark Manager, SHPO and the participating tribes. (**Review Concluded**)

☐ Does not conform to the Allowances; therefore, consultation for above and/or below ground resources is required. **(Proceed to Section 106 Consultation)**

C. SHPO Consultation Required

The review must be concluded for both above ground and below ground resources.

I. Above Ground Resources

Does the Undertaking conform to an Excluded Activity of the Programmatic Agreement (PA) for above ground resources?

☐ Yes. **(Above Ground Resources Review Concluded)**

PA

Allowances:

Applied By:

☐ No. SHPO consultation is required.

Standard Project Review – SHPO Consultation:

☐ No above ground Section 106-defined historic properties or NRHP-listed, NRHP-eligible or local historic districts are in the Area of Potential Effects.

☐ No Historic Properties Affected Determination. SHPO concurrence on file. **(Above Ground Resources Review Concluded)**

☐ Individual historic properties or historic districts are located within the Area of Potential Effect.

☐ No Adverse Effect Determination (SHPO concurrence on file)

Are project conditions required?

☐ No. **(Above Ground Resources Review Concluded)**

☐ Yes. Attach conditions. **(Above Ground Resources Review Concluded)**

☐ Adverse Effect Determination (SHPO concurrence on file)

☐ Adverse effect resolved. Method of resolution:

Are project conditions required?

☐ No. **(Above Ground Resources Review Concluded)**

☐ Yes. Attach conditions. **(Above Ground Resources Review Concluded)**

☐ Mitigation to resolve adverse effects is not possible. **STOP – Application Is Not Eligible For Funding. Inform Certifying Officer.**

II. Below Ground Resources

Does the Undertaking conform to the Excluded Activities of the of the Programmatic Agreement (PA) for below ground resources?

☐ Yes. **(Below Ground Resources Review Concluded)**

PA

Allowances:

Applied By:

☐ No. SHPO consultation is required.

Standard Project Review – SHPO Consultation:

☐ Project area assessed as having low potential for below ground resources within the Area of Potential Effect.

☐ No Historic Properties Affected Determination. SHPO concurrence on file. **(Below Ground Resources Review Concluded)**

☐ Project area assessed as high potential for below ground resources within the Area of Potential Effect.

☐ No Adverse Effect Determination (SHPO concurrence on file)

Are project conditions required?

☐ No. **(Below Ground Resources Review Concluded)**

☐ Yes. Attach conditions. **(Below Ground Resources Review Concluded)**

☐ Adverse Effect Determination (SHPO concurrence on file)

☐ Adverse effect resolved. Method of resolution:

Are project conditions required?

☐ No. **(Below Ground Resources Review Concluded)**

☐ Yes. Attach conditions. **(Below Ground Resources Review Concluded)**

☐ Mitigation to resolve adverse effects is not possible. **STOP – Application Is Not Eligible For Funding. Inform Certifying Officer.**

Historic Preservation Project Specific Conditions:

2. Floodplain Management and Flood Insurance
(EO 11988, 24 CFR Part 55, and 24 CFR 58.6)

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded")

FIRM Panel:		Effective Date:	
Preliminary FIRM Panel:		Issue Date:	

Is the proposed project site (home site) in a 100-year floodplain (A or V zone) **on the Preliminary or Effective FIRM**? (Attach appropriate floodplain map**(s)** showing site location.)

☐ No. Complies with EO 11988, 24 CFR Part 55, and 24 CFR 58.6. (**Review Concluded**)

☐ Yes. Is the proposed project site a rental property and / or does the project involve relocation to a different parcel?

☐ Yes. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

☐ No. Is the project site in a community that is participating and in good standing with the National Flood Insurance Program (NFIP)?

☐ No. **Does not comply** with EO 11988, 24 CFR Part 55, and 24 CFR 58.6 because required flood insurance is not obtainable. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

☐ Yes. Is the structure in a designated floodway area **on the Preliminary or Effective FIRM**?

☐ Yes. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

☐ No. Is the project reconstruction, replacement or repair of a substantially damaged structure (damage equal to or more than 50 percent of the pre-Hurricane Michael value of the structure as per 24 CFR part 55)?

☐ No. Elevation is not required. **(Continue)**

☐ Yes. Elevation is required. Add site specific condition. **(Continue)**
Does the structure fall within the 100-year floodplain (A or V zone) as shown on the **Effective FIRM**?

☐ No. Flood insurance cannot be mandated based on Preliminary FIRM data; however, flood insurance is recommended to mitigate future loss and may be required once the Preliminary FIRMs become effective**. (Review Concluded)**

☐ Yes. Flood insurance is required. Add site specific condition. **(Review Concluded)**

Floodplain Management and Flood Insurance Project Specific Conditions:

3. Wetlands
(EO 11990 and Clean Water Act, especially Section 404)

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded")

Are there coastal or freshwater wetlands on or adjacent to the project parcel? Attach appropriate wetlands map.

☐ No. There are no wetlands on or adjacent to the project parcel. **(Review Concluded)**

☐ Yes. Is the existing damage structure located within mapped wetlands?

☐ No. There are no wetlands within the footprint of the existing damaged structure. **(Review Concluded).**

☐ Yes. An 8-step decision-making process was completed for the Tier I EA. Were the activities associated with the proposed project selected to proceed?

☐ No. Project involves rehabilitation with no ground disturbance. There is no potential to impact wetlands. **(Review concluded)**.

☐ Yes. **Activity in compliance** with EO 11990 and the Clean Water Act. Explain basis for conclusion and describe any permitting requirements and mitigation measures. Attach supporting documentation. **(Review Concluded)**

☐ No. Explain basis for conclusion. Attach supporting documentation. **STOP – Application Is Not Eligible For Funding. Inform Certifying Officer.**

Wetlands Project Specific Conditions:

4. Coastal Zone Management Act
(Coastal Zone Management Act, Sections 307(c) and (d))

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded"

Does the proposed project fall within a Coastal Area as defined by the Code of Alabama 1975 §9-7-10(1) (only applicable to Mobile and Baldwin counties)? Attach appropriate coastal map.

☐ No, proposed project is in compliance **(Review Concluded)**

☐ Yes. A consistency review determination from the Alabama Department of Environmental Management (ADEM) is required pursuant to 15 CFR 930.96. Did ADEM object to the proposed project?

☐ No, proposed project is in compliance. Attach supporting documentation **(Review Concluded)**

☐ Yes. Explain basis for conclusion. Attach supporting documentation. **STOP – Application Is Not Eligible For Funding. Inform Certifying Officer.**

Coastal Zone Management Act Project Specific Conditions:

5. Sole Source Aquifers
(40 CFR Part 149)

Not applicable. Compliance determined in Tier I Environmental Review.

6. Endangered Species Act
(16 USC 1531 et seq., 50 CFR Part 402)

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded"

Based on a review of the project scope, site inspection photos/notes, and review of bald eagle nest locations, would the proposed project:

- Involve clearing or disturbance of undeveloped areas (e.g., native habitat, agricultural areas, pasture, etc.) beyond the original footprint of the existing project;
- Include exterior repairs or reconstruction within 660' of an active bald eagle nest;
- Involve a project site where federal or state-listed threatened or endangered species or native migratory birds (adults, eggs, chicks) are present within the project area or using the existing structure for nesting or roosting?

☐ No to all of the above. The proposed activity, including will not adversely affect threatened and endangered species, bald eagle nests or migratory birds. Attach supporting documentation. **(Review Concluded)**

☐ Yes. The proposed activity does not fall within the definition of a covered project. Complete a
biological assessment pursuant to 16 U.S.C. 1536 (c). Did the biological assessment result in a "no effect determination?

☐ Yes. Attach supporting documentation. **(Review Concluded)**

☐ No Consultation with the appropriate U.S. Fish and Wildlife Service office is required (Attach agency consultation). Based on consultation with USFWS, can appropriate mitigation measures be incorporated into the proposed project to avoid adverse impacts?

☐ Yes. Add site specific mitigation conditions. **(Review Concluded)**

☐ No. The proposed activity would adversely affect threatened and endangered species. Attach supporting documentation. **STOP – Application Is Not Eligible For Funding. Inform Certifying Officer.**

Endangered Species Project Specific Conditions:

7. Wild & Scenic Rivers Act
(Sections 7(b), (c))

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Is the proposed project area within .25 miles of a Federal Wild and Scenic River or a National Rivers Inventory (NRI) segment (not applicable to Clarke, Perry, and Washington counties)? Attach wild and scenic rivers map.

☐ No. Proposed project is in compliance. **(Review Concluded)**

☐ Yes. Consultation with the appropriate U.S. Fish and Wildlife Service and / or National Park Service office is required (Attach agency consultation). Based on consultation, can appropriate mitigation measures be incorporated into the proposed project to avoid adverse impacts?

☐ Yes. Add site specific mitigation conditions. **(Review Concluded)**

☐ No. The proposed activity would adversely impact a Wild and Scenic River or NRI segment. Attach supporting documentation. **STOP – Application Is Not Eligible For Funding. Inform Certifying Officer.**

Wild and Scenic River Project Specific Conditions:

8. Air Quality
(Clean Air Act, Sections 176 (c) & (d), & 40 CFR Part 6, 51, & 93)

Not applicable. Compliance determined in Tier I Environmental Review

9. Farmland Protection Policy Act
(7 CFR Part 658)

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Would the proposed project cause relocation to / conversion of undeveloped land?

☐ No. Proposed project is in compliance. **(Review Concluded)**

☐ Yes. Is the project area within including prime farmland, unique farmland, or farmland of statewide or local importance? Attach supporting documentation.

☐ No. Proposed project is in compliance. **(Review Concluded)**

☐ Yes. Consultation with the appropriate Department of Agriculture Natural Resources Conservation Service office is required (Attach agency consultation and Form AD-1006). Based on consultation, can appropriate mitigation measures be incorporated into the proposed project to avoid adverse impacts?

☐ Yes. Add site specific mitigation conditions. **(Review Concluded)**

☐ No. The proposed activity would adversely impact regulated farmlands. Attach supporting documentation. **STOP – Application Would Convert Farmland. Inform Certifying Officer.**

Farmland Project Specific Conditions:

10. Environmental Justice
(EO 12898)

Not applicable. Compliance determined in Tier I Environmental Review

11. Noise Abatement and Control
(24 CFR Part 51, Subpart B)

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Does the proposed project involve relocation to previously undisturbed land?

☐ No. Proposed project is in compliance. **(Review Concluded)**

☐ Yes. Noise assessment is required. Does the proposed project fall within an Acceptable noise zone?

☐ Yes. Proposed project is in compliance. Attach supporting documentation. **(Review Concluded)**

☐ No. **STOP – Application Is Not Eligible For Funding. Inform Certifying Officer.**

Noise and Abatement Project Specific Conditions:

12. Siting of HUD-Assisted Projects Near Hazardous Operations
(24 CFR Part 51, Subpart C)

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Will the proposed activity increase the number of dwelling units of the housing structure that existed on the project parcel prior to Hurricane Michael or change the location of that structure?

☐ No. Proposed project is in compliance. **(Review Concluded)**

☐ Yes. Project activities may expose additional people to hazardous operations. Analysis required (attach supporting documentation). For ground stationary containerized hazards of an explosive or fire prone nature within one mile of the proposed project area, is the project area located at or beyond the required separation distance from all covered tanks?

☐ Yes. Proposed project is in compliance. **(Review Concluded)**

☐ No. Can appropriate mitigation measures be incorporated into the proposed project to avoid adverse impacts?

☐ Yes. Add site specific mitigation conditions. **(Review Concluded)**

☐ No. The proposed activity would expose the applicant to hazardous operations. Attach supporting documentation. **STOP – Application Is Not Eligible For Funding. Inform Certifying Officer.**

Siting of HUD-Assisted Projects Near Hazardous Operations Project Specific Conditions:

13. Toxic Chemicals and Gases, Hazardous Materials, Contamination, and Radioactive Substances (24 CFR Part 58.5(i)(2))

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Note: This review is not intended to satisfy the requirements of a Phase I Environmental Site Assessment (ESA) or other Environmental Due Diligence Process as defined by the American Society of Testing and Materials (ASTM), or any of the requirements necessary to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on CERCLA liability.

FINDINGS FROM SITE INSPECTION

Are there any potential recognized environmental conditions (RECs), such as obvious signs of hazardous, toxic, or radioactive materials or substances as observed during the site visit?

☐ No. Attach site observation report. **(Proceed to Database Review)**

☐ Yes. Attach site observation report. Describe:

Based on site observations, do these items present a hazard that poses a significant threat to the health and safety of the residents and conflicts with the intended use of the property that cannot be mitigated?

☐ Yes. **STOP – Application Is Not Eligible For Funding. Inform Certifying Officer.**

☐ No. Add site-specific mitigation measures, as necessary. **(Proceed to Database Review)**

**Note any obstacles to identification of RECs (Examples: soil piles, household debris, no access to backyard)*

FINDINGS FROM REVIEW OF REGULATORY DATABASES AND OTHER INFORMATION SOURCES

1. Is the project parcel listed as a known or suspected contaminated (hazardous, toxic, or radioactive materials or substances) site?

   ☐ No. The site is not listed as a known or suspected contaminated site. **(Proceed to question 2)**

   ☐ Yes. More information is required, such as documentation of cleanup or remediation or "No Further Action" determination from the governing agency.

   Specify additional information obtained from the governing agency:

   ☐ Based on the review, it does not appear that the identified hazard affects the health and safety of occupants or conflicts with the intended utilization of the project parcel. Note that this review does not constitute a risk assessment or definitive determination of the hazard and its potential effect on health and safety of occupants

or the environmental condition of the project parcel. Attach documentation. (**Proceed to question 2)**

☐ Based on the review, it does appear that the identified hazard affects the health and safety of occupants or conflicts with the intended utilization of the project parcel. The project parcel and/or proposed action DOES NOT clear the site-specific review process. **STOP – Site Is Not Eligible For Funding. Inform Certifying Officer.**

2. Is the project parcel within 3,000 feet of a listed solid or hazardous material facility, landfill, contaminated area, Brownfields site, or a Superfund site? (Attach NEPAssist report, map or equivalent documentation showing sites/facilities located within the applicable search radius of the project site.)

☐ No. Based on a review of regulatory databases and other information sources, the project parcel is not within the applicable search radius of a potentially hazardous facility or contaminated site. **(Proceed to Question 3)**

☐ Yes. Based on review of regulatory databases and other information sources by a qualified environmental professional, is the project parcel located proximate (within 500 feet) to a site of environmental concern (toxic site such as a Brownfields or Superfund site or solid waste landfill site or contaminated area) where known studies indicate an unresolved environmental concern for the location?

☐ No. The project parcel does <u>not</u> appear to be located proximate to a site of environmental concern that could have adversely impacted the project site, and/or is known or suspected to be contaminated by toxic substances or radioactive materials. Attach EPA ECHO Report or similar regulatory file review documentation. **(Proceed to Question 3)**

☐ Yes. It does appear that the project parcel may have been impacted to a degree where the hazard could affect the health and safety of occupants or conflict with the intended utilization of the project site. Sampling and analysis up to and including a Phase I/II ESA may be required to determine the presence/extent of potential contamination and associated risks.

☐ Testing/analysis results indicate that the project parcel is <u>not</u> contaminated by the site(s) of environmental concern and does not pose a threat to the health and safety of the occupants or conflict with the intended utilization of the property. Attach supporting documentation. **(Proceed to Question 3)**

☐ Testing/analysis could not be performed, or the results indicate that the project parcel is contaminated and may pose a threat to the health and safety of the occupants and conflicts with the intended utilization of the property. Attach supporting documentation. **STOP – Application Is Not Eligible For Funding**. **Inform Certifying Officer**.

3. Is the structure exempt from LBP testing (structure built after January 1, 1978, a residential property that is to be demolished, or other exemptions in accordance with 24 CFR 35.115)?

☐ Yes. List exemption: **(Review Concluded)**

☐ No. Lead-Based Paint (LBP) is a concern due to the age of the structure. Was LBP (or lead hazards) found to be present at the project site? (Attached LBP Risk Assessment report.)

☐ No. **(Review Concluded)**

☐ Yes. Add site specific mitigation conditions. **(Review Concluded)**

Toxic Chemicals and Gases, Hazardous Materials, Contamination, and Radioactive Substances Project Specific Conditions:

14. Airport Clear Zones and Accident Potential Zones
(24 CFR Part 51, Subpart D)

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Is the project parcel located within 2,500 feet of a civil airport or within 15,000 feet of a military airfield (only applicable to Mobile and Baldwin Counties)?

☐ No. In compliance. Attach appropriate map. **(Review Concluded)**

☐ Yes. Attach appropriate map. Is the project parcel located within a civil airport runway protection zone or a clear zone or accident potential zone associated with a military airfield?

☐ No. In compliance. **(Review Concluded)**

☐ Yes. Is the project in an RPZ/CZ and limited to minor rehab which does not significantly prolong the life of the structure OR in an APZ and consistent with DOD guidelines?

☐ Yes. Under 24 CFR 51.302 and 24 CFR 51.303(b), activities of the type proposed are fundable. Attach applicant clear zone notice and consistency documentation as applicable. **(Review Concluded)**

☐ No. Under 24 CFR 51.302 and 24 CFR 51.303(b), activities of the type proposed are not fundable. **STOP– Application Is Not Eligible For Funding. Inform Certifying Officer.**

Airport Clear Zones and Accident Potential Zones Project Specific Conditions:

15. Coastal Barrier Resources Act/Coastal Barrier Improvement Act
(24 CFR 58.6(c))

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Is the potential area of disturbance located in a designated unit of the Coastal Barrier Resource System?

☐ No. Attach appropriate map showing site location. **(Review Concluded)**

☐ Yes. Attach appropriate map showing site location. **STOP – Application Is Not Eligible For Funding. Inform Certifying Officer.**

Conditions for Approval

The following mitigation measures are required as conditions for approval of the project, as applicable:

37. All work must comply with applicable state and local building codes. Required federal, state and local permits must be acquired prior to commencement of construction and permit conditions must be adhered to.
38. Work must comply with Green Building Standards as stated in Federal Register Vol. 87, No. 23 and / or the guidelines specified in the HUD Community Planning and Development (CPD) Green Building Retrofit checklist.
39. Contractors will be required to prepare and implement health and safety plans and conduct monitoring during construction to protect the health and safety of site workers and the public.
40. Contractors must use best management practices to control soil and sediment movement (assuming the work is of such nature as to impact the surrounding surface area) off the work-site during rainfall events, reduce the impact to streams and manage rainwater runoff both during construction and after completion of the work. Examples of construction best management practices are silt fences, hay bales in ditches, constructed detention basins, and other basins to hold silt-laden water on site.
41. If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for re-evaluation under the National Environmental Policy Act.

Historic Preservation

42. All activities must comply with Section 106 of the National Historic Preservation Act (NHPA) per the implementing regulations 36 CFR Part 800. Compliance with Section 106 is achieved through the procedures set forth in the Programmatic Agreement with the Alabama State Historic Preservation Office signed on to by ADECA.
43. If archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted, and the applicant shall stop all work immediately near the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The applicant would inform ADECA immediately so that consultation with the State Historic Preservation Office (SHPO) and Tribes can occur. Work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act (NHPA).

Floodplain Management and Flood Insurance

44. All proposed reconstruction, repair, elevation and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the minimum standard of Base Flood Elevation plus 2 feet or the local floodplain requirements, whichever is more restrictive.
45. All structures funded by the Home Recovery Alabama Program, if in, or partially in, the 100-year floodplain shown on the latest Effective FEMA Flood Insurance Rate Map (FIRM), will be covered by flood insurance and the flood insurance must be maintained for the economic life of the structure [24 CFR 58.6(a)(1)].
46. No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance but failed to obtain and maintain the insurance [24 CFR 58.6(b)].
47. Duration of Flood Insurance Coverage. The statutory period for flood insurance coverage may extend beyond project completion. For loans, loan insurance or guaranty, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of assistance, coverage must be continued for the life of the property, regardless of transfer of ownership of such property. Section 582(c) of the Community Development and Regulatory Improvement Act of 1994 mandates that "The requirement of maintaining flood insurance shall apply during the life of the property, regardless of transfer of ownership of such property." (42 USC 4012a).
48. Dollar Amount of Flood Insurance Coverage. For loans, loan insurance or guaranty, the amount of flood insurance coverage need not exceed the outstanding principal balance of the loan. For grants and other forms of financial assistance, the amount of flood insurance coverage must be at least equal to the development or project cost (less estimated land cost) or to the maximum limit of coverage made available by the Act with respect to the particular type of building involved (SF- Single Family, OR-Other Residential, NR-Non-Residential, or SB-Small Business), whichever is less. The development or project cost is the total cost for acquiring, constructing, reconstructing, repairing or improving the building. This cost covers both the federally assisted and the non- Federally assisted portion of the cost, including any machinery, equipment, fixtures, and furnishings.
49. Proof of Purchase. The standard documentation for compliance with Section102 (a) is the Policy Declarations form issued by the NFIP or issued by any property insurance company offering coverage under the NFIP. The insured has its insurer automatically forward to the grantee in the same manner as to the insured, information copies of the Policy Declarations form for verification of compliance with the Act. Any financially assisted Special Flood Hazard Area (SFHA) building lacking a current Policy Declarations form is in Noncompliance.

50. Reconstruction or substantial improvement projects in “Coastal High Hazard” areas (“V” zones on the latest [most recent] FEMA-issued maps) must meet the current standards for V zones in FEMA regulations (44 CFR 60.3(e)) and, if applicable, the Minimum Property Standards for such construction in 24 CFR 200.926d(c)(4)(iii)

Wetlands Protection and Water Quality

51. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters and to prevent erosion in onsite and offsite wetlands and waters.
52. Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.

Endangered Species

53. If nests are found or any birds are using the structures regularly for roosting purposes, the contractor should immediately notify ADECA to coordinate next steps. An environmental specialist with the Program will coordinate with the USFWS as necessary. If any native birds are using the structure for nesting, no action should be taken that might disturb the adults, nests, eggs, or chicks, as this could lead to a potential violation of the Migratory Bird Treaty Act

Noise

54. Outfit all equipment with operating mufflers.
55. Comply will applicable local noise ordinance.

Air Quality

56. Use water or chemical dust suppressant in exposed areas to control dust.
57. Cover the load compartments of trucks hauling dust-generating materials.
58. Wash heavy trucks and construction vehicles before they leave the site.
59. Reduce vehicle speed on non-paved areas and keep paved areas clean.
60. Retrofit older equipment with pollution controls.
61. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.
62. Employ spill mitigation measures immediately upon a spill of fuel or hazardous material.
63. Employ air pollution control measures on all vehicles and equipment, as required.

64. Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (<15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 86, 89, 94, 1039, 1051, 1065, 1068).
65. Operate, if possible, newer on-road diesel vehicles and non-road construction equipment equipped with tier 4 engines, or equipment equipped with an exhaust retrofit device.

Hazardous Materials

66. All activities must comply with applicable federal, state and local laws and regulations regarding asbestos, including but not limited to the following:
    c. National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145 and 150
    d. Disposal requirements for friable asbestos at Alabama Admin. Code 335-13-4-.26(2)
67. Applicant or contractor must comply will all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g., asbestos, lead-based paint) or household waste (e.g., construction and demolition debris, pesticides / herbicides, white goods).
68. All activities must comply with applicable federal, state and local laws and regulations regarding lead-based paint including, but not limited to:
    a. EPA's Repair, Renovation, and Painting (RRP) Rule (40 CFR 745.80(e))
    b. HUD's lead-based paint regulations in 24 CFR 35(a)(b)(h)(j)(r)
    c. HUD's "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing"
69. Homes built prior to 1978 to be rehabilitated will be checked for lead-based paint in accordance with HUD's Lead Safe Housing Rule located under 24 CFR Part 35. Homes demolished are "exempt" from the LBP testing, mitigation/abatement and clearance requirements. State and local disposal requirements will be followed.
70. All residential structures must be treated for mold attributable to Hurricanes Sally or Zeta in accordance with federal, state or local guidelines.
71. During project implementation, Radon-Resistant New Construction techniques should be used, whenever possible.

Wild and Scenic Rivers

72. Contractors are required to "take care to avoid or mitigate adverse effects on the rivers identified in the Nationwide Inventory" when present in the vicinity of construction activities.

Project-Specific Conditions:

Environmental Resource	Conditions and Mitigation Measures
Construction	List site-specific project conditions, if applicable
Historic Preservation	List site-specific project conditions, if applicable
Floodplain Management	List site-specific project conditions, if applicable
Wetlands Protections	List site-specific project conditions, if applicable
Coastal Zone Management	List site-specific project conditions, if applicable
Sole Source Aquifers	None – Cleared during Tier I ERR
Endangered Species, including Bald Eagle Nests	List site-specific project conditions, if applicable
Wild & Scenic Rivers	List site-specific project conditions, if applicable
Air Quality	None – Cleared during Tier I ERR
Farmland Protection	List site-specific project conditions, if applicable
Environmental Justice	None – Cleared during Tier I ERR
Noise Abatement	List site-specific project conditions, if applicable
Explosive and Flammable Facilities	List site-specific project conditions, if applicable
Site Contamination, including potential for Lead-Based Paint and Asbestos Presence	List site-specific project conditions, if applicable
Airport Hazards	List site-specific project conditions, if applicable
Coastal Barrier Resources	List site-specific project conditions, if applicable

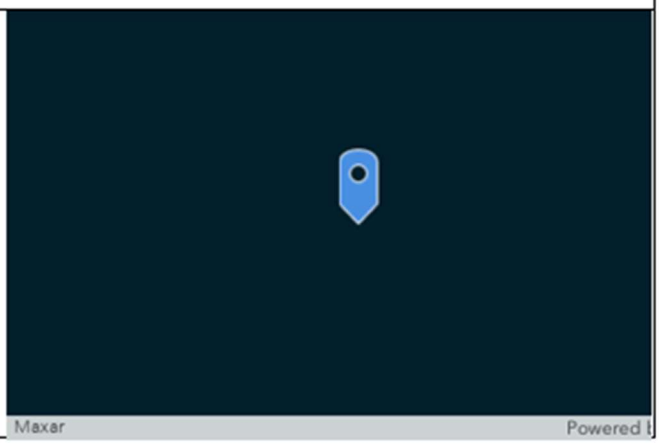
B2 – Example Field Inspection Form

Environmental Questionnaire

Home Recovery Alabama Program

(Version 1.1, 1/4/2023)

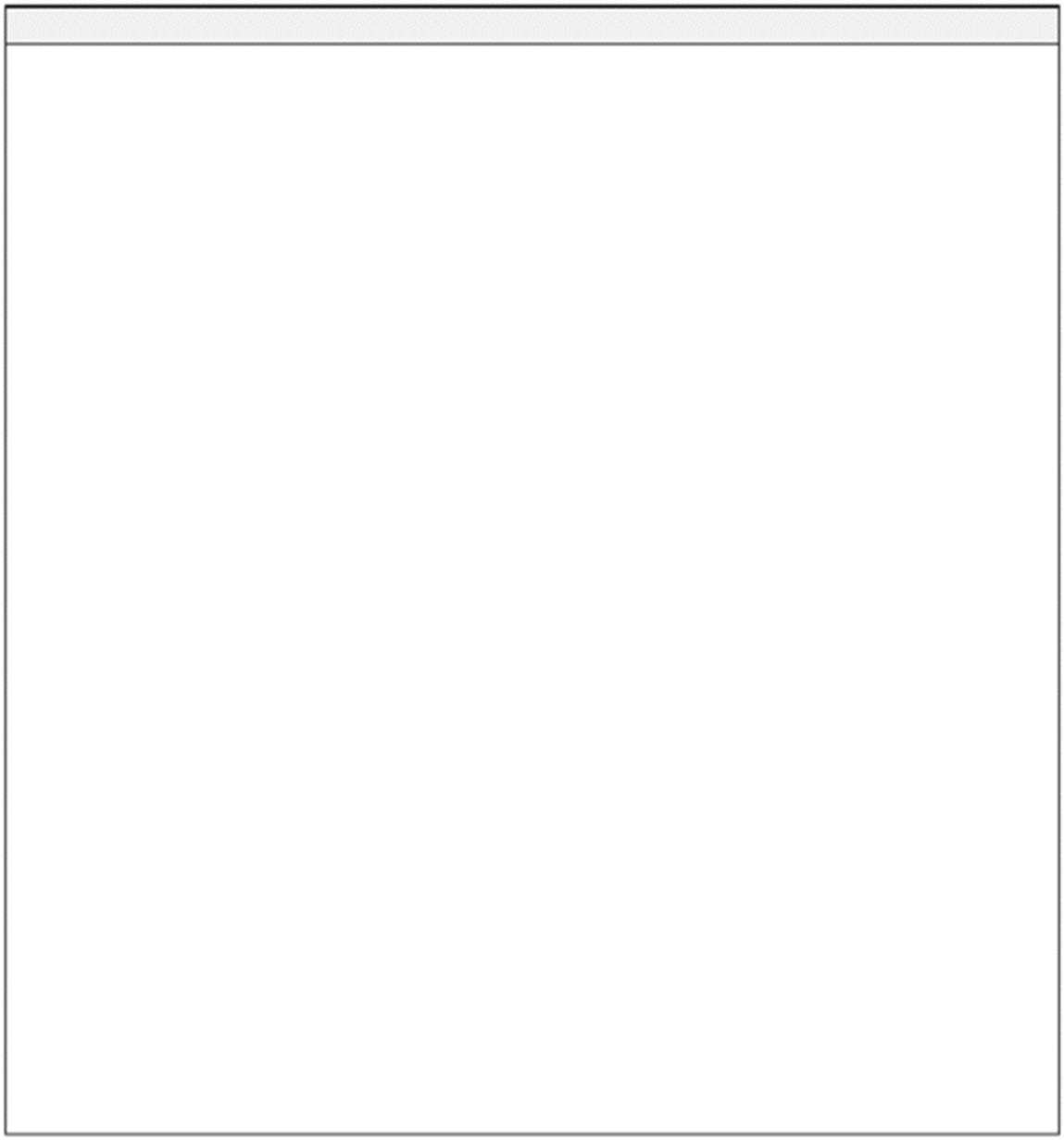
(For use in performing site inspections of owner-occupied single-family residential buildings in accordance with 24 CFR Part 58.5(i)(2))

Application ID	
Applicant Name	
Property Address	
GPS Coordinates (Latitude/Longitude)	
Inspector Name	
Inspection Date	
Is there evidence of damage from Hurricane Sally or Zeta?	
Description:	
Is the unit occupied:	
Are the utilities connected?	
Foundation Type (slab on grade, pier and beam, crawl space, basement)	
Building Type (single-family, mobile home, multi-family)	
Number of Stories	
Year Built	
Accurate Application Location	
Location Comments	
Location Map	

ENVIRONMENTAL OBSERVATIONS	RESPONSE	COMMENTS
1. Are there signs of poor housekeeping on site? (mounds of rubble, garbage, or solid waste or improperly stored household quantities of petroleum products, pesticides, paints, thinners, cleaning fluids, automotive batteries, damaged, abandoned, and/or dangerous vehicles or other motorized equipment; pits, pools, lagoons, or ponds of hazardous substances or petroleum products located on the site)		
2. Are there any **55-gallon drums** or containers visible on site? (specify contents in comments, if known)		
2a. If 55-gallon drums are present, are the signs of leaking? (soil staining, chemically distressed vegetation)		
3. Are there any (or signs of any) underground petroleum storage tanks on the parcel? (specify contents and size/volume in comments, if known)		
4. Are there signs of ASTs on the parcel or immediately adjacent visible sites? (specify contents and size/volume in comments, if known)		
4a. If ASTs are present, is there any **soil staining** in the vicinity of the tank?		
5. Are there **any groundwater monitoring or injection wells** on the site or adjacent parcel?		
6. Is there evidence of a **faulty septic system** on the site?		
7. Is there any **permanent standing water**, such as a pond or stream, located on or adjacent to the site (do not include run-off or ponding from recent weather events)?		
8. Does the subject lot have **water frontage**?		
9. Is there any visible indication of **mold**?		
10. Is there any visible evidence of **asbestos**?		
11. Is there any visible evidence of **chipping, flaking or deteriorated paint**?		
12. Are any **additional site hazards** observed?		
13. Is there any indication of the presence of **Wetlands**?		

14. Are there any signs of **endangered species or critical habitat** on or near the parcel? (see guidance for specific species and habitats of concern)		
15. Is the structure **45 years or older** or located in or adjacent to a **historic district**?		
16. Is the applicant aware of **any significant historical events of persons** associated with the structure or does the home have a **historic marker** present?		

Inspection Images



Appendix C

Agency Correspondence

C1 - Alabama Department of Environmental Management
C2 - Alabama Department of Conservation & Natural Resources
C3 - Alabama Emergency Management Agency
C4 - U.S. Environmental Protection Agency
C5 - Federal Emergency Management Agency
C6 - Alabama Historical Commission – State Historic Preservation Office
C7 – Tribal Consultation
C8 - U.S. Army Corps of Engineers
C9 - United States Department of Agriculture
C10 - U.S. Fish and Wildlife Service

Note: The Historic Preservation Programmatic Agreement is included in Appendix E.

C1
Consultation with Alabama Department of Environmental Management (ADEM)

From: Brown, Scott <jsb@adem.alabama.gov>
Sent: Friday, January 6, 2023 12:07 PM
To: 'Williams, Trent'; Mobile Coastal Mail
Cc: Juliet Jacobs; Perkins, Christopher; DCNR Coastal
Subject: XXX-2023-082 003 01-06-2023 CORS JSB HOME RECOVERY ALABAMA PROGRAM (HRAP)
Attachments: ADEM Consult Letter.pdf

Good morning:

Thank you for providing this notification of planned activities. We will review, in accordance with Title 15 CFR 930Subpart F, all proposals submitted that are subject to consistency review with the enforceable policies of the Alabama Coastal Area Management Program (ADEM's Division 8 Administrative Code) and either approve or object pursuant to §930.96 of Subpart F. Note that part of the ADEM's review may seek input from local governments and elected officials as directed by Executive Order 12372.

Frankly, based on the description provided, I do not expect there will be any impacts to coastal resources. The only unknown is associated with proposed project action No. 4 "Relocation on previously-undisturbed land" as there is a least a potential for projects to impact coastal wetlands. Though it is unclear at this time how many of the 1,000 potential projects would be subject to coastal review, batch submissions of similar applications is our preference.

Call or email anytime with questions.

v/r,

J. Scott Brown, Chief
Mobile Field Office| ADEM
3664 Dauphin Street, Suite B | Mobile, Alabama 36608
Telephones: 251.304.1176 Office| 334.850.4641 Cell
eMail: jsb@adem.alabama.gov
www.adem.alabama.gov

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 10:58 AM
To: coastal@adem.alabama.gov
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Home Recovery Alabama Program (HRAP)
Attachments: ADEM Consult Letter.pdf

To Whom it May Concern,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
In accordance with 24 CFR Part 58 we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume you have no comments on the presented information. Additional details regarding the proposed project are presented in the attached letter.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

Alabama Department of Environmental Management (ADEM)
Attn: Coastal Program
3664 Dauphin Street, Suite B
Mobile, Alabama 36608

To Whom it May Concern:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD) to support its recovery from Hurricanes Sally and Zeta. As you are undoubtedly aware, the impacts of these hurricanes were widely felt across southern Alabama and caused extensive damage to many homes and businesses. The Alabama Department of Economic and Community Affairs (ADECA) is proposing to use the CDBG-DR funds to create the Home Recovery Alabama Program (HRAP). HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The nine counties in the program are Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox.

ADECA is the responsible entity for completion of the federally-required environmental review in accordance with 24 CFR Part 58. To facilitate the National Environmental Policy Act (NEPA) review for HRAP, ADECA intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impact. Pursuant to this process, we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process.

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1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation within developed or otherwise disturbed areas on the same parcel;
3. Reconstruction/replacement within developed or otherwise disturbed areas on the same parcel;

4. Relocation on previously-undisturbed land.

Project activities will primarily consist of reconstruction and rehabilitation of homes on developed or otherwise disturbed areas. Developed or disturbed areas include paved, filled, graveled, routinely mowed vegetated grasses, or locations where structures stand or stood prior to the disaster.

As the environmental review is begun for individual applications, project sites in Mobile and Baldwin Counties will be reviewed for proximity to the Coastal Zone Management Area (CZMA). For sites where activities fall within the CZMA, consultation would be initiated with your office to ensure activities are in compliance with the coastal zone management plan. We are interested in any additional recommendations you may have, including the possibility of batch submission of similar applications which require consultation with your office.

To expedite environmental review while complying with Part 58 and other applicable laws and regulations, we appreciate your feedback or concurrence with the proposed approach as outlined above. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume you have no comments on the presented information. Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

KWB:TW:cag

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

C2

Consultation with Alabama Department of Conservation and Natural Resources (ADCNR)

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 12, 2023 9:22 AM
To: Lein, Greg <Greg.Lein@dcnr.alabama.gov>
Cc: Juliet Jacobs <Juliet.Jacobs@horne.com>; Perkins, Christopher <Christopher.Perkins@adeca.alabama.gov>; Simon, Tasha <Tasha.Simon@dcnr.alabama.gov>
Subject: RE: Floodplain-Wetland Early Notice

Good Morning Greg,

Our primary intention was just to provide information to potential stakeholders. The Alabama Department of Conservation and Natural resources was notified as well. You are not required to do anything, we just wanted to make the information available.

Thanks,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409
ADECA
Alabama Department of Economic and Community Affairs

From: Lein, Greg <Greg.Lein@dcnr.alabama.gov>
Sent: Tuesday, January 10, 2023 9:54 AM
To: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Cc: Juliet Jacobs <Juliet.Jacobs@horne.com>; Perkins, Christopher <Christopher.Perkins@adeca.alabama.gov>; Simon, Tasha <Tasha.Simon@dcnr.alabama.gov>
Subject: RE: Floodplain-Wetland Early Notice

Morning Trent. We (Alabama State Parks) don't regulate wetlands and what we do from a program management standpoint is limited to the state park properties we manage.

You may be intending this for feedback from the Alabama Department of Conservation and Natural Resources?

Greg

Gregory M. Lein
Director
Alabama State Parks Division
Alabama Department of Conservation & Natural Resources
(334) 242-3336
www.alapark.com
www.outdooralabama.com

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Tuesday, January 10, 2023 9:48 AM
To: Lein, Greg <Greg.Lein@dcnr.alabama.gov>
Cc: Juliet Jacobs <Juliet.Jacobs@horne.com>; Perkins, Christopher <Christopher.Perkins@adeca.alabama.gov>
Subject: RE: Floodplain-Wetland Early Notice

Good Morning Mr. Lein,

I apologize for the confusion. ADECA is conducting an Environmental Assessment for the proposed Home Recovery Alabama Program (HRAP) as required by our regulations, and as part of this process, we sent two letters to your office. The first was a letter informing you of the project and requesting any feedback you may have on the proposed use of HUD CDBG-DR funds or the site-specific review process.

The purpose of the second letter is to inform your agency, as a possible interested party, that some of the HRAP sites may fall within a 100-year floodplain or a wetland, and to request any feedback you may have regarding the proposed use of federal funds to support the potential activities in 100-year floodplains and wetlands.

If you have any questions related to the program or the environmental review process please feel free to reach out to Juliet Jacobs at Juliet.Jacobs@horne.com

Thanks,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 11:33 AM
To: Lein, Greg
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Home Recovery Alabama Program (HRAP)
Attachments: Conservation Consult Letter-Lein.pdf

Mr. Greg Lein,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
In accordance with 24 CFR Part 58 we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume you have no comments on the presented information. Additional details regarding the proposed project are presented in the attached letter.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

Alabama Department of Conservation & Natural Resources
ATTN: Greg Lein
64 North Union Street, Suite 551
Montgomery, Alabama 36104

Dear Mr. Lein:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD) to support its recovery from Hurricanes Sally and Zeta. As you are undoubtedly aware, the impacts of these hurricanes were widely felt across southern Alabama and caused extensive damage to many homes and businesses. The Alabama Department of Economic and Community Affairs (ADECA) is proposing to use the CDBG-DR funds to create the Home Recovery Alabama Program (HRAP). HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The nine counties in the program are Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox.

ADECA is the responsible entity for completion of the federally-required environmental review in accordance with 24 CFR Part 58. To facilitate the National Environmental Policy Act (NEPA) review for HRAP, ADECA intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impact. Pursuant to this process, we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process.

Specifically, the proposed project actions include:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation within developed or otherwise disturbed areas on the same parcel;
3. Reconstruction/replacement within developed or otherwise disturbed areas on the same parcel;
4. Relocation on previously-undisturbed land.

Project activities will primarily consist of reconstruction and rehabilitation of homes on developed or otherwise disturbed areas. Developed or disturbed areas include paved, filled, graveled, routinely mowed vegetated grasses, or locations where structures stand or stood prior to the disaster.

To expedite environmental review while complying with Part 58 and other applicable laws and regulations, we appreciate your feedback or concurrence with the proposed approach as outlined above. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume no further evaluation is required. Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

KWB:TW:cag

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 11:35 AM
To: McCurdy, Patti
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Home Recovery Alabama Program (HRAP)
Attachments: Conservation Consult Letter-McCurdy.pdf

Patti Powell McCurdy,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
In accordance with 24 CFR Part 58 we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume you have no comments on the presented information. Additional details regarding the proposed project are presented in the attached letter.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

Alabama Department of Conservation & Natural Resources
ATTN: Patti Powell McCurdy
64 North Union Street, Suite 551
Montgomery, Alabama 36104

Dear Ms. McCurdy:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD) to support its recovery from Hurricanes Sally and Zeta. As you are undoubtedly aware, the impacts of these hurricanes were widely felt across southern Alabama and caused extensive damage to many homes and businesses. The Alabama Department of Economic and Community Affairs (ADECA) is proposing to use the CDBG-DR funds to create the Home Recovery Alabama Program (HRAP). HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The nine counties in the program are Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox.

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To expedite environmental review while complying with Part 58 and other applicable laws and regulations, we appreciate your feedback or concurrence with the proposed approach as outlined above. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume no further evaluation is required. Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

KWB:TW:cag

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

C3
Consultation with Alabama Emergency Management Agency

Juliet Jacobs

From: LaTonya Stephens <LaTonya.Stephens@ema.alabama.gov>
Sent: Friday, January 6, 2023 4:51 PM
To: Trent Williams
Cc: Juliet Jacobs; Perkins, Christopher
Subject: RE: Home Recovery Alabama Program (HRAP)

Received,

I will review the attached and reach out if I have additional questions or concerns.

La'Tonya

La'Tonya Bazemore Stephens
Director of Recovery Operations
Alabama Emergency Management Agency
Office: 205-280-2433
Mobile: 205-299-4957
Fax: 205-280-2493
Latonya.stephens@ema.alabama.gov

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 10:39 AM
To: LaTonya Stephens <LaTonya.Stephens@ema.alabama.gov>
Cc: Juliet Jacobs <Juliet.Jacobs@horne.com>; Perkins, Christopher <Christopher.Perkins@adeca.alabama.gov>
Subject: Home Recovery Alabama Program (HRAP)

EXTERNAL EMAIL - This message originated from outside of AEMA

Ms. LaTonya Stephens,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
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Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

Alabama Emergency Management Agency
ATTN: LaTonya Stephens
Post Office Drawer 2160
Clanton, Alabama 35046-2160

Dear Ms. Stephens:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD) to support its recovery from Hurricanes Sally and Zeta. As you are undoubtedly aware, the impacts of these hurricanes were widely felt across southern Alabama and caused extensive damage to many homes and businesses. The Alabama Department of Economic and Community Affairs (ADECA) is proposing to use the CDBG-DR funds to create the Home Recovery Alabama Program (HRAP). HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The nine counties in the program are Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox.

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To expedite environmental review while complying with Part 58 and other applicable laws and regulations, we appreciate your feedback or concurrence with the proposed approach as outlined above. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume no further evaluation is required. Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

KWB:TW:cag

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

C4
Consultation with U.S. Environmental Protection Agency (EPA)

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 11:07 AM
To: kajumba.ntale@epa.gov
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Home Recovery Alabama Program (HRAP)
Attachments: USEPA Consult Letter.pdf

To Whom it May Concern,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
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Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

U.S. Environmental Protection Agency, Region 4
ATTN: ENSV/NEPA Section
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, Georgia 30303-3104

To Whom it May Concern:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD) to support its recovery from Hurricanes Sally and Zeta. As you are undoubtedly aware, the impacts of these hurricanes were widely felt across southern Alabama and caused extensive damage to many homes and businesses. The Alabama Department of Economic and Community Affairs (ADECA) is proposing to use the CDBG-DR funds to create the Home Recovery Alabama Program (HRAP). HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The nine counties in the program are Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox.

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4. Relocation on previously-undisturbed land.

Project activities will primarily consist of reconstruction and rehabilitation of homes on developed or otherwise disturbed areas. Developed or disturbed areas include paved, filled, graveled, routinely mowed vegetated grasses, or locations where structures stand or stood prior to the disaster.

Site-specific contamination and toxic substances reviews will be conducted for all project activities listed above. US Environmental Protection Agency (USEPA) facility data including Superfund sites, Hazardous Waste sites, and Brownfields sites will be reviewed to conduct site-specific desktop reviews for contaminated and toxic sites on or within 3,000 feet of the project location as specified in 24 CFR 58.5(i).

To expedite environmental review while complying with Part 58 and other applicable laws and regulations, we appreciate your feedback or concurrence with the proposed approach as outlined above. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume you have no comments on the presented information. Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

KWB:TW:cag

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

C5
Consultation with Federal Emergency Management Agency (FEMA)

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 11:40 AM
To: FEMA-R4EHP@FEMA.DHS.gov
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Home Recovery Alabama Program (HRAP)
Attachments: FEMA Consult Letter.pdf

Ms. Jacky Bell,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
In accordance with 24 CFR Part 58 we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume you have no comments on the presented information. Additional details regarding the proposed project are presented in the attached letter.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

Federal Emergency Management Agency (FEMA)
ATTN: Jacky Bell
3003 Chamblee Tucker Road
Atlanta, Georgia 30341

Dear Ms. Bell:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD) to support its recovery from Hurricanes Sally and Zeta. As you are undoubtedly aware, the impacts of these hurricanes were widely felt across southern Alabama and caused extensive damage to many homes and businesses. The Alabama Department of Economic and Community Affairs (ADECA) is proposing to use the CDBG-DR funds to create the Home Recovery Alabama Program (HRAP). HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The nine counties in the program are Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox.

ADECA is the responsible entity for completion of the federally-required environmental review in accordance with 24 CFR Part 58. To facilitate the National Environmental Policy Act (NEPA) review for HRAP, ADECA intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impact. Pursuant to this process, we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process.

Specifically, the proposed project actions include:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation within developed or otherwise disturbed areas on the same parcel;

3. Reconstruction/replacement within developed or otherwise disturbed areas on the same parcel;
4. Relocation on previously-undisturbed land.

Project activities will primarily consist of reconstruction and rehabilitation of homes on developed or otherwise disturbed areas. Developed or disturbed areas include paved, filled, graveled, routinely mowed vegetated grasses, or locations where structures stand or stood prior to the disaster.

To expedite environmental review while complying with Part 58 and other applicable laws and regulations, we appreciate your feedback or concurrence with the proposed approach as outlined above. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume no further evaluation is required. Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

C6
Consultation with Alabama Historical Commission – State Historic Preservation Office (SHPO)

ALABAMA HISTORICAL COMMISSION

468 South Perry Street
Montgomery, Alabama 36130-0900

Lisa D. Jones
Executive Director
State Historic Preservation Officer

Tel: 334-242-3184
Fax: 334-242-1083

March 17, 2022

Kenneth Boswell
ADECA
401 Adams Avenue Suite 580
Montgomery, AL 36103-5690

Re: AHC 23-0294
Home Recovery Alabama Program (HRAP)
Statewide

Dear Mr. Boswell:

Upon review of the materials submitted to our office for the Home Recovery Alabama Program, we understand that the Alabama Department of Economic and Community Affairs intends to use the existing Programmatic Agreement (PA) between our agencies to determine if Section 106 Consultation (54 U.S.C. 306108) is required for individual applicants under this program.

We agree to the proposed course of action for this program with the understanding that the U.S. Department of Housing and Urban Development (HUD) has notified our office of its intention to develop a statewide PA for compliance with Section 106 for their Title 50 and 58 programs in Alabama. If and when a statewide PA with HUD is developed, it will eventually replace the existing agreement between our agencies for HUD-sponsored programs within Alabama.

We look forward to continuing Section 106 consultation on the Home Recovery Alabama Program, as required. Should you have any questions, please contact Eric Sipes at 334.230.2667 or Eric.Sipes@ahc.alabama.gov. Have the AHC tracking number referenced above available and include it with any future correspondence.

Sincerely,

Lee Anne Wofford
Deputy State Historic Preservation Officer

LAW/EDS/AMH/nj

From: 106, Section <Section.106@ahc.alabama.gov>
Sent: Thursday, January 5, 2023 3:59 PM
To: Juliet Jacobs
Cc: Perkins, Christopher; Williams, Trent
Subject: RE: Home Recovery Alabama Program (HRAP)

Thank you for your e-mail. Your project has been logged into our database.

Your project number is **AHC 2023-0294.**

Please reference this number in all correspondence regarding this project.

Best regards,

Alabama Historical Commission
Section 106/Regulatory Review Division

From: Juliet Jacobs <Juliet.Jacobs@horne.com>
Sent: Thursday, January 5, 2023 2:04 PM
To: 106, Section <Section.106@ahc.alabama.gov>
Cc: Perkins, Christopher <Christopher.Perkins@adeca.alabama.gov>; Williams, Trent <Trent.Williams@adeca.alabama.gov>; Wofford, Lee Anne <LeeAnne.Wofford@ahc.alabama.gov>
Subject: RE: Home Recovery Alabama Program (HRAP)

Good Afternoon,

On behalf of the Alabama Department of Economic and Community Affairs (ADECA) please see the attached Project Review Consultation Form for the proposed Home Recovery Alabama Program (HRAP). If there is any additional information I can provide, please let me know.

Thanks!

Juliet Jacobs
Manager, Government Services | HORNE
D: 225.384.6981
horne.com LinkedIn Twitter Blog

ALABAMA HISTORICAL COMMISSION
STATE HISTORIC PRESERVATION OFFICE
SECTION 106 PROJECT REVIEW CONSULTATION FORM

Federal laws exist to ensure that federal agencies or their designated applicants carefully consider historic preservation in federally funded, licensed, or permitted projects. Section 106 of the National Historic Preservation Act of 1966, as amended directs this review. http://www.achp.gov/106summary.html. At a minimum, submission of this completed form and attachments constitutes a request for review by the Alabama Historical Commission, which is the Alabama State Historic Preservation Office (SHPO). **The responsibility for preparing documentation, including the identification of historic properties and the assessment of potential effects resulting from the project, rests with the federal or state agency, or its designated applicant.** The role of the Alabama SHPO is to review, comment, and consult with federal/state agencies, applicants, and consultants. The Alabama SHPO's ability to complete a timely project review largely depends on the quality of the material submitted. Some applicants may find it advantageous to hire a historic preservation professional with expertise in history and/or architectural history.

NOTE: Section 106 regulations provide for a 30-day response time by the Alabama SHPO from the **date of receipt**. Project activities may not begin until our office has reviewed this information and issued comments.

PROJECT NAME
Home Recovery Alabama Program (HRAP)

FEDERAL AGENCY PROVIDING FUNDS, LICENSE, OR PERMIT
Department of Housing and Urban Development (HUD)

AHC NUMBER (If project has been previously submitted)

APPLICANT	TELEPHONE
Alabama Department of Economic and Community Affairs (ADECA)	225.384.6981
CONTACT PERSON	TELEPHONE
Juliet Jacobs, Environmental Consultant, HORNE	

CONTACT EMAIL
juliet.jacobs@horne.com

ADDRESS FOR RESPONSE

PROJECT LOCATION

STREET ADDRESS	CITY
Scattered sites in nine counties - please see letter for project map.	
COUNTY	ZIP CODE

LATITUDE / LONGITUDE (use this format: 31:30:31.6836; -87:53:40.1183)

PROJECT DESCRIPTION

Describe the overall project in DETAIL. Be sure to note if the project involves new construction, if existing buildings will be altered (if so, provide the proposed work in detail), and / or if any buildings/structures will be demolished. Use additional pages if necessary.

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD) to support its recovery from Hurricanes Sally and Zeta. The Alabama Department of Economic and Community Affairs (ADECA) is proposing to use the CDBG-DR funds to create the Home Recovery Alabama Program (HRAP). HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The nine counties in the program are Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox.

AREA OF POTENTIAL EFFECT (APE)

The APE varies with project types and can be direct or indirect (physical, visual, auditory, etc.). The APE is defined as "the geographic area or areas within which an undertaking may cause changes in the character of use of historic properties, if any such properties exist." Factors to consider when determining the APE include: topography, vegetation, existing development, orientation of an existing resource to the project, physical siting of a resource, and existing and planned future development. For example:

1) Rehabilitation, renovation, and/or demolition of a historic building or structure, or new construction: the APE might include the building itself and the adjacent setting.
2) Streetscapes: the APE might include the viewshed from the street.
3) Pedestrian/bicycle facilities: the APE might extend the length of the corridor and for some distance on both sides of the corridor.
4) Underground utilities: the APE would usually be limited to the area of ground disturbance.

Attach a map indicating the precise location of the project and the boundaries of the APE, preferably a clear color copy of a USGS topographic quadrangle map (7.5 minute). For projects in urban areas, also include a city map that shows more detail. USGS topographic maps can be printed from this website: www.digital-topo-maps.com. City maps can be printed using www.google.com/maps.

Provide current, high resolution color photographs that illustrate the project area and the entire APE as defined above. Digital prints will be accepted, but photographs should also be submitted on a CD or DVD.

ARCHAEOLOGY (Ground Disturbing Activities)

Has the ground in the project area been disturbed other than by agriculture (i.e. grading, grubbing, clear cutting, filling, etc.)?

☐ Yes ☐ No ☐ Don't know ☑ N/A

If yes, describe in detail. Use additional pages as necessary. Photographs are helpful.

ADECA intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impact. Site-specific consultation with SHPO will be required for properties that have activities that are not considered an Excluded Activity in the Programmatic Agreement between ADECA and SHPO. Specifically, the following activities will trigger site-specific consultation:

1. Repair/rehabilitation of homes 50 or more years in age that do not fall under the criteria of an excluded activity within the Programmatic Agreement.
2. Elevation within developed or otherwise disturbed areas on the same parcel.
3. Reconstruction/replacement within developed or otherwise disturbed areas on the same parcel.
4. Relocation on previously-undisturbed land.

Describe the present use and condition of the property. Use additional pages as necessary.

Proposed sites would consist of previously disturbed single-family residential locations.

To your knowledge, has a Cultural Resource Assessment (CRA) been conducted in the proposed project area?

☐ Yes ☐ No ☐ Don't know ☑ N/A

If yes, attach a copy of the archaeologist's report.

BUILDING & STRUCTURE INFORMATION

Background research for previously identified historic properties within an APE may be undertaken at the Alabama SHPO in Montgomery. These files include the National Register of Historic Places, Alabama Register of Landmarks & Heritage, Alabama Historic Cemetery Register, and county architectural surveys. To request a research appointment, contact Nicole Woods at 334.230.2673 or Nicole.Woods@preservеala.org. Alabama SHPO staff cannot perform the file research for your project. As mentioned previously, some applicants may find it advantageous to hire a historic preservation professional with expertise in history and/or architectural history to complete the identification and evaluation of historic properties.

1) Is the project located within or adjacent to a National Register of Historic Places (NRHP) listed or eligible historic district?
☐YES ☐NO If yes, provide the name of the district: _____

2) Within the project APE, are there any buildings or structures that are 50 years old or older?
☐YES ☐NO If yes, provide numbered photographs of each that have been keyed to a site map.

3) Are any of the buildings or structures identified in question #2 listed or eligible for listing in the NRHP?
☐YES ☐NO If yes, identify the properties by name or photo number.
If no, provide an explanation as to why the properties are not eligible for the NRHP.

4) Does the project involve the rehabilitation, renovation, demolition, or addition to any building or structure that is 50 years old or older?
☐YES ☐NO If yes, provide rehabilitation plans and / or reasons for demolition.

A note about photographs: Current, high resolution photographs must be submitted on CD or DVD. Prints may also be submitted, but a CD or DVD of the images must accompany the prints. Black and white photocopies, faxed photographs or Polaroids will not be accepted. If you checked "yes" for #2 and #3 above, include photographs of those properties. Take photographs of the overall property and the exterior of each building on the property, including outbuildings. Include views of the overall setting, views of the building in its immediate surrounding showing the relationship of the building to neighboring buildings, and views of significant landscape features (i.e. tree lined approaches, stone walls, formal gardens, etc.). Exterior views of the building should include full views of each side (if possible) and views of important architectural details. Key all photographs to a site map.

If the project involves rehabilitation, include photographs of the building(s) involved and especially the areas of the building slated for rehab work. Label each exterior view to a site map and label all interior views. If the project involves new construction, include photographs of the surrounding area looking out from the project site. Include photographs of any buildings (more than 50 years old or older) that are located on the project property or on adjoining property.

EFFECTS DETERMINATION

An effect occurs when an action alters the characteristics of a property that may qualify it for the National Register of Historic Places or alters the features of a property's location, setting, or use that contributes to its significance. How will this project affect any of the properties identified in the previous section? Use additional pages as necessary.

1) Will the project take away or change anything within the apparent or existing boundary of any of the identified historic properties?
☐YES ☐NO If yes, explain: _____

2) Will the project change the view from or the view of any of the identified historic properties?
☐YES ☐NO If yes, explain: _____

3) Will the project introduce any audible or atmospheric elements to the setting of any of the identified historic properties?
☐YES ☐NO If yes, explain: _____

4) Will the project result in the transfer, lease, or sale of any of the identified historic properties?
☐YES ☐NO If yes, explain: _____

CHECKLIST: Did you provide the following information?	
☑ Completed form.	☐ Photographs of current site conditions and all identified historic properties keyed to a site map.
☐ Maps with project area, APE, and any historic properties marked and identified.	☐ For new construction, rehabilitations, etc., attach work plans, drawings, etc.
☑ Other supporting documents (if necessary to explain the project).	☐ Description of present use and condition of the project area.

Section 106 regulations provide for a 30-day response time by the Alabama SHPO from the date of receipt. Project activities may not begin until our office has reviewed this information and issued comments.

Upon receipt, applications and attachments become the property of the State of Alabama.

For questions regarding this form or the Section 106 Review Process, contact Amanda McBride, Section 106 Coordinator, at 334.230.2692 or Amanda.McBride@preserveala.org.

Return this Form and Attachments to:

Lee Anne Wofford, Deputy SHPO
Alabama Historical Commission
Attn: Section 106 Review
468 South Perry Street
Montgomery, Alabama 36130-0900 (US post) 36104 (courier)

From: 106, Section <Section.106@ahc.alabama.gov>
Sent: Thursday, January 5, 2023 12:53 PM
To: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Cc: Perkins, Christopher <Christopher.Perkins@adeca.alabama.gov>; Juliet Jacobs <Juliet.Jacobs@horne.com>
Subject: FW: Home Recovery Alabama Program (HRAP)

Good Morning
We have received your request. Please complete and return the attached Project Review Consultation Form to the above email address. This form needs to be completed for our Section 106 reviewers. If there are any questions you are unable to answer, please skip it.
Thank You,
Section 106

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 11:09 AM
To: Wofford, Lee Anne
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Home Recovery Alabama Program (HRAP)
Attachments: Alabama Historical Commission Consult Letter.pdf

Ms. Lee Anne Wofford,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
In accordance with 24 CFR Part 58 we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume you have no comments on the presented information. Additional details regarding the proposed project are presented in the attached letter.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409
ADECA
Alabama Department of Economic and Community Affairs

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

Alabama Historical Commission
ATTN: Lee Anne Wofford
468 South Perry St
Montgomery, AL 36104

Dear Ms. Wofford:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD) to support its recovery from Hurricanes Sally and Zeta. As you are undoubtedly aware, the impacts of these hurricanes were widely felt across southern Alabama and caused extensive damage to many homes and businesses. The Alabama Department of Economic and Community Affairs (ADECA) is proposing to use the CDBG-DR funds to create the Home Recovery Alabama Program (HRAP). HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, relocation. The nine counties in the program are Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox.

ADECA is the responsible entity for completion of the federally-required environmental review in accordance with 24 CFR Part 58. To facilitate the National Environmental Policy Act (NEPA) review for HRAP, ADECA intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impact. Pursuant to this process, we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process.

Specifically, the proposed project actions include:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation within developed or otherwise disturbed areas on the same parcel;

3. Reconstruction/replacement within developed or otherwise disturbed areas on the same parcel;
4. Relocation on previously-undisturbed land.

Project activities will primarily consist of reconstruction and rehabilitation of homes on developed or otherwise disturbed areas. Developed or disturbed areas include paved, filled, graveled, routinely mowed vegetated grasses, or locations where structures stand or stood prior to the disaster.

As the environmental review is begun for individual applications, project sites will be reviewed in accordance with the Programmatic Agreement between ADECA and SHPO (Attachment 2). We are interested in any additional recommendations you may have, including the possibility of batch submission of similar applications which require consultation with your office.

To expedite environmental review while complying with Part 58 and other applicable laws and regulations, we appreciate your feedback or concurrence with the proposed approach as outlined above. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume you have no comments on the presented information. Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

KWB:TW:cag

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
Attachment 2: Programmatic Agreement between ADECA and SHPO

cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

C7
Tribal Consultation

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 11:16 AM
To: tcrsylestine@actribe.org
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Home Recovery Alabama Program (HRAP)
Attachments: Alabama-Coushatta Tribe of Texas Consult Letter.pdf

Chairperson Ricky Sylestine,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
In accordance with 24 CFR Part 58 we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume you have no comments on the presented information. Additional details regarding the proposed project are presented in the attached letter.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

Chairperson Ricky Sylestine
Alabama-Coushatta Tribe of Texas
571 State Park Road 56
Livingston, Texas 77351

Dear Chairperson Sylestine:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD), to support its recovery from Hurricanes Sally and Zeta, in accordance with Federal Register, Volume 85, No. 17. Under HUD regulation 24 CFR 58.4, the Alabama Department of Economic and Community Affairs (ADECA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes, plant and animal communities, and buildings and structures with significant tribal association.

ADECA is proposing to use the CDBG-DR funds to create the Home Recovery Alabama Program (HRAP). HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The nine counties in the program are Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox.

ADECA is conducting a tiered environmental assessment of proposed activities and projects to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800.

Specifically, the proposed project actions include:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;

3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously-undisturbed land.

We would like to invite you to be a consulting party in this review to help identify historic properties within the project area that may have religious and cultural significance to your tribe and, if such properties exist, to help assess how the project might affect them. If the project has the potential to cause an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate any potential adverse effects.

More information on the Section 106 review process is available at http://www.onecpd.info/environmental-review/historic-preservation/.

HUD's process for tribal consultation under Section 106 is described in a Notice available at https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58.

If you would like to be a consulting party on this project, please let us know of your interest within 30 days of receipt of this letter. Please note any initial concerns you may have with impacts of the project on any specific religious or cultural properties in your response. If we do not receive a response within 30 days of receipt of this letter, we will understand that you do not wish to be a consulting party for the above referenced project.

Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

KWB:TW:cag

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 11:18 AM
To: wilson.yargee@alabama-quassarte.org
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Home Recovery Alabama Program (HRAP)
Attachments: Alabama-Quassarte Tribal Town Consult Letter.pdf

Chief Wilson Yargee,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
In accordance with 24 CFR Part 58 we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume you have no comments on the presented information. Additional details regarding the proposed project are presented in the attached letter.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

Wilson Yargee
Chief
Alabama-Quassarte Tribal Town
Post Office Box 188
Wetumka, Oklahoma 74883-0188

Dear Chief Yargee:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD), to support its recovery from Hurricanes Sally and Zeta, in accordance with Federal Register, Volume 85, No. 17. Under HUD regulation 24 CFR 58.4, the Alabama Department of Economic and Community Affairs (ADECA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes, plant and animal communities, and buildings and structures with significant tribal association.

ADECA is proposing to use the CDBG-DR funds to create the Home Recovery Alabama Program (HRAP). HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The nine counties in the program are Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox.

ADECA is conducting a tiered environmental assessment of proposed activities and projects to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800.

Specifically, the proposed project actions include:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;

3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously-undisturbed land.

We would like to invite you to be a consulting party in this review to help identify historic properties within the project area that may have religious and cultural significance to your tribe and, if such properties exist, to help assess how the project might affect them. If the project has the potential to cause an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate any potential adverse effects.

More information on the Section 106 review process is available at http://www.onecpd.info/environmental-review/historic-preservation/.

HUD's process for tribal consultation under Section 106 is described in a Notice available at https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58.

If you would like to be a consulting party on this project, please let us know of your interest within 30 days of receipt of this letter. Please note any initial concerns you may have with impacts of the project on any specific religious or cultural properties in your response. If we do not receive a response within 30 days of receipt of this letter, we will understand that you do not wish to be a consulting party for the above referenced project.

Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

KWB:TW:cag

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

From: Karen D. Downen <kdownen@choctawnation.com>
Sent: Monday, February 6, 2023 3:56 PM
To: Juliet Jacobs <Juliet.Jacobs@horne.com>
Cc: Trent.Williams@adeca.alabama.gov; Lindsey Bilyeu <lbilyeu@choctawnation.com>
Subject: FW: Re: Home Recovery Alabama Program (HRAP)

Ms. Jacobs,

Please accept my apologies. When I replied to the initial email request, I sent it by mistake to Mr. Williams. In reviewing hard copy, received in our office on 1/11/23, I found your contact information.

The Choctaw Nation Historic Preservation Department looks forward to careful consultation with ADECA, HUD and HORNE, on a case by case basis, in these nine counties, all of significance within the Choctaw homeland, to assist families impacted by the storms.

Our office looks forward to receiving the information requested below. If you have any questions, please contact me.

Respectfully yours,

Karen Denham Downen, BFA, MHP
Graduate Certificate in Native American Studies
NHPA Compliance Review Specialist
Historic Preservation Department
Choctaw Nation of Oklahoma
P.O. Box 1210, Durant, OK 74702
Desk Phone: 580-642-7896
Cell Phone: 580-916-2670
kdownen@choctawnation.com
www.choctawnation.com
www.choctawnationculture.com

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, February 2, 2023 1:55 PM
To: Karen D. Downen <kdownen@choctawnation.com>
Cc: Lindsey Bilyeu <lbilyeu@choctawnation.com>; Ian Thompson <ithompson@choctawnation.com>; Perkins, Christopher <Christopher.Perkins@adeca.alabama.gov>; Juliet Jacobs <Juliet.Jacobs@horne.com>
Subject: RE: Home Recovery Alabama Program (HRAP)

Ms. Downen,

Thank you for your interest in the Home Recovery Alabama Program. I've provided some answers to your questions below:

1. For all project types there is the potential for vertical ground disturbance. At the time of site-specific environmental review, construction plans would not yet be finalized. For all project types, typical activities which may cause vertical ground disturbance include: the construction of driveways, sidewalks and other structures which are needed to bring the home in to compliance with municipal code; replacement of septic tanks; and placement of new water wells.

   For repair / rehabilitation projects, ground disturbance beyond what is mentioned in the previous paragraph is not typically expected.

   Reconstruction and replacement projects which are not within the 100-year floodplain would often have vertical ground disturbance within previously disturbed soils associated with placement and construction of the new structure. Typical activities for these types of projects include: replacement of a manufactured home with a similarly sized manufactured home; reconstruction on concrete slab foundations; and reconstruction on pier and beam foundations.

   Reconstruction and replacement projects within the 100-year floodplain would also require elevation. Typical activities for these types of projects include: stick-built home reconstruction involving pile driving to a vertical depth of at least 2x the above-ground elevation height; and reconstruction on pier and beam foundations.

2. Project type 4 was intentionally left a bit open, so as not to exclude special cases which may come up over the course of the program. Although the potential to relocate to undisturbed land exists, it is expected that relocation projects would typically involve locating a homeowner to an existing mobile home park or other previously developed lot, due to changing municipal restrictions, environmental hazards, or other variables which restrict them from rebuilding at the storm-damaged property. Analysis of a similar program indicates that approximately 1% of sites involved this activity and none of those involved vertical ground disturbance.

We would certainly welcome the involvement of the Choctaw Nation in our site-specific reviews. Though specific numbers are uncertain at this stage of the program, we anticipate at least 1,000 applications would get to the environmental review phase of the process. It is likely that around 50% of that population would make it to that stage this year. With the urgency of this program in assisting the residents of Alabama, there are some efficiencies we would recommend for the site-specific consultation process.

If the Choctaw Nation is interested in reviewing all or most of the site-specific reviews, we recommend sending batch lists of addresses based on similar project types and maps which correspond to each project area. If we have not received a response within 30 days, we would assume concurrence with the sites listed. This would mirror the consultation process with the Alabama Historical Commission, to which we would submit the majority of applications for consultation in compliance with a Programmatic Agreement between this agency and ADECA.

Additionally, for all projects, there is always the potential that unanticipated cultural materials or features or human remains may be encountered. If an unanticipated discovery is encountered, all work will stop immediately within the vicinity of the discovery, and the appropriate measures will be taken to ensure the security and integrity of the discovery. All archeological findings would be secured, and access to the sensitive area restricted. A qualified historic preservation specialist, meeting the Secretary of Interior's (SOI) standards, would also consult with Tribal Governments and the Alabama Historical Commission. Work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project complies with the National Historic Preservation Act.

Please let us know if the Choctaw Nation is interested in reviewing all, or only certain project types. We would also be interested in your feedback or concurrence with the consultation approach outlined above.

Thanks,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Karen D. Downen <kdownen@choctawnation.com>
Sent: Monday, January 30, 2023 3:58 PM
To: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Cc: Lindsey Bilyeu <lbilyeu@choctawnation.com>; Ian Thompson <ithompson@choctawnation.com>
Subject: Re: Home Recovery Alabama Program (HRAP)

Mr. Williams,

The Choctaw Nation of Oklahoma thanks ADECA and HUD for information regarding the above referenced project. All nine (9) counties listed: Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox, hold significance within our area of historic interest. This region of the Choctaw homelands includes many historic pre- and post-contact sites, some of which date back thousands of years, over hundreds of generations.

The project you describe is one of great importance. To aid in our Section 106 review, please provide the following information:

1. Items 1, 2 and 3 state "no substantial change in footprint on the same parcel." Is there potential for an increase in depth of ground disturbance beyond previous construction on any of these sites?

2. Item 4 lists "relocation on previously-undisturbed land." Within such a large portion of Southern/Lower Alabama, the likelihood of pre- and post-contact sites of religious and cultural significance varies with topography and specific locale.

Your letter requests help in identification of "historic properties within the project area that may have religious and cultural significance" to the Choctaw people. The Choctaw Nation Historic Preservation Department welcomes this

opportunity to assist ADECA, on a case by case basis, in identification of specific areas which have potential for such resources, in order "to discuss possible ways to avoid, minimize or mitigate any potential adverse effects."

Our office looks forward to receiving additional information regarding depth of ground disturbance within projects on the same parcel, and on all projects which will take place on previously undisturbed land, in order to assist people who have been impacted by these hurricanes. If you have any questions, please contact me.

Respectfully yours,

Karen Denham Downen, BFA, MHP
Graduate Certificate in Native American Studies
NHPA Compliance Review Specialist
Historic Preservation Department
Choctaw Nation of Oklahoma
P.O. Box 1210, Durant, OK 74702
Desk Phone: 580-642-7896
Cell Phone: 580-916-2670
kdownen@choctawnation.com
www.choctawnation.com
www.choctawnationculture.com

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 11:04 AM
To: gbatton@choctawnation.com
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Home Recovery Alabama Program (HRAP)
Attachments: Choctaw Nation of Oklahoma Consult Letter.pdf

Chief Gary Batton,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
In accordance with 24 CFR Part 58 we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume you have no comments on the presented information. Additional details regarding the proposed project are presented in the attached letter.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

Gary Batton
Chief
Choctaw Nation of Oklahoma
Post Office Box 1210
Durant, Oklahoma 74702-1210

Dear Chief Batton:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD), to support its recovery from Hurricanes Sally and Zeta, in accordance with Federal Register, Volume 85, No. 17. Under HUD regulation 24 CFR 58.4, the Alabama Department of Economic and Community Affairs (ADECA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes, plant and animal communities, and buildings and structures with significant tribal association.

ADECA is proposing to use the CDBG-DR funds to create the Home Recovery Alabama Program (HRAP). HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The nine counties in the program are Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox.

ADECA is conducting a tiered environmental assessment of proposed activities and projects to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800.

Specifically, the proposed project actions include:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;

3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously-undisturbed land.

We would like to invite you to be a consulting party in this review to help identify historic properties within the project area that may have religious and cultural significance to your tribe and, if such properties exist, to help assess how the project might affect them. If the project has the potential to cause an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate any potential adverse effects.

More information on the Section 106 review process is available at http://www.onecpd.info/environmental-review/historic-preservation/.

HUD's process for tribal consultation under Section 106 is described in a Notice available at https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58.

If you would like to be a consulting party on this project, please let us know of your interest within 30 days of receipt of this letter. Please note any initial concerns you may have with impacts of the project on any specific religious or cultural properties in your response. If we do not receive a response within 30 days of receipt of this letter, we will understand that you do not wish to be a consulting party for the above referenced project.

Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

KWB:TW:cag

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 11:13 AM
To: rrich@coushatta.org
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Home Recovery Alabama Program (HRAP)
Attachments: Coushatta Tribe of Louisiana Consult Letter.pdf

Chairman Jonathan Cernek,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
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Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

Jonathan Cernek
Chairman
Coushatta Tribe of Louisiana
Post Office Box 818
Elton, Louisiana 70532-0818

Dear Chairman Cernek:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD), to support its recovery from Hurricanes Sally and Zeta, in accordance with Federal Register, Volume 85, No. 17. Under HUD regulation 24 CFR 58.4, the Alabama Department of Economic and Community Affairs (ADECA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

KWB:TW:cag

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 11:06 AM
To: info@choctaw.org
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Home Recovery Alabama Program (HRAP)
Attachments: Mississippi Band of Choctaw Indians Consult Letter.pdf

Chief Cyrus Ben,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
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Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

Cyrus Ben
Chief
Mississippi Band of Choctaw Indians
Post Office Box 6010
Choctaw, Mississippi 39350-6010

Dear Chief Ben:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD), to support its recovery from Hurricanes Sally and Zeta, in accordance with Federal Register, Volume 85, No. 17. Under HUD regulation 24 CFR 58.4, the Alabama Department of Economic and Community Affairs (ADECA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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Sincerely,

Kenneth W. Boswell
Director

KWB:TW:cag

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 11:02 AM
To: dhill@mcn-nsn.gov
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Home Recovery Alabama Program (HRAP)
Attachments: Muscogee (Creek) Nation Consult Letter.pdf

Principal Chief David Hill,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
In accordance with 24 CFR Part 58 we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume you have no comments on the presented information. Additional details regarding the proposed project are presented in the attached letter.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

David Hill
Principal Chief
Muscogee (Creek) Nation
Post Office Box 580
Okmulgee, Oklahoma 74447-0580

Dear Principal Chief Hill:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD), to support its recovery from Hurricanes Sally and Zeta, in accordance with Federal Register, Volume 85, No. 17. Under HUD regulation 24 CFR 58.4, the Alabama Department of Economic and Community Affairs (ADECA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

KWB:TW:cag

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 11:14 AM
To: sbryan@pci-nsn.gov
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Home Recovery Alabama Program (HRAP)
Attachments: Poarch Band of Creeks Consult Letter.pdf

Chairperson Stephanie Bryan,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
In accordance with 24 CFR Part 58 we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume you have no comments on the presented information. Additional details regarding the proposed project are presented in the attached letter.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

Stephanie Bryan
Chairperson
Poarch Band of Creeks
5811 Jack Springs Road
Atmore, Alabama 36502-5025

Dear Chairperson Bryan:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD), to support its recovery from Hurricanes Sally and Zeta, in accordance with Federal Register, Volume 85, No. 17. Under HUD regulation 24 CFR 58.4, the Alabama Department of Economic and Community Affairs (ADECA) has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes, plant and animal communities, and buildings and structures with significant tribal association.

ADECA is proposing to use the CDBG-DR funds to create the Home Recovery Alabama Program (HRAP). HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The nine counties in the program are Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox.

ADECA is conducting a tiered environmental assessment of proposed activities and projects to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800.

Specifically, the proposed project actions include:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;

3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously-undisturbed land.

We would like to invite you to be a consulting party in this review to help identify historic properties within the project area that may have religious and cultural significance to your tribe and, if such properties exist, to help assess how the project might affect them. If the project has the potential to cause an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate any potential adverse effects.

More information on the Section 106 review process is available at http://www.onecpd.info/environmental-review/historic-preservation/.

HUD's process for tribal consultation under Section 106 is described in a Notice available at https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58.

If you would like to be a consulting party on this project, please let us know of your interest within 30 days of receipt of this letter. Please note any initial concerns you may have with impacts of the project on any specific religious or cultural properties in your response. If we do not receive a response within 30 days of receipt of this letter, we will understand that you do not wish to be a consulting party for the above referenced project.

Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

KWB:TW:cag

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

C8
Consultation with U.S. Army Corps of Engineers (USACE)

From: Murphy, Susan L CIV USARMY CESAM (USA) <Susan.L.Murphy@usace.army.mil>
Sent: Friday, January 13, 2023 2:23 PM
To: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Cc: Murphy, Susan L CIV USARMY CESAM (USA) <Susan.L.Murphy@usace.army.mil>
Subject: FW: Home Recovery Alabama Program (HRAP)

Good afternoon.

I am the Executive and Legislative Officer for Mobile District. It is nice to meet you and I look forward to working with you and your team.

Thank you for your letter and opportunity to review the notice and provide comments. I sent it to our Regulatory Division. Regulatory concurs with the permitting approach outlined in the letter.

Susan

VR,
Susan Murphy
Executive Officer
U.S. Army Corps of Engineers ~~ Mobile District
109 St. Joseph Street
Mobile, AL 36602
Office: (251) 694-3614

susan.l.murphy@usace.army.mil

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 11:42 AM
To: CESAM-PA@usace.army.mil
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Home Recovery Alabama Program (HRAP)
Attachments: USACE Consult Letter.pdf

To Whom it May Concern,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
In accordance with 24 CFR Part 58 we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume you have no comments on the presented information. Additional details regarding the proposed project are presented in the attached letter.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

U.S. Army Corps of Engineers
Mobile District
Post Office Box 2288
Mobile, Alabama 36628-2288

To Whom it May Concern:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD) to support its recovery from Hurricanes Sally and Zeta. As you are undoubtedly aware, the impacts of these hurricanes were widely felt across southern Alabama and caused extensive damage to many homes and businesses. The Alabama Department of Economic and Community Affairs (ADECA) is proposing to use the CDBG-DR funds to create the Home Recovery Alabama Program (HRAP). HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The nine counties in the program are Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox.

ADECA is the responsible entity for completion of the federally-required environmental review in accordance with 24 CFR Part 58. To facilitate the National Environmental Policy Act (NEPA) review for HRAP, ADECA intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impact. Pursuant to this process, we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process.

Specifically, the proposed project actions include:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation within developed or otherwise disturbed areas on the same parcel;

3. Reconstruction/replacement within developed or otherwise disturbed areas on the same parcel;
4. Relocation on previously-undisturbed land.

Project activities will primarily consist of reconstruction and rehabilitation of homes on developed or otherwise disturbed areas. Developed or disturbed areas include paved, filled, graveled, routinely mowed vegetated grasses, or locations where structures stand or stood prior to the disaster.

For project types 1, 2, and 3, listed above, site-specific consultation for wetlands does not appear to be warranted as activities would only occur in disturbed areas. Although project type 4 may possibly impact wetlands and thus require site-specific USACE consultation, this is only the case if wetlands are potentially present. For this activity, we suggest that only those project sites that potentially have wetlands present be submitted to USACE for consultation. Potential for presence of wetlands will be determined based on desktop research and visual site observation to determine if any of the technical criteria relating to soils, vegetation, and hydrology are present to support a wetlands determination or if non-wetland waters such as streams or ponds are present. Desktop research will include review of available mapping information from the US Fish and Wildlife Service National Wetland Inventory, topographic maps from the US Geologic Survey, and aerial photographs. Visual site observation by a qualified professional will be made of each property to identify the presence of standing water or other obvious wetland conditions.

To expedite environmental review while complying with Part 58 and other applicable laws and regulations, we appreciate your feedback or concurrence with the proposed approach as outlined above. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume no further evaluation is required. Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

C9
Consultation with U.S. Department of Agriculture (USDA)

From: Gilliam, Cynthia
Sent: Wednesday, January 4, 2023 3:38 PM
To: kevin.norwood@usda.gov
Subject: ADECA HRAP Consultation

Good afternoon.

Please see the attached consultation letter regarding Home Recovery Alabama Program.

Thank you.

Cynthia Gilliam
Administrative Assistant to the CDBG Section
Community and Economic Development
(334)242-5370

ADECA
Alabama Department of Economic and Community Affairs

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

United States Department of Agriculture (USDA)
ATTN: Kevin Norwood
Soil Survey Regional Director, Southeast

Dear Mr. Norwood:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD) to support its recovery from Hurricanes Sally and Zeta. As you are undoubtedly aware, the impacts of these hurricanes were widely felt across southern Alabama and caused extensive damage to many homes and businesses. The Alabama Department of Economic and Community Affairs (ADECA) is proposing to use the CDBG-DR funds to create the Home Recovery Alabama Program (HRAP). HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The nine counties in the program are Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox.

ADECA is the responsible entity for completion of the federally-required environmental review in accordance with 24 CFR Part 58. To facilitate the National Environmental Policy Act (NEPA) review for HRAP, ADECA intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impact. Pursuant to this process, we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process.

Specifically, the proposed project actions include:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation within developed or otherwise disturbed areas on the same parcel;
3. Reconstruction/replacement within developed or otherwise disturbed areas on the same parcel;

4. Relocation on previously-undisturbed land.

Project activities will primarily consist of reconstruction and rehabilitation of homes on developed or otherwise disturbed areas. Developed or disturbed areas include paved, filled, graveled, routinely mowed vegetated grasses, or locations where structures stand or stood prior to the disaster.

To expedite environmental review while complying with Part 58 and other applicable laws and regulations, we appreciate your feedback or concurrence with the proposed approach as outlined above. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume no further evaluation is required. Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

C10
Consultation with U.S. Fish and Wildlife Service (USFWS)

United States Department of the Interior

FISH AND WILDLIFE SERVICE
1208-B Main Street
Daphne, Alabama 36526

JAN 12 2022

RECEIVED
JAN 2023
ADECA
CED

IN REPLY REFER TO:
2023-0030854

Mr. Kenneth W. Boswell
401 Adams Ave, Suite 580
P.O. Box 5690
Montgomery, AL 36103-5690

Dear Mr. Boswell:

Thank you for your letter dated January 4, 2023, informing us of the plan to create the Home Recovery Alabama Program (HRAP). We understand this program is hoping to assist at least 1,000 single family, low-to-moderate income homeowners and renters, across nine counties in the state. We have reviewed the information and provide the following comments in accordance with the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

As described in your letter, proposed project actions include:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel
2. Elevation within developed or otherwise disturbed areas on the same parcel
3. Reconstruction/replacement within developed or otherwise disturbed areas on the same parcel
4. Relocation on previously-undisturbed land

Included in your consultation request was a memorandum signed by the U.S. Fish and Wildlife Service, dated April 26, 2021. This memo, or programmatic consultation, is applicable to your project and would allow clearance to proceed for any proposed project under items 1-3 (above). For construction on undisturbed land however, we recommend you contact our office with specific details so we can ensure all regulatory requirements are met and any threatened/endangered species protected.

We look forward to working with you in the future and are available if you need additional information. Please contact Mr. Scott Lamont of my staff at (251) 441-5857 or at scott_lamont@fws.gov if you have any questions. Please refer to the reference number located at the top of this letter in future phone calls or written correspondence.

Sincerely,

William J. Pearson
Field Supervisor
Alabama Ecological Services Field Office

PHONE: 251-441-5181

FAX: 251-441-6222

UNITED STATES DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE
1208-B MAIN STREET
DAPHNE, AL 36526

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, $300

MOBILE AL 366
19 JAN 2023 PM 2 L

NEOPOST
01/17/2023
US POSTAGE $000.57⁰
FIRST-CLASS MAIL
US OFFICIAL MAIL
$ 300 Penalty
For Private Use
ZIP 36526
041L10100635

Trent

Mr. Kenneth W. Boswell
401 Adams Ave, Suite 580
P.O. Box 5690
Montgomery, AL 36103-5690

36103-569090

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Thursday, January 5, 2023 11:00 AM
To: Alabama@fws.gov
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Home Recovery Alabama Program (HRAP)
Attachments: USFWS Consult Letter.pdf

To Whom it May Concern,

Please find attached information on hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP). Proposed project activities would be funded via a Community Development Block Grant – Disaster Recovery (CDBG-DR) award from the United States Department of Housing and Urban Development (HUD).
In accordance with 24 CFR Part 58 we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days we will assume you have no comments on the presented information. Additional details regarding the proposed project are presented in the attached letter.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

OFFICE OF THE GOVERNOR

KAY IVEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

KENNETH W. BOSWELL
DIRECTOR

January 4, 2023

U.S. Fish and Wildlife Service (USFWS)
Region 4 Ecological Field Office
1208 B Main Street
Daphne, AL 36526-4419

To Whom it May Concern:

Re: Alabama Department of Economic and Community Affairs (ADECA)
Home Recovery Alabama Program (HRAP)

The State of Alabama was awarded a Community Development Block Grant for Disaster Recovery (CDBG-DR) from the Department of Housing and Urban Development (HUD) to support its recovery from Hurricanes Sally and Zeta. As you are undoubtedly aware, the impacts of these hurricanes were widely felt across southern Alabama and caused extensive damage to many homes and businesses. The Alabama Department of Economic and Community Affairs (ADECA) is proposing to use the CDBG-DR funds to create the Home Recovery Alabama Program (HRAP). HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The nine counties in the program are Baldwin, Clarke, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox.

ADECA is the responsible entity for completion of the federally-required environmental review in accordance with 24 CFR Part 58. To facilitate the National Environmental Policy Act (NEPA) review for HRAP, ADECA intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impact. Pursuant to this process, we are notifying your agency of the intended purpose and proposed activities to be undertaken by ADECA, so that you may review and provide feedback on the proposed process.

Specifically, the proposed project actions include:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation within developed or otherwise disturbed areas on the same parcel;
3. Reconstruction/replacement within developed or otherwise disturbed areas on the same parcel;
4. Relocation on previously-undisturbed land;

Project activities will primarily consist of reconstruction and rehabilitation of homes on developed or otherwise disturbed areas. Developed or disturbed areas include paved, filled, graveled, routinely mowed

vegetated grasses, or locations where structures stand or stood prior to the disaster.

The U.S. Fish and Wildlife Service (USFWS) Clearance to Proceed with Federally-Insured Loan and Grant Project Requests (Attachment 2) indicates that activities which fall under the definition of covered projects, as listed in this memo, would generally have no effect on species protected under the Endangered Species Act, and that consultation with the USFWS would not be necessary. For project types 1, 2, and 3, listed above, site-specific consultation does not appear to be warranted unless federally endangered or threatened species are discovered. For project type 4, when project activities involve clearing of undeveloped areas (e.g., native habitat, agricultural areas, pasture, etc.) the Information for Planning and Consultation (iPaC) website will be used, by qualified staff, to determine if species or their critical habitat are affected by proposed project activities. If it is determined that no species or their critical habitat would be affected, consultation would not be initiated with your office.

If proposed project activities would occur within 660 feet of an active or alternate bald eagle (Haliaeetus leucocephalus) nest, work would not occur during nesting season (October 1 through May 15). If that limitation is not possible, consultation would be initiated with your office prior to the start of construction.

Environmental reviews will include conditional language to avoid disturbing migratory birds or their, nests, eggs, or chicks as this could lead to a potential violation of the Migratory Bird Treaty Act. If project activities cannot be undertaken without disturbing migratory birds, consultation would be initiated with your office prior to the start of construction.

To expedite environmental review while complying with Part 58 and other applicable laws and regulations, we appreciate your feedback or concurrence with the proposed approach as outlined above. We respectfully request your review of the proposed project and attached materials within 30 days of receiving this notice. If we do not receive a response within 30 days, we will assume you have no comments on the presented information. Should you have any questions or require additional information, please reach out to Juliet.Jacobs@horne.com. Thank you in advance for your consideration of this issue.

Sincerely,

Kenneth W. Boswell
Director

KWB:TW:cag

Enclosure: Attachment 1: Home Recovery Alabama Program - Project Area
Attachment 2: U.S. Fish and Wildlife Service Clearance to Proceed with Federally-Insured Loan and Grant Project Requests

cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

Attachment 1

Home Recovery Alabama Program - Project Area

United States Department of the Interior

FISH AND WILDLIFE SERVICE
1875 Century Boulevard
Atlanta, Georgia 30345

April 26, 2021

U.S. Fish and Wildlife Service Clearance to Proceed with Federally-Insured Loan and Grant Project Requests

Background

The U.S. Fish and Wildlife Service (Service) is the lead Federal agency charged with the protection and conservation of Federal Trust Resources, including threatened and endangered species and migratory birds, in accordance with section 7 of the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531 et seq.), the Bald and Golden Eagle Protection Act, (16 U.S.C. 668-668d) (Eagle Act), and the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 701 et seq.).

Many Federal agencies have activated programs that have resulted in an increased consumer demand to initiate projects through federally-backed loans and grants, all of which require those same Federal agencies or their designees to comply with Section 7 of the ESA. As a result, there has been an increase in the number of requests for review of these government-backed loan and grant projects. These include, but are not limited to:

1. U.S. Department of Housing and Urban Development's (HUD) Neighborhood Stabilization and Community Development Block Grant programs;
2. U.S. Department of Energy's (DOE) Energy Efficiency and Renewable Energy program;
3. U.S. Department of Agriculture's (USDA) Housing Assistance and Rural Development Loan and Grant Assistance programs;
4. U.S. Federal Aviation Administration (FAA) regulatory airport and runway modifications;
5. U.S. Federal Emergency Management Agency's (FEMA) Hazard Mitigation Assistance program; and
6. U.S. Environmental Protection Agency's (EPA) Clean Water State Revolving Fund.

In order to fulfill the ESA's statutory obligations in a timely and consistent manner, and to assist Federal agencies, State and local governments, and consultants in addressing Section 7 and National Environmental Policy Act (NEPA) environmental impact review requirements, we provide the following guidance and clearance relative to the criteria stated below for federally-insured loan and grant project requests in all cities and unincorporated areas within the jurisdiction of participating Service field offices. Participating field offices are included in Attachment A and may include additional requirements or exclusions.

Species Lists:

To acquire a species list for the area where the project is proposed, please access the Information for Planning and Conservation (IPaC) website (https://ecos.fws.gov/ipac/). The "Review Species and Resources" report contains a list of federally listed threatened and endangered species, critical habitats, migratory birds, wildlife refuges, fish hatcheries, and/or wetlands located in the project footprint, and can help identify trust resources in the general area of the subject property.

Description of Projects Covered:

1. Any federally-insured loan or grant request for **existing** commercial, industrial, and residential structures (including multi-family and single-family housing), and various utilities projects (including, but not limited to, demolition, rehabilitation, renovations, and/or rebuilding of water and wastewater treatment facilities, water lines, sewer lines), provided:
    a. The proposed project can be completed **without** requiring additional clearing of **undeveloped** areas (e.g., native habitat, agricultural areas, pasture, etc.) beyond the original footprint of the existing project in order to complete the action request;
    b. The proposed project will not significantly alter the present capacity of an existing structure;
    c. There are no federally endangered or threatened species using the existing structures or within the project area; and
    d. The project is not within designated critical habitat for any federally listed species (by rule, designated critical habitat does not include already developed parcels).
    e. Specific Service field office requirements and exclusions are met for the state within which the project is located (Attachment A).

2. Any Federal loan transfer where the original lending or mortgage institutions for existing projects are no longer holding the loans and the properties are being transferred via federally-backed loans.

3. Any federally-insured loan or grant for the purchase of new equipment or vehicles.

Clearance to Proceed – The Service believes these types of activities will generally have no effect on species protected under the ESA, based on the criteria referenced above. Therefore, for ALL projects that meet the criteria described above, NO further coordination with the Service is necessary. Use this letter to document your consideration of endangered species and bald eagles.

Additional Considerations for non-federally listed species:

Bald Eagles: If any of the above-referenced activities (rehabilitation, demolition, or rebuilding) are proposed to occur within 660 feet of an active or alternate bald eagle (*Haliaeetus leucocephalus*) nest during the nesting season (October 1 through May 15), we recommend the applicant or their designated agent coordinate with the agency responsible for managing wildlife

in their state. For additional information, please visit the Service's regional web page: https://www.fws.gov/service/3-200-71-eagle-take-associated-not-purpose-activity-incidental-take.

Migratory Birds: If any native birds are using the structures for nesting, actions should be taken to avoid disturbing adults, nests, eggs, or chicks as this could lead to a potential violation of the Migratory Bird Treaty Act. If nests are present or any birds are using the structures regularly for roosting purposes, we recommend the applicant or their designated agent coordinate with the Service's Field Office and visit the Service's Migratory Bird Program website at https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds for recommendations on how impacts can be avoided and minimized.

For projects that do not meet the criteria specified above, and/or meet any of the following conditions, please contact the appropriate Service office for additional assistance:

1. The project occurs within designated critical habitat;
2. The project involves new construction;
3. The project requires disturbance of undeveloped areas; and
4. The project is in close proximity to federally listed species, bald eagle nests, and/or migratory bird roosts.

Reinitiation of consultation may be necessary if: (1) the project is modified in a manner not considered by this assessment; (2) a new species is listed or critical habitat is determined that may be affected by the project; or (3) new information indicates that the project may affect listed species or critical habitat in a manner not previously considered.

If you have any questions or require further information, please contact one of our staff at 706-613-9493.

Sincerely,

CATHERINE PHILLIPS Digitally signed by CATHERINE PHILLIPS Date: 2021.04.26 08:45:44 -04'00'

Catherine T. Phillips, Ph.D.
Assistant Regional Director, Ecological Services
South-Atlantic Gulf and Mississippi Basin Interior Regions

Alabama Ecological Services Field Office

This clearance letter is applicable for all projects within the jurisdiction of this field office that meet the criteria as described above. There are no additional applicable exclusions or restrictions.

William J. Pearson
Field Supervisor

Appendix D

Floodplain Management Plan

D1 – 8-Step Decision Making Process
D2 – Early Notice
- *Affidavit of Publication*
- *Floodplain/Wetland Notice Notification Letter*

D3 – Combined Final Floodplain / NOI RROF / FONSI Notice
- *Affidavit of Publication*
- *Public Comments*

8-Step Process in accordance with Executive Orders 11988 and 11990: Floodplain Management and Protection of Wetlands Alabama Department of Economic and Community Affairs, Home Recovery Alabama Program (HRAP)

Perry County, Alabama
January 2023

The Alabama Department of Economic and Community Affairs (ADECA) is proposing to undertake activities relating to the United States Department of Housing and Urban Development's (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) program. ADECA has reviewed the proposed actions to be undertaken by the Hurricanes Sally and Zeta Home Recovery Alabama Program (HRAP) and determined that the actions may affect or be affected by the 100-year floodplain and wetlands and therefore, the 8-Step Decision Making Process is required.

Part 55 applies to all HUD actions that could be harmed or cause harm if located in a floodplain / wetland, including but not limited to proposed acquisition, construction, demolition, improvement, disposition, and financing actions under any HUD program. HUD's regulations in 24 CFR Part 55.20 outline HUD's procedures for complying with Executive Order (EO) 11988 for Floodplain Management and EO 11990 for Protection of Wetlands. EO 11988 was enacted to "avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative." The EO 11988 requires agencies to follow an eight-step decision making process to assure all alternatives and guidelines would be met. Similarly, any action in wetlands is guided by EO 11990 which was enacted to "avoid to the extent possible the long- and short-term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands wherever there is a practicable alternative." The EO 11990 requires agencies to consider relevant factors and develop procedures to assess the effect of the proposed project on wetlands. Thus, the purpose of Part 55 is not, in most cases, to prohibit actions in a floodplain / wetland, but to provide the method for HUD projects to comply with EOs 11988 and 11990 and avoid unnecessary impacts.

This Floodplain / Wetland 8-Step Process document addresses the requirements of EOs 11988 and 11990 for Floodplain Management and Protection of Wetlands, respectively, and has been completed for Perry County, Alabama, under ADECA's HRAP. This document pertains to proposed activities in the Special Flood Hazard Areas (SFHA) / 100-year floodplain (1 Percent Annual Chance Flood Hazard) as delineated on the latest FEMA Flood Insurance Rate Maps (FIRMs) or Preliminary FIRMs (however, no Preliminary FIRMs are in existence for the county at this time); and to proposed activities in a designated wetland, as delineated and documented in the US Fish and Wildlife Service National Wetlands database.

Step 1: Determine whether the action is located in a 100-year floodplain or wetland.

The State of Alabama was awarded the HUD CDBG-DR funds to support recovery efforts from Hurricanes Sally and Zeta. ADECA is proposing to use the CDBG-DR funds to create HRAP which hopes to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region that includes Perry County, to achieve safe and code-compliant housing that meets or exceeds code standards. The proposed project activities would include:

- Repair/rehabilitation with no substantial change in footprint on the same parcel;
- Elevation within developed or otherwise disturbed areas on the same parcel;
- Reconstruction/replacement within developed or otherwise disturbed areas on the same parcel; and
- Relocation to a previously disturbed parcel or undisturbed land.

Project activities would primarily consist of rehabilitation, reconstruction (including manufactured homes [such as mobile / modular homes], and elevation of homes on developed or otherwise disturbed areas. Developed or disturbed areas include paved, filled, graveled, routinely mowed vegetated grasses, or locations where structures stand or stood prior to the disaster. Additionally, under limited circumstances, projects may involve relocation to areas outside of the 100-year floodplain which would be reviewed on a case-by-case basis. Additionally rental structures in the 100-year floodplain would not be eligible for the program. No critical actions (as defined in 24 CFR 55.2(b)(2)(i)) would be undertaken by the proposed project; therefore, critical actions within the 100-year or 500-year floodplain, will not be addressed herein.

ADECA will ensure that all structures designed principally for residential use and located in the 100-year floodplain that received assistance for new construction, repair of substantial damage, or substantial improvement, as defined in 24 CFR §55.2(b)(10), must be elevated with the lowest floor, including the basement, to a minimum height requirement, i.e., at least two (2) feet above the BFE. Relocation activities would be limited to relocation to an area outside the floodplain or wetlands.

In Perry County, approximately 73,431 acres of land are located within the SFHA / 100-Year floodplain (Zone A) and approximately 57,292 acres are in a wetland (primarily Freshwater Forested/Shrub Wetlands). Currently, the exact locations of the homeowners / renters (applicants') properties that may participate in the program are unspecified. As each eligible homeowner whose residence was damaged by the storm are selected, the FEMA FIRM will be utilized to determine if a home is located in the 100-year Floodplain and the US Fish and Wildlife Service National Wetlands Inventory mapper would be used for wetlands. Selected parcels that are situated in the Flood Zone X (outside the SFHA) and Zone Shaded X (500-Year Floodplain / 0.2 Percent Annual

Chance Flood Hazard) or outside a wetland are not considered to be in the SFHA / wetland and will have no impacts to floodplains / wetland. Therefore, they will not be subject to floodplain / wetland evaluation and this 8-Step process will only involve selected parcels that fall within the SFHA / wetlands.

Step 2: Notify the public for early review of the proposal and involve the affected and interested public in the decision-making process.

Public notices required in the 8-Step process may be combined with other project notices wherever appropriate. Notices required under this part must be published in relevant languages, if the affected public is largely non-English speaking. In addition, all notices must be published in an appropriate local printed news medium. A minimum of 15 calendar days shall be allowed for comment on the public notice.

An "Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland" (see Appendix D2) describing the proposed project was published for Perry County in the Perry County Herald on January 5, 2023. The notice served to inform and update interested agencies, groups, and individuals of the proposed activities that may occur in floodplain / wetland, thus engaging the public in the decision-making process. The notice also provided instructions in Spanish that directed interested individuals / parties to a Spanish version of the notice that is posted on ADECA's website. In addition, the public notice was emailed to interested parties that include local, state and federal agencies and native American tribes who have interest in the project area and also posted to ADECA's website https://adeca.alabama.gov/cdbg-disaster-recovery/hurricanes-sally-and-zeta/ for review.

No comments from the public or interested parties were received during the early comment period.

Step 3: Identify and evaluate practicable alternatives.

HRAP will provide grant awards to eligible homeowners and renters (applicants) to rehabilitate, reconstruct, and elevate housing structures. New construction or relocation in a floodplain or wetlands is not included in this 8-Step study. Thus far, the number of properties that will be in the floodplain is unknown; therefore, discussing practicable alternatives site by site is premature. Each property will be reviewed to determine its location via a Site-Specific Checklist as described in Step 1. The following practicable alternatives to the proposed project, were identified and evaluated by ADECA:

1. Provide grant awards to eligible homeowners and renters to rehabilitate, reconstruct, or elevate housing structures in the floodplain / wetlands.

2. Relocate all projects outside the floodplain / wetlands.

3. No Action.

Alternative 1: Provide grant awards to eligible homeowners and renters to rehabilitate, reconstruct, or elevate housing structures in the floodplain / wetlands.

This alternative will provide financial assistance to rehabilitate, reconstruct, or elevate housing structures on the same area in which the home resides; some of which may be located in the 100-year floodplain or wetlands. This action is designed to recover the affordable housing and structures that may have been destroyed or damaged due to Hurricanes Sally and Zeta. Under limited circumstances, HRAP may allow replacement manufactured homes to be relocated outside of the 100-year floodplain / wetland.

In addition to requiring all proposed projects to comply with Green Building Standards as stated in Federal Register Vol. 87, No. 23 or the HUD Green Building Retrofit checklist, Alabama would implement construction methods that emphasize quality, durability, energy efficiency, sustainability, and mold resistance. All rehabilitation, reconstruction, and new construction would be designed to incorporate principles of sustainability, including water and energy efficiency, resilience, and mitigation against the impact of future disasters.

One purpose of HRAP is to reduce future damages from flooding. Under HRAP, all homes in the 100-year floodplain, that receive assistance for new construction, repair of substantial damage, or substantial improvement, as defined at 24 CFR 55.2(b) (10), will be elevated with the lowest floor, including the basement, at least two feet above the BFE. Further, the owners of all properties in the 100-year floodplain, would be required to obtain and maintain flood insurance and informed that they must notify prospective future owners of the requirement to maintain flood insurance regardless of the transfer of ownership. This requirement is mandated to protect safety of residents and their property and the investment of federal dollars.

Structures that are not substantially damaged would have minimal or no floodplain / wetland impacts as the project activities are in previously disturbed areas and within their construction footprints. If project activities are within or adjacent to wetlands, appropriate mitigation would be implemented to avoid adverse effects.

The proposed project will greatly assist the future homeowners and tenants who meet the low-moderate income criteria and provide them with homes that meet current minimum property standards with the use of better and higher quality building materials, provide safe and affordable housing, prevent future loss of life, and reduce future damages from flooding since all substantially damaged structures located in the SFHA, as applicable, will be elevated at least two feet above the most current BFE.

This alternative would meet the purposes of the HRAP and is therefore, selected.

Alternative 2: Relocate all projects outside the floodplain / wetlands.

Relocating projects outside of the 100-year floodplain is another highly desirable outcome from a perspective of flood risk reduction, by moving people and structures out of harm's way. However, acquiring land for the purpose of development and relocating housing outside of the 100-year floodplain, is exorbitantly expensive and would vastly increase the cost of each individual housing project, thereby drastically reducing the number of projects the program could potentially fund. Additionally, the preference of most residents is to repair or rebuild their home in its current location. For these residents or tenants, relocating outside of the floodplain would negatively affect their proximity to their current employment and social network, including schools, churches, local services, neighbors, and family/relatives. Further, this alternative would leave behind pockets of areas with deteriorating flood-damaged and vacant homes and contribute to a decline that will lead to an increase in blighted conditions, become overgrown with vegetation, further damaged by possible vagrants, attract associated biological hazards, result in poor housing in their respective neighborhoods, thus creating a public safety hazard at the properties and the communities, and would even serve to lower the value of the surrounding real estate. Also, the economic feasibility of mass relocations would likely not be practical given funding restrictions. Therefore, this alternative is not the most practicable for all the applicants affected by Hurricanes Sally and Zeta.

ADECA does acknowledge however, that less commonly, due to circumstances beyond the applicant's control, replacement of a residence in the same location as their storm-damaged home may not be feasible. Therefore, ADECA has opted to allow the implementation of this alternative in very limited circumstances, to be considered on a case-by-case basis.

Alternative 3: No Action Alternative.

The 'No-Action' alternative was considered. This alternative would mean that homeowners within the 100-year floodplain or a wetland would not receive funding to provide for rehabilitated or reconstructed housing under HRAP. As a result, these property owners or renters may not be able to recover from the storms. Further, it would significantly inhibit the program's rehabilitation and reconstruction goals given that structures in the 100-year floodplain are significantly more likely to experience flood damage, in addition to preventing the program from addressing the housing needs of the most vulnerable and disproportionally impacted residents of Alabama, particularly low- to moderate-income households still suffering from hurricane-related losses. Most of these residents would continue to live in the 100-year floodplain, in damaged, unsafe, and unsanitary housing. These residents would be at greater risk during future flood events, particularly if the homes do not meet current elevation requirements. Thus, the No-Action alternative would neither address Alabama's need for safe, decent and affordable housing, nor would it require homes within the floodplain to be elevated to the highest standard for flood or wetlands protection. Therefore, this alternative is not the most practicable for all the applicants affected by Hurricanes Sally and Zeta.

Step 4: Identify Potential Direct and Indirect Impacts of the Proposed Actions on the Floodplain and Wetland.

Potential Direct Impacts:

- Repairing or rehabilitating a structure in a floodplain represents no substantial change from previous conditions except that substantially damaged structures would now be elevated at least two feet above the BFE based on the best available (most recent) floodplain mapping, thereby reducing future damages from flooding.

- Elevating, replacing, or reconstructing a residential dwelling in a SFHA could potentially disturb or alter the ecological significance and water-holding capabilities, either through construction or the fill material used. This scenario is not anticipated considering that all direct project construction will be conducted on single-family, residentially zoned parcels, on scattered sites throughout the county, and will involve existing residential structures being substantially repaired or reconstructed and elevated, within the disturbed area of the parcel associated with the damaged structure. Further, some of the structures may be elevated on pilings / stilts and as such, the overall impact to the floodplain / wetlands would be reduced as compared to the original structure. This would also reduce the chance of future damages to the structure due to flooding.

Potential Indirect Impacts:

- Any construction activity (i.e., demolition, site preparation, rehabilitation, replacement, or reconstruction) in a floodplain has the potential to indirectly disturb or alter water quality by impacting stormwater runoff. Stormwater flow across a construction site has the potential to transport debris, lead-based paint, asbestos containing material, sediment, and chemicals/residues into surface and groundwater. The program will minimize these impacts by requiring applicant contractors to use appropriate best management practices (BMPs) (including proper site management and soil stabilization) during construction activities.

- For homes eligible and selected to be elevated or substantially damaged structures, homes that are selected to be elevated via pilings / stilts would likely be a net beneficial impact to the floodplain / wetlands as these foundations would allow water to flow under the structure, thus increasing the acreage in potential flow during an event.

Step 5: Where practicable, design or modify the proposed action to minimize the potential adverse impacts to lives, property, and natural values within the floodplain or wetland and to restore and preserve the values of the floodplain or wetland.

As discussed in Step 3, ADECA will implement the rehabilitation and reconstruction (including manufactured home replacement) of housing structures to low-moderate income applicants in order to recover the affordable housing and structures that may have been destroyed or damaged during Hurricanes Sally and Zeta. In accordance with program guidelines, the structures located in the 100-year floodplain must comply with all applicable local, state and federal floodplain

requirements, including applicable building, zoning and floodplain ordinances and codes. ADECA also proposes to utilize and implement green building standards and standards related to resiliency and sustainability. When followed, these regulations will reduce the threat of flooding damage to the homes located in the floodplain and provide low-moderate income applicants with affordable and quality housing.

The HRAP also requires the elevation of all substantially damaged and reconstructed structures in the floodplain a minimum of two feet above the BFE. When followed, these regulations will reduce the threat of flood damage to the homes located in the floodplain. The new elevation levels, which applicants are required to adhere to when considering reconstruction or rehabilitation of their substantially damaged properties, represent the best available data and are assumed to advance floodplain management efforts in the impacted counties.

Each proposed project site would generally remain within the footprint of the existing structure, with minimal program allowable expansions, and is not expected to result in an increased number of units; therefore, there is no change or increase from land use that would adversely impact the natural values of the floodplain / wetland. Should the scope of the proposed action project changes and involve a significant expansion of the footprint that could result in potential impacts to floodplains or nearby wetlands/Waters of the U.S., the affected sites would undergo additional environmental review and could be subject to additional eight step review for floodplain / wetlands and permitting requirements by FEMA and the U.S. Army Corps of Engineers and the Alabama Department of Conservation & Natural Resources (ADCNR).

Additionally, eligible projects assisted by HRAP would be required to adhere to the following conditions to minimize the threat to property, minimize losses from flooding and high-wind events, and benefit floodplain / wetland values:

1. All structures funded by the Home Recovery Alabama Program, if in, or partially in, the 100-year floodplain shown on the latest Effective FEMA Flood Insurance Rate Map (FIRM), will be covered by flood insurance and the flood insurance must be maintained for the economic life of the structure [24 CFR 58.6(a)(1)].
2. No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance but failed to obtain and maintain the insurance [24 CFR 58.6(b)].
3. Duration of Flood Insurance Coverage. The statutory period for flood insurance coverage may extend beyond project completion. For loans, loan insurance or guaranty, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of assistance, coverage must be continued for the life of the property, regardless of transfer of ownership of such property. Section 582(c) of the Community Development and Regulatory Improvement Act of 1994 mandates that “The requirement of maintaining flood insurance shall apply during the life of the property, regardless of transfer of ownership of such property.” (42 USC 4012a).

4. Dollar Amount of Flood Insurance Coverage. For loans, loan insurance or guaranty, the amount of flood insurance coverage need not exceed the outstanding principal balance of the loan. For grants and other forms of financial assistance, the amount of flood insurance coverage must be at least equal to the development or project cost (less estimated land cost) or to the maximum limit of coverage made available by the Act with respect to the particular type of building involved (SF- Single Family, OR-Other Residential, NR-Non-Residential, or SB-Small Business), whichever is less. The development or project cost is the total cost for acquiring, constructing, reconstructing, repairing or improving the building. This cost covers both the federally assisted and the non- Federally assisted portion of the cost, including any machinery, equipment, fixtures, and furnishings.
5. Proof of Purchase. The standard documentation for compliance with Section102 (a) is the Policy Declarations form issued by the NFIP or issued by any property insurance company offering coverage under the NFIP. The insured has its insurer automatically forward to the grantee in the same manner as to the insured, information copies of the Policy Declarations form for verification of compliance with the Act. Any financially assisted Special Flood Hazard Area (SFHA) building lacking a current Policy Declarations form is in Noncompliance.
6. Reconstruction or substantial improvement projects in "Coastal High Hazard" areas ("V" zones on the latest [most recent] FEMA-issued maps) must meet the current standards for V zones in FEMA regulations (44 CFR 60.3(e)) and, if applicable, the Minimum Property Standards for such construction in 24 CFR 200.926d(c)(4)(iii)
7. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters and to prevent erosion in onsite and offsite wetlands and waters.
8. Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.

It has been determined that through the implementation of the alternatives and requirements outlined above, HRAP would greatly assist individuals who meet low-moderate income status to restore their residences and further protect them from future storms, would minimize adverse impacts to lives and property, would have minimal or no adverse impacts within the floodplain, and in certain circumstances may even help to restore the natural and beneficial values of the floodplain / wetland.

Step 6: Reevaluate the Alternatives.

Based on the information provided in Steps 3 and 4, and the mitigation measures discussed in Step 5 (designed to further minimize adverse impacts and restore the natural and beneficial values of the floodplain / wetland when feasible), providing grant awards to eligible homeowners and renters as proposed in Alternative 1 identified in Step 3 is still determined to be the most practicable and when combined with the review procedures enacted at the site-specific level is not anticipated to aggravate current flood hazards or disrupt floodplain values. Alternatives 2 and 3 are impracticable as sole alternatives to the proposed action, as they do not meet HRAP's goal of meeting unmet housing needs by providing safe and sanitary housing to disaster-impacted property owners and

renters in their respective communities. As suggested in Alternative 2, however, occasionally an applicant may not be able to receive a replacement home in the same location as their damage structure due to circumstances beyond their control. As such, a relocation to another parcel outside the SFHA will be considered on a case-by-case basis; no impacts to SFHA / wetlands are anticipated.

With respect to potential wetlands, the existing footprint of the properties are considered to be converted developed land not subject to wetland jurisdiction. Any future expansions or developments outside these boundaries, if considered significant, could be subject to wetland regulations; however, and would be evaluated consistent with Executive Order 11990. Due to the nature of the proposed action, the rehabilitation, reconstruction or manufactured home replacement of existing structures, and correspondence with state and federal agencies, the natural and beneficial value of the floodplain and wetlands is not anticipated to be affected.

Step 7: Determination of No Practicable Alternative

It is ADECA's determination that alternatives have been incorporated to the proposed project to the extent feasible and there is no practicable alternative to locating the proposed project in the floodplain / wetlands. This is due to 1) the need to restore safe, sanitary and affordable housing within the disaster-impacted community; 2) the desire to not unduly displace residents, disconnecting them from their economic and social networks; 3) the need to enact economically viable and fiscally responsible programs within federal CDBG-DR allocation limits; and 4) the limited scope and impact of the proposed project combined with the program's ability to mitigate and minimize impacts on human health, public property and floodplain / wetland values. ADECA has determined that the proposed project would not result in significant adverse impacts to flood levels, flood risk, or the flow of floodwaters or adversely impact wetlands on the project site or surrounding areas, and in some circumstances may even reduce flood levels, flood risk, and increase the storage capacity of the floodplain / wetland within the project area. Therefore, the proposed project complies with the National Flood Insurance Program (NFIP), HUD's regulations on Floodplain Management and Protection of Wetlands (24 CFR Part 55) and Final Rule (78 FR 68719), Executive Order 11988: Floodplain Management and Executive Order 11990 for Protection of Wetlands.

A final notice was published for Perry County in the Perry County Herald on March 16, 2023, allowing a minimum of 15 calendar days additional public comment. The notice explains the reasons why the program project must be in the floodplain / wetland, provides the list of alternatives considered in Steps 3 and 6, and describes all mitigation measures (listed under Step 5) that were incorporated to minimize adverse impacts and preserve and restore natural and beneficial floodplain / wetland values. The comment period ended on March 31, 2023. A Spanish version of the notice that is posted on ADECA's website. A copy of the notice is included as Appendix D3 of this document.

In addition, the public notice was emailed to interested parties including local, state and federal agencies and native American tribes who have interest in the project area.

No comments from the public or interested parties were received during the final comment period.

OR

ADECA received ___ comments from ___pertaining to _____. (See Exhibit __.)

Step 8: Implement the Proposed Action

ADECA recognizes that there is a continuing responsibility to ensure that the practicable alternatives and mitigation measures identified above are fully integrated into program policies and construction best management practices to minimize any potential adverse impacts and to restore and preserve natural and beneficial floodplain and wetland values where possible. ADECA has established policies and procedures to support and verify the implementation of these requirements as well as any additional design modifications or mitigation requirements that may result from the environmental review process and/or local and state permits.

D2 – Early Notice

Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain or Wetland
Perry County, AL

To: All interested Agencies, Groups and Individuals.

This is to give notice that the Alabama Department of Economic and Community Affairs (ADECA) is proposing to undertake activities relating to the United States Department of Housing and Urban Development's (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) program. ADECA's Home Recovery Alabama Program (HRAP), may include project sites located in the 100-Year Floodplain or Wetland. Alabama Department of Economic and Community Affairs will be identifying and evaluating practicable alternatives to locating the action in the Floodplain and Wetland and the potential impacts on the floodplains or wetlands from the proposed action, as required by Executive Orders 11988 and 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands.

The State of Alabama was awarded HUD CDBG-DR grant to support its recovery from Hurricanes Sally and Zeta. ADECA is proposing to use the CDBG-DR funds to create HRAP. HRAP is hoping to assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The best available data suggests numerous homes in Perry County sustained major or severe damage due to Hurricanes Sally and Zeta and may seek funding through HRAP to repair or rebuild. Though the confirmation of site locations is currently in progress, eligible project sites may fall within a 100-year floodplain or wetland. Approximately 73,431 acres in Perry County are within the 100-year floodplain (Zone A). The floodplains in the area can be found at the FEMA Flood Map Service Center at https://msc.fema.gov/portal/home. Approximately 57,292 acres in Perry County fall within a wetland, primarily Freshwater Forested/Shrub Wetlands. Wetlands in the area can be found at the US Fish and Wildlife Service National Wetlands Inventory mapper at https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/

There are three primary purposes for this notice. First, people who may be affected by activities in the floodplains or wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Commenters are encouraged to offer alternative sites outside of the floodplains or wetlands, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about the floodplains or wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in the floodplains or wetlands, it must inform those who may be put at greater or continued risk.

All interested persons, groups, and agencies are invited to submit written comments regarding the proposed use of federal funds to support the proposed activity in a 100-year floodplain and wetlands. Acting as the Responsible Entity for the proposed activity, ADECA will accept written comments during the hours of 9:00 AM to 5:00 PM delivered to: Alabama Department of Economic and Community Affairs, P.O. Box 5690, Montgomery, AL 26103-5690, Attention: Chris Perkins, CED Engineer/Environmental Officer.
Alternatively, comments may be emailed to: Christopher.Perkins@adeca.alabama.gov with "Attention: Disaster Recovery Comments" in the subject line. The minimum 15 calendar day comment period will begin the day after publication and end on the 16th day after publication. All comments must be received on or before January 23, 2023 to receive consideration. Further information can be found at the program website: https://adeca.alabama.gov/cdbg-disaster-recovery/hurricanes-sally-and-zeta/

Para una versión española de este aviso de audiencia, visite www.adeca.alabama.gov. Para traducciones al español de los documentos mencionados en este aviso, escriba al Departamento de Alabama de Asuntos económicos y de la Comunidad, PO Box 5690, Montgomery, Alabama 36103-5690, o por correo electrónico kathleen.rasmussen@adeca.alabama.gov, o trent.williams@adeca.alabama.gov.

Date: January 5, 2023

AFFIDAVIT OF PUBLICATION

The Perry County Herald

P.O. Box 181 • 7394 Highway 5 • Marion, AL 36756
800-683-4452 office • 334-624-8327 fax
perrycountyherald@gmail.com

Legal Notice

Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain or Wetland
Perry County, AL

To: All interested Agencies, Groups and Individuals

This is to give notice that the Alabama Department of Economic and Community Affairs (ADECA) is proposing to undertake activities relating to the United States Department of Housing and Urban Development's (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) program. ADECA's Home Recovery Alabama Program (HRAP), may include project sites located in the 100-Year Floodplain or Wetland. Alabama Department of Economic and Community Affairs will be identifying and evaluating practicable alternatives to locating the action in the Floodplain and Wetland and the potential impacts on the floodplains or wetlands from the proposed action, as required by Executive Orders 11988 and 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands.

The State of Alabama was awarded HUD CDBG-DR grant to support its recovery from Hurricanes Sally and Zeta. ADECA is proposing to use the CDBG-DR funds to create HRAP. HRAP would assist at least 1,000 single-family (between 1 and 4 units), low-to-moderate income homeowners and renters, across nine (9) counties in the region, to achieve safe and code-compliant housing that meets or exceeds code standards. Program activities will include repair/rehabilitation, elevation, reconstruction, and relocation. The best available data suggests numerous homes in Perry County sustained major or severe damage due to Hurricanes Sally and Zeta and may seek funding through HRAP to repair or rebuild. Though the confirmation of site locations is currently in progress, eligible project sites may fall within a 100-year floodplain or wetland. Approximately 73,431 acres in Perry County are within the 100-year floodplain (Zone A). The floodplains in the area can be found at the FEMA Flood Map Service Center at https://msc.fema.gov/portal/home. Approximately 57,292 acres in Perry County fall within a wetland, primarily Freshwater Forested/Shrub Wetlands. Wetlands in the area can be found at the US Fish and Wildlife Service National Wetlands Inventory mapper at https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/

There are three primary purposes for this notice. First, people who may be affected by activities in the floodplains or wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Commenters are encouraged to offer alternative sites outside of the floodplains or wetlands, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about the floodplains or wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in the floodplains or wetlands, it must inform those who may be put at greater or continued risk.

All interested persons, groups, and agencies are invited to submit written comments regarding the proposed use of federal funds to support the proposed activity in a 100-year floodplain and wetlands. Acting as the Responsible Entity for the proposed activity, ADECA will accept written comments during the hours of 9:00 AM to 5:00 PM delivered to: Alabama Department of Economic and Community Affairs, P.O. Box 5690, Montgomery, AL 26103-5690, Attention: Chris Perkins, CED Engineer/Environmental Officer.

Alternatively, comments may be emailed to: Christopher.Perkins@adeca.alabama.gov with "Attention: Disaster Recovery Comments" in the subject line. The minimum 15 calendar day comment period will begin the day after publication and end on the 16th day after publication. All comments must be received on or before January 21, 2023 to receive consideration. Further information can be found at the program website: https://adeca.alabama.gov/edb

. . . continued next page

STATE OF ALABAMA
PERRY COUNTY

Before me, a notary public in and for the county and state above listed, personally appeared John Allan Clark who, by me duly sworn, deposes and says that:

"My name is John Allan Clark. I am the publisher of The Perry County Herald ("Newspaper"). The Newspaper published the attached legal notice(s) in the issue(s) of: Jan. 5, 2023 (dates of publication). The sum charged by the Newspaper for said publication does not exceed the lowest classified rate paid by commercial customers for an advertisement of similar size and frequency in the same newspaper(s) in which the public notice(s) appeared. There are no agreements between the Newspaper and the officers or attorneys charged with the duty of placing legal advertising notices whereby any advantage, gain, or profit accrues to said officers or attorneys.

John Allan Clark, Publisher

STATE OF ALABAMA
PERRY COUNTY

Sworn and subscribed before me, Casey Thomas Roberts, Notary Public in and for said state and county, this 13th day of January, 2023. My Commission expires May 10, 2023.

Notary Public

Floodplain/Wetland Notice Notification Letters

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 5:42 PM
To: DCNR WFFDirector
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: ADCNR Notice-Sykes.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

Mr. Sykes,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 5:39 PM
To: Lein, Greg
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: ADCNR Notice-Lein.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

Mr. Lein,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 5:40 PM
To: McCurdy, Patti
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: ADCNR Notice-McCurdy.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

Ms. McCurdy,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 5:44 PM
To: Mobile Coastal Mail
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: ADEM Notice.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

To Whom it May Concern,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 5:45 PM
To: LaTonya Stephens
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: AEMA Notice.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

Ms. Stephens,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 5:48 PM
To: tcrsylestine@actribe.org
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: Alabama-Coushatta Tribe of Texas Notice.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

Chairperson Sylestine,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 5:49 PM
To: wilson.yargee@alabama-quassarte.org
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: Alabama-Quassarte Tribal Town Notice.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

Chief Yargee,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 5:50 PM
To: gbatton@choctawnation.com
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: Choctaw Nation of Oklahoma Notice.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

Chief Batton,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 6:03 PM
To: kajumba.ntale@epa.gov
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: USEPA Notice.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

To Whom it May Concern,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 5:53 PM
To: FEMA-R4EHP@FEMA.DHS.gov
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: FEMA Notice.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

Ms. Bell,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 5:54 PM
To: info@choctaw.org
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: Mississippi Band of Choctaw Indians Notice.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

Chief Ben,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 5:56 PM
To: dhill@mcn-nsn.gov
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: Muscogee (Creek} Nation Notice.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

Principal Chief Hill,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 5:57 PM
To: sbryan@pci-nsn.gov
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: Poarch Band of Creeks Notice.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

Chairperson Bryan,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 5:46 PM
To: Wofford, Lee Anne
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: Alabama Historical Commission Notice.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

Ms. Wofford,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 5:58 PM
To: CESAM-PA@usace.army.mil
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: USACE Notice.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

To Whom it May Concern,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 6:01 PM
To: kevin.norwood@usda.gov
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: USDA Notice.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

Mr. Norwood,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

From: Williams, Trent <Trent.Williams@adeca.alabama.gov>
Sent: Friday, January 6, 2023 6:04 PM
To: Alabama@fws.gov
Cc: Juliet Jacobs; Perkins, Christopher
Subject: Floodplain-Wetland Early Notice
Attachments: USFWS Notice.pdf; ADECA Floodplain-Wetland-Early Notices.pdf

To Whom it May Concern,

This serves as notification, as per HUD regulation 24 CFR §55.20(b), that hurricane recovery efforts conducted by the Alabama Department of Economic and Community Affairs (ADECA) for the proposed Home Recovery Alabama Program (HRAP) may be located in the 100-year floodplain (500-year floodplain for critical actions) or result in new construction in a wetland.
Additional details regarding the proposed project are presented in the attached letter and notices.

Sincerely,
Trent

Trent Williams
Special Programs Unit Chief
Disaster Recovery Manager
Community and Economic Development Division
334-353-3409

ADECA
Alabama Department of Economic and Community Affairs

To Whom it May Concern:

Re: Alabama Department of Economic and Community Affairs (ADECA) - Home Recovery Alabama Program (HRAP) - Early Floodplain/Wetland Notice Notification Letter

This letter serves as notification, as per HUD regulation 24 CFR §55.20(b), that the above project is located in the 100-year floodplain (500-year floodplain for critical actions) or results in new construction in a wetland. Included with this letter is a copy of the notices that were published as identified in the table below:

County	Date of Publication	Newspaper	Website
Baldwin	1/6/2023	Mobile Press Register	al.com/pressregister
Clarke	1/5/2023	Clarke County Democrat	clarkecountydemocrat.com
Dallas	1/7/2023	Selma Times	selmatimesjournal.com
Escambia	1/4/2023	The Brewton Standard	brewtonstandard.com
Marengo	1/4/2023	Demopolis Times	demopolistimes.com
Mobile	1/4/2023	Mobile Press Register	al.com/pressregister
Perry	1/5/2023	Perry County Herald	perrycountyherald.net
Washington	1/6/2023	Washington County News	washcountynews.com
Wilcox	1/5/2023	The Wilcox Progressive Era	thewilcoxprogressiveera.com

No action is required on your agency's part.

Sincerely,

Kenneth W. Boswell
Director

Enclosures: Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain or Wetland for Baldwin, Clark, Dallas, Escambia, Marengo, Mobile, Perry, Washington, and Wilcox counties.

cc: Chris Perkins, PE, CED Engineer/Environmental Officer
HORNE: Juliet Jacobs, Environmental Consultant

D3 – Combined Final Floodplain / NOI RROF / FONSI Notice

Combined Public Notice
Notice of Intent to Request Release of Funds (NOI RROF)
Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain or Wetland
Notice of Finding of No Significant Impact (FONSI)
Perry County

To: All Interested Agencies, Groups, and Individuals:

These notices shall satisfy three separate but related procedural requirements for activities to be undertaken by the Alabama Department of Economic and Community Affairs (ADECA). The proposed activities will assist residents affected by Hurricanes Sally and Zeta through the Extending Government Funding and Delivering Emergency Assistance Act (Pub. L. 117-43), and through Federal Register Vol. 87, No. 23 (87 FR 6364), Federal Register Vol. 87, No. 100 (87 FR 31636) and other subsequent federal registers, to undertake a project known as the Home Recovery Alabama Program (HRAP). ADECA is implementing a tiered environmental review approach for HRAP in accordance with 24 CFR 58.15 and 24 CFR 58.36.

REQUEST FOR RELEASE OF FUNDS

On or about April 3, 2023, or 15 days after publication of this notice, whichever is later, ADECA will submit a request the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds in the amount of $280,000,000 ($2,800,000 of which is the estimated Perry County total program cost) for the repair or replacement of single-family homes which were damaged by Hurricanes Sally and Zeta.

FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLANDS

This notice is required by Executive Orders (EOs) 11988 and 11990, in accordance with HUD regulations at 24 CFR 55.20. The proposed project(s) are located at scattered sites that have not yet been identified in Perry County. In Perry County, approximately 73,431 acres of land are located within the 100-year floodplain (Zone A) and approximately 57,292 acres are in a wetland (primarily Freshwater Forested/Shrub Wetlands). HRAP would assist vulnerable families in their recovery efforts, through the repair / rehabilitation of existing single-family (1-4 unit) housing; elevation; reconstruction / replacement of damaged homes, Manufactured Housing or Mobile Home Units (MHUs); and limited relocation assistance on a case-by-case basis. While the program strives to fund as many eligible projects as funding will allow, the program hopes to assist approximately 1,000 residents across a nine-county area, including the HUD-identified Most Impacted and Distressed (MID) areas of Baldwin, Mobile, Escambia, and Clarke Counties, and the state-identified MIDs of Dallas, Washington, Marengo, Wilcox, and Perry Counties.

ADECA has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values:

The No Action Alternative: The no action alternative is not proposed. This alternative would result in homeowners within the 100-year floodplain or a wetland not receiving funding to provide for rehabilitated or reconstructed housing under HRAP. As a result, these property owners or renters may not be able to recover from the storms. Further, it would significantly inhibit the program's rehabilitation and

reconstruction goals given that structures in the 100-year floodplain are significantly more likely to experience flood damage, in addition to preventing the program from addressing the housing needs of the most vulnerable and disproportionally impacted residents of Alabama, particularly low- to moderate-income households still suffering from hurricane-related losses. Most of these residents would continue to live in the 100-year floodplain, in damaged, unsafe, and unsanitary housing. These residents would be at greater risk during future flood events, particularly if the homes do not meet current elevation requirements. Thus, the No-Action alternative would neither address Alabama's need for safe, decent and affordable housing, nor would it require homes within the floodplain to be elevated to the highest standard for flood or wetlands protection.

Relocate All Projects Outside the Floodplain / Wetlands Alternative: ADECA considered relocating projects outside of the 100-year floodplain and / or wetlands. This alternative would result in a highly desirable outcome from a perspective of flood risk reduction, by moving people and structures out of harm's way. However, acquiring land for the purpose of development and relocating housing outside of the 100-year floodplain, is exorbitantly expensive and would vastly increase the cost of each individual housing project, thereby drastically reducing the number of projects the program could potentially fund. Additionally, the preference of most residents is to repair or rebuild their home in its current location. For these residents or tenants, relocating outside of the floodplain would negatively affect their proximity to their current employment and social network, including schools, churches, local services, neighbors, and family/relatives. Further, this alternative would leave behind pockets of areas with deteriorating flood-damaged and vacant homes and contribute to a decline that will lead to an increase in blighted conditions, become overgrown with vegetation, further damaged by possible vagrants, attract associated biological hazards, result in poor housing in their respective neighborhoods, thus creating a public safety hazard at the properties and the communities, and would even serve to lower the value of the surrounding real estate. Also, the economic feasibility of mass relocations would likely not be practical given funding restrictions. Therefore, this alternative is not the most practicable for all the applicants affected by Hurricanes Sally and Zeta.

ADECA does acknowledge however, that less commonly, due to circumstances beyond the applicant's control, replacement of a residence in the same location as their storm-damaged home may not be feasible. Therefore, ADECA has opted to allow the implementation of this alternative in very limited circumstances, to be considered on a case-by-case basis.

The Proposed Alternative: ADECA proposes to provide financial assistance to rehabilitate, reconstruct, or elevate housing structures on the same area in which the home resides; some of which may be located in the 100-year floodplain or wetlands. This action is designed to recover the affordable housing and structures that may have been destroyed or damaged due to Hurricanes Sally and Zeta. Under limited circumstances, HRAP may allow replacement manufactured homes to be relocated outside of the 100-year floodplain / wetland. In addition to requiring all proposed projects to comply with Green Building Standards as stated in Federal Register Vol. 87, No. 23 or the HUD Green Building Retrofit checklist, Alabama would implement construction methods that emphasize quality, durability, energy efficiency, sustainability, and mold resistance. All rehabilitation, reconstruction, and new construction would be designed to incorporate principles of sustainability, including water and energy efficiency, resilience, and mitigation against the impact of future disasters.

One purpose of HRAP is to reduce future damages from flooding. Under HRAP, all homes in the 100-year floodplain, that receive assistance for new construction, repair of substantial damage, or substantial improvement, as defined at 24 CFR 55.2(b) (10), will be elevated with the lowest floor, including the basement, at least two feet above the BFE. Further, the owners of all properties in the 100-year floodplain, would be required to obtain and maintain flood insurance and informed that they must notify prospective future owners of the requirement to maintain flood insurance regardless of the transfer of ownership. This

requirement is mandated to protect safety of residents and their property and the investment of federal dollars. Structures that are not substantially damaged would have minimal or no floodplain / wetland impacts as the project activities are in previously disturbed areas and within their construction footprints. If project activities are within or adjacent to wetlands, appropriate mitigation would be implemented to avoid adverse effects.

The proposed project will greatly assist the future homeowners and tenants who meet the low-moderate income criteria and provide them with homes that meet current minimum property standards with the use of better and higher quality building materials, provide safe and affordable housing, prevent future loss of life, and reduce future damages from flooding since all substantially damaged structures located in the SFHA, as applicable, will be elevated at least two feet above the most current BFE.

ADECA has reevaluated the alternatives to building in the floodplain and wetlands and has determined that it has no practicable alternative. In accordance with the 8-step decision-making process for action in the floodplain and / or wetlands ADECA has determined that the proposed project would not result in significant adverse impacts to flood levels, flood risk, or the flow of floodwaters or adversely impact wetlands on the project site or surrounding areas, and in some circumstances may even reduce flood levels, flood risk, and increase the storage capacity of the floodplain / wetland within the project area. Environmental files that document compliance with steps 3 through 6 of EOs 11988 and 11990 are available for public inspection, review and copying at the times and locations described below.

There are three primary purposes for this notice. First, people who may be affected by activities in a floodplain or wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplain or wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in a floodplain or wetlands, it must inform those who may be put at greater or continued risk.

FINDING OF NO SIGNIFICANT IMPACT

ADECA has determined that the project will have no significant impact on the human or natural environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the Alabama Department of Economic and Community Affairs, located at 401 Adams Avenue, Suite 500, Montgomery, AL 36104 or online at https://adeca.alabama.gov/cdbg-disaster-recovery/hurricanes-sally-and-zeta/ and may be examined or copied weekdays between 9:00 A.M. and 5:00 P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on these notices or the ERR to ADECA. Comments may be submitted to the attention of Chris Perkins, CED Engineer/Environmental Officer at ADECA, P.O. Box 5690, Montgomery, AL 26103-5690, or by email at Christopher.Perkins@adeca.alabama.gov with "Attention: Disaster Recovery Comments" in the subject line. All comments received by March 31, 2023 will be considered by ADECA prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The Alabama Department of Economic and Community Affairs (ADECA) certifies to HUD that Kenneth W. Boswell, in his capacity as Certifying Officer, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Alabama Department of Economic and Community Affairs (ADECA) to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will consider objections to its release of funds and ADECA's certification for a period of fifteen (15) days following receipt of the request only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer; (b) ADECA has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58.76) and shall be addressed to Tennille Parker, Director, Office of Disaster Recovery, HUD, 451 7th Street SW, Rm. 7282, Washington, DC 20410. Potential objectors should contact HUD to verify the actual last day of the objection period.

Certifying Officer: Kenneth W. Boswell, Director, Alabama Department of Economic and Community Affairs Date: March 16, 2023

Appendix E

Supplemental Information

E1 – Programmatic Agreement
E2 - Request for Release of Funds
E3 – Authority to Use Grant Funds
E4 – Delegation of Authority

E1 – Programmatic Agreement

PROGRAMMATIC AGREEMENT BETWEEN
THE ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS
AND
THE ALABAMA STATE HISTORIC PRESERVATION OFFICE

WHEREAS, the Alabama Department of Economic and Community Affairs (ADECA) and the Alabama State Historic Preservation Office (SHPO) (herein collectively referred to as the "Parties") have determined that the certain actions permitted or funded by ADECA with Federal funds, including, but not limited to the Community and Economic Development Programs (formerly HUD program CDBG), will not have an effect on properties listed on or eligible for the National Register of Historic Places (NR); and

WHEREAS, ADECA and SHPO have defined in this agreement those activities which will not require individual consultation with the SHPO; and

WHEREAS, on March 24, 2008, ADECA notified and invited the Advisory Council on Historic Preservation (ACHP) to participate in the Section 106 consultation process and the ACHP declined to participate in the consultation; and

WHEREAS, ADECA and the SHPO have defined in this agreement those activities which would provide for the protection of unexpected discovery of significant resources pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470f) and the Advisory Council on Historic Preservation's (Council) regulations, 36 CFR Part 800;

NOW, THEREFORE, ADECA and the SHPO agree that the following undertaking shall take place without further consultation with the SHPO except for those items specifically stipulated.

EXCLUDED ACTIVITIES

The following activities may proceed without individual comment from the SHPO.

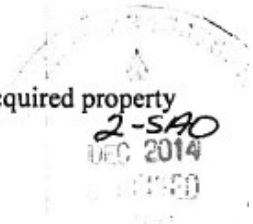
1. Work on sewer and water lines and drainages within highway right-of-way (ROW) or otherwise previously disturbed areas. Previously disturbed areas are defined as those areas which have received prior impact by construction, clearing grading, or erosion to subsoil or disturbed to the same depth as proposed work.

2. Street improvements limited to street and/or ROW.

3. Work within existing municipal parks, including ballparks and playgrounds, for which no expansion is necessary.

4. Acquisition of new equipment, such as playground equipment.

5. Acquisition of new property. However, any proposed activities on the acquired property must be coordinated with SHPO.



6. Rehabilitation or demolition of buildings less than fifty years old.

7. Work on walking trails limited to existing trail and/or ROW.

8. Rehabilitation or other work on structures at least fifty years old which requires no ground disturbance and meets one or more of the following criteria:

   a) Replacement of roof in-kind, that is, composition shingles with new composition shingles.
   b) Repair and in-kind replacement of deteriorated wood siding, in-kind or with cement-fiber siding which matches the original.
   c) Painting, inside and out, as long as prep work consists of scraping, hand sanding, and exterior pressure washing at 300 PSI or less.
   d) Repair and replacement of heating, venting and air conditioning using existing ductwork.
   e) Repair or replacement of plumbing pipes and non-historic fixtures.
   f) Repair of gypsum wallboard or plaster. Ceilings should have smooth finish.
   g) Repair of floors in-kind, that is, with material exactly like what is there, and/or replacement of floor covering.
   h) Repair of original windows and glass.
   i) Replacement or repair of piers not visible from the exterior.
   j) Perimeter or exterior foundation work, as long as the work matches the original.

STIPULATIONS

ADECA shall ensure that consultation with the SHPO shall take place for the following individual activities by providing SHPO with a completed Project Review Consultation Form (Appendix A) and any other material helpful to the SHPO in making its recommendations for the project.

1. New construction or ground disturbance of any kind which is not within ROW or existing Municipal Park or playground.

2. Demolition of structures at least fifty years of age.

3. Rehabilitation or other work on structures which does not meet the criteria as outlined in EXCLUDED ACTIVITY 8 a-j above.

4. Fill material needed for the project should come from a SHPO-approved source (borrow pit). The source (borrow area) of any fill material to be used for a project must be reviewed by SHPO unless the source is an existing, previously borrowed area and expansion of the borrow area is not necessary for the project.

DISCOVERY

Should any historic resources be discovered in the process of the project activities, work shall cease and the SHPO shall be notified immediately.

Execution of this agreement and carrying out its terms evidences that ADECA has afforded the Council a reasonable opportunity to comment and ADECA has taken into account the effects of its activities on historic properties.

Jim Byard, Jr., State Director
Alabama Department of Economic and
Community Affairs

October 22, 2014
Date

Lee Anne Wofford
Deputy State Historic Preservation Officer

November 24, 2014
Date

OFFICE OF THE GOVERNOR

ROBERT BENTLEY
GOVERNOR

STATE OF ALABAMA

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

JIM BYARD, JR.
DIRECTOR

February 12, 2015

To: All Interested Parties

From: Shabbir Olia, CED Manager
Unit Chief

Re: Alabama State Historic Preservation Office (SHPO)
Programmatic Agreement (PA) Update

The Alabama SHPO and the Alabama Department of Economic and Community Affairs (ADECA) have agreed to amend the current PA to include the excluded activities and stipulation listed below. The authorization email is included for your information. The email thread that is mentioned in the authorization email is available for your review upon request. If you have any questions please do not hesitate to contact Chris Perkins at (334)353-1028 or christopher.perkins@adeca.alabama.gov.

THE ALABAMA STATE HISTORIC PRESERVATION OFFICE is adding the following EXCLUDED ACTIVITIES:

9. Leasing of a building less than fifty years old.
10. Leasing of a building at least fifty years old which requires no structural modifications, exterior or interior.

and the following STIPULATION:

5. Leasing of a building at least fifty years old that requires structural modification requires review by the SHPO.

SAO:CGP:tmn

APPENDIX A

PROJECT REVIEW CONSULTATION FORM

ALABAMA HISTORICAL COMMISSION
STATE HISTORIC PRESERVATION OFFICE
SECTION 106 PROJECT REVIEW CONSULTATION FORM

Federal laws exist to ensure that federal agencies or their designated applicants carefully consider historic preservation in federally funded, licensed, or permitted projects. Section 106 of the National Historic Preservation Act of 1966, as amended directs this review. http://www.achp.gov/106summary.html. At a minimum, submission of this completed form and attachments constitutes a request for review by the Alabama Historical Commission, which is the Alabama State Historic Preservation Office (SHPO). **The responsibility for preparing documentation, including the identification of historic properties and the assessment of potential effects resulting from the project, rests with the federal or state agency, or its designated applicant.** The role of the Alabama SHPO is to review, comment, and consult with federal/state agencies, applicants, and consultants. The Alabama SHPO's ability to complete a timely project review largely depends on the quality of the material submitted. Some applicants may find it advantageous to hire a historic preservation professional with expertise in history and/or architectural history.

NOTE: Section 106 regulations provide for a 30-day response time by the Alabama SHPO from the **date of receipt**. Project activities may not begin until our office has reviewed this information and issued comments.

PROJECT NAME

FEDERAL AGENCY PROVIDING FUNDS, LICENSE, OR PERMIT

AHC NUMBER (If project has been previously submitted)

APPLICANT	TELEPHONE
CONTACT PERSON	TELEPHONE

CONTACT EMAIL

ADDRESS FOR RESPONSE

PROJECT LOCATION

STREET ADDRESS	CITY
COUNTY	ZIP CODE

LATITUDE / LONGITUDE (use this format: 32.371999; -86.308598)

PROJECT DESCRIPTION

Describe the overall project in DETAIL. Be sure to note if the project involves new construction, if existing buildings will be altered (if so, provide the proposed work in detail), and / or if any buildings/structures will be demolished. Use additional pages if necessary.

AREA OF POTENTIAL EFFECT (APE)

The APE varies with project types and can be direct or indirect (physical, visual, auditory, etc.). The APE is defined as "the geographic area or areas within which an undertaking may cause changes in the character of use of historic properties, if any such properties exist." Factors to consider when determining the APE include; topography, vegetation, existing development, orientation of an existing resource to the project, physical siting of a resource, and existing and planned future development. For example:

1) Rehabilitation, renovation, and/or demolition of a historic building or structure, or new construction: the APE might include the building itself and the adjacent setting.
2) Streetscapes: the APE might include the viewshed from the street.
3) Pedestrian/bicycle facilities: the APE might extend the length of the corridor and for some distance on both sides of the corridor.
4) Underground utilities: the APE would usually be limited to the area of ground disturbance.

Attach a map indicating the precise location of the project and the boundaries of the APE, preferably a clear color copy of a USGS topographic quadrangle map (7.5 minute). For projects in urban areas, also include a city map that shows more detail. USGS topographic maps can be printed from this website: www.digital-topo-maps.com. City maps can be printed using www.google.com/maps.

Provide current, high resolution color photographs that illustrate the project area and the entire APE as defined above. Digital prints will be accepted, but photographs should also be submitted on a CD or DVD.

ARCHAEOLOGY (Ground Disturbing Activities)

Has the ground in the project area been disturbed other than by agriculture (i.e. grading, grubbing, clear cutting, filling, etc.)?
☐Yes ☐No ☐Don't know ☐N/A

If yes, describe in detail. Use additional pages as necessary. Photographs are helpful.

Describe the present use and condition of the property. Use additional pages as necessary.

To your knowledge, has a Cultural Resource Assessment (CRA) been conducted in the proposed project area?
☐Yes ☐No ☐Don't know ☐N/A

If yes, attach a copy of the archaeologist's report.

BUILDING & STRUCTURE INFORMATION

Background research for previously identified historic properties within an APE may be undertaken at the Alabama SHPO in Montgomery. These files include the National Register of Historic Places, Alabama Register of Landmarks & Heritage, Alabama Historic Cemetery Register, and county architectural surveys. To request a research appointment, contact Nicole Woods at 334.230.2673 or Nicole.Woods@preservala.org. Alabama SHPO staff cannot perform the file research for your project. As mentioned previously, some applicants may find it advantageous to hire a historic preservation professional with expertise in history and/or architectural history to complete the identification and evaluation of historic properties.

1) Is the project located within or adjacent to a National Register of Historic Places (NRHP) listed or eligible historic district?
☐YES ☐NO If yes, provide the name of the district: _____

2) Within the project APE, are there any buildings or structures that are 50 years old or older?
☐YES ☐NO If yes, provide numbered photographs of each that have been keyed to a site map.

3) Are any of the buildings or structures identified in question #2 listed or eligible for listing in the NRHP?
☐YES ☐NO If yes, identify the properties by name or photo number.
If no, provide an explanation as to why the properties are not eligible for the NRHP.

4) Does the project involve the rehabilitation, renovation, demolition, or addition to any building or structure that is 50 years old or older?
☐YES ☐NO If yes, provide rehabilitation plans and / or reasons for demolition.

A note about photographs: Current, high resolution photographs must be submitted on CD or DVD. Prints may also be submitted, but a CD or DVD of the images must accompany the prints. Black and white photocopies, faxed photographs or Polaroids will **not** be accepted. If you checked "yes" for #2 and #3 above, include photographs of those properties. Take photographs of the overall property and the exterior of each building on the property, including outbuildings. Include views of the overall setting, views of the building in its immediate surrounding showing the relationship of the building to neighboring buildings, and views of significant landscape features (i.e. tree lined approaches, stone walls, formal gardens, etc.). Exterior views of the building should include full views of each side (if possible) and views of important architectural details. Key all photographs to a site map.

If the project involves rehabilitation, include photographs of the building(s) involved and especially the areas of the building slated for rehab work. Label each exterior view to a site map and label all interior views. If the project involves new construction, include photographs of the surrounding area looking out from the project site. Include photographs of any buildings (more than 50 years old or older) that are located on the project property or on adjoining property.

EFFECTS DETERMINATION

An effect occurs when an action alters the characteristics of a property that may qualify it for the National Register of Historic Places or alters the features of a property's location, setting, or use that contributes to its significance. How will this project affect any of the properties identified in the previous section? Use additional pages as necessary.

1) Will the project take away or change anything within the apparent or existing boundary of any of the identified historic properties?
☐YES ☐NO If yes, explain: _____

2) Will the project change the view from or the view of any of the identified historic properties?
☐YES ☐NO If yes, explain: _____

3) Will the project introduce any audible or atmospheric elements to the setting of any of the identified historic properties?
☐YES ☐NO If yes, explain: _____

4) Will the project result in the transfer, lease, or sale of any of the identified historic properties?
☐YES ☐NO If yes, explain: _____

CHECKLIST: Did you provide the following information?	
☐ Completed form.	☐ Photographs of current site conditions and all identified historic properties keyed to a site map.
☐ Maps with project area, APE, and any historic properties marked and identified.	☐ For new construction, rehabilitations, etc., attach work plans, drawings, etc.
☐ Other supporting documents (if necessary to explain the project).	☐ Description of present use and condition of the project area.

Section 106 regulations provide for a 30-day response time by the Alabama SHPO from the date of receipt. Project activities may not begin until our office has reviewed this information and issued comments.

Upon receipt, applications and attachments become the property of the State of Alabama.

For questions regarding this form or the Section 106 Review Process, contact Amanda McBride, Section 106 Coordinator, at 334.230.2692 or Amanda.McBride@preservеala.org.

Return this Form and Attachments to:

Lee Anne Wofford, Deputy SHPO
Alabama Historical Commission
Attn: Section 106 Review
468 South Perry Street
Montgomery, Alabama 36130-0900 (US post) 36104 (courier)

E2 - Request for Release of Funds

E3 – Authority to Use Grant Funds

E4 – Delegation of Authority