

III. ENVIRONMENTAL REVIEW

Table of Contents

	<u>Page</u>
A. Introduction	III-1
B. The Importance of Environmental Review	III-1
C. Environmental Review Program Implementation Responsibilities	III-2
Attachment 1 Comparison with Federal Laws and Authorities	III-11
Attachment 2 Statutory Checklist	III-21
Attachment 2a Compliance Worksheet	III-23
Attachment 3 Steps in Historic Review Process	III-27
Attachment 4 Activities Exempt from Further Review	III-28
Attachment 5 Initial Activity Review Form - Architectural/Historical Resources ..	III-31
Attachment 6 Archeological Review	III-33
Attachment 7 SHS Requirements for Activities Other Than Rehab	III-35
Attachment 8 National Wild and Scenic Rivers System Components	III-38
Attachment 9 HUD Circular Letter HD-85-8 (Runway Clear Zones)	III-41
Attachment 10 Federally Listed threatened and Endangered Species	III-45

A. INTRODUCTION

All HOME activities are subject to the provisions of the National Environmental Policy Act of 1969 (NEPA), which establishes national policy and procedures for protecting, restoring and enhancing environmental quality. They are also subject to other statutes, Executive Orders and regulations dealing with a number of specific environmental concerns, such as historic preservation, floodplains, wetlands, noise and others. NEPA is intended to:

- (1) improve decision-making by ensuring that all relevant information is considered and
- (2) make that information available to the public.

Environmental regulations are found in the Environmental Review Procedures for Entitles Assuming HUD Environmental Responsibilities - 24 CFR Part 58, dated April 1, 1997. You may review the most recent regulations online at the following electronic address: <http://www.gpo.gov/fdsys/pkg/CFR-2004-title24-vol1/content-detail.html>. Sections 58.10 through 58.14 require grantees (local governments receiving funds) to assume the responsibility for environmental reviews. Overall Environmental Review for the HOME program is done by the Environmental Desk. Grantees can meet their responsibilities by familiarizing themselves with the areas addressed by environmental review and providing DOH with accurate information about activity sites. The Grantee has a legal responsibility for meeting all environmental review requirements stated in the HOME contract.

B. THE IMPORTANCE OF ENVIRONMENTAL REVIEW

The Department of Administration (DOA) and the Division of Housing (DOH) cannot release HOME contract funds until the environmental review process is complete, and an award and contract are in place.

C. ENVIRONMENTAL REVIEW PROGRAM IMPLEMENTATION RESPONSIBILITIES

Statutory Checklist

Each project file should contain a project specific completed copy of the Statutory Checklist (Attachment 2).

Historic Properties

Attachment 3 outlines the steps to be taken when reviewing individual projects for their potential impact on historic resources.

For each property that is 50 years or older and where the proposed work is not listed as Historical Activities Exempt from Further Review (Attachment 4), you must complete an Initial Project Review Form (Attachment 5) and return it to DOH. DOH will determine whether additional historical review is required.

Failure to properly complete the Initial Project Review form (Attachment 5) will result in delays. Please provide ALL requested information. It is essential that the proposed exempt and non-exempt worklists be included. Photos can be color or black and white, and should depict a full view of the property and closeups of work areas.

If the project is located in an **incorporated area**, include a **complete street address**. If your community is **unincorporated**, include the **Town, Range and Section**. The accuracy of information you supply makes a difference in how long it takes to review your project. If you have questions, please call **DOH Environmental Review Desk at 608/267-2712**.

Any projects that propose demolition, relocation, new construction, capital improvements or ground disturbance must review Attachment 7. **No work other than activities listed as exempt can be undertaken until there has been an opportunity to review the property** to determine its eligibility for inclusion in the National Register of Historic Places. The time needed for review is approximately 30 days. **NOTE:** A realtor's estimate of the building's age is not acceptable. A title abstract or similar documentation of the age must be used.

NOTE: DOH has recently negotiated a new programmatic agreement with the Wisconsin Historical Society that substantially changes some aspects of the historic review process. In the event that a property address you have submitted is listed on the Wisconsin Historical Society's *Wisconsin Architecture and Historic Inventory* database, DOH will, with the assistance of the grantee, make a determination whether the property is eligible for inclusion in the National Register of Historic Places, and whether the activities you have proposed will have an adverse impact on the property. In this limited number of cases, DOH may require considerable assistance from grantees to gather historical information about the property to enable DOH to make its determination. Please read Attachment 7 to better understand the new review process.

Archeological Review

If a project causes new ground disturbance and if the project cannot be characterized as repair, replacement, rehabilitation, or renovation, you must forward the proposed project to the Environmental Desk for archeological review. For each such project complete an Archeological Review form (Attachment 6). Accurate documentation helps to speed the review process. All new construction requires an archeological review. The archeological review process is similar to that of historic review properties. DOH will determine whether projects affect sites eligible for listing on the National Register, and whether adverse impacts will occur, and what mitigation measures must be taken.

Coastal Zone Management

Grantees proposing rehab projects on sites in coastal zone erosion areas should submit projects to the Regional Planning Commission which has jurisdiction in the Grantee's community for review. Coastal zone erosion areas include:

- areas along or adjacent to the Lake Michigan or Lake Superior shoreline, or
- along rivers or streams that drain into either lake, or
- areas within two miles of either shoreline.

Wild and Scenic Rivers

Grantees are discouraged from rehabbing sites that front the Upper and Lower St. Croix and Wolf rivers, and other river segments found on Attachment 8. If the grantee proposes to undertake projects on such sites, consult with DOH.

Runway Clear Zones

Grantees must consult with HUD Circular letter HD 85-8 and notify residents of any property found in runway clear zones, in accordance with Attachment 9.

Manufactured Hazards or Manmade Hazards

Grantees must determine whether leaking underground storage tanks, hazardous waste facilities, toxic chemicals or radioactive materials, or other potential public health and safety problems either directly or indirectly affect proposed project sites. A useful map and list of sites regulated by the Environmental Protection Agency, sorted by zipcode, is available at the following website address: www.epa.gov/epahome/whereyoulive.htm. A list of contaminated sites can be found at:

<http://dnr.wi.gov/botw/SetUpBasicSearchForm.do>. If there is any question, consult with DOH for assessment assistance.

Manufactured hazards include exposure to hazardous chemicals via the air, soil, and water, as well as risks to life and property through proximity to railroads and other industrial activities. 'Air-borne hazards' refer to releases of chemicals from aboveground chemical storage facilities. 'Water-borne hazards' include contamination of groundwater by leaking underground storage tanks into well fields. Soil contamination by chemical spills is another means by which humans are exposed to manufactured hazards. Housing sites located within one-quarter mile of industries using or storing hazardous chemicals

are generally not suitable. Sites where new construction is to occur must be evaluated to determine whether hazards exist. Sites adjacent to active railroads are also hazards which exposes residents to risk through railroad accidents. Such sites should be avoided wherever possible.

Noise

General. Regulations found at 24 CFR Part 51, Subpart B, establish noise standards to encourage noise control at the state and community level. In order to determine whether sound levels at a given location are acceptable, HUD has adopted the use of a day-night average sound level (DNL) descriptor. An acceptable DNL does not exceed 65 decibels (dBs). DNLs above 65, but not in excess of 75dBs, are acceptable only if measures are taken to mitigate (lessen or minimize) the noise. Typical sources of excessive noise are highways, railroads, airports and stationary noise sources such as factories.

1. Highways. Generally speaking, a major highway is an interstate or other comparable 4-lane divided highway, truck routes in urban areas, U.S.-numbered highways, state-numbered highways, and principal streets within cities. Local access streets in residential districts are not major highways. If the project site is located within 1,000 feet (approximately 0.2 miles) of a major highway, then it is necessary to conduct a noise assessment. An important piece of information in making such an assessment is the traffic count--the number of cars and trucks using the highway in a 24-hour period. Traffic counts are often available either from a city's streets or traffic department, or from the State Department of Transportation, Planning and Budget Division, Data Development Section, 4802 Sheboygan Avenue, Madison, Wisconsin 53705. Phone: 608/266-3661, or at www.dot.wisconsin.gov/travel/counts/maps.htm. Traffic counts for major streets are also available from DOH. Contact the Environmental Review desk at 608/267-2712. Traffic counts do not exist for all streets. When counts do not exist, it is necessary to get the traffic count closest to the location of the facility. Once traffic counts are obtained, a noise assessment can be calculated using the EPA calculator found at: http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/dnlcalculatortool.
2. Railroads. The principal factors in measuring railroad noise are: the distance from the project site to the tracks, the number of trains per day, the speed of the trains, the average number of engines and cars for each train, and whether there are any intervening buildings to moderate the noise. This information can usually be obtained from the nearest freight agent of the railroad. Abandoned tracks, or railroad lines with less than daily service, are not considered to be significant noise sources.
3. Airports. The most critical factors in assessing airport noise are: the number of scheduled jet flights, the portion of which are night flights, and the distance of the project site from the flight path. The airport manager can supply this information to you. The number of nonjet flights is not a factor in this calculation.
4. Stationary Noise Sources. Factories and industrial facilities should be considered potential noise sources as well. The distance from the project site to the noise source, the hours of operation of the industrial facility, and whether there are any intervening buildings to moderate the noise must be considered.

5. The focus of the regulations is to determine the noise level of the actual location where the funded activity is to take place. In most cases, it is the interior noise level of a building that is of importance. If interior noise levels are determined to be excessive, then measures may be required to reduce the interior noise to an acceptable level.

Noise Standards

1. Is the project site located within 1,000 feet of a major road, highway, county trunk, truck route, state or federal highway, or urban business route? ___ Yes ___ No
2. Is the project site located within 3,000 feet of an active rail line (used as least daily)? ___ Yes ___ No
3. Is the project located within two miles of a general aviation, or military airport handling jet operations with scheduled air service? ___ Yes ___ No
4. Is the project site located within 1,000 feet of any other noise-generating source, such as an industrial plant? ___ Yes ___ No

If the answer to any of the above four questions is “yes,” then a potential noise problem exists which may require additional mitigation measures.

If sites are located along roads with more than 10,000 vehicles per day, railroads with more than two trains per day, airports with scheduled jet service, or are adjacent to large stationery noise sources, grantees are encouraged to work with property owners to consider and include noise abatement measures as a part of the project. Consult with **DOH** for recommendations on specific noise abatement measures.

Floodplain Management

The use of HOME funds for substantial rehab (defined as costing 50% or more of the before-rehab market value of the structure) on properties in the 100-year floodplain is discour-aged by federal regulations. The Grantee's initial responsibility for all projects is to record the Flood Insurance Rate Map number (FIRM) for each such property. Contact either DNR district offices, local government emergency units or zoning offices for assistance in locating floodplain maps of your area.

Executive Order 11988 requires federal agencies and recipients of federal funds to protect the values and benefits of floodplains, and to reduce risks of flood losses by not conducting, supporting, or allowing actions located in a floodplain unless it is the only practicable alternative. Whether a property is located in or near a floodplain depends on the nearness of drainage ways, streams, rivers or coastlines (in terms of horizontal distance), the volume of water, and the relative elevation of the floodplain and the affected property. If such features exist within one mile of the property, the location of the 100-year floodplain must be determined in Question 2 (below), as follows:

1. Are there drainageways, streams, rivers, or coastlines on or within one mile of the project site? ___ Yes ___ No
2. If yes, is the project site located in the 100-year floodplain? ___ Yes ___ No

FIRM Map #: _____

Effective Date: _____

NOTE: If a project is determined to lie within a 100-year floodplain, it may be necessary to consider an alternative site.

The floodplains for most sections of Wisconsin have been mapped by the Federal Emergency Management Agency (FEMA), through its Flood Insurance Rate Map (FIRM) program. Consult the map of your area. They are often available locally, through planning departments of local governments, regional planning commissions, public libraries, etc., or from the Department of Natural Resources. FIRMS are also available at the following web address: <http://store.msc.fema.gov/>. The DNR employs a Floodplain Zoning Specialist in each county in Wisconsin. That individual can respond to specific questions about floodplains in your community. When making your determination, please note the map number and its effective date.

Where such sites cannot be avoided, please contact DOH for assistance. Flood insurance will be required on homes using Federal HOME funds for one year from the date on which the loan is made. If a resident is unable to afford the cost of insurance, the grantee may purchase it. Furthermore, owners and tenants must be notified if the property lies in "the 1% Annual Change Flood" zone (100-year floodplain). Finally, the HOME program will fund rehab of such properties one time only. If a residence is subsequently flood damaged, the program will not pay for the same repair costs a second time.

Several restrictions apply to the disposition of multi-family properties, including notification of tenants about local, state or federal floodplain regulations, and any land use restrictions that limit the use of the property. Critical actions (defined as any activity for which even a slight chance of flooding is too great because of the potential loss of life, injury or potential property damage) require notification of current and prospective tenants about the hazards and about the availability of flood insurance.

Wetlands Protection

Executive Order 11990 requires all agencies to refrain from supporting construction in wetlands whenever there is practicable alternative, to avoid either destroying or modifying wetlands. Adverse impacts include erosion or sedimentation, pollution through septic tank seepage, filling, and similar excessive or improper uses of the wetlands.

Selecting sites outside wetlands is essential for projects using federal funds, because Executive Order 11990 discourages federal agencies from initiating or participating in new construction within areas affecting wetlands.

Grantees must obtain a permit from the Corps of Engineers before undertaking activities that affect wetlands. The term "wetland" refers to marshes, bogs, and other areas that are inundated at least seasonally. Other areas considered wetland are sloughs, wet meadows, river overflows and ponds. Avoiding such areas is strongly recommended.

1. Is the project site located in a wetland area, or are there any ponds, marshes, bogs, swamps, or other wetlands within 500 feet of the project area?
___ Yes ___ No

2. If the project site is located in or near a wetland area, will your project result in fill (such as topsoil, gravel, etc.) being placed in the wetland area, or will it result in greatly increased usage of the wetland? If the answer to either question is “yes,” further technical analysis may be required to determine if mitigating measures are necessary. ___ Yes ___ No

Floodplains and Wetlands

Approximately 85% of the nation’s wetlands are on or adjacent to floodplains. The procedures for fulfilling the requirements of Executive Order 11990 should be combined with and performed at the same time as the floodplain analysis under Executive Order 11988.

Water Quality

The Safe Drinking Water Act of 1979 (42 U.S.C. 201, 300 (f) et seq., and 21 U.S.C. 349) governs activities which affect the water in the U.S. It requires that permits be obtained from the Corps of Engineers before dredging or filling of rivers, streams, lakes, or wetlands. This act also controls the discharge of effluents (such as treated sewage) into water. If any project plan includes such activities, contact DOH for assistance.

Solid Waste Disposal

Projects that substantially increase pressure on existing landfills, or that generate hazardous waste, are discouraged. Hazardous waste disposal must meet DNR regulations, and licensed carriers must transport and dispose hazardous waste.

Endangered Species

If the project consists of new construction of any type, it must be reviewed by the U.S. Fish and Wildlife Service to determine whether it would have an impact on endangered or threatened species. You may review the current list of such species by accessing the following website: <http://www.fws.gov/midwest/endangered/lists/wisc-cty.html>

Farmland Protection

New construction activities that represent the first such intrusion into an area previously zoned agricultural are discouraged, and new construction should not occur on land zoned agricultural.

Air Quality

Grantees should refrain from projects that either increase the amount of air pollution (such as through greatly increasing automobile traffic), or which subject the residents to excessive levels of air pollution. Please consult with DOH if you have questions about this area.

Thermal and Explosive Hazards

The proximity of petroleum or chemical storage tanks to a proposed housing site is also an environmental concern. Many older neighborhoods in cities and towns contain industries which use or store such products. While fire safety codes generally assure

safe operation and minimize these risks, such sites may represent hazards to residents. Therefore, it is important that housing sites be evaluated carefully to determine whether such risk is present. Grantees should make every effort to avoid sites that place residents at risk. In general, sites within one-quarter mile of such a site, particularly when there are no intervening structures, are generally unsuitable for new housing development, or for substantial rehab projects (i.e., those whose value exceeds 50% of the before-rehab value of the house). The Department of Administration maintains a list of above-ground and underground storage tanks. The lists can be accessed through the following website: http://apps.Administration.state.wi.us/ER_Tanks/ER-EN-TankSearch.htm

Consult with DOH for assistance in evaluating potential hazards.

RED FLAGS

The following "red flag" issues are those most likely to occur in projects involving moderate or substantial rehab.

1. **Issue:** Property may be 50 years old or older.

What to do: Determine exact age of building from title abstract or other document. Follow instructions on flow chart "Steps in Historic Review Process" (Attachment 3). Contact DOH if further assistance is required.

2. **Issue:** Property is located near a river, lake, wetland or other body of water that is inundated at least seasonally.

What to do: Determine whether site is located in 100-year or 500-year floodplain, is located in or adjacent to a wetland, lies in a designated coastal zone county (along either Lake Superior or Lake Michigan); and if near a river, whether the river is a designated "Wild and Scenic River" (see Attachment 8). Avoid such sites if possible. Contact DOH Environmental Review Desk for further assistance.

3. **Issue:** Property is located near a commercial airport.

What to do: Consult Attachment 9 to determine if proposed site is in Runway Clear Zone.

Recommendation: Avoid such sites if possible. Contact DOH if no alternatives exist.

4. **Issue:** Property is located within one-quarter mile of an industrial site using or storing flammable or explosive materials.

What to do: Determine, if possible, the names of the materials used in the industrial facility. Contact DOH Environmental Review Desk to determine whether site is located a safe distance from site.

5. **Issue:** Property is located near a busy highway or thoroughfare, airport, rail line, or other significant noise source.

What to do: Contact DOH to determine whether potential interior noise levels are excessive, and whether acoustical buffering is recommended.

6. **Issue:** Property is located near a manmade hazard, such as a hazardous waste facility, leaking underground storage tank, or other public health and safety hazard.

What to do: Avoid such sites if at all possible. Contact DOH for further instructions.

7. **Issue:** Project activity would take place on land zoned agricultural (new construction only).

What to do: Avoid such sites if possible. Contact DOH if no alternatives exist.

You may contact DOH at the following phone number: 608/267-2712. All correspondence related to any of the above should be submitted to:

Environmental Desk
Department of Administration
Division of Housing
101 E. Wilson Street (53703)
P. O. Box 7970
Madison, WI 53707-7970
DOAEnvironmentalDesk@Wisconsin.gov

ATTACHMENT 1

COMPARISON WITH FEDERAL LAWS AND AUTHORITIES

Legislation	Regulation	Applicability	General Requirements	Coordination/Consultation
<u>Historic Properties</u>				
National Historic Preservation Act, 16 U.S.C. 470 (f), Sections 106 and 110	36 CFR Part 1294, 36 CFR Part 800	All actions affecting properties on or eligible for National Register of Historic Places.	Protect sites, buildings, and objects with National, State, or local historic or cultural significance. Identify effects of project on properties.	Note: The DOH Environmental Review Coordinator assumes the responsibility for Sec. 106 compliance.
E.O. 11593, Protection and Enhancement of the Cultural Environment.				
Archeological and Historic Preservation Act of 1974				
<u>Floodplains</u>				
E.O. 11988 Floodplain Management Guidelines (44 PR 47623)	24 CFR Part 55	Any action proposed for a floodplain.	Involve the public throughout the floodplain management decision-making process.	Department of Natural Resources Flood Hazard Boundary Map and/or Flood Insurance Rate Map
Flood Disaster Protection Act of 1973, as amended			Avoid direct or indirect support of floodplain development wherever there is a practicable alternative.	Corps of Engineers Local Planning Agency
National Flood Insurance Program				
HUD General Statement Policies				

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Legislation	Regulation	Applicability	General Requirements	Coordination/Consultation
<u>Wetlands</u>				
E.O. 11990, Protection of Wetlands (44 PR 47623)	24 CFR Part 55	Any construction action proposed for in a wetland.	Avoid direct or indirect support of new construction in wetland wherever there is a practicable alternative.	Department of Natural Resources
<u>Coastal Zone Management</u>				
Coastal Zone Management Act 16 U.S.C. 1451-1464	15 CFR Part 930 44 FR 37142	Any proposed activity affecting areas covered by an approved coastal zone. Applies to counties bordering Lake Michigan and Lake Superior.	Needed to meet requirements of categorical exclusions 58.35(b). Section 5 and 6 of the Act prohibit expenditures of federal funds within the Coastal Barriers Resources system. Ensure that projects are consistent with coastal zone program. HUD assistance may not be used for most activities proposed in the Coastal Barrier Resource System	Department of Administration Office of Coastal Zone Management Regional Planning Commission Coastal Zone Planner
Pursuant to the Coastal Barrier Resources Act, as amended, 1982				
<u>Water Quality</u>				
Clean Water Act, 33 U.S.C. 12511376, et seq., Section 404	33 CFR Part 320325, 33 CFR Part 230	Any activity involving disposal or placement of dredged or fill material in navigable waters.	The 404 permit program is administered by Corps of Engineers. EPA has authority to veto permit. Compliance with 208 plan. Projects cannot affect rivers, streams, lakes and wetlands, either by dredging, filling or discharging effluents.	Army Corps of Engineers Department of Natural Resources
Water resources include any requirement related to fish and wildlife and scenic rivers				

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Legislation	Regulation	Applicability	General Requirements	Coordination/Consultation
<u>Sole Source Aquifers</u> Safe Drinking Water Act U.S.C. 300		<p>Federally assisted projects which may contaminate an aquifer designed by EPA as the sole source of drinking water for a community. No sole source aquifers in Wisconsin, per EPA.</p> <p>If capacity of a storm sewer is overloaded so runoff from the project cannot be accommodated = major impact.</p> <ul style="list-style-type: none">• For larger projects consider: storm water• Runoff pollution• Reduction of paved or impermeable areas <p>Civil engineer should perform analysis to determine if the system for storm water is adequate.</p>	<p>Prohibits financial assistance to projects which EPA determines may contaminate a designated sole source aquifer.</p>	<p>None required for projects occurring in Wisconsin.</p>

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Legislation	Regulation	Applicability	General Requirements	Coordination/Consultation
<u>Endangered Species</u>				
Endangered Species Act 16 U.S.C. 1531, Section 7	50 CFR Part 402	Any action which might jeopardize continued assistance of endangered or threatened species or result in destruction or modification of critical habitat.	Federal agencies shall insure that their actions conserve listed species and ensure, in consultation with FWS, that their actions do not jeopardize listed species or modify critical habitat.	U.S. Fish & Wildlife Service Department of Natural Resources
<u>Wild and Scenic Rivers</u>				
Wild and Scenic Rivers Act, 16 U.S.C. 1271 and 1278 (b)-(c)	President's Environmental Message, 8-2-79, CBQ Memorandum, 8-10-80, Interagency Consultation on Rivers in the Nationwide Inventory.	Rivers designated under the Act proposed activity affecting rivers on the Nationwide Inventory of potential wild, scenic and recreational rivers. Currently affects projects sited along Wolf River and Upper and Lower St. Croix Rivers, and numerous other river segments considered for inclusion in the Nationwide Rivers Inventory (1982).	Preserve wild and scenic rivers. Assure that federal actions do not foreclose designation under the Wild and Scenic Rivers Act. Considers impact to Wild & Scenic Rivers in relation to floodplains, wetlands, Safe Water Drinking Act, and endangered species.	U.S. Department of Interior Department of Natural Resources Review proposed project on: National Wild & Scenic Rivers System Components - WI

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Legislation	Regulation	Applicability	General Requirements	Coordination/Consultation
<u>Air Quality</u>				
Clean Air Act 42 U.S.C. 7400 et seq., Section 176(c) and (d) (42 U.S.C. 7506(c) and (d)) and Section 117		Large stationary pollution sources.	Compliance with stationary source air pollution standards for major sources emitting 100 tons per year of a single air pollutant.	Department of Natural Resources
Determining conformity of federal actions to state or federal implementation plans (EPA 40 CFR Parts 6, 51 and 93)			Grantee refrain from projects that either increase air pollution (major increase in traffic) or expose residents to excessive levels of air pollution.	
		All actions, and actions in southeast Wisconsin EPA-designated non-compliance areas.	Screen to determine if site is in a location in violation of ambient air quality standard--assess impacts on project.	Department of Natural Resources Check Compliance or Non-Compliance area
NR 406	DNR	<ul style="list-style-type: none"> • Installation of large fuel burning equipment • Demolition • Construction of new roads or parking area of over 1,000 cars • Sandblasting/paint removal, particularly water towers 	DNR administrative rule NR 406.	Contact the Air Management Specialist

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<u>Farmland Protection</u> Farmland Protection Policy Act of 1981 7 U.S.C. 4201, (FPPA) et seq., particularly Sec. 1540(b) and 1541 (7 U.S.C. 4201(b) and 4202)	7 CFR Part 658	<p>Any federally-assisted action which encourages the conversion of prime, unique, state/locally important farmlands.</p> <p>Land is defined urban use if any one is true:</p> <ul style="list-style-type: none">• density exceeds 30 structures per 40 acres; if land is urban use, FPPA does not apply.• the land is zoned for residential use.• land use plan adopted 10 years prior	<p>Minimize the extent to which federal programs contribute to the unnecessary conversion of farmland to nonagricultural uses.</p> <p>Prime Farmland:</p> <ul style="list-style-type: none">• Conversion Impact Rating Form AB-1006 from local Soil Conservation Service (SCC or DOH); fill out and return to SCS and office will return determination in 45 days	Department of Agriculture, Trade and Consumer Protection Department of Administration, Bureau of Housing Clerk's Office

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Legislation	Regulation	Applicability	General Requirements	Coordination/Consultation
<u>HUD Environmental Standards</u>				
Noise HUD Regulation: Noise Abatement Control	24 CFR Part 51, Sub. B	All actions.	Determine if site is near a major noise source, i.e., civil airports (within 5 miles); or military airfields (within 15 miles); or major highways or busy roads (within 1,000 feet); or railroads (within 3,000 feet). Compliance with special provisions for CDBG projects required.	Department of Administration, Bureau of Housing ER Desk Department of Transportation Railroads Public Works
Thermal/Explosive Hazards	24 CFR Part 51, Sub. C	All actions.	Application and criteria for determining Acceptable Separation Distance (ASD). Minimize the impact of environmental hazards on HUD-assisted activities--chemical and radioactive materials, activities of flammable or explosive nature, aircraft hazards. If HUD requirements and hazard cannot be mitigated, project determination "NOT IN COMPLIANCE."	State and Local Emergency Government Office

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Legislation	Regulation	Applicability	General Requirements	Coordination/Consultation
<p>Environmental Justice</p> <p>Executive Order 12898. Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Population, February 11, 1994</p>			<p>Help provide safe, healthy housing. Reduce exposure to adverse environmental concerns.</p>	
<p>Toxic Chemicals and Radio Active Materials</p> <p>HUD Notice 79-33, Policy Guidance to Address the Problems Posed by Toxic Chemicals and Radioactive Materials, September 10, 1979</p>		<p>All actions</p>	<p>Check for general proximity (from proposed site) to: dumps, landfills, industrial locations.</p> <p>If HUD requirements and cited hazard cannot be mitigated to reach safety for human health project determination "NOT IN COMPLIANCE."</p>	<p>Department of Natural Resources/EPA Local Area for CERCLA Superfund/Spill Information Site List Owner/operators of Storage Facilities Local officials and state agencies for previous uses of site</p>

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Legislation	Regulation	Applicability	General Requirements	Coordination/Consultation
Airport Clear Zones	24 CFR Part 51, Sub. D	All actions.	Runway clear zone notification. All requirements in 24 CFR 51.303(a)(3).	Check for proposed project site on Reference HUD Circular Letter HD 85-8, Purchase of Sale of Property in Runway Clear Zone
HUD Environmental Standards	24 CFR Part 5		Financial assistance may not be provided in an area identified by FEMA as having special flood hazards unless flood insurance is obtained by property owner. Minimize the impact of environmental hazards on HUD-assisted activities--chemical and radioactive materials, activities of flammable or explosive nature, aircraft hazards. Zone notification 24 CFR 51.303(a)(3).	Responsible entity advise buyer. Buyer must sign statement
<u>Manmade Hazards</u>		All actions	Avoid sites on, or adjacent to, leaking underground storage tanks, waste disposal sites or sites/facilities which may cause or threaten to cause environmental pollution and/or negatively impact human health.	Department of Natural Resources
HUD Notice				

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COMPARISON WITH FEDERAL LAWS AND AUTHORITIES

Legislation	Regulation	Applicability	General Requirements	Coordination/Consultation
<u>Solid Waste and Hazardous Waste Disposal</u>				
42 U.S.C. 6901-6987	40 CFR 257.3-1	All applicable actions.	<p>State or regional solid waste management is mandated for siting of sanitary landfills and the closing of open dumps.</p> <p>Prohibit hazardous waste disposal in a number of sensitive ecological areas (e.g., floodplains, sole source aquifers).</p> <p>Lead-based paint or asbestos.</p> <p>Will the solid waste disposal service/support proposed project developments.</p>	Department of Public Works Department of Natural Resources Private Contractors

ATTACHMENT 2

(A copy should be placed in file of each activity funded under recipient's grant.)

STATUTORY CHECKLIST

Project Address: _____

AREA OF STATUTORY--REGULATORY COMPLIANCE

Environmental Issue	Property in Compliance if:	Compliance Status
Historic Properties	Property is less than 50 years old, or if activity is listed on "Activities Exempt from Further Review."	<input type="checkbox"/> Compliance or NOT APPLICABLE <input type="checkbox"/> Consultation/Review Required <input type="checkbox"/> Conditions and/or Mitigation Actions Required
Floodplain Management	Property not located in 100 year floodplain. F.I.R.M. _____	<input type="checkbox"/> Compliance or NOT APPLICABLE <input type="checkbox"/> Consultation/Review Required <input type="checkbox"/> Conditions and/or Mitigation Actions Required
Coastal Areas Protection and Management	Property not on a river or stream flowing into or within one-half mile of Lake Michigan or Lake Superior, or located on shoreline of either lake.	<input type="checkbox"/> Compliance or NOT APPLICABLE <input type="checkbox"/> Consultation/Review Required <input type="checkbox"/> Conditions and/or Mitigation Actions Required
Wild and Scenic Rivers	Property not located on either the St. Croix or Wolf Rivers or National Wild and Scenic Rivers System Components - Wisconsin.	<input type="checkbox"/> Compliance or NOT APPLICABLE <input type="checkbox"/> Consultation/Review Required <input type="checkbox"/> Conditions and/or Mitigation Actions Required
Runway Clear Zones, Clear Zones and Accident Potential Zones	Not listed on HUD Circular letter HD-85-8, 5/23/85.	<input type="checkbox"/> Compliance or NOT APPLICABLE <input type="checkbox"/> Consultation/Review Required <input type="checkbox"/> Conditions and/or Mitigation Actions Required
Manmade Hazards	Not located on or adjacent to site of a previous chemical spill, leaking underground storage tank, Superfund site, industrial site, old mine, hazardous industry.	<input type="checkbox"/> Compliance or NOT APPLICABLE <input type="checkbox"/> Consultation/Review Required <input type="checkbox"/> Conditions and/or Mitigation Actions Required
Noise	Project not within: 5 miles of civil airport; 15 miles of military airfield; 1,000 feet of busy roadway; 3,000 feet from railroad.	<input type="checkbox"/> Compliance or NOT APPLICABLE <input type="checkbox"/> Consultation/Review Required <input type="checkbox"/> Conditions and/or Mitigation Actions Required
Wetlands Protection	Project site not located in an existing wetland or impacting on existing wetland. No direct or indirect effect.	<input type="checkbox"/> Compliance or NOT APPLICABLE <input type="checkbox"/> Consultation/Review Required <input type="checkbox"/> Conditions and/or Mitigation Actions Required
Water Quality	Project causes no dredged or fill materials in navigable waters, including wetlands: preapproved general permit or no effect..	<input type="checkbox"/> Compliance or NOT APPLICABLE <input type="checkbox"/> Consultation/Review Required <input type="checkbox"/> Conditions and/or Mitigation Actions Required
Water Quality: Sole Source Aquifers	None in Wisconsin per EPA.	<input checked="" type="checkbox"/> Not Applicable to this Project: in Compliance

Environmental Issue	Property in Compliance if:	Compliance Action
Solid Waste Disposal Availability, Renovation and Demolition with Asbestos or Lead Based Paint	No hazardous waste is generated or no excessive pressure placed on existing landfills.*	<input type="checkbox"/> Compliance or NOT APPLICABLE <input type="checkbox"/> Consultation/Review Required <input type="checkbox"/> Conditions and/or Mitigation Actions Required
Endangered Species	No threats to either species or habitats.	<input type="checkbox"/> Compliance or NOT APPLICABLE <input type="checkbox"/> Consultation/Review Required <input type="checkbox"/> Conditions and/or Mitigation Actions Required
Farmland Protection	Unique or protected farmland is not developed.	<input type="checkbox"/> Compliance or NOT APPLICABLE <input type="checkbox"/> Consultation/Review Required <input type="checkbox"/> Conditions and/or Mitigation Actions Required
Air Quality	No permanent effect on air quality (construction dust excluded), if: NO DEMOLITION or installation of large fuel burning equipment.	<input type="checkbox"/> Compliance or NOT APPLICABLE <input type="checkbox"/> Consultation/Review Required <input type="checkbox"/> Conditions and/or Mitigation Actions Required
Thermal and Explosive Hazards	Property not located or adjacent to an industrial facility that creates explosive or thermal hazard.	<input type="checkbox"/> Compliance or NOT APPLICABLE <input type="checkbox"/> Consultation/Review Required <input type="checkbox"/> Conditions and/or Mitigation Actions Required

* NOTE: Building components containing lead-based paint are not considered hazardous waste and may be disposed with other household waste, unless the lead-based paint is concentrated in the form of debris, paint chips, dust and sledge and exceeds the regulatory limit of 5mg/L lead in the waste leachate.

I certify that, to the best of my knowledge, this activity is in compliance with NEPA and the implementing regulations of the program funding this activity.

Grant Administrator

Date

ATTACHMENT 2A

COMPLIANCE WORKSHEET

NOTE: This worksheet has been designed to assist grantees to determine whether a project is in compliance with environmental concerns found on the Statutory Checklist.

WATER/FLOODPLAINS/WETLANDS/ RIVERS

Obtain a copy of the floodplain map depicting the proposed project location. Please include the map's Legend and Panel number(s). Avoid actions in a 100- or 500-year floodplain. If an action must occur in a 100-year floodplain, provide the required documentation to meet with HUD compliance. An 8-step flood-action-plan and a 32-day public notice may be required.

Is the project located on a lake, river, stream, or another body of water? (list names)

Is the project located in a wetland or adjacent to a wetland?

Is the water supply municipal or a private on-site well? If a public system is not available, will individual wells meet the Safe Drinking Water Act?

List all lakes, rivers, streams, and wetlands within one mile of proposed site.

ENDANGERED SPECIES AND PLANT LIFE

Will the project affect endangered species and, or, their habitats?

WASTE DISPOSAL

Provide evidence of available solid waste disposal facility for proposed project waste disposal.

ZONING

Provide the current zoning, and if a zoning change will occur, supply zoning change documentation.

NOISE - ROADWAY

List roadways within 1,000 feet of proposed project (10,000, or more, vehicles per day)

Name of roadway _____

The distance from the road to proposed project site _____

The distance to the nearest traffic lane _____

The number of traffic lanes _____

The distance to the furthest traffic lane _____

The speed limit. _____

Distance to stop signs of traffic lights _____

AIRPORTS/RUNWAY CLEAR ZONES AND CLEAR ZONES

(SEE NOTICE TO PROSPECTIVE BUYERS – attached)

Cite public airports within five miles and military airports within 15 miles of the proposed project site.

NOISE - RAILROADS

When an active railroad is the only noise source within 1,000 feet, review only the 1,000 feet range. If more than one noise source exists, list active railroads within 3,000 feet of the proposed project site. Provide the following:

The distance from proposed project to railroad _____

If the distance is 1,000 feet, or less, obtain remaining info.)

The number of locomotives per train _____

The number of cars per train _____

The speed of train _____

The number of trains in a day _____

The number of trains at night _____

Is it a one-way track? Yes No

Is it a two-way track? Yes No

Number of train tracks _____

Is it a single track? Yes No

Is it a double track?. Yes No

Are the train tracks bolted? Yes No

Are the train tracks welded? Yes No

Provide a detailed description and photos of any existing noise barriers between the railroad and the proposed project site.

MANUFACTURED OR MANMADE HAZARDS

List industrial plants or facilities within one-quarter mile of proposed project site, and locate them on the site map.

List above ground storage tank facilities within one-quarter mile of proposed project site, and locate them on the site map.

List chemical or pesticide related storage facilities/warehouses and farmer's Co-ops within one-quarter mile of site, and locate them on the site map.

List landfills, hazardous waste disposal sites and superfund sites within one-quarter mile of the proposed project site.

List Leaking Underground Storage Tanks (L.U.S.T.S.), Toxic or Chemical Spills or Radioactive materials (on or adjacent to site area) or Electromagnetic hazards (Information Line: 1 800-EMF-2383) within one-quarter mile of the proposed project site.

AIR QUALITY:

(Ref: The Clean Air Act/Federal and State: 40 CFR Parts 6, 51, and 93)

Is the project located in a non-attainment zone? ___ Yes ___ No

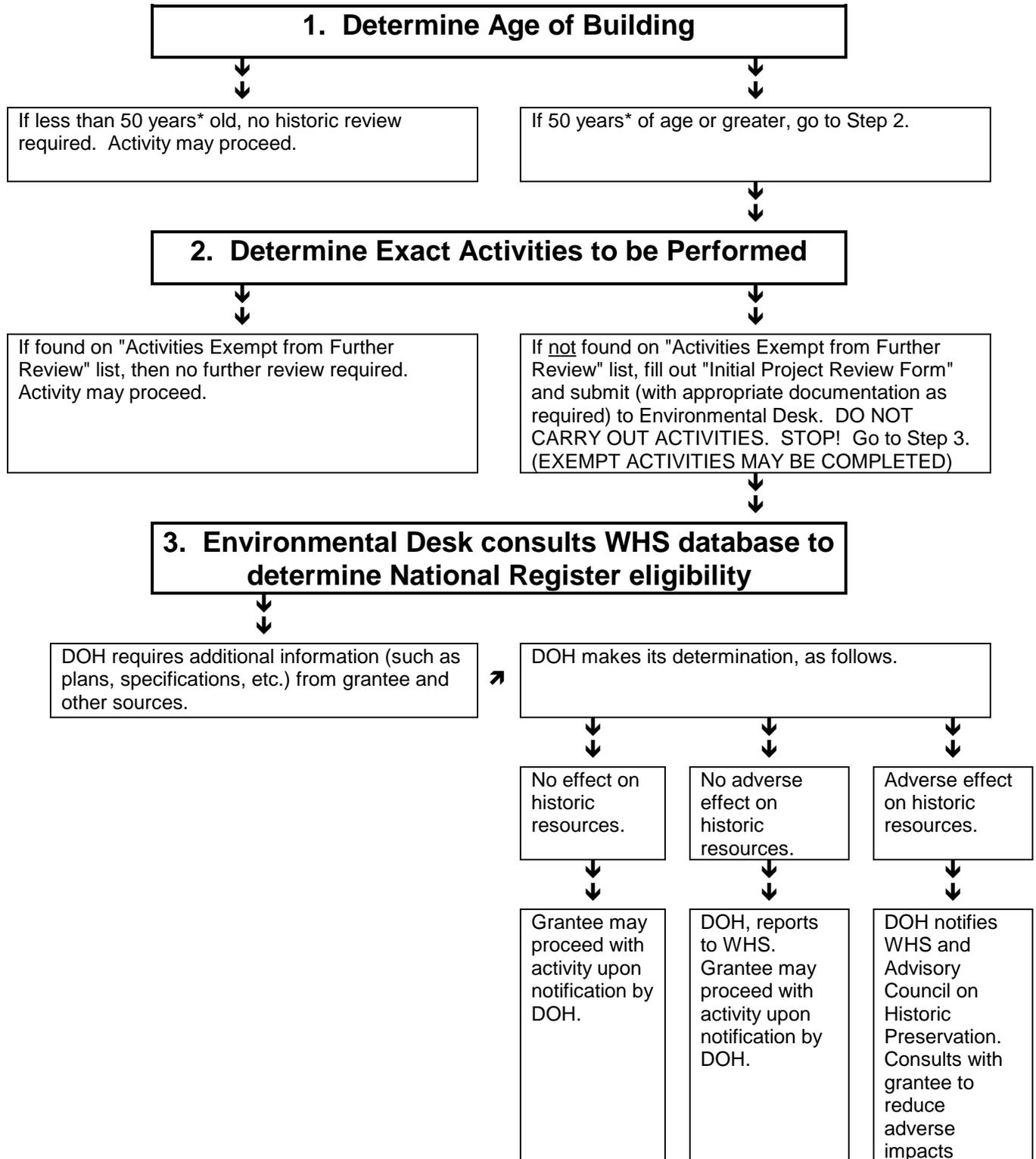
NOTE: Southeastern Wisconsin counties (Kenosha, Racine, Milwaukee and adjacent suburban counties) are designated by the EPA as a non-attainment zone.

List industries, manufacturing, and processing plants (including quarries and mines within one-half mile of proposed project site) and locate them on the site map.

If a hazardous industry or facility exists, provide the facility name, address, and contact person, if available, for the potential hazard.

ATTACHMENT 3

STEPS IN HISTORIC REVIEW PROCESS



* **NOTE:** Age of building is calculated as 50 years before current year.

ATTACHMENT 4

ACTIVITIES EXEMPT FROM FURTHER REVIEW

General Guidance: Any activity that repairs or replaces existing installations is generally permitted without review by the State Historical Society. Any activity that modifies or enlarges an installation may have an effect on its historic character and must be reviewed by the SHS. Note, however, that the replacement of an existing wheelchair ramp, as well as the replacement of existing landscaping features are activities that must be reviewed by the SHSW.

Non-Construction Work

1. Acquisition of properties when there is assurance by the Division that historic structures and buildings will be secured and protected from vandalism, arson, and the elements, pending their rehabilitation, disposal or reuse. **NOTE:** If the project is acquisition and rehabilitation, the project must be submitted for any needed review prior to acquisition.
2. Architectural and engineering fees and other non-construction fees and costs.
3. Rental or purchase of vehicles or other motorized equipment.
4. Rental and installation of scaffolding.
5. Temporary bracing or shoring as part of stabilization, provided that it is installed without permanent damage to the building site.

Site Work

6. Installation of temporary, reversible barriers such as chain link fences and polyethylene sheeting and tarps.
7. Repair, line painting, resurfacing, and maintenance of existing streets, alleys, sidewalks, and curbs, provided that no change in width, surface, vertical alignment, or drainage will result.
8. Maintenance and repair of existing landscape features, including plantings, fences, walkways, and statuary. **Note:** Replacement of these features is considered to be new construction and is subject to SHS review.
9. Upgrading, replacement, and repair of existing utility service lines and sewer systems, including private septic and water systems, as long as work is confined to existing and disturbed rights-of-way.
10. Maintenance, repair, and in-kind replacement of street lights, traffic signals, and traffic signs.

Building Exterior

11. Repair or partial replacement of porches, cornices, exterior siding, doors, balustrades, stairs, or other trim when the repair or replacement is done in-kind and matches the appearance of the material being replaced.
12. Repair of existing wheelchair ramps, unless the ramps are to be substantially replaced. **Note:** Because ramps may significantly affect the appearance of a historic building, the replacement of ramps is considered to be new construction and is subject to SHS review.

13. Foundation repair and replacement of cast-in-place concrete.
14. Removal of exterior paint by non-destructive means, limited to:
 - Hand-scraping;
 - Low-pressure water wash, less than 600 psi;
 - Heat plates or hot air guns;
 - Chemical paint removers, if the cleaning contract requires that the chemicals be tested on the surfaces to ensure that no damage will result.

Note that water washes, heat plates, hot air guns and chemical paint removers can be destructive to the building or harmful to the person removing paint. These methods should be used cautiously.
15. Exterior painting of wood siding, features and trim.
16. Exterior painting of brickwork, if existing surfaces are already painted.
17. Repair or in-kind installation of roofing, gutters, and down spouts. The SHPO will not review color choices in roofing materials.
18. Window repair, including caulking and weather-stripping of existing window frames, installation of new, clear glass in existing sashes, and replacement glazing compound in existing sashes.
19. Installation of storm windows, as follows:
 - a. Glass and screen replacement in existing storm window units.
 - b. New wood or baked-enamel finished metal storm windows, installed on the exterior, provided that they:
 - Completely fill the original window openings with glazed window units;
 - Match the meeting rail (or other major division) pattern of the primary window;
 - Do not protrude beyond the face of the building.
 - c. New interior storm windows, provided that they:
 - Completely fill the original interior window opening with glazing;
 - Do not cause damage to the original interior trim;
 - Match the meeting rail (or other major division) pattern of the primary window;
 - Are designed to seal completely so as to protect the primary window from condensation damage.
20. Replacement of primary (non-storm) windows, provided that they:
 - Utilize the same material as the original window (in-kind replacement);
 - Completely fill the original window opening with glazing;
 - Do not cause damage to the original interior trim;
 - Match the meeting rail (or other major division) pattern of the existing windows.

21. Installation of storm doors on elevations not facing streets, if the storm doors are undecorated and have a painted finish. *Decorated storm doors* include those with false metal hinges, scalloped windows, applied window muntins, and stamped metal to imitate framing members.
22. Caulking and weather-stripping with compatibly colored materials.
23. Repair or in-kind replacement of signs and awnings.

Building Interior

24. Finishing of unfinished basements or attics.
25. Repair of existing interior walls. Note: This exemption applies to limited repair of wall surfaces only. Removal and replacement of entire wall surfaces, and reconstruction of walls is subject to SHS review.
26. Application of new drywall over plaster surfaces if:
 - Interior trim and features are removed and reapplied in original locations over the new drywall; and
 - No decorative plasterwork exists on the wall surfaces.
27. Repair and refinishing of interior floors.
28. Replacement of floors in-kind when original floors have been damaged beyond repair.
29. Installation of wallpaper.
30. Installation of carpeting, providing that installation does not damage any underlying wood, stone, or terrazzo floor surfaces.
31. Replacement of vinyl or similar floor coverings.
32. Repair or installation of new basement floors.
33. Kitchen and bathroom remodeling, if no walls, windows, or doors are altered.

Mechanical, Electrical, and Plumbing Systems

34. Installation of new furnaces and water heaters, if:
 - The work utilizes the existing heat distribution system; and
 - Does not result in installation or relocation of chimneys or condenser units.
35. Upgrading, repair and replacement of electrical systems and plumbing systems and fixtures. **Note:** The removal of original electrical fixtures, such as lights, and the installation of new electrical fixtures is subject to SHS review.
36. Asbestos abatement activities that do not involve removal or alteration of interior decorative features.

ATTACHMENT 5

INITIAL PROJECT REVIEW FORM

(to be submitted when properties are 50+ years old and activities are not exempt from review)

Date: _____

County Where Project Located: _____ Age: _____

Project Address: _____

Owner Name: _____

Requesting Agency: _____

Contact Person: _____

Title: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

E-mail: _____

Please complete and return form to: Environmental Desk
Department of Administration
Division of Housing
101 E. Wilson Street (53703)
P. O. Box 7970
Madison, WI 53707-7970

DOAEnvironmentalDesk@Wisconsin.gov

I. ADMINISTRATIVE DATA

Program Category Name _____

Subrecipient ID Number: _____ Contract # _____

Name(s) of Federal and/or State Agency(ies) Involved in Project:

Description of Project: Use the following procedure to describe the nature and extent of work involved in the proposed project:

1. Submit list of proposed work to be done.

2. Submit list of proposed work items which DO NOT appear on the Activities Exempt from Further Review list (Attachment 9).

II. ARCHITECTURAL/HISTORIC RESOURCES CHECKLIST

To the best of your ability, indicate if the Project site may impact property(ies) on the following lists:

- _____ National Register of Historic Places
_____ Properties determined eligible for the National Register
_____ State Register of Historic Places
_____ Wisconsin inventory of historic places
_____ Locally-designated historic property
_____ Local intensive survey--see attached list of community surveys (Give name and date _____)
_____ None of the above

III. PROJECT LOCATION AND MAPS

- A. If the project is within an **incorporated** community, fill out this section:

Location of Project _____
(Village/City) (Town) (County)

Name of Project Map, if available: _____

[Note: If the project is within an incorporated area an accompanying City Map (such as a DOT map) is required for review.]

- B. If the project is within an **unincorporated** area, fill out this section:

Township(s) _____ Range(s) _____ Section(s) _____

[Note: If the project is within an incorporated area a township map is acceptable, a 7.5" USGS Quad Map is most helpful, copies of quad maps (available from surveyor or planning offices) **must** include the map's name.]

IV. PHOTOGRAPHS

Please include clear 3 x 5 inch general photographs of each building 50 years or older and specific photos of areas in which work will be carried out. Photographs should be appropriately labeled (i.e., name of property, location of property, description of view, name of photographer and date photograph was taken.) All photographs must be keyed on the accompanying map.

[Note: Either black and whites or color photographs or Polaroids or colored copies are acceptable. Black and white photo copies are not acceptable. Photographs must be unobstructed, in focus and properly developed to be acceptable. Your project may be delayed if the photographs do not meet these requirements.]

ATTACHMENT 6

ARCHEOLOGICAL REVIEW

(to be submitted for projects in which new construction or other ground disturbance is proposed)

Date: _____

County Where Project Located: _____ Age: _____

Project Address: _____

Owner/Consulting Firm Name: _____

Requesting Agency: _____

Contact Person: _____

Title: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

E-mail: _____

Please complete and return form to: Environmental Desk
Department of Administration
Division of Housing
101 E. Wilson Street (53703)
P. O. Box 7970
Madison, WI 53707-7970

DOAEnvironmentalDesk@Wisconsin.gov

I. ADMINISTRATIVE DATA

Program Category Name _____

Subrecipient ID Number: _____ Contract # _____

Name(s) of Federal and/or State Agency(ies), licenses, permits involved in project:

Description of Project: Use the following procedure to describe the proposed project:

1. Project area in acres, square feet, etc.

ATTACHMENT 7

HISTORICAL REVIEW REQUIREMENTS FOR ACTIVITIES OTHER THAN REHAB

Demolition

1. A grantee may proceed with the demolition of properties which have been formally determined by Bureau of Housing (DOH) as not eligible for listing on the Register, provided there will be no effect to other adjacent historic properties and/or districts.
2. Where demolition of a historic property is required to avoid or eliminate a significant public hazard as defined in Section 66.05, Wis. Stats., and/or a local ordinance, the DOH and the grantee will comply with the regulations outlined in 36 CFR Part 800.12 (b) and (c) pertaining to Emergency Undertakings.
3. Demolition of historic properties will be reviewed on a case-by-case basis by the DOH. When such a review is necessary, the DOH requires that the following documentation be provided to it as soon as the demolition is proposed:
 - a. A written description of the property.
 - b. The location of the property delineated on a land parcel or Land Use Quarter Section (LUQS) map.
 - c. The reasons for demolition (including adequate documentation of any building code violations) and an explanation as to why rehabilitation or preservation are neither prudent nor feasible.
 - d. Photographic evidence and a written description of the deteriorated condition of the building or structure to be demolished.
 - e. Photographs of each elevation and any significant architectural elements (interior and/or exterior) of the subject property.
4. The DOH will review the documentation within thirty (30) working days after receipt of adequate documentation and will concur or object in writing to the proposed demolition. An informational copy of concurrence or objection will be forwarded to the SHPO.

Relocation

1. The relocation of historic properties will be reviewed by the DOH's staff on a case-by-case basis. The DOH requires that the following written documentation be submitted to initiate the consultation process:
 - a. The present location of the property delineated on a land parcel or Land Use Quarter Section (LUQS) map(s).
 - b. The location of the site proposed for relocation delineated on a land parcel or Land Use Quarter Section (LUQS) map(s).
 - c. Written description of the proposed site to which the property will be moved.

- d. The reasons for the relocation.
 - e. An analysis of the various alternatives considered and why they are considered neither prudent nor feasible.
 - f. Photographs of the property in question that adequately illustrate the character and integrity of the subject property and its immediate setting.
2. The DOH will review the documentation within thirty (30) calendar days of receipt of adequate documentation and shall concur or object in writing to the proposed relocation. An informational copy will be forwarded to the SHPO.

New Construction

1. Design proposals for new construction either adjacent to a historic property or within a historic district shall be developed in conformance with the recommended approaches for new construction as contained within the Standards. To ensure compliance with the Standards, plans for new construction will be developed in consultation with the DOH. Final plans, drawings, and specifications will be submitted to DOH for review and comment at least two months prior to the initiation of construction activities.

Capital Improvements

1. Activities such as sewer system repair/replacement, road improvements, curb and gutter replacement, and landscaping which are proposed for areas **outside** of Historic Districts already listed on the Register or Register-eligible Historic Districts or are not adjacent to properties listed or eligible for listing on the Register may proceed after consultation with DOH.
2. The above-mentioned capital improvements which involve historic properties but provide for replacement in-kind may proceed after review by DOH.
3. Documentation for projects involving historic properties that are not replacement in-kind shall be reviewed prior to project implementation by the DOH pursuant to 36 CFR 800.5 to ensure conformance with the recommended approaches in the Standards.

Archeology

1. Prior to any **new** ground-disturbing activities, the DOH shall determine the potential existence of any significant archaeological resources. The grantee shall send the DOH the following to initiate the consultation process:
 - a. A map locating the proposed activity.
 - b. The following information on the new ground disturbance in the project area:
 - 1) the nature and date of the disturbance
 - 2) map indicating depth and location of disturbance

2. If DOH determines in writing within thirty (30) days that the potential for significant archaeological resources exists, the grantee will carry out an archaeological survey of the affected area in consultation with DOH. Archaeological testing, as deemed appropriate, will be undertaken by the grantee. DOH will conduct an evaluation to determine if properties identified during the survey meet Register criteria (36 CFR 60.6).
3. If archaeological resources are found that the DOH determine meet Register criteria, they will be avoided or preserved in place, whenever feasible. When it is not feasible to preserve a resource in place, the SHPO will be consulted and a treatment consistent with the Council's Handbook Treatment of Archaeological Properties (and its subsequent revisions) and approved by the SHPO will be developed and implemented. The DOH will ensure that all identification and testing efforts will be conducted in accordance with the Secretary of the Interior's Standards and Guidelines for Identification (48 FR 44716) and appropriate internal guidance and regulations from SHPO.

ATTACHMENT 8

NATIONAL WILD AND SCENIC RIVERS SYSTEM COMPONENTS – WISCONSIN

River Name	County(s)	Segment Reach Description
Lower St. Croix River	Polk St. Croix Pierce	From dam at Taylor Falls, MN, downstream to confluence with Mississippi River.
Upper St. Croix and Namekagon Rivers	Polk Burnett Douglas Washburn Bayfield	St. Croix from Taylor Falls, MN, to the dam at Gordon, WI; Namekagon from its confluence with the St. Croix to the dam at Namekagon Lake.
Wolf River	Menomoniee	From the Langlade-Menomoniee County line downstream to Keshena Falls near the Village of Keshena.

RIVERS IN WISCONSIN WITH POTENTIAL FOR INCLUSION IN THE NATIONAL WILD AND SCENIC RIVERS INVENTORY

River Name	County(s)	Segment Reach Description
Bad	Ashland	From Town of Mellen to mouth.
Black	La Crosse Jackson	From confluence with Mississippi River (above Lake Onalaska) to Black River Falls dam.
Black, East Fork	Jackson Wood Clark	Mouth to source.
Bois Brule	Douglas	Mouth to campground at County road south.
Chippewa	Pepin Dunn	From its confluence with Mississippi River to Eau Claire-Dunn County line.
Chippewa	Rusk Sawyer	Holcombe Flowage to dam at Radisson.
Chippewa, East Fork	Iron	From Sturgeon Bay at upper end of Blaisdell Lake to bridge crossing in Sec. 13 of Glidden.
Chippewa, East Fork	Iron	Glidden to source.

River Name	County(s)	Segment Reach Description
Clam	Burnett Polk	Clam River flowage to Clam Falls flowage.
Crystal	Waupaca	Long Lake to Waupaca.
Des Plains	Kenosha	Wisconsin-Illinois state line to source.
Flambeau	Rusk Price Sawyer	Big Falls Reservoir to Crowley dam.
Flambeau, South Fork	Sawyer Rusk Price	Confluence with Flambeau to SR 13 south of Park Falls; Three Mile Creek to Round Lake.
Fox	Outagamie Brown	Kaukauna to De Pere.
Fox	Kenosha Racine Waukesha	Wilmot to Waterford dam. Waterford to Waukesha.
Jump, including North Fork	Chippewa Price Rusk Taylor	From Holcombe flowage to Spring Creek flowage.
Jump, South Fork	Price	Confluence with Jump River to SR 13 at Prentice.
Kickapoo	Crawford Richland Vernon	Confluence with Wisconsin River to Ontario.
La Crosse	La Crosse	Mouth to Perch Lake dam.
Marengo	Ashland	Confluence with Bad River to Town of Marengo.
Mecan	Marquette Waushara	From backwaters of impoundment at Germania to Richford.
Milwaukee	Milwaukee Ozaukee Washington Fond du Lac	Thiensville to Grafton. Waubeka to West Bend. Young America to Campbellsport. Campbellsport to Eden.

River Name	County(s)	Segment Reach Description
Nemaji	Douglas	From drive-in theater south of Superior village to Wisconsin-Minnesota state line.
Oconto	Oconto	Underhill to confluence with Peshtigo Brook.
Peshtigo	Marinette Forest	Backwaters of Caldron Falls Reservoir to source.
Pike, including south branch	Marinette	Mouth to Brock pond dam.
Pike River north branch	Marinette	Mouth to township road 1/2 mile downstream of U.S. 8.
Pine River	Florence Forest	From backwaters of Pine River dam to source.
Plover	Portage Marathon	Stevens Point to Bevent.
Popple	Florence Forest	Mouth to source.
Potato River	Iron	Confluence with Bad River to Town of Upson.
Somo River	Lincoln	Lake Mohawksin to junction of Big Somo and Little Somo creeks at Clifford.
Thornapple	Rusk Sawyer	Mouth to source (except part within Chequamegon National Forest).
Totagetic	Douglas Sawyer Washburn	From Minong flowage (formerly Lake Nancy) to Nelson Lake.
White	Ashland Bayfield	From impoundment at SR 112 crossing to source.
Wisconsin	Marathon Lincoln	Merrill to Wausau. Wausau to Marathon County line south.
Wolf	Outagamie Waupaca Shawano	County Road P two miles north of Shioctin to Shawano.
Yellow	Juneau Wood	From Necedah Bluff to Spillway at Lake Baxter.

**ATTACHMENT 9
RESIDENTIAL UNITS LOCATED WITHIN A RUNWAY CLEAR ZONE**

<u>General Mitchell Field</u>	<u>Community</u>	<u>Zip Code</u>
5365 South Pennsylvania Avenue	Cudahy	53110
5377 South Pennsylvania Avenue	Cudahy	53110
5401 South Pennsylvania Avenue	Cudahy	53110
5411 South Pennsylvania Avenue	Cudahy	53110
 <u>Eau Claire County Airport</u>		
2011 North North Lane	Eau Claire	54701
2017 North North Lane	Eau Claire	54701
2023 North North Lane	Eau Claire	54701
 <u>Manitowoc Municipal Airport</u>		
2301 Menasha Avenue	Manitowoc	54220
2302 Menasha Avenue	Manitowoc	54220
1532 - 23rd Street	Manitowoc	54220
2141 Richmond Avenue	Manitowoc	54220
2201 Richmond Avenue	Manitowoc	54220
2204 Richmond Avenue	Manitowoc	54220
2207 Richmond Avenue	Manitowoc	54220
2210 Richmond Avenue	Manitowoc	54220
2215 Richmond Avenue	Manitowoc	54220
2216 Richmond Avenue	Manitowoc	54220
2223 Richmond Avenue	Manitowoc	54220
2224 Richmond Avenue	Manitowoc	54220
2228 Richmond Avenue	Manitowoc	54220
2233 Richmond Avenue	Manitowoc	54220
2234 Richmond Avenue	Manitowoc	54220
2238 Richmond Avenue	Manitowoc	54220
2244 Richmond Avenue	Manitowoc	54220
2250 Richmond Avenue	Manitowoc	54220
2259 Richmond Avenue	Manitowoc	54220
2260 Richmond Avenue	Manitowoc	54220
2204 Lexington Avenue	Manitowoc	54220
2210 Lexington Avenue	Manitowoc	54220
2215 Lexington Avenue	Manitowoc	54220
2216 Lexington Avenue	Manitowoc	54220
2221 Lexington Avenue	Manitowoc	54220
2222 Lexington Avenue	Manitowoc	54220
2225 Lexington Avenue	Manitowoc	54220
2226 Lexington Avenue	Manitowoc	54220
 <u>Rock County Airport</u>		
2751 Happy Hollow Road	Janesville	53545
2801 Happy Hollow Road	Janesville	53545
 <u>Wittman Field</u>		
171- 23rd Street	Oshkosh	54901
149 - 24th Street (Bethany Park Village)	Oshkosh	54901
172 - 25th Street	Oshkosh	54901
166 - 25th Street	Oshkosh	54901
172 - 25th Street	Oshkosh	54901
173 - 25th Street	Oshkosh	54901
176 - 25th Street	Oshkosh	54901
182 - 25th Street	Oshkosh	54901
183 - 25th Street	Oshkosh	54901

<u>Witmann Field (cont).</u>	<u>Community</u>	<u>Zip Code</u>
2312 Oregon Street	Oshkosh	54901
2316 Oregon Street	Oshkosh	54901
2505 Oregon Street	Oshkosh	54901
2511 Oregon Street	Oshkosh	54901
2515 Oregon Street	Oshkosh	54901
2516 Oregon Street	Oshkosh	54901
2519 Oregon Street	Oshkosh	54901
2523 Oregon Street	Oshkosh	54901
2524 Oregon Street	Oshkosh	54901
<u>La Crosse County Airport</u>		
202 Fanta Reed Road	La Crosse	54601
206 Fanta Reed Road	La Crosse	54601
2542 - 1st Avenue West	La Crosse	54601
2546 - 1st Avenue West	La Crosse	54601
2550 - 1st Avenue West	La Crosse	54601
2554 - 1st Avenue West	La Crosse	54601
2558 - 1st Avenue West	La Crosse	54601
2548 - 1st Avenue East	La Crosse	54601
2553 - 1st Avenue East	La Crosse	54601
2556 - 1st Avenue East	La Crosse	54601
2560 - 1st Avenue East	La Crosse	54601
2541 North Bainbridge Street	La Crosse	54601
2544 North Bainbridge Street	La Crosse	54601
2545 North Bainbridge Street	La Crosse	54601
2548 North Bainbridge Street	La Crosse	54601
2549 North Bainbridge Street	La Crosse	54601
2552 North Bainbridge Street	La Crosse	54601
2555 North Bainbridge Street	La Crosse	54601
2556 North Bainbridge Street	La Crosse	54601
2559 North Bainbridge Street	La Crosse	54601
2544 - 2nd Avenue East	La Crosse	54601
2548 - 2nd Avenue East	La Crosse	54601
2549 - 2nd Avenue East	La Crosse	54601
2552 - 2nd Avenue East	La Crosse	54601
2553 - 2nd Avenue East	La Crosse	54601
2556 - 2nd Avenue East	La Crosse	54601
2557 - 2nd Avenue East	La Crosse	54601
2560 - 2nd Avenue East	La Crosse	54601
2561 - 2nd Avenue East	La Crosse	54601
<u>Alexander Field</u>		
4051 Sampson Street	Town of Grand Rapids (Near Wisconsin Rapids)	54481
431 North Brentwood Drive	Town of Grand Rapids (Near Wisconsin Rapids)	54481
<u>Hayward Airport</u>		
Mr. Mel Friske, Route 1	Hayward	54843

NOTICE TO PROSPECTIVE BUYERS OF PROPERTIES LOCATED IN
RUNWAY CLEAR ZONES AND CLEAR ZONES

In accordance with Section 51.303 (a)(3), this notice must be given to anyone interested either in buying an existing HUD property, or using HUD assistance to buy an existing property, which is located in either a Runway Clear Zone at a civil airport or a Clear Zone at a military installation. This includes any of the properties found on the two previous pages.

The property which you are interested in purchasing at (to be filled in by Grantee) _____
_____ is located in the Runway Clear Zone/Clear
Zone for (to be filled in by Grantee)

Studies have shown that if an accident were to occur it is more likely to occur within the Runway Clear Zone/Clear Zone than in other areas around the airport/airfield. Please note that we are not discussing the chances that an accident will occur, only where one is most likely to occur.

You should also be aware that the airport/airfield operator may wish to purchase the property at some point in the future as part of a clear zone acquisition program. Such programs have been underway for many years at airports and airfields across the country. We cannot predict if or when this might happen since it is a function of many factors, particularly the availability of funds, but it is a possibility.

We wanted to bring this information to your attention. Your signature on the space below indicates that you are now aware that the property you are interested in is located in a Runway Clear Zone/Clear Zone.

_____ (Signature of Prospective Buyer)
_____ (Type or Print Name of Prospective Buyer)
_____ (Date)

(This notice must be maintained as part of the HUD file on this action.)

NOTE: This is a sample letter format. Grantees must re-type on their letterhead.

ATTACHMENT 10
Federally Listed Threatened and Endangered Species in Wisconsin
(Updated May 28, 1999)

Listed Species

(E) Endangered (T) Threatened (PS) Potential Breeding
(W) Wintering (B) Breeding (H) Historic records, but no known extant sites

County	Species	Habitat
Adams	bald eagle (BE) peregrine falcon (PF) Karner blue butterfly	Breeding & Wintering (B & W) Potential Breeding (PB) prairie, oak savanna, and jack pine areas with wild lupine
Ashland	BE piping plover gray wolf	B sandy beaches; bare alluvial and dredge spoil islands northern forested area
Barron	BE Karner blue butterfly (H)	B prairie, oak savanna, and jack pine areas with wild lupine
Bayfield	BE gray wolf Fassett's locoweed	B northern forested areas open sandy lakeshores
Brown	BE PF dwarf lake iris	B & W B partially shaded sandy-gravelly soils on lakeshores
Buffalo	BE PF Higgins' eye pearly mussel	B & W B Mississippi River
Burnett	BE gray wolf Karner blue butterfly	B northern forested areas prairie, oak savanna, and jack pine areas with wild lupine
Calumet	BE	W
Chippewa	BE	B
Clark	BE Gray wolf Karner blue butterfly	B Northern forested areas prairie, oak savanna, and jack pine areas with wild lupine
Columbia	BE PF	W PB
Crawford	BE PF Higgins' eye pearly mussel	B & W PB Lower Wisc. & Mississippi Rivers

Federally Listed Threatened and Endangered Species in Wisconsin

County	Species	Habitat
Dane	BE PF prairie bush-clover eastern prairie fringed orchid	W B dry to mesic prairies, with gravelly soil wet grasslands
Dodge	BE	B
Door	BE PF Pitcher's thistle dwarf lake iris Hine's emerald dragonfly	B PB stabilized dunes & blowout areas partially shaded sandy-gravelly soils on lakeshores calcareous streams & associated wetlands overlying dolomite bedrock
Douglas	BE gray wolf Kirtland's warbler ¹ piping plover	B northern forested areas potential breeding in jack pine, sandy beaches; bare alluvial and dredge spoil islands
Dunn	BE Karner blue butterfly	B prairie, oak savanna, and jack pine areas with wild lupine
Eau Claire	BE Karner blue butterfly Gray wolf	B & W prairie, oak savanna, and jack pine areas with wild lupine northern forested areas
Florence	BE gray wolf	B northern forested areas
Forest	BE gray wolf	B northern forested areas
Grant	BE PF northern monkshood Higgins' eye pearly mussel prairie bush-clover	B & W PB north facing slopes lower Wisc a& Mississippi Rivers dry to mesic prairies, with gravelly soil
Green	eastern prairie fringed orchid	wet grasslands
Green Lake	BE Karner blue butterfly	B prairie, oak savanna, and jack pine areas with wild lupine

Federally Listed Threatened and Endangered Species in Wisconsin

County	Species	Habitat
Iowa	BE PF Higgins' eye pearly mussel	B & W PB Lower Wisconsin River
Iron	BE gray wolf	B northern forested areas
Jackson	BE Kirtland's warbler ¹ Karner blue butterfly Gray wolf	B potential breeding in jack pines prairie, oak savanna, and jack pine areas with wild lupine northern forested areas
Jefferson	eastern prairie fringed orchid	wet grasslands
Juneau	BE PF Karner blue butterfly Gray wolf	B & W PB prairie, oak savanna, and jack pine areas with wild lupine
Kenosha	PF eastern prairie fringed orchid	B wet grasslands
La Crosse	BE PF Higgins' eye pearly mussel	B & W B Mississippi River
Langlade	BE	B
Lincoln	BE gray wolf	B northern forested areas
Manitowoc	PF Pitcher's thistle	B stabilized dunes and blowout areas
Marathon	BE	B
Marinette	BE Kirkland's warbler ¹	B Potential breeding in jack pine
Marquette	Karner blue butterfly	Prairie, oak savanna, and jack pine areas with wild lupine
Menominee	BE Karner blue butterfly	B prairie, oak savanna, and jack pine areas with wild lupine
Milwaukee	PF	B
Monroe	northern monkshood Karner blue butterfly Gray wolf	north facing slopes prairie, oak savanna, and jack pine areas with wild lupine northern forested areas

Federally Listed Threatened and Endangered Species in Wisconsin

County	Species	Habitat
Oconto	BE Karner blue butterfly	B prairie, oak savanna, and jack pine areas with wild lupine
Oneida	BE gray wolf	B northern forested areas
Outagamie	BE Karner blue butterfly	B & W prairie, oak savanna, and jack pine areas with wild lupine
Ozaukee	eastern prairie fringed orchid PF	wet grasslands PB
Pepin	BE PF	B & W PB
Pierce	BE PF prairie bush-clover Higgins' eye pearly mussel	B & w PB dry to mesic prairies, with gravelly soil Mississippi & St. Croix Rivers
Polk	BE PF gray wolf winged mapleleaf mussel Higgins' eye pearly mussel Karner blue butterfly (H)	B & W PB northern forested areas St. Croix River St. Croix River prairie, oak savanna, and jack pine areas with wild lupine
Portage	BE Fassett's locoweed Karner blue butterfly	B open sandy lakeshores prairie, oak savanna, and jack pine areas with wild lupine
Price	BE gray wolf	B northern forested areas
Racine	PF eastern prairie fringed orchid	PB wet grasslands
Richland	BE PF northern monkshood Higgins' eye pearly mussel	B PB north facing slopes lower Wisconsin River
Rock	prairie bus-clover eastern prairie fringed orchid	dry to mesic prairies with gravelly soil wet grasslands

Federally Listed Threatened and Endangered Species in Wisconsin

County	Species	Habitat
Rusk	BE gray wolf	B northern forested areas
St. Croix	BE PF Higgins' eye pearly mussel Karner blue butterfly (H)	B & W PB St. Croix River prairie, oak savanna, and jack pine areas with wild lupine
Sauk	BE PF northern monkshood prairie bush- clover Karner blue butterfly	B & W PB north facing slopes dry to mesic prairies with gravelly soil prairie, oak savanna, and jack pine areas with wild lupine
Sawyer	gray wolf BE	B northern forested areas
Shawano	BE Karner blue butterfly	B & W prairie, oak savanna, and jack pine areas with wild lupine
Sheboygan	PF Pitcher's thistle eastern prairie fringed orchid	B stabilized dunes, and blowout areas wet grasslands
Taylor	BE gray wolf	B northern forested areas
Trempealeau	BE PF Higgins' eye pearly mussel	W PB Mississippi River
Vernon	BE PF northern monkshood Higgins' eye pearly mussel	B & W PB north facing slopes Mississippi River
Vilas	BE gray wolf Kirtlan's warbler ¹	B northern forested areas potential breeding in jack pine
Walworth	eastern prairie fringed orchid	wet grasslands
Washburn	BE gray wolf Kirtlan's warbler ¹	B northern forested areas potential breeding in jack pine
Waukesha	eastern prairie fringed orchid	wet grasslands

Federally Listed Threatened and Endangered Species in Wisconsin

County	Species	Habitat
Waupaca	Be Karner blue butterfly	B & W prairie, oak savanna, and jack pine areas with wild lupine
Waushara	BE Fassett's locoweed Karner blue butterfly	B open sandy lakeshores prairies, oak savanna, and jack pine areas, with wild lupine
Winnebago	BE eastern prairie fringed orchid	B & W wet grasslands
Wood	BE Karner blue butterfly Gray wolf	B prairie, oak savanna, and jack pine areas with wild lupine northern forested areas

¹ Kirtland's warblers are not known to nest in Wisconsin. Singing males only were present in 1978, 1979, 1980, 1988, 1989, 1990, 1991 and 1992.

Listed Species

E = endangered **T** = threatened **B** = breeding **W** = wintering

PB = potential breeding **PT** = proposed threatened

T	bald eagle	haliaeetus leucocephalus
E	peregrine falcon	falco peregrinus
E	Kirtland's warbler	dendrocica kirtlandii
E	piping plover	charadrius melodus
E	gray wolf	canis lupus
E	Karner blue butterfly	lycaeides melissa samuelis
E	Higgins' eye pearly mussel	lampsilis higginsii
E	winged mapleleaf mussel	quadrula fragosa
T	northern monkshood	aconitum noveboracense
T	prairie bush-clover	lespedeza leptostachya
T	Pitcher's thistle	cirsium pitcheri
T	fassett's locoweed	oxytropis campestris var. chartaceae
T	dwarf lake iris	iris lacustris
T	eastern prairie fringed orchid	platanthera leucohaea
E	Hine's emerald dragonfly	somatochlora hineana
PT	Canada lynx	lynx canadensis