

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

**Project Information**

**Project Name:** W-Carter-Road,-Lakeland-New-Construction

**HEROS Number:** 900000010292207

**Responsible Entity (RE):** POLK COUNTY, PO Box 589 Bartow FL, 33831

**RE Preparer:** Kelly Carter

**State / Local Identifier:**

**Certifying Officer:** Nancy Hurley

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

**Point of Contact:**

**Consultant (if applicable):**

**Point of Contact:**

**Project Location:** Carter Road, Lakeland, FL 33813

**Additional Location Information:**

N/A

**Direct Comments to:** Lakeland Housing Authority  
430 Hartsell Avenue, Lakeland Florida 33815

cpizarro@lakelandhousing.org  
vbrown@lakelandhousing.org

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

The EA was conducted by the City of Mulberry, to ensure there are no environmental effects or disturbances to the project location and surrounding area. All appropriate parties have been notified and all required documents will be executed and submitted. The Eddie Woodard Apartments (Project) comprises the development of an affordable housing complex on 7.48 acres of vacant land that was previously altered by mining and agricultural activity. The proposed project is a 96-unit new construction, 3-story garden style development with 4 residential buildings and a standalone clubhouse. The project property consists of upland pasture, with three low quality isolated wetlands, located on the SW corner of the intersection of West Carter Road and Carter Park Entrance Road, Polk County, Florida. Surrounding land uses include low density residential to the northeast, vacant land to the east and north, vacant land and the Loyce E. Harpe park to the south, and commercial properties at the intersection of SR 37 and West Carter Road to the west. Current trends in housing costs remain a statewide concern in Florida and more locally Polk County is no different. The Project is approximately 10-miles from the Lakeland-Winter Haven metro area, which is one of the fastest growing areas in the nation. Rental rates have significantly increased because of a housing shortage spurred partially by the migration of new residents into the area. This Project is needed because the current housing conditions can only provide three (3) affordable homes per 10 families in need of housing, most of which are being requested by existing residents.

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

The EA was conducted by the City of Mulberry/Lakeland Housing Authority, to ensure there are no environmental effects or disturbances to the project location and surrounding area. All appropriate parties will be notified and all required documents will be executed and submitted. Lakeland Housing Authority had all environmental studies completed and in need of final confirmation from the County. No County funds is being used for this project.

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

Currently, all required authorities are notified, all required documents are filled out, executed and submitted to to the appropriate agency prior to the start of construction. There are no known potential environmental impacts.

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

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**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:**

[ERR Heros Signature Page.pdf](#)

**7015.15 certified by Certifying Officer on:**

**7015.16 certified by Authorizing Officer on:**

**Funding Information**

Grant / Project Identification Number	HUD Program	Program Name
B-22-UC-12-0007	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)

**Estimated Total HUD Funded, Assisted or Insured Amount:** \$2,000,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$25,000,000.00

**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.

<p><b>Coastal Barrier Resources Act</b> Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>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.</p>
<p><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]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. 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.</p>
<p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b></p>		
<p><b>Air Quality</b> Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.</p>
<p><b>Coastal Zone Management Act</b> Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>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.</p>
<p><b>Contamination and Toxic Substances</b> 24 CFR 50.3(i) &amp; 58.5(i)(2)]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Site contamination was evaluated as follows: None of the above. 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.</p>
<p><b>Endangered Species Act</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project will have No Effect on listed species based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office. This project is in compliance with the Endangered Species Act.</p>

<p><b>Explosive and Flammable Hazards</b> Above-Ground Tanks)[24 CFR Part 51 Subpart C</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.</p>
<p><b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>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.</p>
<p><b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.</p>
<p><b>Historic Preservation</b> National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106.</p>
<p><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</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The Preliminary Screening identified no noise generators in the vicinity of the project. The project is in compliance with HUD's Noise regulation.</p>
<p><b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.</p>
<p><b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.</p>
<p><b>Wild and Scenic Rivers Act</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.</p>
<p><b>HUD HOUSING ENVIRONMENTAL STANDARDS</b></p>		
<p><b>ENVIRONMENTAL JUSTICE</b></p>		
<p><b>Environmental Justice</b> Executive Order 12898</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.</p>

**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	1	<p>The Project will be located on a 7.48-acre single parcel of land in a mixed-use area, zoned as R1-H - Multiple Family Residential. The parcel currently comprises vacant land, open pasture with three low quality isolated freshwater marshes. Further, the site was previously altered by mining and agricultural uses. The City of Mulberry Comprehensive Plan notes the need for affordable housing to meet the growing demand by current and anticipated residents of the city. It also recognizes the private sector as the primary provider for affordable housing. The developer has designed a Project consistent with the City of Mulberry Comprehensive Plan. The Project will provide much needed affordable housing in an area zoned for multi-family residential development. The buildings have been designed in accordance with the requirements set out in the zoning ordinance and will comprise three stories of residential units so as to not detract visually from the surrounding area. The Project will be located within walking distance of several stores and bus routes. The public transit connects south to the City of Mulberry and north to South Lakeland. Onsite parking is provided for all residents with a total of 164 parking spaces (about 1.71 spaces per unit), consistent with Code requirements. Secured bicycle parking facilities are also being provided. Each of</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
		these items bodes to the scale and urban design.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	3	<p>The Project is located on a vacant lot and would create new impervious surfaces. A small wetland will be retained, and a stormwater pond will be constructed to attenuate runoff from the development. The Project is entirely mapped as Arents, Clayey Substratum by the NRCS. A geotechnical report for the Project identified phosphatic waste clay in borings within the site. Geotechnical recommendations will be utilized to ensure soil suitability during construction (Appendix D). During the state permitting process, coordination with FDEP was conducted regarding the potential contamination and the FDEP responded with the following: "The project site is located adjacent to the Polk County Utility with FAC ID. 9803385. The Polk County Utility received a clean closure on January 10, 2001. There are no contamination issues remaining at the Polk County Utility. Therefore, the Department does not object to the construction of the stormwater system." A Copy of the FDEP coordination is include in the Appendix E. The Project and adjacent area topography is flat with an elevation of approximately 137-141 feet above mean sea level and therefore slope failure is not a concern. Construction may have a temporary affect with respect to on-site erosion; however, this is anticipated to be minimal due to the short construction schedule, nature of the site topography and size. Furthermore, the state ERP process requires the use of silt screens and best management practices to minimize erosion, comply with water quality and quantity requirements, Stormwater Pollution and Prevention Plan (SWPPP), and ensure proper stormwater treatment.</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
		MITIGATION This project will comply with National Pollutant Discharge Elimination System (NPDES) regulations. Best Management	
Hazards and Nuisances including Site Safety and Site-Generated Noise	3	The Project will not result in any danger to public health. There may be an increase in temporary nuisance such as noise and/or dust effects during construction. However, there is no existing development immediately adjacent to the Project.	
Energy Efficiency	2		
<b>SOCIOECONOMIC</b>			
Employment and Income Patterns	1	According to the United States Census Bureau 2020 data, the City of Mulberry labor force is varied with approximately fifteen (15) percent working in the construction industry and retail trade, twenty-one (21) percent working in educational services, health care and social assistance, and thirteen (13) percent working in the arts, entertainment, recreation, and accommodation and food services. The project will create 96 individual units of affordable housing. Eighty-six (86) of the total units will be set-aside for residents earning at or below 60% AMI and ten (10) of the total units will be set-aside for residents earning at or below 40% AMI. The Project is located in an area which is served by public transit, allowing residents to access jobs, commercial services, and community facilities.	
Demographic Character Changes / Displacement	2	No displacement will occur. There are currently no residents of the property in question.	
<b>COMMUNITY FACILITIES AND SERVICES</b>			
Educational and Cultural Facilities (Access and Capacity)	2	Multiple nearby schools and cultural facilities are available, though it is not expected that this development will add much, if any, burden on these.	



Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
Commercial Facilities (Access and Proximity)	1	Local commercial businesses are anticipated to benefit from the footfall associated with the Project residents being in close proximity to their businesses and public transportation services. Bus services are available to access commercial properties along State Road 37. The services available should be sufficient to meet the future residents' needs.	
Health Care / Social Services (Access and Capacity)	2	The Project residents are anticipated to benefit from existing local and nearby communities; therefore, the Project is not anticipated to increase pressure on local health and social care facilities. Social services are available at the local community center and community health center in Mulberry which are easily accessible via the local bus routes along SR 37. Residents of the City of Mulberry have access to several medical and dental offices.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	3	This project was reviewed by the City of Mulberry Utilities and there were no issues with the added load. Construction of the Project will generate solid waste. However, given that there is no tree clearing, or demolition of existing buildings, the amount of waste will be lower than that generated from re-development of existing buildings or the clearing of forested lands. According to the Polk County North Central Landfill Annual Capacity Report (2021), the Polk's North Central Landfill has capacity for approximately 8 years and can support the solid waste generated from the Project.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The Project will connect to the existing wastewater infrastructure located along Carter Park Road. Per the Polk County Final Development Approval, the existing infrastructure has the capacity to serve the new development. Therefore, given that Polk County utilities have the capacity to support the development, it is anticipated	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
		that the Project will have no impact to the existing wastewater/sanitary system.	
Water Supply (Feasibility and Capacity)	2	City of Mulberry have reviewed the project and see no issues with the added load of the proposed residences.	
Public Safety - Police, Fire and Emergency Medical	2	The multifamily development will be maintained with proper outdoor and indoor lighting, access restrictions (i.e., locks on doors and windows), and clear pathways/hallways. Sufficient space will be provided outside the building to allow for access by emergency vehicles. Nearby fire hydrants will not be disturbed by the project.	
Parks, Open Space and Recreation (Access and Capacity)	2	The project will not negatively impact parks or open space. Nor impact the sight lines of said spaces. The project is within walking distance to the Loyce E Harpe Park and Se7en Wetlands Park. The parks feature a 1,600-acre natural preserve featuring biking and hiking trails, softball and recreational fields and multiple dog parks.	
Transportation and Accessibility (Access and Capacity)	2	There are two existing transit routes accessible to future residents of the project which provide access to the City of Mulberry and South Lakeland. In addition, the Polk County Final Development Approval indicated that the existing transportation system would support the Project (Appendix H). Therefore, the project will no impacts local transportation system or infrastructure.	
<b>NATURAL FEATURES</b>			
Unique Natural Features /Water Resources	3	No unique features present.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	No protected species were observed within the property and concurrence from the USFWS was received as part of the ERP Process through agency consultation. This project should have no adverse impacts to	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
		protected species and/or their associated habitats.	
Other Factors 2	2	There are no other factors to consider for this project.	

**Supporting documentation**

[Part 58 EA HTG ERR Completed Report.pdf](#)

[Park Ridge II Apts LHA and HTG map \(002\).pdf](#)

[Notice of Agency Action ERP Approval Park Ridge 11192021.pdf](#)

[2021 272BSN APP PACKAGE Park Ridger LHA.pdf](#)

[2021 12 21 ERP Modification Approval 43044487 004.pdf](#)

[2021 11 16 SWFWMD ERP Individual Construction 43045050 000 Approval Letter.pdf](#)

**Additional Studies Performed:**

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

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

NRCS NWI FEMA FWC USFWS SWFWMD FDEP/USACE Health Department (and others required for the Phase I) EPA United State Census Bureau Polk County Property Appraiser

**List of Permits Obtained:**

City of Mulberry Site Development Permit Polk County Final Development Approval SWFWMD Environmental Resource Permit FDEP 404 No Permit Required Letter FDEP NPDES will be obtained by the contractor prior to construction

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

The FONSI will be disseminated to the City of Mulberry and the HUD Field Office. The FONSI will be posted on the webpage of the City of Mulberry Housing Authority. A public notice regarding the combined FONSI/NOI will be published in the Lakeland Ledger and posted at the Mulberry City Hall, Mulberry Civic Center, and Mulberry Community Services Center. As a part of the state ERP process, a permit application must be publicly noticed in a local newspaper prior to approval the permit. The permit application was noticed in the Tampa Times on May 19, 2021. A copy of public notice affidavit is found in Appendix M.

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

The project is consistent with that required by the City of Mulberry Comprehensive Plan and zoning requirements. The project helps to provide affordable housing for the local community. Environmental impacts have been mitigated for as appropriate. No adverse cumulative impacts were deemed present during the permitting process and are therefore, cumulative impacts are not anticipated.

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

The Project was previously part of a larger 88.57-acre private parcel zoned for mixed use residential, which includes multi-family dwellings. The subject property is designated for future land use R1-H, multiple family residential. To provide the highest number of affordable housing units, it was important that the property could be obtained at a competitive cost compared with other properties which support residential development. The property price supports the development of affordable housing. Parcels of a similar price and size are limited in availability in the surrounding area or contained greater environmental hurdles such as larger wetlands or protected trees. Parcels located within the surrounding area were assessed for their potential to support affordable housing development. Limited parcels were available for sale within the City of Mulberry, and none were identified which met the requirements set out by the Comprehensive Plan, state statutes and tax credit policy, and the financial requirements of affordable housing development. However, a portion of land in the northwest corner of the original 88.57-acre parcel was considered as there would be no wetland impacts associated with development in this location and it was closer to the Walmart store and bus transit stops. In addition, two parcels were considered to the south of the larger parcel area. However, none of these other options were available for acquisition as the owner has future plans for additional commercial development in the northeastern area and single-family residential development in the southern region. Although Alternative 2 will result in limited or no impacts to wetlands and meets the purpose and need, alternative land area is not a viable alternative because the property is owned by a private landowner and was

unavailable for acquisition. Essentially, the landowner dictated the location for purchase.

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

The no-build alternative would not address the existing conditions which can only provide three (3) affordable homes per 10 families in need. Thus, affordable housing availability would continue to decline in the City of Mulberry and Polk County. The no-build alternative would not contribute towards the project purpose of providing high quality multi-family residential communities that are affordable and the meet the goals set out in the City of Mulberry 2020 Comprehensive Plan. The no-build alternative will not meet the purpose and need of this project

**Summary of Findings and Conclusions:**

This project will help with the housing inventory within the County and reduce the homeless population. The minor damage to wetlands due to construction can be mitigated by following the SWFWMD permit guidelines and the landscape plan as approved by the City. The project will be a net positive for the community.

**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.

<b>Law, Authority, or Factor</b>	<b>Mitigation Measure or Condition</b>	<b>Comments on Completed Measures</b>	<b>Mitigation Plan</b>	<b>Complete</b>
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**Project Mitigation Plan**

**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.

#### Supporting documentation

[Airport Hazard Military Map.JPG](#)

[Airport Hazard Google Map.JPG](#)

[Airport Hazard Civil Map.JPG](#)

[Airport Back Up.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

[Coastal Barrier Resource.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.

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

Yes

**4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?**

Yes

- ✓ No

### Screen Summary

#### **Compliance Determination**

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. 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**

[Flood NEPA Map.PNG](#)

[Flood FIRMETTE Map.pdf](#)

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



W-Carter-Road,-Lakeland-  
New-Construction

Lakeland, FL

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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

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

### Screen Summary

#### **Compliance Determination**

Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.

#### **Supporting documentation**

[Clean Air\(2\).JPG](#)

[Clean Air Map Back up.pdf](#)

[Clean Air List Back Up.JPG](#)

#### **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**

[Coastal Zone\(1\).pdf](#)

[Coastal Zone 2.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:**

Based on the site inspection, toxic analysis reports, echo reports and LHA reports there are no apparent toxic or hazardous materials that would affect the health or safety of project or occupants.

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

Yes

### Screen Summary

### Compliance Determination

Site contamination was evaluated as follows: None of the above. 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**

[Toxic Multisystem Tribal Envirofacts.JPG](#)

[Toxic Echo Reports.pdf](#)

[Toxic Multisystem Envirofacts.JPG](#)

[Toxic Analysis Report NEPA Map.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

Explain your determination:

See letter from US Fish & Wildlife.

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

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

### Screen Summary

#### Compliance Determination

This project will have No Effect on listed species based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office. This project is in compliance with the Endangered Species Act.

#### Supporting documentation

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[Endangered Species Map.JPG](#)

[Endangered Species List.pdf](#)

[Endangered Species Back Up.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

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

Yes

### Screen Summary

#### **Compliance Determination**

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

#### **Supporting documentation**

[Explosives and Flammables Gogle Map.JPG](#)

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:

This is a new construction, however based on the Property Appraiser report this was not agricultural land.

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**

[Farmland Urbainzed Area Map.JPG](#)

**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

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

[Flood FIRMETTE Map\(1\).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.

**Does your project occur in a floodplain?**

No

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

Yes

**Screen Summary**

**Compliance Determination**

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.

**Supporting documentation**

**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="https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf">https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf</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:**

Based on the project description and there is no existing structure SHPO was not consulted.

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.

#### **Supporting documentation**

[Historic Tribal.pdf](#)

[Historic PRC Report.pdf](#)

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[Historic Appendix A Form.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.

**Supporting documentation**

[Noise Abatement Railroad NEPA Map.JPG](#)

[Noise Abatement Major Road Noise.JPG](#)

[Noise Abatement Google Map.JPG](#)

[Noise Abatement Airport NEPA Map.JPG](#)

[Noise Abatement Airnav Reports.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.

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**Supporting documentation**

[Sole Source NEPA Map.JPG](#)

[Sole Source Aquifer Back Up.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

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

Yes

### Screen Summary

#### **Compliance Determination**

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.

#### **Supporting documentation**

[Wetland Protection NEPA Map.JPG](#)

**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 documentation**

[Wild and Scenic Rivers NEPA Map.JPG](#)

[Wild and Scenic Rivers Back Up.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.

#### **Supporting documentation**

[Environmental Justice.JPG](#)

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

Yes

No