

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

**Project Information**

**Project Name:** City-of-McAllen-AHSTI-Stonebriar

**HEROS Number:** 900000010108836

**Responsible Entity (RE):** MCALLEN, PO Box 220 McAllen TX, 78505

**RE Preparer:** Noelia Blanco

**State / Local Identifier:**

**Certifying Officer:** James E. Darling, Mayor

**Grant Recipient (if different than Responsible Entity):**

**Point of Contact:**

**Consultant (if applicable):**

**Point of Contact:**

**Project Location:** 11611 N La Lomita Rd, McAllen, TX 78504

**Additional Location Information:**

The proposed project is located at the northeast portion of the La Lomita Road and Sprague Avenue in the City of McAllen, Hidalgo County, Texas. It is a partially developed 40-acre tract of vacant land that has water, sewer, and electrical utilities installed on the southern portion of the tract by a previous developer. The

surrounding neighborhood consists of vacant land to the south and residential property to the east and west. The northern adjacent properties are a mix of residential and commercial sites that include an upholstery shop, automotive sales, a day care and three private residences.

**Direct Comments to:** 1300 Houston Avenue  
McAllen, Texas 58501  
grant@mcallen.net

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

Proposed project will construct single family and multi family residential homes located on a forty acre tract of land located on the northeast corner of La Lomita Road and Sprague Road in McAllen, Hidalgo County, Texas. The property will develop 52 quad-plex units on the southern half and 83 single family units on the northern half of the site that will be sold to low and moderate income individuals/families. The intent is to develop homes that will be congruent with existing housing stock as the project is surrounded by an urbanized area. HOME funding will be used to assist with new construction costs of 38 houses at an estimated cost of \$29,800 per unit. CDBG funds will be used to provide principal reduction assistance in order to lower the housing cost and make it affordable.

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

The need for affordable housing is substantiated by the most recent information gathered through the United States Census Bureau. The US Census Bureau reports that the median family income for the County is only \$37,097 with a median mortgage payment of \$1,118. The median income for families living in the City of McAllen is \$45,057. On average a family living in McAllen pays \$1,300 on a monthly mortgage payment. These amounts suggest that the average family living in Hidalgo County would spend approximately 36% of their total yearly income for a house payment. Additionally, the average family living in McAllen would pay about 35% of their monthly income on a house payment. These calculations do not include monthly cost of living expenses that would add more of a financial burden to these families. Another major indicator of the constant need for safe, decent and affordable housing is AHSTI's pipeline of families to be assisted. AHSTI receives approximately 200 applications for housing assistance on a monthly basis.

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

With a 2020 population of 144,279, McAllen, Texas is the 22nd largest city in Texas and the 183rd largest city in the United States. McAllen is currently growing at a rate of 0.29% annually and its population has increased by 11.09% since the most recent census, which recorded a population of 129,877 in 2010. According to the 2019 Prosperity Now Scorecard report, the annual unemployment rate in the McAllen-Edinburg-Mission Metropolitan Statistical Area (MSA) was 6.6%; 3.1% above the Texas

unemployment rate which in the same year was 3.5%. This region's housing cost has amplified economic inequality for many decades with an average housing cost of 27.3% for homeowners in the communities AHSTI serves and a housing cost of 48.8% for renters. The availability of affordable housing stock will benefit 53.3% of renters who are spending more than the recommended amount on their housing cost causing them to be cost burden in the same communities. Current policies seem to do more to restrict access to affordable housing than to promote it especially for the low to moderate income families. Concurrently, the region continues to experience low income levels and lack of access to capital. As result, AHSTI target market can't afford a median price home or rent for a marketable two-bedroom apartment for med to low income individuals.

**Maps, photographs, and other documentation of project location and description:**

[Exhibit A1-Area Location Map.pdf](#)

[Exhibit A4-Photographs of Site and Vicinty.pdf](#)

**Determination:**

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

**Approval Documents:**

**7015.15 certified by Certifying Officer**

**on:**

**7015.16 certified by Authorizing Officer**

**on:**

**Funding Information**

<b>Grant / Project Identification Number</b>	<b>HUD Program</b>	<b>Program Name</b>
B-16-MC-48-0506	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)
B-17-MC-48-0506	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)
M-16-MC-48-0506	Community Planning and Development (CPD)	HOME Program

M-17-MC-48-0506	Community Planning and Development (CPD)	HOME Program
M-18-MC-48-0506	Community Planning and Development (CPD)	HOME Program
M-20-MC-48-0506	Community Planning and Development (CPD)	HOME Program

**Estimated Total HUD Funded, Assisted or Insured Amount:** \$1,335,809.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$1,335,809.00

**Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities**

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		
<b>Airport Hazards</b> Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. The nearest airport, McAllen Miller International Airport is over 8 miles (or 42,240 feet) away from the project area.
<b>Coastal Barrier Resources Act</b> Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. Supporting documentation can be found at Exhibit C - Coastal Barriers.
<b>Flood Insurance</b> Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is

		in compliance with flood insurance requirements.
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b>		
<b>Air Quality</b> Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act. Supporting documentation can be found at Exhibit D_Clean Air Act.
<b>Coastal Zone Management Act</b> Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. Supporting documentation can be found at Exhibit E-Coastal Zone Boundary Map.
<b>Contamination and Toxic Substances</b> 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: ASTM Phase I ESA. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. Supporting documentation can be found at Exhibit F- Phase I ESA
<b>Endangered Species Act</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project has been determined to have No Effect on listed species. With mitigation, identified in the mitigation section of this review, the project will be in compliance with the Endangered Species Act.
<b>Explosive and Flammable Hazards</b> Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	There is a current or planned stationary aboveground storage container of concern within 1 mile of the project site. The Separation Distance from the project is acceptable. The project is in compliance with explosive and flammable hazard requirements. Three liquid propane tanks are present within one mile of the proposed project. All three tanks are over 1,000 feet away and outside the Acceptable Separation Distance. Supporting documentation

		can be found at Exhibit H1: Explosive and Flammable Hazards Map and Exhibit H2: ASD Calculation.
<b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.
<b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The following exception applies, so the project is in compliance with Executive Order 11988: 55.12(c)(8), HUD's approval of financial assistance for a project on any site in a floodplain for which FEMA has issued: (i) A final Letter of Map Amendment (LOMA) or final Letter of Map Revision (LOMR) that removed the property from a FEMA-designated floodplain location; or (ii) A conditional LOMA or conditional LOMR if the HUD approval is subject to the requirements and conditions of the conditional LOMA or conditional LOMR.
<b>Historic Preservation</b> National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input type="checkbox"/> No	Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106. The Texas Historical Commission was contacted on 09/16/19 and confirmed that no historic properties are present or will be affected by the project. However, they required an archaeological survey to ___ which has been attached. Conditions: None. The project is in compliance with Section 106. Supporting documentation can be found at Exhibit K1: Cultural Resources and Exhibit K2: Archaeological Study.
<b>Noise Abatement and Control</b> Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The Preliminary Screening identified no noise generators in the vicinity of the project. The project is in compliance with HUD's Noise regulation. The property is located over 1,000 feet from the three nearest major roadways, over 3,000 feet from nearest railroad crossing and is not within DNL noise

		contours of either airport. Supporting documentation can be found at Exhibit L1: Noise Assessment and Exhibit L2: Railroad Map.
<b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. Supporting documents can be found at Exhibit M: Source Aquifers Map.
<b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. Supporting documentation can be found at Exhibit N- Wetlands Delineation Report. There is an NWI mapped wetland on the northern portion of the property boundary; however, a formal wetland delineation completed on October 12, 2019 provides clear evidence that no wetlands are present in the project area. Supporting documents can be found at Exhibit N- Wetlands Delineation Report. The Delineation Report was forwarded to the US Army Corp of Engineers and it has been determined that no adverse findings or impacts were noted..
<b>Wild and Scenic Rivers Act</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. Supporting Documents can be found at Exhibit O: Wild and Scenic Rivers.
<b>HUD HOUSING ENVIRONMENTAL STANDARDS</b>		
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b> Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. In review of all Statutory compliance factors, there were no environmental nuisances or questionable areas found near the

		<p>project site that would adversely affect the family that will purchase the unit or the surrounding neighborhood. Additionally, this project will not negatively affect the surrounding properties or the neighborhood. An Environmental Justice map was completed through EPA's EJViewer and the information for a 1-mile radius of this property has been determined to be congruent with the neighborhood and city. No adverse impact is anticipated. Supporting documentation can be found at Exhibit P: EPA Environmental Justice Map.</p>
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**Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]**

**Impact Codes:** An impact code from the following list has been used to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The subject property was designated as a residential area by the City of McAllen. The plats for the subdivision are currently underway and pending approval by the City.	Not applicable.
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	According to U.S. Dept of Agriculture Web Soil Survey, the predominate soils on site are Hidalgo fine sandy loan, 0 to 1 percent slopes (25), Hidalgo sandy clay loan, 0 to 1 percent slopes (928), Hidalgo sandy clay loan saline, 0 to 1 percent slopes.	Not applicable.
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	Based on site inspections and information found in the National Transportation Noise Map, the subject	Not applicable.



Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
		property is not located within a vicinity of highly generated noise. The nearest airport is located 44,188.78 feet away and the street to the south and east are not highly travel roads. Noise information attached.	
Energy Consumption/Energy Efficiency	2	The subject property will be used to construct single and multi family units that will be designed to meet a national green building standard.	Not applicable.
<b>SOCIOECONOMIC</b>			
Employment and Income Patterns	2	The proposed development will not result in an adverse impact to local employment or income patterns. The proposed single and multi family will have access to employment centers in the City of McAllen and surrounding areas.	Not applicable.
Demographic Character Changes / Displacement	2	The proposed development will not result in an adverse affect to the existing demographic characteristics of the project area and will not result in the displacement of a low-income or minority community.	Not applicable.
<b>COMMUNITY FACILITIES AND SERVICES</b>			
Educational and Cultural Facilities (Access and Capacity)	2	The subject property is located within the Sharyland ISD District. The school district was contacted and informed about the future subdivision. The response from the Executive Director of Facilities/Risk Manager noted families will be encouraged to register children within the district. Based on the proposed action for the subject property, no impact is anticipated at this time.	Not applicable.
Commercial Facilities (Access and Proximity)	2	The proposed development is not located in close proximity; however, residents will have access to public transportation and social services that could assist with accessibility. No impact is anticipated at this time.	Not applicable.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
Health Care / Social Services (Access and Capacity)	2	The City has two fully equipped hospitals within the City limits. Healthcare and social services are available for residents.	Not applicable.
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	The proposed project will generate solid waste during the development of the subdivision and the construction of the family units. However, the solid waste disposal will be	Not applicable.
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The City MPU Assistant Director was consulted. The development is equipped with residential lines. The City maps indicate sewer and water accessibility connections to the main lines. The City provided a map for reference.	Not applicable.
Water Supply (Feasibility and Capacity)	2	The City MPU Assistant Director was consulted. The development is equipped with residential lines. The City maps indicate sewer and water accessibility connections to the main lines. The City provided a map for reference.	Not applicable.
Public Safety - Police, Fire and Emergency Medical	2	Emergency services such as fire (fire station #7) and police services are located within 1.7 miles from the subdivision and noted the response time is between 5 minutes. The City's Police and Fire Chief were consulted and no impact is anticipated at this time.	Not applicable.
Parks, Open Space and Recreation (Access and Capacity)	2	The City of McAllen has a total of 89 public parks within the City. The proposed site is located less than a mile away from the nearest neighborhood park. A second park is located 2.5 miles from the proposed site. No adverse impact is anticipated.	Not applicable.
Transportation and Accessibility (Access and Capacity)	2	The City of McAllen consulted with the City's transportation department. The city's public transportation department	Not applicable.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
		establishes the routes in accordance with the need of the city's residents.	
<b>NATURAL FEATURES</b>			
Unique Natural Features /Water Resources	2	No unique features were identified.	Not applicable.
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	As part of the environmental process, the Fish and Wildlife Commission was contacted. The agency determined the project site did not contain any protected areas within the 40 acre tract.	Not applicable.
Other Factors	2		Not applicable.

**Supporting documentation**

[National Transportation Noise Map.pdf](#)

[IPAC report\(1\).pdf](#)

[011 McAllen - RKI Delineation Report Stonebriar Development.pdf](#)

[012 Bus stop map.pdf](#)

[011 Public Park Stonebriar.pdf](#)

[010 Fire Department close to Stonebriar Development.pdf](#)

[009 Police.pdf](#)

[007 Hospitals\(1\).pdf](#)

[008 Stonebriar Aerial Utility Connections.pdf](#)

[006 SharylandISD\\_NEW2.pdf](#)

[004 Airport distance Edinburg.pdf](#)

[003 Airport distance.pdf](#)

[002 Soils Map.pdf](#)

**Additional Studies Performed:**

Phase I Environmental Site Assessment was completed by Raba Kistner, Inc. on September 6, 2019 Supporting documentation can be found at Exhibit F- Phase 1 ESA.

**Field Inspection [Optional]:** Date and completed

by:

Ivan Nordhausen

8/22/2019 12:00:00 AM

[Exhibit A4-Photographs of Site and Vicinty.pdf](#)

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

FEMA website, Mark Wolfe for Texas Historical Commission, National Wetlands Inventory Map, Texas Department of Transportation State Wide Planning Map, Google Earth - Noise Distance Measurements, EPA NEPAssist Mapping Tool, Texas Commission on Environmental Quality (TCEQ), City of McAllen Website, USDA - NRCS Web Soil Survey, August 2019 Texas Border Economy Report, US Census Bureau - Quick Facts, Lower Rio Grande Valley Development Corp - Valley Metro Transit, US Department of Housing and Urban Development - Market at a Glance, US Census Bureau - Quick Facts, Raba Kistner, Inc. and Affordable Homes of South Texas, Inc.

[Army Corp Engineers.pdf](#)

**List of Permits Obtained:**

No permits required.

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

Once this ERR is completed and a Finding of No Significant Impact is made by the RE, a Combined Notice FONSI & RROF will be published in The Monitor and disseminated to all interested parties for public notice, consideration and comment.

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

For the purpose of completing this Cumulative Impact Analysis, the RE has defined the following: 1) Environmental Assessment Factors = Resource Areas 2) Research Study Area (RSA) = Stonebriar Development, McAllen, TX. An assessment of each resource area was completed for the RSA. The RE has made a No Impact determination at the RSA for each resource areas, except for Employment and Income Patterns. No Impact determination allows the RE to conclude that this project will have no significant effect on any of the resources and therefore a cumulative impact analysis is not feasible. With regards to the Employment and Income Patterns resource area however, the RE has concluded that there will a Minor Beneficial Impact. As noted in our review for this RSA, the individual construction project for each unit will benefit local contract and/or sub-contractors by creating jobs related to their field of expertise. The project however will not have a major impact on the RSAs, Cities or the County because units to be built over time and as funding becomes available. The RE anticipates that approximately 10 units will be built within each fiscal year.

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

Other options considered for this project include: 1. Build at different locations (subdivisions) 2. Scattered site construction of SFH versus concentrated SFH residential development Both of these alternatives were reviewed and rejected as follows: 1. Build at different locations (subdivisions): AHSTI has a solid pipeline of customers in homebuyer development. When completing the intake profile, the

family chooses their preferred city of residence. The city primarily chosen is McAllen. However, AHSTI only has two lots left in this City. The majority of the families in the pipeline do not own their own property and are looking to build a new home. The development of this subdivision will allow for the assistance of families that are looking to live in McAllen. Most AHSTI families do not have the means to own their own land for development. As such, the option to build at a different site has been considered and rejected. 2. Scattered site construction of SFH versus concentrated SFH residential development: The majority of AHSTI clientele are families that are looking to own their own home but do not own any property. Most of the families are first time home buyers and are currently renting or living with other family members. Over the years AHSTI has been successful in purchasing several lots within residential subdivisions throughout the City. The current living situation of the applicants, coupled with the availability of properties acquired by AHSTI, has proven to be extremely successful in counteracting circumstances under which low to moderate income families could not otherwise afford to acquire a home. In this instance, a scattered site SFH development project was considered and rejected due to the fact that the families being qualified for assistance do not own a property.

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

The "No Action" Alternative has been considered. AHSTI utilizes leveraged private funds to make the units affordable for all families. Should the RE accept the alternative of "no action", it is plausible that the affordability of these housing units will be negated. Families will be forced to continue renting or living with family members. These conditions are easily remedied by the proposed project. Families will no longer be in situations where they are paying higher rent than the average AHSTI mortgage note and will no longer be in possible over-crowded living conditions. As such, the "No Action" alternative has been rejected.

**Summary of Findings and Conclusions:**

In compiling information and reviewing all environmental factors for this location, the RE has determined that there will be on-going review of site plans as well as individual foundation design plans for each of the units built at Stonebriar. A site specific review was completed by Raba Kistner, Inc. utilizing numerous sources and included consultation with government, state and local agencies and offices. A Phase I Environmental Site Assessments (ESA) was completed by a qualified environmental professional, Raba Kistner, Inc. No events have occurred or were reported in the ESA. The only two items identified: 1) existence of wetlands and 2) Flood-Plain management have been addressed by a Wetlands Delineation Report and completion of the 8-Step Flood Plain Decision Process, accordingly. The RE has determined that this project is in compliance with all environmental factors and may go forward.

**Mitigation Measures and Conditions [CFR 1505.2(c)]:**

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
Endangered Species Act	If there is to be any clearing or disturbance of trees or vegetation that may be habitat for nesting migratory birds, AHSTI will contact the RE. There should be no action until the RE completes a site visit to observe trees or vegetation. If there are no nests or roosting birds found, the project may continue. If however, RE staff finds nests or roosting birds, the RE will initiate consultation with the local US Fish and Wildlife Service office located in Alamo TX. No other construction activity will continue until further review by USFWS personnel.	N/A	
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	Not applicable.	N/A	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	Not applicable.	N/A	
Hazards and Nuisances including Site Safety and Site-Generated Noise	Not applicable.	N/A	
Energy Consumption/Energy Efficiency	Not applicable.	N/A	
Employment and Income Patterns	Not applicable.	N/A	

Demographic Character Changes / Displacement	Not applicable.	N/A	
Educational and Cultural Facilities (Access and Capacity)	Not applicable.	N/A	
Commercial Facilities (Access and Proximity)	Not applicable.	N/A	
Health Care / Social Services (Access and Capacity)	Not applicable.	N/A	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	Not applicable.	N/A	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	Not applicable.	N/A	
Water Supply (Feasibility and Capacity)	Not applicable.	N/A	
Public Safety - Police, Fire and Emergency Medical	Not applicable.	N/A	
Parks, Open Space and Recreation (Access and Capacity)	Not applicable.	N/A	
Transportation and Accessibility (Access and Capacity)	Not applicable.	N/A	
Unique Natural Features /Water Resources	Not applicable.	N/A	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	Not applicable.	N/A	
Other Factors	Not applicable.	N/A	
Permits, reviews and approvals	No permits required.	N/A	

**Mitigation Plan**

As part of the continuous monitoring measure City Staff will document progress to ensure any special conditions and/or mitigation measures are followed for the duration of the project.

**Supporting documentation on completed measures**



## APPENDIX A: Related Federal Laws and Authorities

### Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

### Screen Summary

#### Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. The nearest airport, McAllen Miller International Airport is over 8 miles (or 42,240 feet) away from the project area.

#### Supporting documentation

[Exhibit B-Airport Hazards.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

### Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

**1. Is the project located in a CBRS Unit?**

No

Document and upload map and documentation below.

Yes

#### Compliance Determination

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. Supporting documentation can be found at Exhibit C - Coastal Barriers.

#### Supporting documentation

[Coastal Barrier.pdf](#)  
[Exhibit C-Coastal Barriers.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

No

## Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

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

No. This project does not require flood insurance or is excepted from flood insurance.

Yes

**2. Upload a FEMA/FIRM map showing the site here:**

[Exhibit J-FEMA Floodplain.pdf](#)

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

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

No

Based on the response, the review is in compliance with this section.

Yes

### **Screen Summary** **Compliance Determination**

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

**Supporting documentation**

[Exhibit J-FEMA Floodplain\(1\).pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

**Air Quality**

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

**1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?**

Yes

No

**Air Quality Attainment Status of Project’s County or Air Quality Management District**

**2. Is your project’s air quality management district or county in non-attainment or maintenance status for any criteria pollutants?**

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

Yes, project’s management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

**Screen Summary**

**Compliance Determination**

The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act. Supporting documentation can be found at Exhibit D\_ Clean Air Act.

**Supporting documentation**

[Exhibit D Clean Air Act.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

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

Yes

No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

### Screen Summary

#### **Compliance Determination**

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. Supporting documentation can be found at Exhibit E-Coastal Zone Boundary Map.

#### **Supporting documentation**

[Exhibit E-Coastal Zone Boundary Map.pdf](#)

#### **Are formal compliance steps or mitigation required?**

Yes

No

## Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

**1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.**

- American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
- ASTM Phase II ESA
- Remediation or clean-up plan
- ASTM Vapor Encroachment Screening
- None of the Above

**2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)**

- No

**Explain:**

The Phase I ESA completed indicated that there are no on-site or nearby toxic, hazardous or radioactive substances that could affect the health and safety of the project occupants or conflict with the intended use of the property. No hazardous substance of petroleum containers were observed on site. There was no other evidence of features (i.e., drains/sumps, landfills, underground storage tanks, etc.) that would suggest potential recognized environmental conditions associated with the site.

Based on the response, the review is in compliance with this section.

Yes



**Screen Summary**

**Compliance Determination**

Site contamination was evaluated as follows: ASTM Phase I ESA. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. Supporting documentation can be found at Exhibit F- Phase I ESA

**Supporting documentation**

[non toxic and flammable.pdf](#)  
[Exhibit F-Phase 1 ESA.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

### Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i> ); particularly section 7 (16 USC 1536).	50 CFR Part 402

**1. Does the project involve any activities that have the potential to affect species or habitats?**

No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

- ✓ Yes, the activities involved in the project have the potential to affect species and/or habitats.

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

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

- ✓ Yes, there are federally listed species or designated critical habitats present in the action area.

**3. What effects, if any, will your project have on federally listed species or designated critical habitat?**

- ✓ No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat. in the action area.

Document and upload all documents used to make your determination below. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate

May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

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

**6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.**

- ✓ Mitigation as follows will be implemented:

If there is to be any clearing or disturbance of trees or vegetation that may be habitat for nesting migratory birds, AHSTI will contact the RE. There should be no action until the RE completes a site visit to observe trees or vegetation. If there are no nests or roosting birds found, the project may continue. If however, RE staff finds nests or roosting birds, the RE will initiate consultation with the local US Fish and Wildlife Service office located in Alamo TX. No other construction activity will continue until further review by

USFWS personnel.

No mitigation is necessary.

**Screen Summary**

**Compliance Determination**

This project has been determined to have No Effect on listed species. With mitigation, identified in the mitigation section of this review, the project will be in compliance with the Endangered Species Act.

**Supporting documentation**

[IPAC report.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

### Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

No

Yes

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

No

Yes

3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR

- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.

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

No

Yes

**4. Based on the analysis, is the proposed HUD-assisted project located at or beyond the required separation distance from all covered tanks?**

Yes

Based on the response, the review is in compliance with this section.

No

**Screen Summary**

**Compliance Determination**

There is a current or planned stationary aboveground storage container of concern within 1 mile of the project site. The Separation Distance from the project is acceptable. The project is in compliance with explosive and flammable hazard requirements. Three liquid propane tanks are present within one mile of the proposed project. All three tanks are over 1,000 feet away and outside the Acceptable Separation Distance. Supporting documentation can be found at Exhibit H1: Explosive and Flammable Hazards Map and Exhibit H2: ASD Calculation.

**Supporting documentation**

[Exhibit H2-ASD Calculation.pdf](#)

[Exhibit H1-Explosive and Flammable Hazards Map.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

No

## Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	<a href="#">7 CFR Part 658</a>

**1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?**

Yes

No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

While the project area contains prime farmland soils, it is on previously developed land within the boundary of the City of McAllen, Texas. A map of area soils is included as Attachment 11.

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

### Screen Summary

#### **Compliance Determination**

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

#### **Supporting documentation**

[Exhibit I- USDA Soils Map.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

No

## Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

**1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]**

- 55.12(c)(3)
- 55.12(c)(4)
- 55.12(c)(5)
- 55.12(c)(6)
- 55.12(c)(7)
- ✓ 55.12(c)(8)
- 55.12(c)(9)
- 55.12(c)(10)
- 55.12(c)(11)
- None of the above

Based on the response, the review is in compliance with this section.

### **Screen Summary**

#### **Compliance Determination**

The following exception applies, so the project is in compliance with Executive Order 11988: 55.12(c)(8), HUD's approval of financial assistance for a project on any site in a floodplain for which FEMA has issued: (i) A final Letter of Map Amendment (LOMA) or final Letter of Map Revision (LOMR) that removed the property from a FEMA-designated floodplain location; or (ii) A conditional LOMA or conditional LOMR if the HUD approval is subject to the requirements and conditions of the conditional LOMA or conditional LOMR.

#### **Supporting documentation**

[LOMR stonebriar.pdf](#)



**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" <a href="http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html">http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html</a>

### **Threshold**

#### **Is Section 106 review required for your project?**

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)

- ✓ No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

Yes, because the project includes activities with potential to cause effects (direct or indirect).

**Threshold (b). Document and upload the memo or explanation/justification of the other determination below:**

NEED THIS

Based on the response, the review is in compliance with this section.

### **Screen Summary**

#### **Compliance Determination**

Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106. The Texas Historical Commission was contacted on 09/16/19 and confirmed that no historic properties are present or will be affected by the project. However, they required an archaeological survey to \_\_\_\_

which has been attached. Conditions: None. The project is in compliance with Section 106. Supporting documentation can be found at Exhibit K1: Cultural Resources and Exhibit K2: Archaeological Study.

**Supporting documentation**

[Exhibit K1-Cultural Resources.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

No

## Noise Abatement and Control

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972  General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

**1. What activities does your project involve? Check all that apply:**

- New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision 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

None of the above

**4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).**

**Indicate the findings of the Preliminary Screening below:**

- There are no noise generators found within the threshold distances above.

Based on the response, the review is in compliance with this section. Document and upload a map showing the location of the project relative to any noise generators below.

Noise generators were found within the threshold distances.

**Screen Summary**

**Compliance Determination**

The Preliminary Screening identified no noise generators in the vicinity of the project. The project is in compliance with HUD's Noise regulation. The property is located over 1,000 feet from the three nearest major roadways, over 3,000 feet from nearest railroad crossing and is not within DNL noise contours of either airport. Supporting documentation can be found at Exhibit L1: Noise Assessment and Exhibit L2: Railroad Map.

**Supporting documentation**

[Exhibit L2 Noise Assessment Railroad.jpg](#)

[Exhibit L1-Noise Assessment.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

### Sole Source Aquifers

General requirements	Legislation	Regulation
<b>The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.</b>	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

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

Yes

✓ No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

✓ No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

### Screen Summary

#### Compliance Determination

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. Supporting documents can be found at Exhibit M: Source Aquifers Map.

**Supporting documentation**

[Exhibit M-Source Aquifers Map.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

**Wetlands Protection**

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service’s National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

**1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building’s footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order**

No

✓ Yes

**2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.**

**"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."**

✓ No, a wetland will not be impacted in terms of E.O. 11990’s definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990’s definition of new construction.

**Screen Summary**



**Compliance Determination**

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. Supporting documentation can be found at Exhibit N- Wetlands Delineation Report. There is an NWI mapped wetland on the northern portion of the property boundary; however, a formal wetland delineation completed on October 12, 2019 provides clear evidence that no wetlands are present in the project area. Supporting documents can be found at Exhibit N- Wetlands Delineation Report. The Delineation Report was forwarded to the US Army Corp of Engineers and it has been determined that no adverse findings or impacts were noted..

**Supporting documentation**

[DOC051120-001.pdf](#)

[Exhibit N-Wetlands Delineation Report\(1\).pdf](#)

[Exhibit N-Wetlands Delineation Report.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

### 1. Is your project within proximity of a NWSRS river?

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

### Screen Summary

#### **Compliance Determination**

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. Supporting Documents can be found at Exhibit O: Wild and Scenic Rivers.

#### **Supporting documentation**

[Exhibit O-Wild and Scenic Rivers.pdf](#)

#### **Are formal compliance steps or mitigation required?**

Yes

No

**Environmental Justice**

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

**HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.**

**1. Were any adverse environmental impacts identified in any other compliance review portion of this project’s total environmental review?**

Yes

✓ No

Based on the response, the review is in compliance with this section.

**Screen Summary**

**Compliance Determination**

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. In review of all Statutory compliance factors, there were no environmental nuisances or questionable areas found near the project site that would adversely affect the family that will purchase the unit or the surrounding neighborhood. Additionally, this project will not negatively affect the surrounding properties or the neighborhood. An Environmental Justice map was completed through EPA's EJViewer and the information for a 1-mile radius of this property has been determined to be congruent with the neighborhood and city. No adverse impact is anticipated. Supporting documentation can be found at Exhibit P: EPA Environmental Justice Map.

**Supporting documentation**

[Exhibit P-EPA Environmental Justice Map.pdf](#)

**Are formal compliance steps or mitigation required?**

City-of-McAllen-AHSTI-  
Stonebriar

McAllen, TX

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Yes

✓ No