

ACQUISITION AND RELOCATION

April 2017 | Supplement No. E1.2

SUPPLEMENT SERIES:

Hazard Mitigation Assistance Environmental Planning and Historic Preservation

PURPOSE: Each Hazard Mitigation Assistance (HMA) application must comply with the requirements outlined in the HMA Guidance. According to the guidance, in addition to a general programmatic review, an Environmental Planning and Historic Preservation (EHP) review and a technical review must be performed by the Federal Emergency Management Agency (FEMA) for each proposed project. The EHP review will ensure that HMA grants use practical means and measures to protect, restore, and enhance the quality of the environment; avoid or minimize adverse environmental impacts; and preserve historic, cultural, and natural national heritage. Early submission of accurate and complete eligibility and pre-award information will facilitate FEMA's review process and the release of HMA funds. This Supplement augments the Acquisition and Relocation Job Aid No. 1.2 and provides additional information, examples, and potential sources of documentation for items listed in the Job Aid to help communities applying for HMA grants comply with application requirements.

ADDITIONAL RESOURCES:

- ✓ Hazard Mitigation Assistance Guidance and Addendum (Part A)
- ✓ Acquisition and Relocation Job Aid No. 1.2
- ✓ FEMA's Environmental and Historical Preservation Resources At-A-Glance Guide

IMPORTANT TERMS:

Coastal Zone Management Act (CZMA): Encourages the management of coastal zone areas and provides grants to be used in maintaining coastal zone areas. It requires that federal agency actions be consistent with enforceable policies of state coastal zone management programs when conducting or supporting activities that affect a coastal zone. It is intended to ensure that federal activities are consistent with state programs for the protection and, where possible, enhancement of the nation's coastal zones (16 U.S.C. §1451 et seq.).

Coastal Zone: CZMA's definition of a coastal zone includes coastal waters extending to the outer limit of state submerged land title and ownership, adjacent shorelines, and land extending inward to the extent necessary to control shorelines. A coastal zone includes islands, beaches, transitional and intertidal areas, and salt marshes.

Endangered Species Act (ESA): Provides guidance for the conservation of federally listed species and the ecosystems on which they depend. Section 7 of the ESA requires that federal agencies prevent or modify any projects authorized, funded or carried out by the agencies that are "likely to jeopardize the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification

of critical habitat of such species." The Interior Department's U.S. Fish and Wildlife Service (USFWS) and the Commerce Department's National Marine Fisheries Service (NMFS) administer the ESA (16 U.S.C. §1531 et seq.).

Environmental Planning and Historic Preservation (EHP): Refers to FEMA's review process for ensuring the protection and enhancement of environmental, historic, and cultural resources, as required by federal environmental and historic preservation laws and Executive Orders.

Flood Insurance Rate Map (FIRM): The official map of a community on which FEMA has delineated both the special hazard areas and the risk premium zones applicable to the community.

Hazard Mitigation Assistance (HMA): Assistance provided by FEMA to reduce or eliminate long term risk to people and property from natural disasters. Hazard Mitigation planning is a process used by state, tribal, and local governments to identify risks and vulnerabilities associated with natural disasters and develop mitigation strategies to reduce or eliminate long term risks. Examples funded by FEMA's HMA grant programs may include, but are not limited to, buy-outs, elevations, and safe rooms.

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National Environmental Policy Act (NEPA): Requires all federal agencies to give proper consideration to the environment prior to undertaking any major federal action that could significantly affect the environment. NEPA is a procedural statute and requires that an agency assess the environmental consequences of an action and its alternatives (42 U.S.C. §4321 et seq.).

National Historic Preservation Act (NHPA): Directs federal agencies to take into account the effect of any undertaking (a federally funded or assisted project) on historic properties. “Historic property” is any district, building, structure, site or object that is eligible for listing in the National Register of Historic Places because the property is significant at the national, state or local level in American history, architecture, archeology, engineering or culture (54 U.S.C. §100101 et seq.).

State Historic Preservation Office (SHPO): Administers the national historic preservation program at the state level, reviews National Register of Historic Places nominations, maintains data on historic properties that have been identified but not yet nominated, and consults with federal agencies during Section 106 review. State Historic Preservation Officers are designated by the governors of their respective states.

Special Flood Hazard Areas (SFHA): The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. Also, an area having special flood, mudflow or flood-related erosion hazards and appearing on a Flood Hazard Boundary Map or a FIRM as Zone A, AO, A1–A30, AE, A99, AH, AR, AR/A, AR/ AE, AR/ AH, AR/AO, AR/A1–A30, V1–V30, VE or V.

Tribal Historic Preservation Officer (THPO): An individual assuming the responsibilities and functions of a SHPO, who was designated by a federally-recognized Indian tribe to direct a program approved by the National Park Service on tribal lands.

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Developing an Acquisition and Relocation Project Application for EHP Review

The following provides details on the information that should be provided with the acquisition and relocation project application, and recommended documentation and supplemental information for FEMA to conduct an EHP review. Additional resources are identified throughout this Supplement to provide further information on specific components, and the final section provides a comprehensive list of resources identified throughout this Supplement.

It should be noted that the information provided in this guide is intended to focus on federal laws, regulations, and Executive Orders that are generally applicable to FEMA's EHP review of an acquisition and relocation project application. For each resource topic discussed, there are a variety of local, state, and tribal laws and permits that may also apply. Please contact your local planning and permitting departments; and applicable local, state, and tribal environmental agencies for more information about these requirements. State, tribal, and FEMA regional environmental staff are excellent sources of information, and we encourage you to collaborate with these professionals during acquisition and relocation project development.

The specific guidance in this Supplement does not provide all of the information necessary to apply for funding through an HMA program or prepare all aspects of an acquisition and relocation project application. Therefore, it must be read in conjunction with all other relevant guidance documents (e.g., Acquisition and Relocation Technical Review Supplement No. T1.2).

EHP Review Components

In order to aid FEMA in successfully completing their EHP review, a minimum amount of information is required for review. If the project impacts multiple structures, information must be provided for each structure. The following is a step-by-step approach to address the major components of FEMA's HMA EHP Process. **Identifying available information and documentation at the earliest stages of project development and throughout the grant process will facilitate FEMA's EHP review and result in successful HMA projects.**

The three steps of FEMA's HMA EHP Process:



Items that must be included in the grant application to determine eligibility.

Information that FEMA will need to review prior to award. In addition to EHP and technical requirements, FEMA may have additional programmatic requirements.

Project Conditions specified in the Award Letter and Record of Environmental Considerations will be enforced during project Implementation and Closeout. Project Conditions are identified during EHP review and are not reflected in the Job Aid.

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EHP Review Components *(continued)*

SITE INFORMATION

STEP 1: Eligibility

STEP 1A: Physical site addresses for both sites

Description: Physical site address of the current location of the structure and physical site address of where the structure is being moved. This includes street name and number, city, county or parish, state, and zip code for both sites. A post office box number is not an acceptable address.

Potential Sources: Obtain the information from the property owner, local building inspector, tax assessor records, deed to the site or engineering plans.

Example: Original location: 123 Main Street, Anytown, Local County, NY 12345. Relocated address: 789 Main Street, Anytown, Local County, NY 12345.

STEP 1B: Latitude and longitude of both sites

Description: Latitude and longitude, or geospatial coordinates for the current location of the structure and location of where the structure is being moved.

Potential Sources: There are several ways to obtain the latitude and longitude of a site.

- Use a Global Positioning System (GPS) device.
- Enter the site address into a mapping application to find the coordinates. Several free tools are available that generate the latitude and longitude coordinates when you type in an address. Enter “how to find GPS coordinates” into an Internet search engine to find a mapping application.

Note: Latitude and longitude can be shown in either decimal degrees (e.g., 38.470126, -123.005798) or degrees, minutes, and seconds (e.g., 38° 28’ 12.4” N, 123° 00’ 20.9” W). If your GPS or tool provides degrees, minutes, and seconds, you may need to convert this into decimal degrees in order to enter it into the eGrants field for latitude and longitude. There are several free tools available on the Internet for this conversion. Use a search engine to search “coordinate converter” to find one of these tools.

If the project pertains to multiple individual sites, provide latitude and longitude for each site.

If the project pertains to a single structure in a large parcel of land, provide latitude and longitude of the front of the structure.

Example: Original location: 39.470126, -123.005798; New Location: 39.52175, -122.987128

STEP 1C: Will the structure be located outside of the Special Flood Hazard Area (SFHA)?

Description: Show the new location on the FIRM and indicate if the new location of the structure will be outside the SFHA. The SFHA is the area inundated by the 1-percent annual chance flood and is identified on the FIRMs as Zones A, AE, AH, AO, AR, V, VE or A99.

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EHP Review Components *(continued)*

Potential Sources: Use the FIRM. FEMA's online FIRM Tutorial shows how to use a FIRM. To obtain copies of a FIRM, visit FEMA's Map Service Center.

Example: As shown on the FIRM Number 36039C0432F, May 16, 2008; the structure will be located outside of the SFHA.

STEP 1D: Site maps showing project locations with boundaries of all sites being acquired (e.g., parcel maps, U.S. Geological Survey [USGS] topographic map)

Description: Provide an assessor's map or site survey showing all locations and project boundaries. Include GIS or computer-aided design (CAD) data, if available. Also, include a 1:24,000-scale USGS map showing the acquisition and relocation project boundaries.

Potential Sources: Site survey conducted by a surveyor, assessor maps, and topographic maps. This information can be obtained internally from the project engineer or planner. Topographic maps can be ordered from USGS directly through the USGS online store or can be obtained free of charge online from the U.S. Department of Agriculture's Geospatial Data Gateway.

Example: A site survey was conducted by a licensed surveyor to clearly establish site boundaries. The attached mapping shows the location of the acquisition and relocation project {INCLUDE ADDRESS OR PARCEL NUMBERS}.

STEP 1E: Photographs of all sides of the structure(s) (showing foundation, walls, entrances, and roof) and surrounding area from all directions

Description: Show each side of the structure affected by the acquisition and relocation project. In addition, provide photographs taken while standing at the existing structure and at the proposed location of the new structural project, showing the surrounding area in all directions. Provide photographs with sufficient detail to explain the proposed acquisition and relocation project. Label the photos to explain exactly what they show and include directions.

Potential Sources: Use a phone, tablet or camera to take clear, good quality color photos for inclusion in the application.

Examples: See Figures 1-5.



Figure 1: Front and east side of the building



Figure 2: Back and west side of the house

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EHP Review Components *(continued)*



Figure 3: View looking west toward adjacent properties on the bay



Figure 4: View looking east toward properties across the channel



Figure 5: View of area surrounding relocation site

STEP 1F: Date of structure (year built)

Description: The year the structure was originally constructed.

Potential Sources: Review tax records or talk with the site owner, if they are knowledgeable about the history of the structure.

Example: 1997

STEP 1G: Existing foundation type (e.g., crawlspace, basement, slab-on-grade, piers)

Description: Type of foundation of the existing structure. See Figure 6 for foundation types.

Potential Sources: Visual observation, photographs or building drawings.

Example: Crawlspace, basement, slab-on-grade or piers.

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EHP Review Components *(continued)*

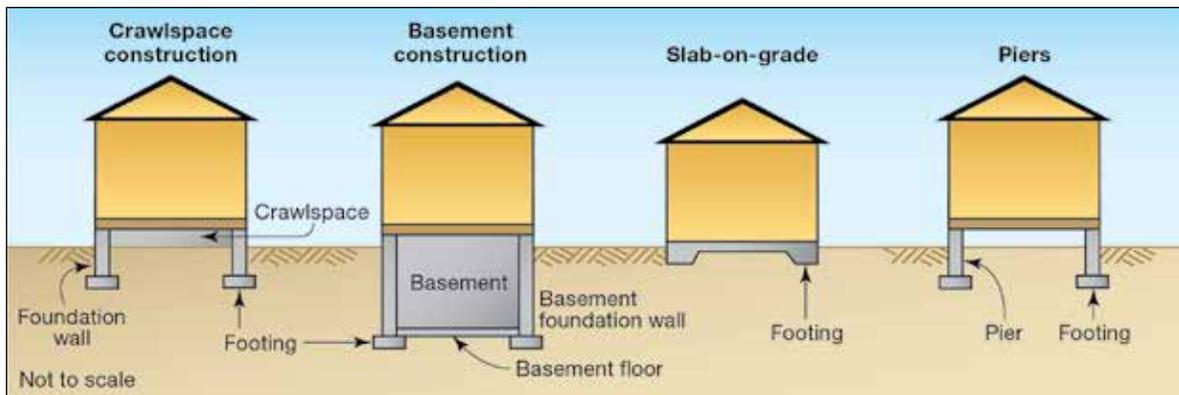


Figure 6: Examples of Foundation Types

STEP 1H: Construction material, size, function, and existing condition of the structure

Description: Indicate the construction material (e.g., wood frame), size, existing condition, and function (e.g., one story residential, apartment, police station, hospital) of the structure.

Potential Sources: Review tax records, county tax assessor website, talk with the property owner or some cities and counties have parcel databases with this information. Some information can be obtained from viewing a current picture of the structure (e.g., construction materials or existing conditions). Alternatively, online mapping programs with measuring features and high quality aerial photos may be used to estimate the size.

Example: One story residential structure constructed from masonry approximately 1,600 square feet. Structure is currently flood damaged.

STEP 2: Pre-Award

STEP 2A: List of outbuildings on the site, a photograph of each, and dates of construction

Description: List and photograph any barns, sheds or other outbuildings on the site that will be affected by the acquisition and relocation project. Provide the year each structure was built. Label the photos to explain exactly what they show.

Potential Sources: Use a camera, phone or tablet to take clear, good quality photos for inclusion in the application. Talk to structure owner about the date of construction or consult tax records, as appropriate.

Example: See Figure 7.



Figure 7: Outbuilding constructed in 1975 is located 55 feet west of the back of the house. This structure will be removed as part of the demolition project.

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EHP Review Components *(continued)*

STEP 2B: Is the structure listed, or has it been determined eligible for listing, in any local, state or National Historic Register(s)? Please describe

Description: Please describe and indicate if any structures or sites affected by the acquisition and relocation project are listed in any local or state registry or in the National Historic Register. For Acquisition and Relocation projects, check both the original structures/site and the relocation structure/sites.

Potential Sources: Contact the local community planning office and the SHPO.

Example: The project site {IDENTIFY IF THE SITE IS THE CURRENT SITE OR THE RELOCATION SITE} is 0.2 miles from the Old State House, the oldest surviving state capitol building west of the Mississippi River.

STEP 2C: Is the project located within a 0.5 mile radius of a local, state or National Historic District(s)? Please describe

Description: Please describe and indicate if the acquisition and relocation project is within 0.5 mile radius of a local, state or National Historic District. For Acquisition and Relocation projects, check both the original structure and the relocation site/structures.

Potential Sources: Contact the local community planning office and SHPO.

Example: The property is a contributing resource to the Mayfield Historic District and is located 0.5 miles from the project site {IDENTIFY IF THE SITE IS THE CURRENT SITE OR THE RELOCATION SITE}.

STEP 2D: Proposed architectural renderings

Description: The original architectural renderings show the current structure. The proposed architectural renderings show the structure after it has been relocated.

Potential Sources: Obtain from the homeowner, architect or engineer.

Example: The original architectural renderings of the current structure were obtained from the {HOMEOWNER, ARCHITECT OR ENGINEER} and are attached. In addition, attached are the proposed architectural renderings depicting what the structure will look like after the relocation process has been completed.

OR

Architectural renderings of the current and relocated structure could not be obtained.

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EHP Review Components *(continued)*

SCOPE OF WORK

STEP 3: Eligibility

STEP 3A: Flood Insurance Rate Maps (FIRMs) showing project location (both original and relocated sites)

Description: Provide maps showing the FEMA flood zone designations and the acquisition and relocation project locations. Ensure the maps show the FEMA flood zone designations at the original and relocation sites, and describe the flood zone within which the structure was originally located and will be located and identify whether the original and relocated structures will be located in a regulatory floodway.

Potential Sources: FEMA FIRMs and Letters of Map Revisions can be found on FEMA's Map Center webpage or through the local floodplain regulatory agency. In addition, Google Maps has a FIRM layer.

Example: Based on FEMA Flood Map {IDENTIFY FEMA MAP PANEL NO. #}, the acquisition and relocation project will be located in the flood zone designation of {IDENTIFY FLOOD ZONE DESIGNATION (e.g., AE)}, which are areas {DESCRIPTION OF THE FLOOD ZONE DESIGNATION (e.g., subject to inundation by the 1-percent-annual-chance flood event)}.

Step 3B: Verification that the project will be conducted in accordance to the appropriate codes and standards.

Description: Obtain and provide a building permit, which will serve as documentation that the project will be conducted in accordance with state and local laws. These permits grant legal permission to start construction on a project, and are enforced by the local jurisdiction.

Potential Sources: Permits can be obtain through county and local government offices.

Example: See attached permit, obtained on October 14, 2018. {INCLUDE PERMIT IN APPLICATION}.

STEP 3C: Proposed conceptual designs, project plans, and specifications, scaled and dated

Description: Provide a site plan, location map, engineering and/or construction drawings, and acquisition and relocation project specifications showing all project improvements in detail. Based on the type of project, the drawings should be prepared by a design professional licensed in the state in which the acquisition and relocation project is to be constructed or by a contractor. All project plans should comply with the applicable codes, standards, and minimum construction requirements.

Potential Sources: This information will be obtained internally from the project engineer/planner or from any partnering agency/organization.

Example: The project will relocate six houses from their current location within the floodplain to the northernmost portion of the single-family subdivision, which is outside of the floodplain. The attached site plan shows the relocation plan.

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STEP 3D: Amount and depth of ground disturbance associated with this project (e.g., grading; digging for buried lines; new, temporary, permanent access roads; staging areas)

Description: Provide the total amount of ground disturbance including amount of cut and fill, areas and location of temporary and permanent encroachment, depth of trenches, undergrounding of utility lines, etc. Provide a map or GIS or CAD files, when possible.

Potential Sources: This information will be obtained internally from the project engineer or planner.

Example: The proposed acquisition and relocation project will result in {INSERT AREA OF GROUND DISTURBANCE} of ground disturbance. Approximately {INSERT AREA} will be temporarily disturbed and {INSERT AREA} will result in permanent disturbance. Temporary disturbance will include areas for construction vehicle access and staging. Existing power lines will be placed underground in trenches {INSERT TRENCH DEPTH} feet deep.

STEP 3E: Identify all known contaminated materials located on-site (e.g., asbestos, lead-based paint, underground storage tanks [USTs], chemical storage containers)

Description: Describe all known site contamination, including data source, contaminants, and existing or planned remediation efforts.

Potential Sources: Obtain information from the site owner, local building inspector, local enforcement agency, site environmental assessments, and visual inspections. Alternatively, EPA has a variety of webpages that provide environmental information on properties with potential hazardous materials or cleanup issues. The EPA provides details on potential hazardous materials and superfund properties at the following webpages:

- EPA's EnviroMapper - <https://www.epa.gov/emefdata/em4ef.home>.
- EPA's NEPAassist - <https://www.epa.gov/nepa/nepassist>.
- EPA's Superfund webpage - <https://www.epa.gov/superfund>.

Example: Based on the review of the {LIST AVAILABLE RECORDS SUCH AS PHASE I SITE ASSESSMENT}, the following contaminants {IDENTIFY CONTAMINANTS} were found on the site {IDENTIFY IF THE SITE IS THE CURRENT SITE OR THE RELOCATION SITE}. Clean-up actions will require {LIST ACTIONS TO BE TAKEN (e.g., removal of USTs)}.

STEP 4: Pre-Award

STEP 4A: Describe other alternatives to acquisition and relocation that were considered and why they were dismissed from further consideration

Description: Describe other feasible alternatives that would address the purpose of the acquisition and relocation project. Include a description regarding why these alternatives have been dismissed and not pursued for FEMA funding as well as a statement supporting the reason why the proposed acquisition and relocation project is the most practical, cost effective, and environmentally sound alternative. Include information on the No Action Alternative as it reflects conditions expected to exist if the acquisition and relocation project is not completed. For projects that could affect wetlands or the floodplain, include a description of alternatives that would meet the purpose of the project, but would not affect wetlands or the floodplain. For

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EHP Review Components *(continued)*

acquisition and relocation projects that will inherently occur in wetlands or the floodplain, because of the nature of the project, include a clear statement that this is the case.

Potential Sources: This information will be obtained internally from the project engineer or planner.

Example: The following alternatives were considered in the grant application: {LIST ALL ALTERNATIVES CONSIDERED}. Alternative {IDENTIFY ALTERNATIVE} was not considered practicable because of the increased costs resulting from the inability of the Public Works Department to provide the labor and equipment necessary for relocation. The No Action Alternative was not considered as it does not meet the {STATE PROJECT OBJECTIVE (e.g., increase flood protection)}. The proposed acquisition and relocation project was considered the only practicable alternative, as it provides {IDENTIFY PROJECT OBJECTIVE (e.g., increase flood protection)} and was found to be the most cost-effective and environmentally sound {PROVIDE REASONING}.

STEP 4B: A description of the relocation process, how it was selected, and why

Description: Provide a description of the relocation methodology (e.g., jacking and moving, disassembling/reassembling porches and decks) that will be used and the building code standards that will be followed. Include how the methodology was selected, and why.

Potential Sources: This information will be obtained internally from the project engineer or planner.

Example: The residence will be relocated by {DESCRIBE THE RELOCATION PROCESS} and will comply with {LIST CODES AND STANDARDS REGARDING RELOCATION REQUIREMENTS}. The proposed project was considered the only practicable alternative, as it provides {IDENTIFY PROJECT OBJECTIVE e.g., increase flood protection} and was found to be the most cost-effective.

STEP 4C: Proposed level of protection of the relocated structure

Description: Provide a description of the protections (e.g., location outside flood area, raised fill to elevate above base flood elevation) against the potential hazard at the new site. Explain how the relocated structure will be protected against the previous hazard. Site location details can be obtained from the FIRM or from general maps of earthquake prone areas, which indicate if the new site of the structure will be outside the SFHA or earthquake prone areas.

Potential Sources: This information can be obtained from the project engineer, planner or the property owner. The FIRM can be used to determine if the site location is no longer in a flood area. FEMA's online FIRM Tutorial shows how to use a FIRM. To obtain copies of a FIRM, visit FEMA's Map Service Center. General maps of earthquake prone areas may be available from the state (e.g., California) or USGS (e.g. ShakeMap).

Example: The relocated structure will be relocated to {INSERT LOCATION OF SITE}. The site is no longer located in {DESCRIBE THE HAZARD AREA (e.g., a SFHA, an earthquake shaking hazard area)}. Therefore, the structure is no longer located in a hazard-prone area.

OR

The relocated structure will be relocated to {INSERT LOCATION OF SITE}. The site is located in {DESCRIBE THE HAZARD AREA (e.g. a SFHA, an earthquake shaking hazard area)}. The structure has been {DESCRIBE THE PROTECTIONS EMPLOYED (e.g., raised by three feet with fill to raise the structure above the base flood elevation)}.

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EHP Review Components *(continued)*

STEP 4D: List of construction equipment that will be used for the project

Description: Describe any construction equipment that will be used for the acquisition and relocation project. Include the likely maximum usage of construction equipment, if available, at least on an annual basis. Include any details about known or planned restrictions to the construction equipment, such as seasonal or daily restrictions.

Potential Sources: This information will be obtained internally from the project engineer or planner.

Example: The following construction equipment will be used during the acquisition and relocation project construction {LIST EQUIPMENT, INCLUDING MAXIMUM HOURS OF ANNUAL USAGE}. The use of the following heavy machinery will be restricted to occur only during the dry season {LIST LOCALLY-BASED DRY SEASON} due to the standard regulatory environment to minimize potential effects to water quality from sedimentation and sensitive wildlife species who may be found in the project area during the wet season. Additionally, equipment used will be limited daily from {INSERT DAILY AND WEEKLY EQUIPMENT RESTRICTIONS} to comply with local noise ordinances.

STEP 4E: Description of demolition and construction activities and all debris/infrastructure/utility removal activities

Description: Provide a description of demolition and construction activities, including details on site preparation, the sequence of construction activities, equipment used, and the handling requirements for materials and debris to be generated during the construction activities. Also describe any required notifications and permits, and utility identification and decommissioning.

Potential Sources: Project engineer or planner and the disposal facility.

Example: The work that will be performed consists of {DESCRIBE CONSTRUCTION ACTIVITIES}. Site preparation activities include {DESCRIBE ACTIVITIES (e.g., securing permits, health and safety activities, construction equipment, establishing work zones, utility identification, etc.)}.

STEP 4F: Map showing the types and locations of any vegetation that will be affected (e.g., removed, cut, pruned, replanted)

Description: Describe the treatment or landscaping plan for all vegetation that will be removed or affected (e.g., trimmed) at the project sites. Include a description of the types of vegetation that will be removed; the method of removal (e.g., herbicide, hand tools, bulldozer); and the overall goal of the vegetation removal (e.g., decrease vegetation density, removal of ladder fuels, create a level and vegetation free site). If vegetation will be planted, include details about the types of vegetation that will be planted and the general method of planting. For multiple project sites, include this information in similar detail for each project site. For Acquisition and Relocation projects, include both the original and the relocation sites.

Potential Sources: Consult the project engineer, landscape architect, restoration ecologist or forester assisting in project design and implementation.

Example: Kudzu will be removed at the project site {IDENTIFY IF THE SITE IS THE CURRENT SITE OR THE RELOCATION SITE} using herbicide. All vegetation will be removed in areas with large colonies of invasive plants and will be replanted with {INSERT PLANTS TYPES}.

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EHP Review Components *(continued)*

- STEP 4G: Description of debris or other materials that will be removed and hauled off-site, and information on where it will be disposed (including temporary staging areas), in accordance with local and state requirements**

Description: Indicate all potential construction debris, including vegetation, which could be generated by the acquisition and relocation project. Provide details of its disposal, including potential locations and the legal status of disposal properties (e.g., licensed landfill).

Potential Sources: Project engineer or planner and the disposal facility.

Example: Construction debris generated by the acquisition and relocation project will include building materials from demolition, soil material from excavation, and vegetation debris that will be removed. A Phase 1 Environmental Site Assessment has been completed (attached) and the site {IDENTIFY IF THE SITE IS THE CURRENT SITE OR THE RELOCATION SITE} has been determined to be clean and does not contain any potentially contaminated soils. Construction debris and vegetation debris will be disposed of at the local licensed transfer station {INSERT DETAILS OF FACILITY}, which has adequate capacity as described in the attached {INCLUDE LETTER}. Through geotechnical testing, all excavated soil has been determined to be suitable for use in the detention basin berms. No excavated soil will be disposed of off-site.

- STEP 4H: Type and source of fill that will be imported to the project area from an off-site source (e.g., existing borrow pit)**

Description: Indicate type, amount, and source(s) (including location addresses) of fill that will be imported. Identify whether each quarry is currently licensed and permitted to operate for this intended use and whether the quarry's source(s) contains enough fill to complete the acquisition and relocation project.

Potential Sources: Project engineer and various quarry companies.

Example: All fill material {E.G., CONCRETE, AGGREGATE ROCK, ROCK RIPRAP} will be provided by {NAME OF PROVIDER}, which stockpiles all the necessary materials at their processing plant located at {ADDRESS}. All materials will originate from one of three quarries operated by {NAME OF COMPANY}. These existing quarries operate under permits from {NAME PERMITTING AGENCY(IES)}, and {NAME OF PROVIDER} has indicated that providing the needed borrow materials for the acquisition and relocation project will not exceed the overall availability capacity of the quarries.

ADDITIONAL INFORMATION

STEP 5: Pre-Award

- STEP 5A: Enclose copies of any previous coordination, correspondence or consultation with federal, state, and local resource agencies (e.g., USFWS, SHPO, U.S. Army Corps of Engineers)**

Description: Provide copies of any correspondence with any regulatory agency that has occurred for the proposed acquisition and relocation project.

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EHP Review Components *(continued)*

Potential Sources: This information will be obtained internally or from any agency/organization that may be partnering on the acquisition and relocation project.

Example: We consulted with the {INSERT AGENCY}, and based on its feedback, evaluated other options to avoid direct fill and permanent loss of the wetlands in the project area. {INSERT AGENCY} was also contacted regarding impacts on {AREA OF CONCERN}. Communication and responses from these agencies are included as {INSERT ATTACHMENTS}.

STEP 5B: Describe or provide any public outreach that has occurred (e.g., public notices issued, published newspaper notices, public meetings held, public comments solicited)

Description: The description of public outreach related to the acquisition and relocation project should include methods of outreach that have occurred, that have occurred, a list of agencies or organizations that performed the outreach, when the outreach occurred, and any public comments solicited. Any known potential for public controversy about the project should be provided.

Potential Sources: The public affairs office or public information office of your agency or of any partnering agencies/organizations.

Example: Public outreach was conducted on {INSERT DATE} to provide the information on {PROVIDE INFORMATION THAT WAS PROVIDED TO THE PUBLIC (e.g., the need for the acquisition and relocation project; alleviation of any public concerns related to the acquisition and relocation project or its impacts; explanation of the acquisition and relocation project and impacts)} from {NAME OF PROJECT} to the public. Public outreach occurred by {INSERT METHOD (e.g., placing a notice in local paper; conducting public meetings; soliciting comments from the public)}. The public outreach resulted in {STATE RESULT (e.g., 4 public meetings; 32 comments received; no comments from the public)}. AND/OR {ATTACH DOCUMENTS}.

STEP 5C: Describe site history (e.g., commercial, residential) and provide details and/or copies of documents of any studies, investigations or enforcement actions related to the site

Description: Include a detailed description of the site history and past land uses (e.g., name of tenants/subtenants, period of tenancy of each). Also, provide report copies or summary information about any environmental studies, investigations, surveys, etc., about the site and, if applicable, person(s) responsible for any environmental surveys, investigations or reports. Attach documentation of interviews conducted, copies of historical documentation regarding the site, photographs, diagrams or sketches that indicate the location of present, past or future hazardous materials use or storage at the site. Include a summary of the report(s)/investigation(s), issue(s) raised, reason(s) for the report(s)/investigation(s), date(s) of report(s)/investigation(s), and conclusion(s) of the report(s)/investigation(s).

Potential Sources: Obtain the information from a local enforcement agency, real estate company, local health, hazardous materials agency or planning department/agency. This information can be combined with direct visual observations and local histories to evaluate the potential presence of hazardous materials. Additionally, interviewing local people familiar with the history of the site (e.g., local government personnel, project site neighbors) may provide insight that might not otherwise be available.

Example: As a part of previous activities at the site, a Phase I Environmental Site Assessment had been prepared for the site in {YEAR} by {COMPANY NAME}. {PROVIDE SUMMARY OF REPORT}. The report and {OTHER RELATED DOCUMENTS} are included in this packet. Communication and responses from other agencies/individuals are included as {INSERT ATTACHMENTS}.

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EHP Review Components *(continued)*

STEP 5D: Describe any known archaeological artifacts, cultural resources or human remains on the site or within a 0.5-mile radius

Description: Provide a list of known archaeological resources and sites with known human remains within 0.5 miles of the project area. This list should include the distance of these sites to the project area. If the acquisition and relocation project could affect these sites, include planned efforts to minimize any effects as well as any coordination with Native American tribes/individuals, Native Hawaiian Organizations or historic societies regarding these resources. Please include a copy of any archaeological survey performed.

Potential Sources: Contact your SHPO/THPO, local planning department, local libraries, historical societies, university and college libraries, and state and local natural history museums for cultural resources surveys/reports within the project area. Note that some of these resources are considered sensitive, and information about some archaeological sites is confidential and only available to professionally qualified individuals, or at the discretion of a tribe. Online sources include:

- National Register of Historic Places Database, a near-complete list by state and county of sites, is available through the National Park Service's webpage.
- A list of SHPO webpages can be found through the National Park Service's webpage.

Example: A cultural resources report was prepared for this acquisition and relocation project and cultural resources were identified within 0.5-mile radius {LIST RESOURCES}. No archaeological resources are known to exist at the project site {IDENTIFY IF THE SITE IS THE CURRENT SITE OR THE RELOCATION SITE}.

STEP 5E: Is the site located on or adjacent to Native American tribal land, or are there any known Traditional Cultural Properties or other Native American resources (e.g., traditional fishing areas) on or adjacent to the site?

Description: Provide a list of tribal lands and the appropriate tribal contacts if the acquisition and relocation project is located on or adjacent to Native American tribal lands. Provide a list of Native American resources on or adjacent to the project area, if they are known to exist, and the appropriate tribal contacts. Provide as much information as available for these resources and details about any coordination that has occurred with the appropriate tribes. Provide any project design details that will be incorporated and address any potential project-related effects to these resources. Note that some of these areas are considered sensitive, and information about some cultural/archaeological properties is confidential and only available to professionally qualified individuals or at the discretion of a tribe.

Potential Sources: Identify whether there are Native American tribal governments located in the project area or Native American tribal governments with a demonstrated interest. A complete list of all federally recognized Native American tribal governments and their contact information is available on the Tribal Historic Preservation Officers Program webpage through the National Park Service's webpage.

- An online directory of tribal leaders for all federally recognized Native American tribal governments is maintained by the Bureau of Indian Affairs.
- A map of all Indian Reservations in the continental United States is available on the National Park Service's Native American Graves Protection and Repatriation Act (NAGPRA) webpage.

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EHP Review Components *(continued)*

- A complete list of all federally and state recognized Native American tribal governments is available through the National Conference of State Legislatures webpage.
- Contact the local SHPO office for a list of Native American tribal governments in the area. A list of SHPO webpages can be found through the National Park Service's webpage.

Example: The project site {IDENTIFY IF THE SITE IS THE CURRENT SITE OR THE RELOCATION SITE} is located near {STATE NAME OF RESERVATION AND TRIBE}. {NAME OF THE INDIVIDUAL AND TRIBAL ROLE} was contacted about the acquisition and relocation project {INSERT COMMUNICATION METHOD} on {INSERT DATE(S)}. {NAME OF THE INDIVIDUAL} stated that there may be tribal resources near the project site {IDENTIFY IF THE SITE IS THE CURRENT SITE OR THE RELOCATION SITE} and that the tribe would like to be officially contacted by a federal agency, if one intends to fund or permit the acquisition and relocation project. No additional information was provided by the tribal representative.

STEP 5F: Describe any known federally or state listed threatened/endangered species or their critical habitat within the project area

Description: Include a list of all potential federal and state listed species as well as critical habitat found in the project area. Describe each species present or believed to be present in the project area throughout the duration of the acquisition and relocation project (e.g., resident species will remain in the area throughout the projects, migrant species will be present for certain times of the year).

Potential Sources: Lists of endangered and threatened species are maintained by USFWS and NMFS. Each Service has jurisdiction over different species. In general, USFWS manages land and freshwater species, while NMFS manages marine species.

- For species under the jurisdiction of USFWS, the USFWS' Endangered Species webpage provides an overview of endangered and threatened species and provides links to multiple different reporting tools to obtain endangered and threatened species information. The USFWS Environmental Conservation System Online (ECOS) provides species specific information on listed species and their critical habitat, including range information. The USFWS Endangered Species Program webpage links to a map where you can locate and learn more about endangered and threatened species by state. To identify the location of critical habitat, USFWS Critical Habitat Designations (GIS Mapping) webpage provides critical habitat locations and shape files to assist in mapping critical habitat.
- For species under the jurisdiction of NMFS, the NMFS Office of Protected Resources manages listed species and critical habitat. The NMFS Office of Protected Resources webpage provides an overview of endangered and threatened species and links to obtain listed species information. The NMFS Endangered and Threatened Marine Species webpage provides information on listed species and their critical habitat, including range and location information.
- For species listed at the state level, visit the state Department of Natural Resources or state Department of Environmental Protection or their respective webpages to obtain a list of protected state species.

Example: A review of the U.S. Fish and Wildlife Service (USFWS), the National Marine Fisheries Service (NMFS), and state wildlife agencies' lists of endangered or threatened species identified {INSERT NUMBER OF SPECIES OR STATE NO SPECIES} endangered or threatened species located in the project area {IDENTIFY IF THE SITE IS THE CURRENT SITE OR THE RELOCATION SITE}. Based on the review of the USFWS and the NMFS resources, critical habitat for {INSERT NUMBER} species may be found in the project area {IDENTIFY IF THE SITE IS THE CURRENT SITE OR THE RELOCATION SITE}. {LIST THE ENDANGERED/THREATENED SPECIES BY NAME AND IDENTIFY IF THEY ARE FEDERALLY OR STATE

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EHP Review Components *(continued)*

LISTED} and {LIST THE CRITICAL HABITAT} may be found in the project area {IDENTIFY IF THE SITE IS THE CURRENT SITE OR THE RELOCATION SITE} and potentially may be impacted by the acquisition and relocation project. {IF FEDERALLY LISTED SPECIES AND/OR CRITICAL HABITAT IS PRESENT INCLUDE THE FOLLOWING SENTENCE:} Since federally listed {STATE SPECIES/CRITICAL HABITAT} may be present in the project area {IDENTIFY IF THE SITE IS THE CURRENT SITE OR THE RELOCATION SITE} and potentially affected by the acquisition and relocation project, consultation with {USFWS AND/OR NMFS} will occur.

STEP 5G: Are the project sites within 200 feet of a body of water (e.g., river, stream, wetland, pond)?

Description: Describe whether any part of the acquisition and relocation project is within 200 feet of a body of water (e.g., river, stream, wetland, pond), and provide details about the proximity of the project site to the waterbody(ies) and the type of waterbody(ies).

Potential Sources: Review topographic maps, available satellite images such as those available from Google Earth maps, EPA's NEPAassist, GIS data sources for the jurisdiction/agency or available field surveys. Then, review the local jurisdiction's and lead agency's ordinances and codes to determine any special requirements regarding setbacks or restrictions to development and/or permits.

Example: Based on the review of {IDENTIFY DATA SOURCE}, the proposed project site {IDENTIFY IF THE SITE IS THE CURRENT SITE OR THE RELOCATION SITE} will be within {DISTANCE} of the {WATERBODY}.

STEP 5H: Are the project sites in a designated Coastal Zone or Coastal Barrier Resource System under the state's coastal management program?

Description: If the acquisition and relocation project will occur in the coastal zone, the description should include the name of the agency with regulatory authority of the specific area of the coastal zone (sometimes it is delegated to a local agency), any design elements that have been or will be incorporated into the acquisition and relocation project design because of the project's location within the coastal zone, and any communication that has occurred with the agency that regulates the affected coastal zone.

Potential Sources: Coastal zone management is administered at the state level. Coastal jurisdiction extent, requirements, and coastal zone management plans vary from state to state. Review this information from the National Oceanic and Atmospheric Administration (NOAA) to ascertain whether their acquisition and relocation project is in a coastal zone, and determine the permitting requirements imposed by the state and any applicable coastal zone management plans in their state. To determine if your state and/or project lies within coastal zone boundaries, visit the NOAA Office for Coastal Management webpage. In addition:

- NOAA Office for Coastal Management's "State Coastal Zone Boundaries," a downloadable PDF, describes each state's coastal zone boundary - <https://coast.noaa.gov/czm/media/StateCZBoundaries.pdf>.
- The CZMA requires the review of the state coastal zone management plan (CZMP) and for the federal action proponent or federal funding candidate to determine that their actions are consistent with the state's enforceable policies in their CZMP. If the federal action proponent or federal funding candidate deems their action is consistent with the state's policies or will have no effect on the state's coastal resources, they send a letter to the state stating their determination. The state then has a certain amount of time to issue a consistency determination/certification, negative determination/certification or object to the rationale provided.

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- Information about the applicable CZMP(s) and regulatory agency should be obtained through the state regulatory agency of the coastal zone, either by phone or through the state agency's webpage. Review of the applicable CZMP or direct communication with the agency regulating the coastal zone will need to occur to determine any project-specific restrictions related to the project's occurrence within the coastal zone.

Example: The {INSERT STATE} coastal zone generally extends {INSERT DISTANCE} inland from the mean high tide line. The proposed project site {IDENTIFY IF THE SITE IS THE CURRENT SITE OR THE RELOCATION SITE} lies within the designated coastal zone and will require review of the {NAME OF THE STATE CZMP OR PROGRAM}. The following activities {IDENTIFY ACTIVITIES} are enforceable under this plan/program. The project activities are addressed in the {NAME OF THE STATE CZMP OR PROGRAM} and may have reasonably foreseeable effects on coastal uses or resources. A complete application for determination of consistency including all required documentation should be submitted to {STATE REGULATORY AGENCY OF THE COASTAL ZONE} for consistency, determination, and certification.

STEP 5I: Describe if acquisition and relocation activities will involve the use of hazardous or toxic materials

Description: Provide a list of all hazardous and toxic chemicals that could be used to implement the acquisition and relocation project including items such as gasoline and herbicides. Include a description of the intended use of these chemicals.

Potential Sources: Obtain the information from the project engineer/planner.

Example: The acquisition and relocation project will involve the use of hazardous materials including, but not limited to {LIST MATERIALS}. Gasoline products will be used by construction equipment and herbicides will be used for the landscaping and the removal of existing invasive plants from the construction area. These chemicals will be used in compliance with {LIST REGULATIONS} pertaining to the safe handling, storage, and usage of hazardous materials. The following Best Management Practices (BMPs) will be implemented: {LIST BMPs}.

IMPLEMENTATION/CLOSEOUT

Project Conditions specified in the Pre-Award Letter and Record of Environmental Considerations will be enforced during project Implementation and Closeout. Project Conditions are identified during EHP review and are not reflected in the Supplement, but should be included in the application, where applicable.

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Resources

Below is a comprehensive list of resources identified throughout this Supplement. Not all of these resources are necessary for every acquisition and relocation project, but are provided to ease identification of source material.

PROGRAM GUIDANCE

- HMA Guidance
- HMA Environmental and Historical Preservation Resources At-A-Glance Guide
- Addendum to the HMA Unified Guidance, Part B

SUPPORTING JOB AIDS

- Acquisition and Relocation Job Aid No. 1.2

ADDITIONAL TOOLS AND RESOURCES

- Bureau of Indian Affairs' Directory of Tribal Leaders
- EPA's NEPAassist Tool
- EPA's Enviromapper
- EPA's Superfund Cleanup Sites
- EPA's SWPPP website
- FEMA's How to Find Your FIRM and Make a FIRMette
- FEMA's FIRM Tutorial
- FEMA's Map Service Center
- Local Community Planning Office
- National Conference of State Legislatures list of recognized Indian Tribal governments
- National Park Service National Graves Protection and Repatriation Act website
- National Park Service's Tribal Preservation Program website
- National Register of Historic Places
- National Wetlands Inventory
- NMFS Threatened or Endangered Species website
- NMFS Office of Protected Resources

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Resources *(continued)*

ADDITIONAL TOOLS AND RESOURCES, continued

- NOAA's Office for Coastal Management
- State's Coastal Zone Boundary
- State Historic Preservation Office
- State NFIP Coordinator
- Topographic maps from USGS or Department of Agriculture
- Tribal Historic Preservation Office
- U.S. Army Corps of Engineers Floodplain assistance
- USFWS Critical Habitat Designations website
- USFWS Endangered Species website
- USFWS Endangered Species Program website
- USFWS Environmental Conservation System Online

LAWS, REGULATORY GUIDANCES, AND EXECUTIVE ORDERS

- 40 CFR - Protection of Environment
- 44 CFR - Emergency Management and Assistance
- 50 CFR - Wildlife and Fisheries
- Antiquities Act of 1906, as Amended, 54 U.S.C. §320301-320303
- Archeological and Historic Preservation Act of 1974, as Amended, 54 U.S.C. §3125 et seq.
- Archaeological Resources Protection Act of 1979, as Amended, 16 U.S.C. §470aa-470mm et seq.
- Bald and Golden Eagle Protection Act of 1940, as Amended, 16 U.S.C. §668 et seq.
- Clean Air Act of 1970, as Amended, 42 U.S.C. §7401 et seq.
- Clean Water Act of 1972, 33 U.S.C. §1251 et seq.
- Coastal Barriers Resources Act of 1982, 16 U.S.C. §3501 et seq.
- Coastal Zone Management Act of 1972, 16 U.S.C. §1451 et seq.
- Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. §9601 et seq.
- Endangered Species Act of 1973, as Amended, 16 U.S.C. §1531et seq.
- Executive Order 11988 Floodplain Management (1977)
- Executive Order 11990 Protection of Wetlands (1977)
- Executive Order 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (1994)

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Resources *(continued)*

LAWS, REGULATORY GUIDANCES, AND EXECUTIVE ORDERS, continued

- Executive Order 13007 Indian Sacred Properties (1996)
- Fish and Wildlife Conservation Act of 1980, 16 U.S.C. §2901 et seq.
- Magnuson-Stevens Fishery Conservation and Management Act of 1976, as Amended and its Reauthorization, 16 U.S.C. §1801 et seq.
- Migratory Bird Treaty Act of 1918, as Amended, 16 U.S.C. §703 et seq.
- National Environmental Policy Act of 1969, as Amended, 42 U.S.C. §4321 et seq.
- National Flood Insurance Act of 1968, as Amended, 42 U.S.C. §4001 et seq.
- National Historic Preservation Act of 1966, as Amended, 54 U.S.C. §300101 et seq.
- Native American Graves Protection and Repatriation Act of 1990, 25 U.S.C. §3001 et seq.
- Resource Conservation and Recovery Act of 1976, as Amended, 42 U.S.C. §6901 et seq.
- Robert T. Stafford Disaster Relief and Emergency Assistance Act, as Amended, 42 U.S.C. §5121 et seq.