



U.S. Department of Housing and Urban
Development
451 Seventh Street, SW
Washington, DC 20410
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**Tiered Environment Review
for Activity/Project that is
Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)**

Project Information

Project Name: Affordable-Homeownership-in-Dover

HEROS Number: 900000010382974

Responsible Entity (RE): DOVER, PO Box 475 Dover DE, 19903

State / Local Identifier:

RE Preparer: Tracey Harvey

Certifying Officer:

Grant Recipient (if different than Responsible Entity): Central Delaware Habitat for Humanity, Inc.

PHA Code:

Point of Contact:	Jocelyn Tice
Consultant (if applicable):	AZ-RI Consultants
Point of Contact:	Scott Rifkin
Project Location:	Dover, DE

Additional Location Information:

City of Dover Limits including the following zip codes: 19901 and 19904. City of Dover limits map attached.

Direct Comments to:

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

Central Delaware Habitat for Humanity's (CDHFH) project, Affordable Homeownership Development in Dover, is to construct 5 new homes in downtown Dover and surrounding area within City of Dover limits. Central Delaware Habitat has been primarily building in this area since 2015 as part of a strategic revitalization effort in partnership with other non-profit and

for-profit organizations under the Restoring Central Dover: Our Vision for Vitality Plan 2020-2025. The known addresses for the homes will be 37 & 39 S. New Street and 145 N Ann Ave which are all currently owned by CDHFH plus there will be five properties to be acquired as part of the project. All properties are zoned for residential construction and have started the environmental review process. The five properties to be acquired will be within the City limits of Dover, Delaware. Each Site may require acquisition, demolition and/or new construction. Because all Sites will not contain greater than or equal to five properties within 2,000 square feet of each other, the "individual action" for single family dwellings applies and therefore the Sites will be reviewed at the CEST level.

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

[Tier 1 area City of Dover Limits Map.pdf](#)

Approximate size of the project area: more than 1 square mile

Length of time covered by this review: 1 Year

Maximum number of dwelling units or lots addressed by this tiered review:

5

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: 58.35(a)(3)

Determination:

	Extraordinary circumstances exist and this project may result in significant environmental impact. This project requires preparation of an Environmental Assessment (EA); OR
	There are no extraordinary circumstances which would require completion of an EA, and this project may remain CEST.

Approval Documents:

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
B-23-CP-DE-0349	Community Planning and Development (CPD)	Community Project Funding (CPF) Grants	\$600,000.00

Estimated Total HUD Funded Amount: \$600,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$2,360,334.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Was compliance achieved at the broad level of review?	Describe here compliance determinations made at the broad level and source documentation.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Coastal Barrier Resources Act	<input type="checkbox"/> Yes <input type="checkbox"/> No	The City of Dover is not located in a CBRS unit.
Flood Insurance	<input type="checkbox"/> Yes <input type="checkbox"/> No	
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality	<input type="checkbox"/> Yes <input type="checkbox"/> No	There are no non-attainment or maintenance pollutants listed for Kent County, DE (both 1-Hour Ozone (1979) and 8-Hour Ozone (1997) have been revoked.
Coastal Zone Management Act	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Contamination and Toxic Substances	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Endangered Species Act	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Explosive and Flammable Hazards	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Farmlands Protection	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Floodplain Management	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Historic Preservation	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Noise Abatement and Control	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Sole Source Aquifers	<input type="checkbox"/> Yes <input type="checkbox"/> No	There are no Sole Source Aquifers in or near Dover, DE.

Wetlands Protection	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Wild and Scenic Rivers Act	<input type="checkbox"/> Yes <input type="checkbox"/> No	
ENVIRONMENTAL JUSTICE		
Environmental Justice	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Supporting documentation

[Kent County Pollutants.pdf](#)

[CBRS Map.pdf](#)

[SSA.pdf](#)

Written Strategies

The following strategies provide the policy, standard, or process to be followed in the site-specific review for each law, authority, and factor that will require completion of a site-specific review.

1		Airport Hazards
		NEPAssist's Transportation Module will be reviewed to determine if any military airports are within 15,000 feet of each site and/or any civilian airports are within 2,500 feet of each site. If airport(s) are located within these search distances, the Airport RPZ/CZ and/or APZ map will be reviewed to confirm the site(s) are not within the RPZ/CZ nor APZ.
2		Flood Insurance

		<p>The site-specific FEMA Flood Insurance Rate Map (FIRM) will be evaluated for each site to determine if the site is in FEMA-designated Special Flood Hazard Area (SFHA). Pending and/or preliminary changes to the FIRM(s) will also be reviewed to identify proposed changes (if any) that could change the current flood status of the Subject Property. If any site is located in a SFHA, the FEMA Community Status Book Report will be reviewed to confirm the site is in a community in the National Flood Insurance Program (NFIP). Additionally, the project will have to maintain flood insurance coverage of at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the NFIP, if in a SFHA.</p>
<p>3</p>		<p>Coastal Zone Management</p> <p>The projects are located in Delaware's coastal zone. A Federal Consistency Request Form and Letter with project details will be submitted to the Delaware Coastal Program (DCP) requesting a determination that the projects will be consistent with the enforceable coastal policies of the DCP.</p>
<p>4</p>		<p>Contamination and Toxic Substances</p>

		A Site Contamination Checklist will be completed for each Subject Property in accordance with due diligence requirements for single family dwellings of four units or less. An evaluation of lead-based paint, asbestos containing materials, radon, pressurized pipelines, fall hazards, oil/gas wells, and fracking that could affect the Subject Property will also be evaluated.
5		Endangered Species
		Federally listed species and/or designated critical habitats will be evaluated for each site using the Fish and Wildlife (FWS) IPaC system. Based upon the species and habitats list, if any are listed, a consistency letter will be generated to determine if the project(s) will have "No Effect" on the species in question.
6		Explosive and Flammable Hazards
		A 1-mile radius search of above ground storage tanks (ASTs) will be conducted for each site. Any identified ASTs of more than 100 gallons containing common liquid industrial fuels OR of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels will be evaluated using HUD acceptable search distance tool.
7		Farmlands Protection

		<p>NEPAssist will be used to evaluate if each site is located within a U.S. Census-designated urban area and thus meets the exemption for land already committed to urban development. If any site is not located in a designated urban area, the USDA Web Soil Survey mapper will be used to determine if "prime farmland", "unique farmland", and/or "farmland of statewide or local importance" regulated under the Farmland Protection Policy Act does/does not occur on the site(s).</p>
<p>8</p>		<p>Floodplain Management</p>
		<p>The site-specific FEMA Flood Insurance Rate Map (FIRM) will be evaluated for each site to determine if the site is in FEMA-designated Special Flood Hazard Area (SFHA). Pending and/or preliminary changes to the FIRM(s) will also be reviewed to identify proposed changes (if any) that could change the current flood status of the Subject Property. If any site is located in a SFHA, a 5-step or 8-step may be required.</p>
<p>9</p>		<p>Historic Preservation</p>

		<p>The National Register of Historic Places (NRHP) and Delaware's Cultural and Historical Resources Information System (CHRIS) will be reviewed. Relevant information from these sources pertaining to each site will be included in a Section 106 determination request letter that will be submitted to the Delaware State Historic Preservation Office (SHPO). Delaware SHPO will make a determination on whether the proposed project(s) will have an adverse effect on historical resources. Based on the nature of the projects (new construction), tribal consultation will be required and must be initiated by the RE. The Tribal Directory Assessment Information (TDAT) tool will be reviewed to identify tribes requiring consultation.</p>
<p>10</p>		<p>Noise Abatement and Control</p>
		<p>NEPAssist and Delaware Department of Transportation's Traffic Count mapper will be reviewed to determine if any site is within 1,000 feet of a major road, 3,000 feet of a railroad, or 15 miles from an airport. If any noise generators are present, relevant data will be gathered to input into HUDs DNL calculator and asses the noise levels for the site(s).</p>
<p>11</p>		<p>Wetlands Protection</p>

		The U.S. Fish and Wildlife Service - National Wetland Inventory map, as well as current vegetation, will be reviewed to determine if any wetlands are present on any of the sites. If wetlands are present on a site, a 5-step or 8-step may be required.
12		Wild and Scenic Rivers
		The National Wild and Scenic Rivers System website and the National Park Service Nationwide Rivers Inventory Mapper will be reviewed for each site to determine if any site is located within proximity of a designated Wild and Scenic River, Study River, or Nationwide Rivers Inventory River.
13		Environmental Justice
		The EJ Screening Tool will be used to determine if any site is located in a low income area and/or in a minority community. HUD defines a "Low Income" community as less than 60 percent Area Median Income (AMI). HUD defines "Minority" community as an appreciably higher percent minority than the jurisdiction. Additionally, any environmental impacts identified in the environmental review for each site must be mitigated to prevent any disproportionately high and adverse human health or environmental effects on minority and low-income populations.

Supporting documentation

APPENDIX A: Site Specific Reviews