



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
www.hud.gov

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

### **Project Information**

**Project Name: The Way Station**

**Responsible Entity: The City of Birmingham/ Community Development**

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

**State/Local Identifier:**

**Preparer: Courtney Newton**

**Certifying Officer Name and Title: Christopher Hatcher, Director of Community  
Development**

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

**Consultant (if applicable):**

**Direct Comments to:  
Chris Hatcher  
City of Birmingham  
Community Development Department  
710 North 20<sup>th</sup> Street – 10<sup>th</sup> Floor City Hall  
Birmingham, AL 35203**

**Project Location: 3<sup>rd</sup> Avenue North and 7<sup>th</sup> Street Birmingham, AL 35203**

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

**The Way Station is an overnight emergency crisis shelter and transitional living program. HOME funds from the City of Birmingham will be used to support the transitional housing**

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

**Existing Conditions and Trends [24 CFR 58.40(a)]:**  
Currently unoccupied, has two commercial structures and associated parking areas

**Funding Information**

<b>Grant Number</b>	<b>HUD Program</b>	<b>Funding Amount</b>
M18MC010200	HOME Funds	\$300,000

**Estimated Total HUD Funded Amount:**  
**\$300,000**

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:**

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

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4            and 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Target Property is not within 15,000 feet of military or 2,500 feet of civilian airport
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Target Property is not located near a Coastal Barrier
<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]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Project is not located in a FEMA designated Floodplain
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4            &amp; 58.5</b>		
<b>Clean Air</b>  Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Target property will not exceed de minimis emissions levels
<b>Coastal Zone Management</b>  Coastal Zone Management Act, sections 307(c) & (d)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Target property is not located in a Coastal Zone
<b>Contamination and Toxic            Substances</b>  24 CFR Part 50.3(i) & 58.5(i)(2)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Limited Phase II completed. Soil and groundwater collected at site, no chemicals of concern found to be above detectable limits
<b>Endangered Species</b>  Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Target property will not have a direct or adverse effect on Endangered Species

<b>Explosive and Flammable Hazards</b>  24 CFR Part 51 Subpart C	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Target property is not located within 1 mile of Explosive and Flammable Hazards
<b>Farmlands Protection</b>  Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Target property is not located within an identified Farmland
<b>Floodplain Management</b>  Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Target property is not located with a Floodplain
<b>Historic Preservation</b>  National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Target property is not identified nor have the potential to identify as a Historic Site
<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	Yes    No <input type="checkbox"/> <input type="checkbox"/>	
<b>Sole Source Aquifers</b>  Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Target property will not have a direct or adverse effect on Sole Source Aquifers
<b>Wetlands Protection</b>  Executive Order 11990, particularly sections 2 and 5	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Target property is not located within a Wetland
<b>Wild and Scenic Rivers</b>  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Target property will not have a direct or adverse effect on Wild and Scenic Rivers
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b>  Executive Order 12898	Yes    No <input type="checkbox"/> <input type="checkbox"/>	

**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list 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
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	Project will complement Comprehensive Plan and Zoning
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	This site is unoccupied. The soil is urban land. The topography of the site is generally flat. No impact to topography is anticipated from the construction. Drainage/ Storm Water Runoff will be guaranteed by the City's permitting processes.
Hazards and Nuisances including Site Safety and Noise	2	There will be no significant hazards or nuisances associated with the proposed project. Site will be secure during construction to limit potential hazards. Noise associated with construction will be limited to daytime activity and no long-term increase is anticipated.
Energy Consumption	2	Not a factor per types of activities

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	2	No anticipated income or employment changes anticipated as a result of this project
Demographic Character Changes, Displacement	1	No displacement of current residents. Site is currently a commercial site. Project will result in additional housing units

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	Housing unit no impact anticipated
Commercial Facilities	2	Housing unit no impact anticipated
Health Care and Social Services	2	Housing unit; no impact anticipated
Solid Waste Disposal / Recycling	2	Project will have no noticeable change in solid waste disposal
Waste Water / Sanitary Sewers	2	Lots have been serviced by existing public utility companies
Water Supply	2	Lots have been serviced by existing public utility companies
Public Safety - Police, Fire and Emergency Medical	2	Area is serviced by Birmingham Fire Department and Birmingham Police Department
Parks, Open Space and Recreation	2	No adverse impacts anticipated for any of the parks, open space and/or recreation
Transportation and Accessibility	2	No adverse impacts anticipated for transportation or accessibility

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	Project will be constructed on existing unoccupied commercial lot, no natural features or agricultural land is near lot.
Vegetation, Wildlife	2	Project site is previously developed and no significant impact to vegetation and wildlife is anticipated
Other Factors		

**Additional Studies Performed:**

**Field Inspection (Date and completed by):**

March 2, 2018; Spectrum Environmental, Inc./ Thornton Turner/ Scott Hassler

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

Phase I and Limited Phase II completed by Spectrum Environmental, Inc.

**List of Permits Obtained:**

All permits will be obtained from the City of Birmingham Planning, Engineering and Permits

**Public Outreach [24 CFR 50.23 & 58.43]:**

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

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

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

**Summary of Findings and Conclusions:**

**This assessment has revealed no evidence of recognized conditions in connection with the property**

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

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

Law, Authority, or Factor	Mitigation Measure

**Determination:**

**Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]  
 The project will not result in a significant impact on the quality of the human environment.

**Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]  
 The project may significantly affect the quality of the human environment.

Preparer Signature:  Date: 4/13/2020

Name/Title/Organization: Courtney Newton/ Grants Management Coordinator/ Community Development

Certifying Officer Signature:  Date: 4/13/2020

Name/Title: Chris Hatcher/ Director/ Community Development

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

## **Airport Hazards**

Target property is not within 15,000 feet of military airport or 2,500 feet of civilian airport

## Airport Hazards (CEST and EA)

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
<b>References</b>		
<a href="https://www.hudexchange.info/environmental-review/airport-hazards">https://www.hudexchange.info/environmental-review/airport-hazards</a>		

**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. Continue to the Worksheet Summary below. Provide a map showing that the site is not within the applicable distances to a military or civilian airport.*

**Yes** → *Continue to Question 2.*

**2. Is your project located within a Runway Potential Zone/Clear Zone (RPZ/CZ) or Accident Potential Zone (APZ)?**

**Yes**, project is in an APZ → *Continue to Question 3.*

**Yes**, project is an RPZ/CZ → *Project cannot proceed at this location.*

**No**, project is not within an APZ or RPZ/CZ

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within either zone.*

**3. Is the project in conformance with DOD guidelines for APZ?**

**Yes**, project is consistent with DOD guidelines without further action.

**Explain how you determined that the project is consistent:**

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

No, the project cannot be brought into conformance with DOD guidelines and has not been approved. → *Project cannot proceed at this location.*

Project is not consistent with DOD guidelines, but it has been approved by Certifying Officer or HUD Approving Official.

**Explain approval process:**

**If mitigation measures have been or will be taken, explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

**Worksheet Summary**

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

See Federal Aviation Administration and Google Earth data attached

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

Yes

No



### Circle Search For Airports Results

Records 1 to 3 of 3

Page 1 of 1

Locator Id	Name	Site Type	City	State	Latitude	Longitude	Distance(NM)	Azimuth
BHM	BIRMINGHAM-SHUTTLESWORTH INTL	Airport	BIRMINGHAM	AL	33° 33' 50.00" N	86° 45' 8.30" W	4.85	227.26°
EKY	BESSEMER	Airport	BESSEMER	AL	33° 18' 45.40" N	86° 55' 34.70" W	12.84	23.72°
EET	SHELBY COUNTY	Airport	ALABASTER	AL	33° 10' 40.00" N	86° 46' 59.60" W	19.93	354.2°

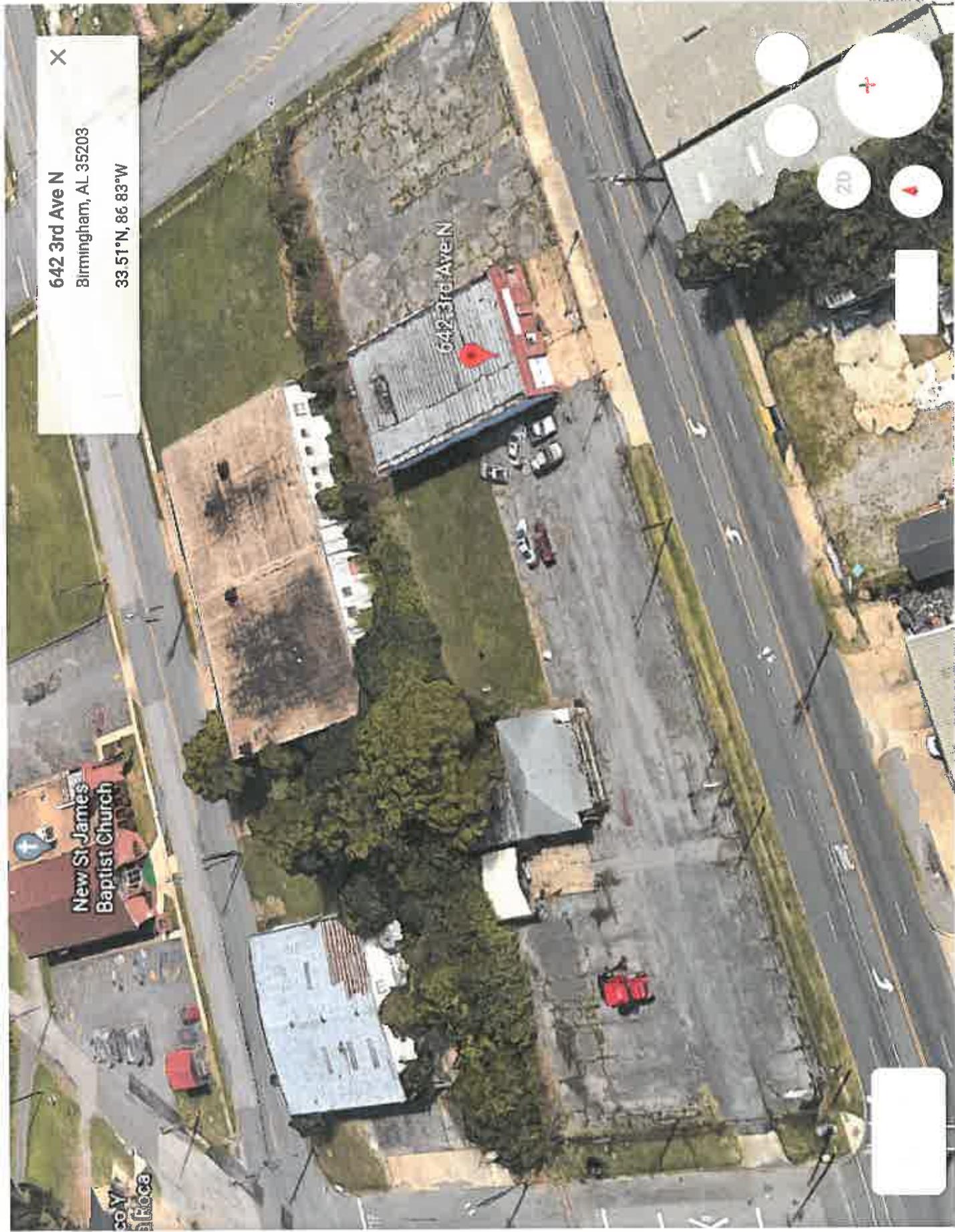
Records 1 to 3 of 3

Rows per Page: 20

Page: 1

Page 1 of 1





X  
642 3rd Ave N  
Birmingham, AL 35203  
33° 51' N, 86° 83' W

642 3rd Ave N

New St James  
Baptist Church

Camera: 125 m 33° 30' 32" N 86° 49' 24" W 177 m

100%

## Coastal Barrier Resources

Target property is not located within a Coastal barrier

## Coastal Barrier Resources (CEST and EA)

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)	
References		
<a href="https://www.hudexchange.info/environmental-review/coastal-barrier-resources">https://www.hudexchange.info/environmental-review/coastal-barrier-resources</a>		

Projects located in the following states must complete this form.

Alabama	Georgia	Massachusetts	New Jersey	Puerto Rico	Virgin Islands
Connecticut	Louisiana	Michigan	New York	Rhode Island	Virginia
Delaware	Maine	Minnesota	North Carolina	South Carolina	Wisconsin
Florida	Maryland	Mississippi	Ohio	Texas	

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

- No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.*
- Yes → *Continue to Question 2.*

Federal assistance for most activities may not be used at this location. You must either choose an alternate site or cancel the project. In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see [16 USC 3505](#) for exceptions to limitations on expenditures).

### 2. Indicate your selected course of action.

- After consultation with the FWS the project was given approval to continue  
 → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map and documentation of a FWS approval.*
- Project was not given approval  
Project cannot proceed at this location.

## Worksheet Summary

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

See attached Coastal Barrier Resources System data attached

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

- Yes
- No

# JOHN H. CHAFFEE COASTAL BARRIER RESOURCES SYSTEM ALABAMA



Number of CBRS Units:	10
Number of System Units:	4
Number of Otherwise Protected Areas:	6
Total Acres:	24,116
Upland Acres:	4,014
Associated Aquatic Habitat Acres:	20,102
Shoreline Miles:	37

Boundaries of the John H. Chaffee Coastal Barrier Resources System (CBRS) shown on this map were transferred from the official CBRS maps for this area and are depicted on this map (in red) for informational purposes only. The official CBRS maps are enacted by Congress via the Coastal Barrier Resources Act, as amended, and are maintained by the U.S. Fish and Wildlife Service. The official CBRS maps are available for download at <http://www.fws.gov/CBRA>

Map Date: March 14, 2016

## Flood Insurance

Target property is not located within a FEMA designated Floodplain

## Flood Insurance (CEST and EA)

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).
Reference		
<a href="https://www.hudexchange.info/environmental-review/flood-insurance">https://www.hudexchange.info/environmental-review/flood-insurance</a>		

**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. → *Continue to the Worksheet Summary.*

Yes → *Continue to Question 2.*

**2. Provide a FEMA/FIRM map showing the site.**

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

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

No → *Continue to the Worksheet Summary.*

Yes → *Continue to Question 3.*

**3. Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?**

Yes, the community is participating in the National Flood Insurance Program.

For loans, loan insurance or loan guarantees, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. Provide a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance.

→ *Continue to the Worksheet Summary.*

- Yes, less than one year has passed since FEMA notification of Special Flood Hazards.  
If less than one year has passed since notification of Special Flood Hazards, no flood insurance is required.

→ *Continue to the Worksheet Summary.*

- No. The community is not participating, or its participation has been suspended.  
Federal assistance may not be used at this location. Cancel the project at this location.

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Project not located in Flood Zone

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

Yes

No

# FEMA Flood Map Service Center: Search By Address

Navigation

Search

Languages

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[MSC Email Subscriptions \(/portal/subscriptionHome\)](#)

[Contact MSC Help \(/portal/resources/contact\)](#)

Enter an address, place, or coordinates: ?

642 3rd Ave North Birmingham, AL

Whether you are in a high risk zone or not, you may need [flood insurance \(https://www.fema.gov/national-flood-insurance-program\)](https://www.fema.gov/national-flood-insurance-program) because most homeowners insurance doesn't cover flood damage. If you live in an area with low or moderate flood risk, you are 5 times more likely to experience flood than a fire in your home over the next 30 years. For many, a National Flood Insurance Program's flood insurance policy could cost less than \$400 per year. Call your insurance agent today and protect what you've built.

Learn more about [steps you can take \(https://www.fema.gov/what-mitigation\)](https://www.fema.gov/what-mitigation) to reduce flood risk damage.

## Search Results—Products for BIRMINGHAM, CITY OF

Show ALL Products » (<https://msc.fema.gov/portal/availabilitySearch?addcommunity=010116&communityName=BIRM>)

The flood map for the selected area is number **01073C0389H**, effective on **03/21/2019** ?

### DYNAMIC MAP



### MAP IMAGE



(<https://msc.fema.gov/portal/downloadProduct?>

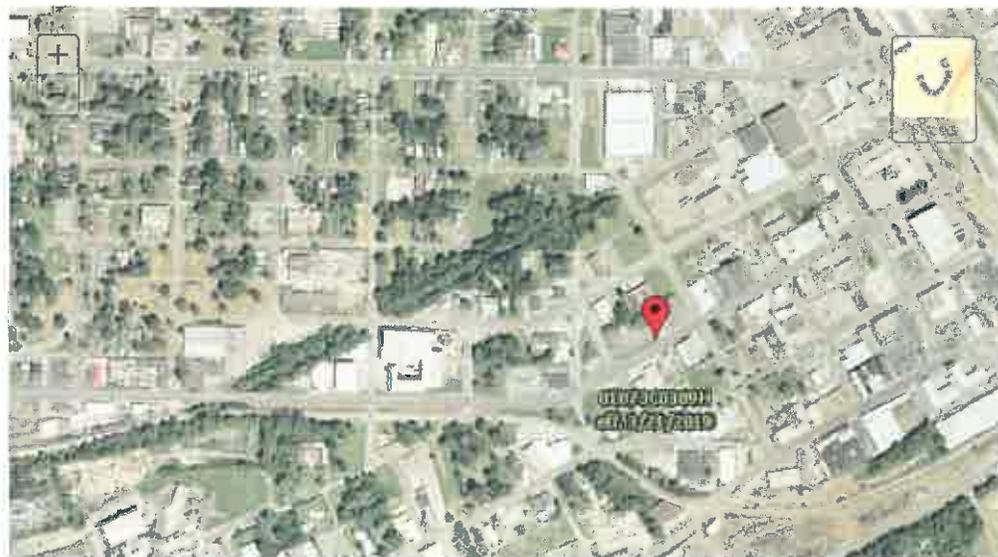
[filepath=/01/P/Firm/01073C0389H.png&productTypeID=FINAL\\_PRODUCT&productSubTypeID=FIRM\\_PANEL](https://msc.fema.gov/portal/downloadProduct?filepath=/01/P/Firm/01073C0389H.png&productTypeID=FINAL_PRODUCT&productSubTypeID=FIRM_PANEL)

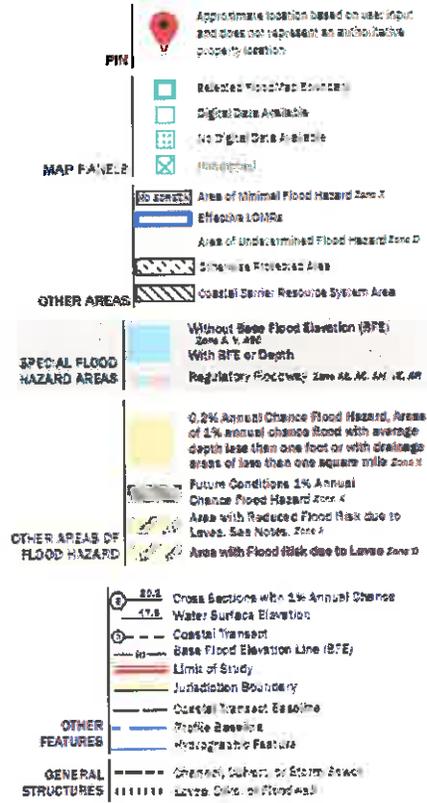
### Changes to this FIRM ?

- Revisions (0)
- Amendments (0)
- Revalidations (0)

You can choose a new flood map or move the location pin by selecting a different location on the locator map below or by entering a new location in the search field above. It may take a minute or more during peak hours to generate a dynamic FIRMette. If you are a person with a disability, are blind, or have low vision, and need assistance, please contact a map specialist (<https://msc.fema.gov/portal/resources/contact>).

Go To NFHL Viewer » (<https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d>)





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 [Ready.gov](http://www.ready.gov/) (<http://www.ready.gov/>)
 [USA.gov](http://www.usa.gov/) (<http://www.usa.gov/>)
 [DisasterAssistance.gov](http://www.disasterassistance.gov/) (<http://www.disasterassistance.gov/>)



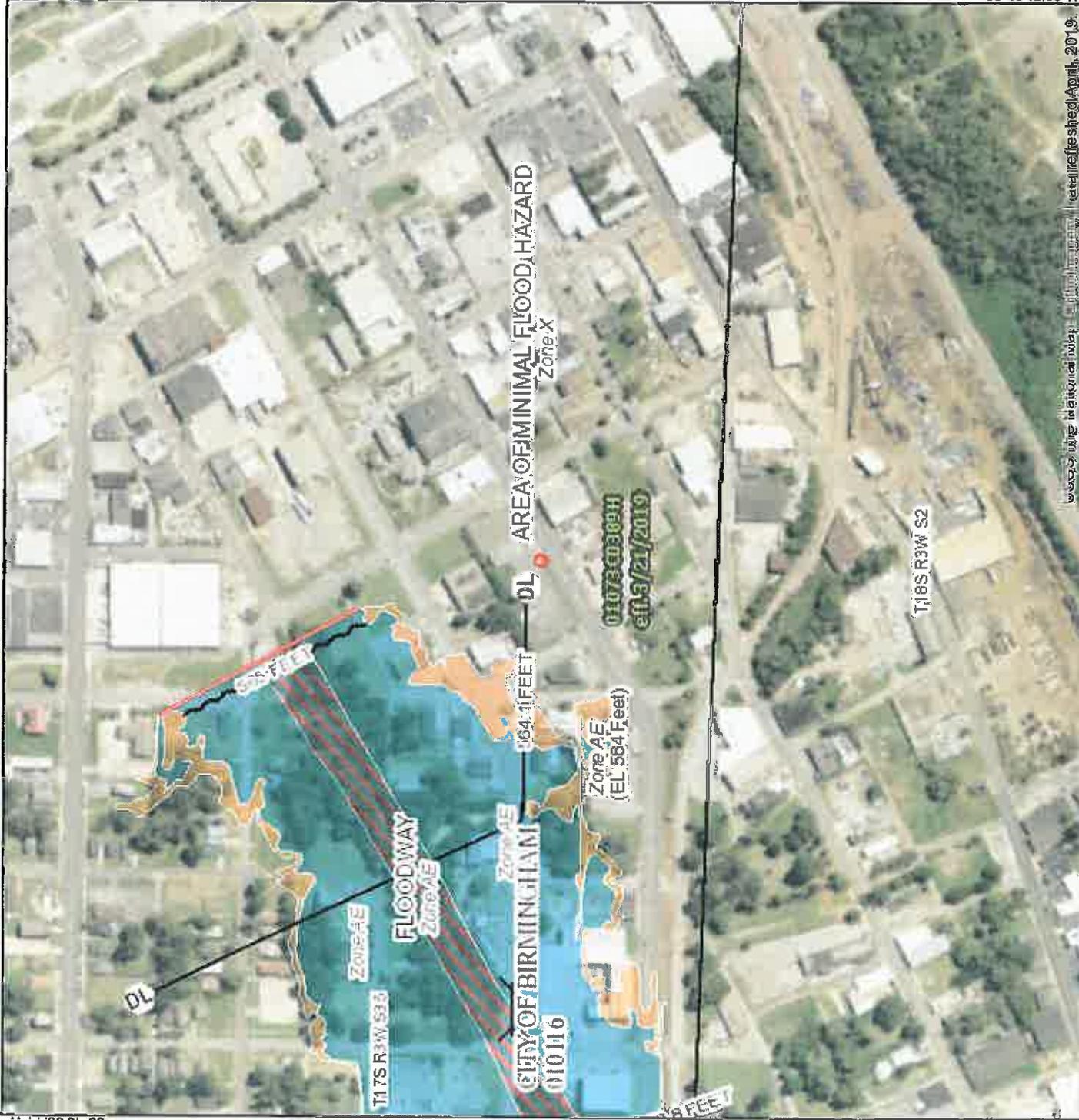
(<https://www.oig.dhs.gov/hotline>)

Official website of the Department of Homeland Security

# National Flood Hazard Layer FIRMette



33°30'42.27"N



86°49'12.69"W

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- SPECIAL FLOOD HAZARD AREAS**
  - Without Base Flood Elevation (BFE) Zone A, V, A99
  - With BFE or Depth Zone AE, AO, AH, VE, AR
  - Regulatory Floodway
- OTHER AREAS OF FLOOD HAZARD**
  - 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone 1)
  - Future Conditions 1% Annual Chance Flood Hazard (Zone X)
  - Area with Reduced Flood Risk due to Levee. See Notes, Zone X
  - Area with Flood Risk due to Levee (Zone D)
- OTHER AREAS**
  - Area of Minimal Flood Hazard (Zone X)
  - Effective LOMRs
  - Area of Undetermined Flood Hazard (Zone 1)
- GENERAL STRUCTURES**
  - Channel, Culvert, or Storm Sewer
  - Levee, Dike, or Floodwall
- OTHER FEATURES**
  - Cross Sections with 1% Annual Chance Water Surface Elevation
    - 20.2
    - 17.5
    - 99
  - Coastal Transect
  - Base Flood Elevation Line (BFE)
  - Limit of Study
  - Jurisdiction Boundary
  - Coastal Transect Baseline
  - Profile Baseline
  - Hydrographic Feature
- MAP PANELS**
  - Digital Data Available
  - No Digital Data Available
  - Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/30/2020 at 4:23:21 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

## **Air Quality**

Target property will not exceed de minimis emissions levels

## Air Quality (CEST and EA)

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
<b>Reference</b>		
<a href="https://www.hudexchange.info/environmental-review/air-quality">https://www.hudexchange.info/environmental-review/air-quality</a>		

### Scope of Work

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

→ Continue to Question 2.

No

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

### Air Quality Attainment Status of Project's County or Air Quality Management District

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

Follow the link below to determine compliance status of project county or air quality management district:

<http://www.epa.gov/oaqps001/greenbk/>

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

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

- Yes, project's management district or county is in non-attainment or maintenance status for one or more criteria pollutants.

Describe the findings:

See attachments

→ Continue to Question 3.

3. Determine the estimated emissions levels of your project for each of those criteria pollutants that are in non-attainment or maintenance status on your project area. Will your project exceed any of the *de minimis* or *threshold* emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?

- No, the project will not exceed *de minimis* or threshold emissions levels or screening levels

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Explain how you determined that the project would not exceed *de minimis* or threshold emissions.

- Yes, the project exceeds *de minimis* emissions levels or screening levels.

→ Continue to Question 4. Explain how you determined that the project would not exceed *de minimis* or threshold emissions in the Worksheet Summary.

4. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

**Worksheet Summary**

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Project will not exceed de minimis emissions levels

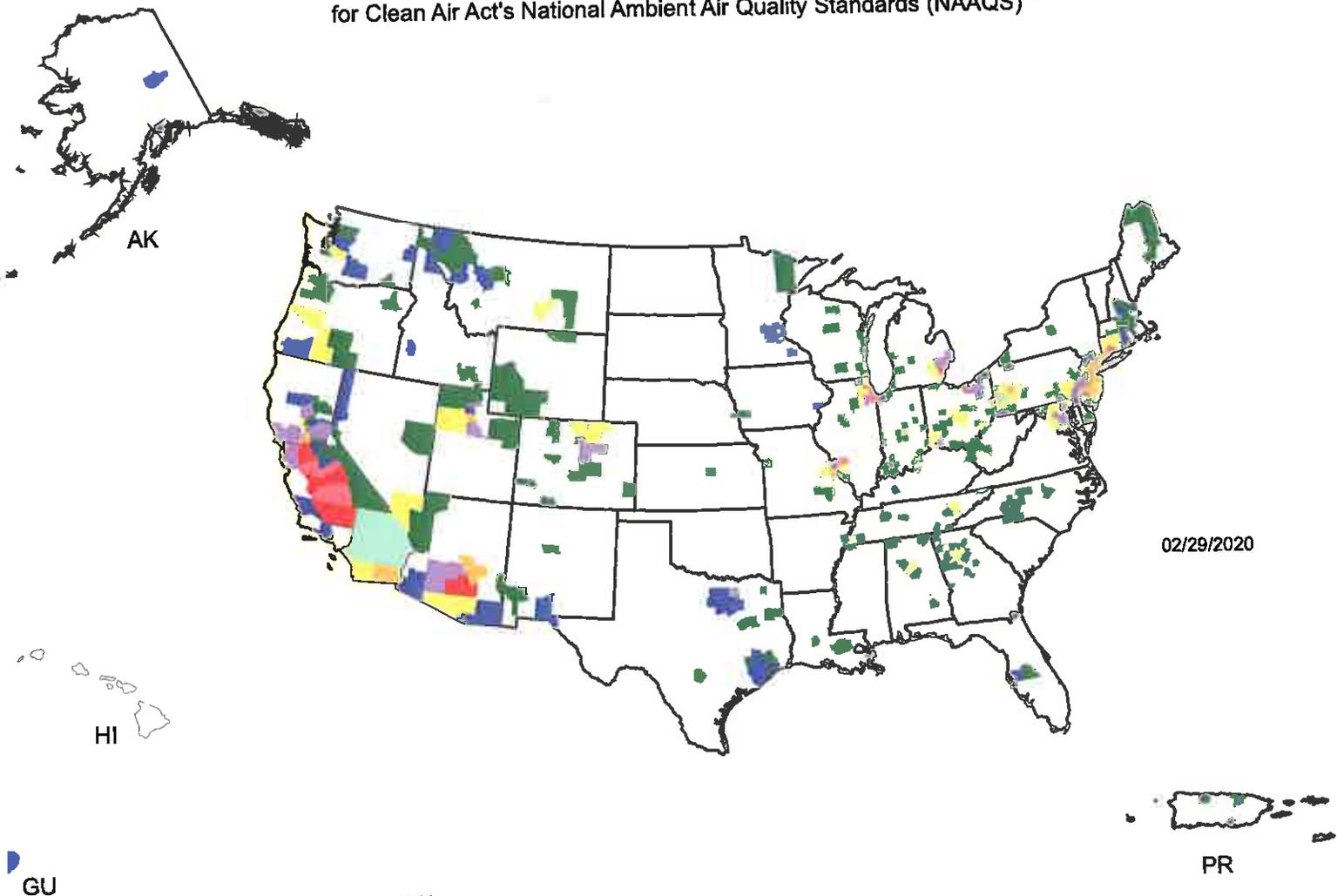
**Are formal compliance steps or mitigation required?**

Yes

No

# Counties Designated "Nonattainment" or "Maintenance"

for Clean Air Act's National Ambient Air Quality Standards (NAAQS) \*



## Legend \*\*

-  County Designated Nonattainment or Maintenance for 9 NAAQS Pollutants
-  County Designated Nonattainment or Maintenance for 8 NAAQS Pollutants
-  County Designated Nonattainment or Maintenance for 7 NAAQS Pollutants
-  County Designated Nonattainment or Maintenance for 6 NAAQS Pollutants
-  County Designated Nonattainment or Maintenance for 5 NAAQS Pollutants
-  County Designated Nonattainment or Maintenance for 4 NAAQS Pollutants
-  County Designated Nonattainment or Maintenance for 3 NAAQS Pollutants
-  County Designated Nonattainment or Maintenance for 2 NAAQS Pollutants
-  County Designated Nonattainment or Maintenance for 1 NAAQS Pollutants

\* The National Ambient Air Quality Standards (NAAQS) are health standards for Carbon Monoxide, Lead (1978 and 2008), Nitrogen Dioxide, 8-hour Ozone (2008), Particulate Matter (PM-10 and PM-2.5 (1997, 2006 and 2012), and Sulfur Dioxide.(1971 and 2010)

\*\* Included in the counts are counties designated for NAAQS and revised NAAQS pollutants. Revoked 1-hour (1979) and 8-hour Ozone (1997) are excluded. Partial counties, those with part of the county designated nonattainment and part attainment, are shown as full counties on the map.



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# Coastal Zone Management

Target property is not located in a Coastal Zone

## Coastal Zone Management Act (CEST and EA)

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
References		
<a href="https://www.onecpd.info/environmental-review/coastal-zone-management">https://www.onecpd.info/environmental-review/coastal-zone-management</a>		

Projects located in the following states must complete this form.

Alabama	Florida	Louisiana	Mississippi	Ohio	Texas
Alaska	Georgia	Maine	New Hampshire	Oregon	Virgin Islands
American Samona	Guam	Maryland	New Jersey	Pennsylvania	Virginia
California	Hawaii	Massachusetts	New York	Puerto Rico	Washington
Connecticut	Illinois	Michigan	North Carolina	Rhode Island	Wisconsin
Delaware	Indiana	Minnesota	Northern Mariana Islands	South Carolina	

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

Yes → Continue to Question 2.

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.

**2. Does this project include activities that are subject to state review?**

Yes → Continue to Question 3.

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.

**3. Has this project been determined to be consistent with the State Coastal Management Program?**

Yes, with mitigation. → Continue to Question 4.

Yes, without mitigation. → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.

- No, project must be canceled.  
Project cannot proceed at this location.

**4. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the State Coastal Management Program letter of consistency) and any other documentation used to make your determination.*

**Worksheet Summary**

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Project is not located in a Coastal Zone

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

- Yes  
 No

## Coastal Zone Management Proximity Map



ADEM Forms

ADEM Programs

All:

### Coastal

[Beach Monitoring](#)

[Coastal Forms](#)

[Coastal Permitting](#)

[Gulf of Mexico](#)

[NCA Report](#)

[NEP Program](#)

[Nonpoint Pollution Control Program](#)

[Watershed Survey](#)

[Waste/Remediation](#)

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## Coastal Programs

[Coastal Permitting Information Regulations Division 8](#)

[Beach Monitoring Information](#)

[Final NCA Report to EPA](#)

[Alabama's Coastal Marinas and Watersheds](#)

[Nonpoint Pollution Control Program](#)

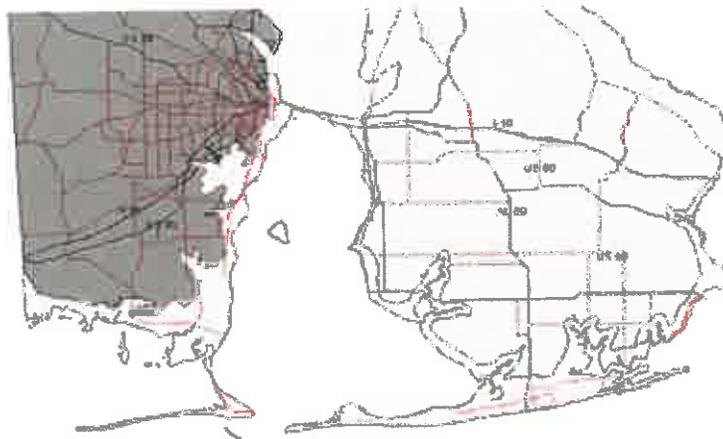




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Disability Assistance



### Alabama Coastal Area Management Program Coastal Area Boundary

Dark Gray - Mobile Area  
Light Gray - Baldwin Area  
Dotted Area - Coastal Area

## Alabama Coastal Area Management Program

Alabama's Coastal Area Management Program (ACAMP) was approved and has been in effect since 1979. Its purpose is to promote, improve and safeguard the lands and waters located in Alabama's coastal area through a comprehensive and cooperative program designed to preserve, enhance, and develop these valuable resources for present and future generations. The enforceable policies of the program regulate various activities on coastal lands and waters seaward of the continuous 10-foot contour in Baldwin and Mobile Counties of Alabama.

The ACAMP is a joint effort of the [Alabama Department of Conservation and Natural Resources-State Lands Division](#) and the ADEM Coastal Program. ALDCNR-SLD is responsible for planning and policy development while ADEM is responsible for permitting, monitoring and enforcement activities, as detailed in the ADEM Division 8 Coastal Programs Rules (ADEM Admin. Code R 335-8).

A major focus of the ADEM's permitting, monitoring, and enforcement activities in the coastal area is determining federal consistency (often referred to as coastal consistency) for projects and activities which require federal permits—for example, U.S. Army Corps of Engineers' permits to dredge new navigation channels. In addition, ADEM's Coastal Program rules include the review and permitting for the following types of activities when they are to occur within the Coastal Area: beach and dune construction projects, developments and subdivision of properties greater than five (5) acres in size, dredging and filling of state water bottoms and wetlands, the drilling and operation of groundwater wells with a capacity of 50 gpm or greater, the siting of energy facilities, and other various activities which may have an impact on coastal resources.

Other ADEM responsibilities and activities in the coastal area include:

- Development and implementation of the Alabama Coastal Nonpoint Pollution Control Program.
- Conducting the [Coastal Watershed Survey Program](#).
- Conducting studies and projects related to coastal resource management and concerns.
- Providing assistance to local governments relative to coastal resource management issues through funding and technical assistance.

### Contact Information

ADEM  
Attn: Coastal Program  
3664 Dauphin Street, Suite B

Mobile, Alabama 36608  
Telephone Number : (251) 304-1176  
Fax Number: (251) 304-1189  
[coastal@adem.alabama.gov](mailto:coastal@adem.alabama.gov)

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## **Contamination and Toxic Substances**

Based on the lab analysis of soil and groundwater collected at the site, no chemicals of concern were found to be above detectable limits from any boring location – groundwater or soil sample.

Report attached

## Contamination and Toxic Substances (Multifamily and Non-Residential Properties)

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)
<b>Reference</b>		
<a href="https://www.hudexchange.info/programs/environmental-review/site-contamination">https://www.hudexchange.info/programs/environmental-review/site-contamination</a>		

**1. How was site contamination evaluated?<sup>1</sup> Select all that apply.**

- ASTM Phase I ESA
- ASTM Phase II ESA
- Remediation or clean-up plan
- ASTM Vapor Encroachment Screening
- None of the above

→ Provide documentation and reports and include an explanation of how site contamination was evaluated in the Worksheet Summary.

Continue to Question 2.

**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:**

<sup>1</sup> HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site. For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

→ Based on the response, the review is in compliance with this section.  
Continue to the Worksheet Summary below.

Yes.

→ Describe the findings, including any recognized environmental conditions (RECs), in Worksheet Summary below. Continue to Question 3.

### 3. Mitigation

Document the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental effects cannot be mitigated, then HUD assistance may not be used for the project at this site.

#### Can adverse environmental impacts be mitigated?

Adverse environmental impacts cannot feasibly be mitigated

→ Project cannot proceed at this location.

Yes, adverse environmental impacts can be eliminated through mitigation.

→ Provide all mitigation requirements<sup>2</sup> and documents. Continue to Question 4.

### 4. Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls<sup>3</sup>, or use of institutional controls<sup>4</sup>.

<sup>2</sup> Mitigation requirements include all clean-up actions required by applicable federal, state, tribal, or local law. Additionally, provide, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

<sup>3</sup> Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, without limitation, caps, covers, dikes, trenches, leachate collection systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, without limitation, slurry walls and ground water pumping systems.

<sup>4</sup> Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.

**If a remediation plan or clean-up program was necessary, which standard does it follow?**

Complete removal

→ *Continue to the Worksheet Summary.*

Risk-based corrective action (RBCA)

→ *Continue to the Worksheet Summary.*

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Phase II states based on the lab analysis of soil and groundwater collected at the site, no chemicals of concern were found to be above detectable limits from any boring location – groundwater or soil sample.

Report attached

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

Yes

No



April 24, 2018

Joseph McClure Commercial Real Estate  
208 North 20<sup>th</sup> Street  
Birmingham, Alabama 35203

**ATTENTION:**        **Mr. Camden McClure**

**SUBJECT:**            Limited Phase II Assessment  
                          3<sup>rd</sup> Avenue North & 7<sup>th</sup> Street  
                          Birmingham, Alabama  
                          Spectrum Job Number 3144-002

Dear Mr. McClure:

Spectrum Environmental, Inc., (Spectrum) conducted a Limited Phase II assessment for the above-referenced property on March 30, 2018. The work was conducted in general accordance with Spectrum Proposal Number 18-11728, that was subsequently approved by AIDS Alabama. This report includes a summary of the approved Scope of Work and a discussion of field and laboratory analytical testing results.

***Project Background***

Spectrum prepared a Phase I Environmental Site Assessment dated March 13, 2018, identified as Spectrum Project No. 3144-001, that was prepared for the target property. Based on the results of the Phase I investigation, multiple recognized environmental conditions (RECs) were identified in connection with the target property. These RECs stem from the historical use of the target property for chemical storage/distribution, painting, as a junk yard, automotive repair, and dry cleaning. As a result, this property was listed in the EDR report under the FINDS and Historical Auto Station databases for the year 1981.

Due to the potential for petroleum products, paints, PERC products, chemicals, and other miscellaneous hazards to have impacted soils and/or groundwater beneath the site, AIDS Alabama requested a proposal for a limited Phase II ESA. Spectrum provided a proposal for the Phase II ESA to address the situation described above. Based on the proposal approved by AIDS Alabama, the following scope of work was performed:

### ***Scope of Work***

Spectrum completed the following Scope of Work as outlined in Spectrum Proposal 18-11728

1. Spectrum notified Alabama 811 services to comply with Alabama Law regarding locating underground utilities prior to initiating any excavations and borings on the target property;
2. Spectrum mobilized a Geoprobe® Model 5400 direct push environmental drilling rig to the site with an operator and Geologist along with tools/equipment for the collection of soil samples from soil borings;
3. At each boring location, decontaminated direct push stainless steel sampling tubes with clear acetate liners were continuously advanced to groundwater, refusal, 24 feet, or a depth determined by the site geologist. Continuous soil samples were collected from the surface to total depth;
4. The recovered soil samples were described by the field Geologist and notes of visual and/or olfactory indications of a release, if any, were noted;
5. In five borings, soil samples were collected from zones where contamination was plausible, or, if no indication is observed, from the base of the boring, or immediately above groundwater if encountered. No visual or olfactory indication of contamination was identified in any boring;
6. Sampling equipment was decontaminated between each boring using a liquinox/water wash followed by a potable water rinse and allowed to air dry. In addition, new acetate liners were used between each continuous probe interval;
7. In the borings that encountered groundwater, a disposable bailer was utilized to collect groundwater samples;
8. Each sample was placed in laboratory prepared sample containers specific for the type of sample collected. The containers were labeled and placed in a refrigerated cooler under chain of custody control;
9. The samples were shipped to an environmental testing laboratory for analysis for Volatile Organic Compounds (VOCs), via EPA method 8260c;
10. Upon receipt of the laboratory analysis, Spectrum prepared this Report of Findings.

### ***Discussion of Field Activities and Laboratory Analytical Results***

Five soil borings were advanced at the site to assess whether or not historical and current use of the property adversely impacted soils or groundwater at the property. Specifically, one of the borings was installed in areas to evaluate soil at the far eastern corner of the property (Boring SB-1), two borings were installed to evaluate soil/groundwater to the west of the former automobile mechanic shop (Borings SB-2 and SB-3), and two borings were installed to evaluate soil/groundwater at the far western corner and far south corner of the property (SB-4 and SB-5). The selections of the boring locations were specifically located in areas to determine if a release

from the historical uses of the target property were present. Boring #1 was located at the side of the property that is in an interpreted downgradient position relative to where nearby dry cleaners were once located, as determined by bentonite on the concrete. Borings #2 and #3 were located near the apparent downgradient end of the former Jeff's Motors mechanic shop. Borings #4 and #5 were placed downgradient from potentially contaminant-bearing sites. It is Spectrum's opinion that if a release had occurred from the former system, the borings installed would have detected contamination associated with the release. Additionally, a release from the current system operating at the site would also most likely be detected in the borings because of the historic use of the property, and its location upgradient to the borings. The locations of soil borings are depicted on the attached site plat.

Boring #1 was located on the east side of the property and did not encounter damp clay until approximately 16' where the water content of the clay ceased to increase. The boring was extended up to 24' and no groundwater or bedrock was encountered. Soil was collected at 2', just under the humus horizon, and a second soil sample was collected from the damp, laminated clay at roughly 24' below the surface elevation. Spectrum did not encounter any groundwater or bedrock during the drilling of Boring #1.

Boring #2 was located along the central border of the property, off the southwestern corner of the former Jeff's Motors. The boring did not encounter visually or olfactory impacted clay to a depth of 24 feet. Moisture was observed at 15'. At 16' the chert content of the clay slightly increased and some manganese nodules were spotted. Groundwater was encountered at 22', and laminations were visible from 23' to 24'. A soil sample was collected at 21'. No odors or visible signs of contamination were present on this boring.

Boring #3 was located beside the northwestern corner of Jeff's Motors on a plat of previously unused grass. Humus covering clay was encountered for the first 5' of probing. From 5 to 12', dry orange-brown clay was observed. Starting at 12', manganese nodules appeared along with some dampness. Soil samples were collected from 4' and another from 20'. No odors or visible

signs of contamination were observation from this boring, and groundwater was hit at roughly 18'.

Boring #4 was located on the southwestern corner of the property near the intersection of 3<sup>rd</sup> Avenue North and 6<sup>th</sup> Place North. The first native soil was encountered was 3 feet deep and consisted of brown clay. A perched water table was observed and sampled (for soil and groundwater) at 8', and the boring was dry from 9' to 12'. No visible or olfactory signs of contamination were found at this boring site.

Boring #5 was located on the westernmost corner of the property. The first soil observed was about 5' down and consisted of moist brown clay, wherein a sample was collected. The clay appeared to dry-up from 6 to 8' before returning to a damp state from 8 to 9'. From 9 to 12', orange-brown clay was present with visible manganese nodules that were mostly concentrated from 10 to 11'. Refusal via bedrock was hit at 13', and a sample of soil was taken from 12'. No visible or olfactory signs of contamination were encountered at this boring site.

At each location, the hollow acetate lined sampling device was advanced in four-foot increments by hydraulic hammering to the desired depth. Soil samples collected in the acetate liners were cut free and visually and olfactory examined. In all of the soils and the groundwater encountered, no visual or olfactory indications of contamination were detected. The soil samples selected for laboratory analysis were removed from the acetate liner and placed in a laboratory prepared jar, sealed, labeled, and marked for laboratory analysis. The samples were transported under chain of custody control and delivered to Environmental Science Corporation in Mt. Juliet, Tennessee.

Borings that penetrated groundwater were terminated when water was encountered, and groundwater samples were collected from above the top of the static water level. All samples were submitted to Environmental Science Corporation Laboratory for analysis of VOCs using EPA Method 8260c. All samples were analyzed and showed non-detect levels of these volatiles.

The laboratory reported all chemical of concern (COC) concentrations to be below the method detection limit (BDL) or the Initial Screening Level (ISL).

### *Conclusions*

A Phase I environmental assessment of the property identified the past uses of this property, which was identified in the EDR as a FINDS database location in the report dated March 7, 2018. To satisfy the due diligence requirements of AIDS Alabama, a limited Phase II was approved to collect soil and groundwater at locations considered the most likely areas where contamination could be present. The locations selected were chosen to detect not only potential earlier releases but also to detect any releases from the current operating system.

Based on the above discussion and the past uses of the target property, as well as those for that of upgradient and adjacent properties, any contamination would have likely been detected from at least one the five borings advanced. Based on the lab analysis of soil and groundwater collected at the site, no chemicals of concern were found to be above detectable limits from any boring location – groundwater or soil sample.

***Recommendation***

Based on the above data, Spectrum recommends that the data be submitted to the ADEM and request a status of No Further Action at this time be assigned. This recommendation is based on the following:

1. No exceedance of volatile COCs were detected in any soil or groundwater sample.
2. All VOC concentrations in each boring were below detection limits.

In summary, contamination of groundwater and soil was not present in any boring. No other exceedance was detected.

---

Spectrum appreciates the opportunity to work with ServisFirst Bank on this project. Upon your review of this report please let us know of your decision to submit the reports (Phase I and Phase II) to the ADEM.

If you have any questions or comments, please contact either of the undersigned at (205) 664-2000.

Sincerely,  
**SPECTRUM ENVIRONMENTAL, INC.**

  
James R. (Bob) White, Jr., P.G. # 465  
Senior Professional Geologist

  
Thornton Turner  
Staff Geologist

## **Endangered Species**

**Target Property will not have a direct or adverse effect on Endangered Species**

## Endangered Species Act (CEST and EA)

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
<b>References</b>		
<a href="https://www.hudexchange.info/environmental-review/endangered-species">https://www.hudexchange.info/environmental-review/endangered-species</a>		

### 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.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

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:

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

Yes, the activities involved in the project have the potential to affect species and/or habitats. → Continue to Question 2.

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

Obtain a list of protected species from the Services. This information is available on the [FWS Website](#) or you may contact your [local FWS](#) and/or [NMFS](#) offices directly.

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

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation

*may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.*

Yes, there are federally listed species or designated critical habitats present in the action area. → *Continue to Question 3.*

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

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

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate.*

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

→ *Continue to Question 4, Informal Consultation.*

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

→ *Continue to Question 5, Formal Consultation.*

**4. Informal Consultation is required**

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

**Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?**

Yes, the Service(s) concurred with the finding.

→ *Based on the response, the review is in compliance with this section. Continue to Question 6 and provide the following:*

- (1) A biological evaluation or equivalent document*
- (2) Concurrence(s) from FWS and/or NMFS*
- (3) Any other documentation of informal consultation*

*Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.*

No, the Service(s) did not concur with the finding. → Continue to Question 5.

**5. Formal consultation is required**

Section 7 of ESA (16 USC 1536) mandates consultation to resolve potential impacts to federally listed endangered and threatened species and critical habitats. If a HUD assisted project may affect any endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

→ Once consultation is complete, the review is in compliance with this section. Continue to Question 6 and provide the following:

- (1) A biological assessment, evaluation, or equivalent document
- (2) Biological opinion(s) issued by FWS and/or NMFS
- (3) Any other documentation of formal consultation

**6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that will be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Mitigation as follows will be implemented:

No mitigation is necessary.

Explain why mitigation will not be made here:

**Worksheet Summary**

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

No Listed species will be affected

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

Yes

No



# ECOS Environmental Conservation Online System

Conserving the Nature of America

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## Species By County Report

The following report contains Species that are known to or are believed to occur in this county. Species with range unrefined past the state level are now excluded from this report. If you are looking for the Section 7 range (for Section 7 Consultations), please visit the [IPaC](#) application.

County: Jefferson, Alabama

[Download CSV](#)

Need to contact a FWS field office about a species? Follow [this link](#) to find your local FWS Office.

Group	Name	Population	Status	Lead Office	Recovery Plan	Recovery Plan Action Status	Recovery Plan Stage
Amphibians	Black warrior (=Sipsey Fork) Waterdog ( <i>Necturus alabamensis</i> )	Wherever found	Endangered	Alabama Ecological Services Field Office	<a href="#">Recovery Outline for the Black Warrior Waterdog (Necturus alabamensis), January 2018</a>	Recovery efforts in progress, but no implementation information yet to display.	Outline
Clams	Orangenacre mucket ( <i>Lampsilis perovalis</i> )	Wherever found	Threatened	Alabama Ecological Services Field Office	<a href="#">Recovery Plan for the Mobile River Basin (15 species)</a>	<a href="#">Implementation Progress</a>	Final
Clams	Southern acornshell ( <i>Epioblasma othcaloogensis</i> )	Wherever found	Endangered	Alabama Ecological Services Field Office	<a href="#">Recovery Plan for the Mobile River Basin (15 species)</a>	<a href="#">Implementation Progress</a>	Final
Clams	Upland combshell ( <i>Epioblasma metastrata</i> )	Wherever found	Endangered	Alabama Ecological Services Field Office	<a href="#">Recovery Plan for the Mobile River Basin (15 species)</a>	<a href="#">Implementation Progress</a>	Final
Clams	Finelined pocketbook ( <i>Lampsilis altilis</i> )	Wherever found	Threatened	Alabama Ecological Services Field Office	<a href="#">Recovery Plan for the Mobile River Basin (15 species)</a>	<a href="#">Implementation Progress</a>	Final
Clams	Ovate clubshell ( <i>Pleurobema perovatum</i> )	Wherever found	Endangered	Alabama Ecological Services Field Office	<a href="#">Recovery Plan for the Mobile River Basin (15 species)</a>	<a href="#">Implementation Progress</a>	Final

Group	Name	Population	Status	Lead Office	Recovery Plan	Recovery Plan Action Status	Recovery Plan Stage
Clams	Southern clubshell ( <i>Pleurobema decisum</i> )	Wherever found	Endangered	Alabama Ecological Services Field Office	<u>Recovery Plan for the Mobile River Basin (15 species)</u>	<u>Implementation Progress</u>	Final
Clams	Triangular Kidneyshell ( <i>Ptychobranchus greenii</i> )	Wherever found	Endangered	Alabama Ecological Services Field Office	<u>Recovery Plan for the Mobile River Basin (15 species)</u>	<u>Implementation Progress</u>	Final
Clams	Alabama moccasinshell ( <i>Medionidus acutissimus</i> )	Wherever found	Threatened	Alabama Ecological Services Field Office	<u>Recovery Plan for the Mobile River Basin (15 species)</u>	<u>Implementation Progress</u>	Final
Clams	Coosa moccasinshell ( <i>Medionidus parvulus</i> )	Wherever found	Endangered	Alabama Ecological Services Field Office	<u>Recovery Plan for the Mobile River Basin (15 species)</u>	<u>Implementation Progress</u>	Final
Clams	Dark pigtoe ( <i>Pleurobema furvum</i> )	Wherever found	Endangered	Alabama Ecological Services Field Office	<u>Recovery Plan for the Mobile River Basin (15 species)</u>	<u>Implementation Progress</u>	Final
Clams	Southern pigtoe ( <i>Pleurobema georgianum</i> )	Wherever found	Endangered	Alabama Ecological Services Field Office	<u>Recovery Plan for the Mobile River Basin (15 species)</u>	<u>Implementation Progress</u>	Final
Clams	Georgia pigtoe ( <i>Pleurobema hanleyianum</i> )	Wherever found	Endangered	Alabama Ecological Services Field Office	<u>Recovery Plan for Georgia pigtoe mussel (Pleurobema hanleyianum), interrupted rocksnail (Leptoxis foremani) and rough hornsnail (Pleurocera foremani)</u>	Recovery efforts in progress, but no implementation information yet to display.	Final
Fishes	Watercress darter ( <i>Etheostoma nuchale</i> )	Wherever found	Endangered	Mississippi Ecological Services Field Office	<u>Watercress Darter</u>	<u>Implementation Progress</u>	Final Revision 2
Fishes	Cahaba shiner ( <i>Notropis cahabae</i> )	Wherever found	Endangered	Mississippi Ecological Services Field Office	<u>Cahaba Shiner</u>	<u>Implementation Progress</u>	Final

Group	Name	Population	Status	Lead Office	Recovery Plan	Recovery Plan Action Status	Recovery Plan Stage
Fishes	Trispot darter ( <i>Etheostoma trisella</i> )	Wherever found	Threatened	Alabama Ecological Services Field Office	<a href="#">Recovery Outline for Trispot Darter</a>	Recovery efforts in progress, but no implementation information yet to display.	Outline
Fishes	Goldline darter ( <i>Percina aurolineata</i> )	Wherever found	Threatened	Georgia Ecological Services Field Office	<a href="#">Recovery Plan for the Mobile River Basin (15 species)</a>	<a href="#">Implementation Progress</a>	Final
Fishes	Vermilion darter ( <i>Etheostoma chermocki</i> )	Wherever found	Endangered	Mississippi Ecological Services Field Office	<a href="#">Recovery Plan for the Vermilion Darter, Etheostoma chermocki</a>	<a href="#">Implementation Progress</a>	Final
Fishes	Rush Darter ( <i>Etheostoma phytophilum</i> )	Wherever found	Endangered	Mississippi Ecological Services Field Office	<a href="#">Recovery Outline for Rush Darter (Etheostoma phytophilum)</a>	Recovery efforts in progress, but no implementation information yet to display.	Outline
Flowering Plants	Georgia rockcress ( <i>Arabis georgiana</i> )	Wherever found	Threatened	Georgia Ecological Services Field Office			
Flowering Plants	Mohr's Barbara's buttons ( <i>Marshallia mohrii</i> )	Wherever found	Threatened	Mississippi Ecological Services Field Office	<a href="#">Mohr's Barbara's Button</a>	<a href="#">Implementation Progress</a>	Final
Flowering Plants	Gentian pinkroot ( <i>Spigelia gentianoides</i> )	Wherever found	Endangered	Panama City Ecological Services Field Office	<a href="#">Recovery Plan for Spigelia gentianoides (Gentian pinkroot)</a>	<a href="#">Implementation Progress</a>	Final
Flowering Plants	White fringeless orchid ( <i>Platanthera integrilabia</i> )		Threatened	Tennessee Ecological Services Field Office			

Group	Name	Population	Status	Lead Office	Recovery Plan	Recovery Plan Action Status	Recovery Plan Stage
Flowering Plants	Tennessee yellow-eyed grass ( <i>Xyris tennesseensis</i> )	Wherever found	Endangered	Alabama Ecological Services Field Office	<u>Tennessee Yellow-Eyed Grass</u>	<u>Implementation Progress</u>	Final
Flowering Plants	Alabama leather flower ( <i>Clematis socialis</i> )	Wherever found	Endangered	Mississippi Ecological Services Field Office	<u>Alabama Leather-flower</u>	<u>Implementation Progress</u>	Final
Mammals	Indiana bat ( <i>Myotis sodalis</i> )	Wherever found	Endangered	Indiana Ecological Services Field Office	<u>Indiana Bat (Myotis sodalis) Draft Recovery Plan: First Revision</u>	<u>Implementation Progress</u>	Draft Revision 1
Mammals	Gray bat ( <i>Myotis grisescens</i> )	Wherever found	Endangered	Missouri Ecological Services Field Office	<u>Gray Bat</u>	<u>Implementation Progress</u>	Final
Mammals	Northern Long-Eared Bat ( <i>Myotis septentrionalis</i> )	Wherever found	Threatened	Minnesota-Wisconsin Ecological Services Field Office			
Reptiles	Flattened musk turtle ( <i>Stemotherus depressus</i> )	Black Warrior R. system upstream from Bankhead Dam	Threatened	Mississippi Ecological Services Field Office	<u>Flattened Musk Turtle</u>	<u>Implementation Progress</u>	Final
Snails	Cylindrical lioplax (snail) ( <i>Lioplax cyclostomaformis</i> )	Wherever found	Endangered	Alabama Ecological Services Field Office	<u>Final Recovery Plan for Six Mobile Basin Aquatic Snails</u>	<u>Implementation Progress</u>	Final
Snails	Flat pebblesnail ( <i>Lepyrium showalteri</i> )	Wherever found	Endangered	Alabama Ecological Services Field Office	<u>Final Recovery Plan for Six Mobile Basin Aquatic Snails</u>	<u>Implementation Progress</u>	Final
Snails	Plicate rocksnail ( <i>Leptoxis plicata</i> )	Wherever found	Endangered	Alabama Ecological Services Field Office	<u>Final Recovery Plan for Six Mobile Basin Aquatic Snails</u>	<u>Implementation Progress</u>	Final

Group	Name	Population	Status	Lead Office	Recovery Plan	Recovery Plan Action Status	Recovery Plan Stage
Snails	Round rocksnail ( <i>Leptoxis ampla</i> )	Wherever found	Threatened	Alabama Ecological Services Field Office	<u>Final Recovery Plan for Six Mobile Basin Aquatic Snails</u>	<u>Implementation Progress</u>	Final
Snails	Black mudalia ( <i>Elimia melanoides</i> )	Wherever found	Under Review	Assistant Regional Director-Ecological Services			

## **Explosive and Flammable Hazards**

Target Property is not located within 1 mile of Explosive and Flammable Hazards

## Explosive and Flammable Hazards (CEST and EA)

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
<b>Reference</b>		
<a href="https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities">https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities</a>		

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

→ Continue to Question 2.

Yes

Explain:

→ Go directly to Question 5.

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. Continue to the Worksheet Summary below.

Yes

→ Continue to Question 3.

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

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR
- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.

If all containers within the search area fit the above criteria, answer "no." For any other type of aboveground storage container within the search area that holds one of the

flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer “yes.”

No

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide all documents used to make your determination.*

Yes

→ *Continue to Question 4.*

4. Visit HUD’s website to identify the appropriate tank or tanks to assess and to calculate the required separation distance using the [electronic assessment tool](#). To document this step in the analysis, please attach the following supporting documents to this screen:

- Map identifying the tank selected for assessment, and showing the distance from the tank to the proposed HUD-assisted project site; and
- Electronic assessment tool calculation of the required separation distance.

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

Yes

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

No

→ *Go directly to Question 6.*

5. Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?

Please visit HUD’s website for information on calculating Acceptable Separation Distance.

Yes

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.*

No

→ *Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations. Continue to Question 6.*

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Mitigation measures may include both natural and manmade barriers, modification of the project design, burial or removal of the hazard, or other engineered solutions. Describe selected mitigation measures, including the timeline for implementation, and attach an implementation plan. If negative effects cannot be mitigated, cancel the project at this location.

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, provide approval from a licensed professional engineer.

**Worksheet Summary**

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

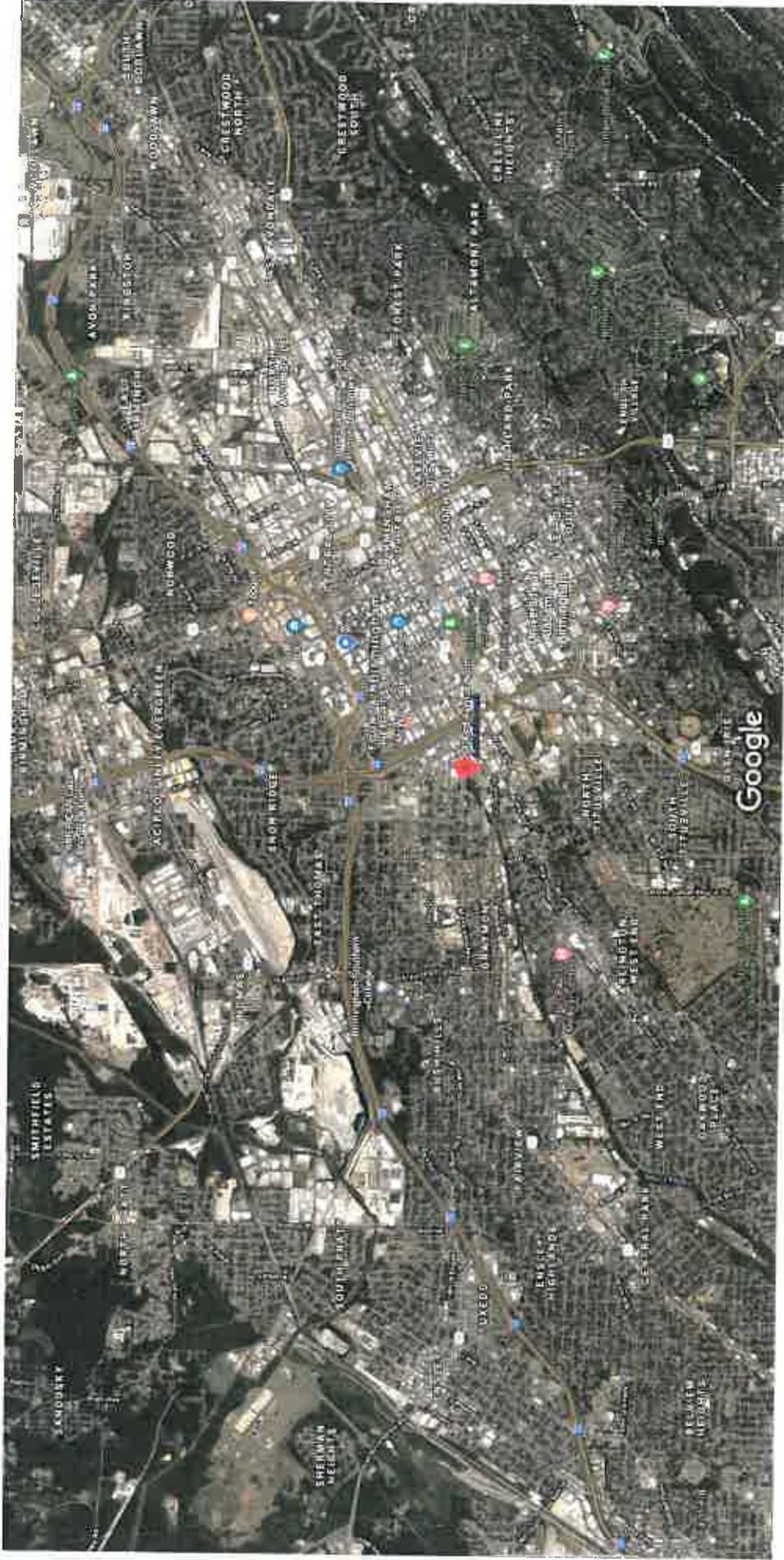
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

No explosive or flammable hazards within 1 mile of site

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

Yes

No





**642 3rd Ave N**  
Birmingham, AL 35203



Directions



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G55F+4V Birmingham, Alabama

**Photos**



# Farmlands Protection

Target Property is not located in an identified Farmland

## Farmlands Protection (CEST and EA)

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>
Reference		
<a href="https://www.hudexchange.info/environmental-review/farmlands-protection">https://www.hudexchange.info/environmental-review/farmlands-protection</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 → Continue to Question 2.

No

Explain how you determined that agricultural land would not be converted:

Target property is not with an identified Farmland

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting your determination.

2. Does “important farmland,” including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site?

You may use the links below to determine important farmland occurs on the project site:

- Utilize USDA Natural Resources Conservation Service’s (NRCS) Web Soil Survey <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>
- Check with your city or county’s planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non-agricultural does not exempt it from FPPA requirements)
- Contact NRCS at the local USDA service center <http://offices.sc.egov.usda.gov/locator/app?agency=nrcs> or your NRCS state soil scientist [http://soils.usda.gov/contact/state\\_offices/](http://soils.usda.gov/contact/state_offices/) for assistance

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

Yes → Continue to Question 3.

**3. Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.**

- Complete form **AD-1006**, "Farmland Conversion Impact Rating" [http://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb1045394.pdf](http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf) and contact the state soil scientist before sending it to the local NRCS District Conservationist.  
(NOTE: for corridor type projects, use instead form **NRCS-CPA-106**, "Farmland Conversion Impact Rating for Corridor Type Projects: [http://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb1045395.pdf](http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045395.pdf).)
- Work with NRCS to minimize the impact of the project on the protected farmland. When you have finished with your analysis, return a copy of form AD-1006 (or form NRCS-CPA-106 if applicable) to the USDA-NRCS State Soil Scientist or his/her designee informing them of your determination.

**Document your conclusion:**

- Project will proceed with mitigation.

**Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

- Project will proceed without mitigation.

**Explain why mitigation will not be made here:**

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

## **Worksheet Summary**

### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

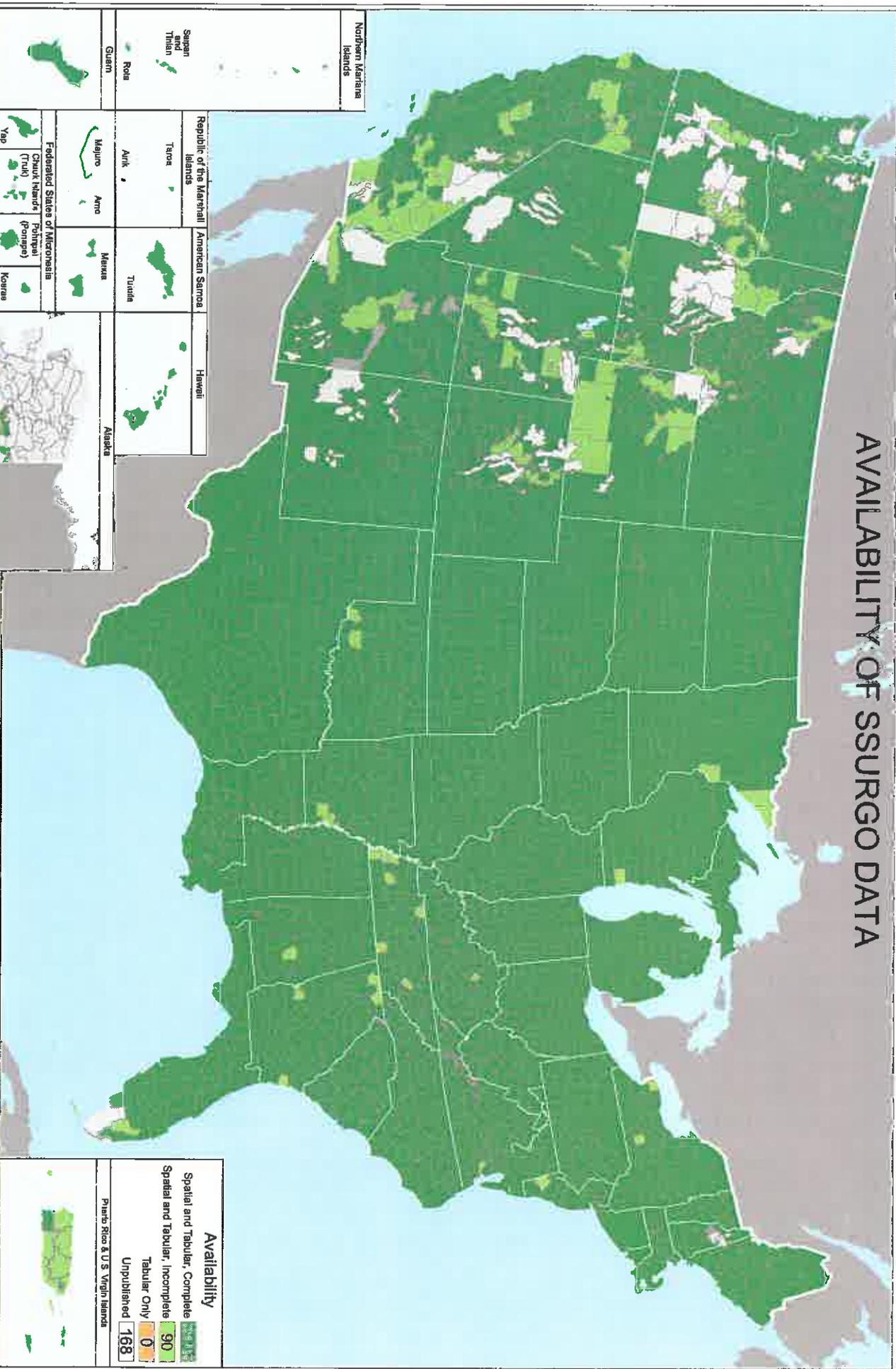
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

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

Yes

No

# AVAILABILITY OF SSURGO DATA



**Availability**

Spatial and Tabular, Complete	100%
Spatial and Tabular, Incomplete	90%
Tabular Only	0%
Unpublished	168

Prins Rion & U.S. Virgin Islands

Publication Date: 11/4/2019

Web Soil Survey: <http://websoilsurvey.nrcs.usda.gov>

SSURGO: Soil Geography Web Page



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Search

Basic Search  
Enter keywords

Advanced Search

"farmland": 11 matches.

- Area of Interest  
No match.
  - Soil Map  
No match.
  - Soil Data Explorer  
10 matches
  - Intro to Soils  
3 matches
  - Matched section  
3 matches
  - Suitabilities and Limitations for Use  
4 matches
  - Matched the Folder description  
1 match
  - Matched the Rating name  
1 match
  - Matched soil data used to generate the Rating  
1 match
  - Matched the Rating Description  
1 match
  - Soil Properties and Qualities
- See also  
class, classification, farmland classification, prime, prime farmland, statewide importance, unique importance

Map Unit Legend

Jefferson County, Alabama (AL073)			
Jefferson County, Alabama (AL073)			
Map Unit Symbol	Map Unit Name	Acres In AOI	Percent of AOI
2	Albertville silt loam, 2 to 6 percent slopes	1,771.5	0.2%

Totals for Area of Interest  
719,371.6 100.0%

Soil Map Scale (not to scale)





# Floodplain Management

Target Property is not located in a Floodplain

## Floodplain Management (CEST and EA)

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
<b>Reference</b>		
<a href="https://www.hudexchange.info/environmental-review/floodplain-management">https://www.hudexchange.info/environmental-review/floodplain-management</a>		

1. Does [24 CFR 55.12\(c\)](#) exempt this project from compliance with HUD's floodplain management regulations in Part 55?

Yes

Provide the applicable citation at 24 CFR 55.12(c) here. If project is exempt under 55.12(c)(7) or (8), provide supporting documentation.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

No → Continue to Question 2.

2. Provide a FEMA/FIRM or ABFE map showing the site.

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) or Advisory Base Flood Elevations (ABFEs). 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. Continue to the Worksheet Summary below.

Yes

Select the applicable floodplain using the FEMA map or the best available information:

Floodway → Continue to Question 3, Floodways

- Coastal High Hazard Area (V Zone) → *Continue to Question 4, Coastal High Hazard Areas*
- 500-year floodplain (B Zone or shaded X Zone) → *Continue to Question 5, 500-year Floodplains*
- 100-year floodplain (A Zone) → *The 8-Step Process is required. Continue to Question 6, 8-Step Process*

### 3. Floodways

**Is this a functionally dependent use?**

- Yes

The 8-Step Process is required. Work with your HUD FEO to determine a way to satisfactorily continue with this project. Provide a completed 8-Step Process, including the early public notice and the final notice.

→ *Continue to Question 6, 8-Step Process*

- No

Federal assistance may not be used at this location unless a 55.12(c) exception applies. You must either choose an alternate site or cancel the project at this location.

### 4. Coastal High Hazard Area

**Is this a critical action?**

- Yes

Critical actions are prohibited in coastal high hazard areas. Federal assistance may not be used at this location. Unless the action is excepted at 24 CFR 55.12(c), you must either choose an alternate site or cancel the project.

- No

**Does this action include construction that is not a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster?**

- Yes, there is new construction.

New construction is prohibited in V Zones ((24 CFR 55.1(c)(3)).

- No, this action concerns only a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster.

This construction must have met FEMA elevation and construction standards for a coastal high hazard area or other standards applicable at the time of construction.

→ Continue to Question 6, 8-Step Process

**5. 500-year Floodplain**

**Is this a critical action?**

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes → Continue to Question 6, 8-Step Process

**6. 8-Step Process.**

**Does the 8-Step Process apply? Select one of the following options:**

8-Step Process applies.

Provide a completed 8-Step Process, including the early public notice and the final notice.

→ Continue to Question 7, Mitigation

5-Step Process is applicable per 55.12(a)(1-3).

Provide documentation of 5-Step Process.

Select the applicable citation:

55.12(a)(1) HUD actions involving the disposition of HUD-acquired multifamily housing projects or “bulk sales” of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).

55.12(a)(2) HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.

55.12(a)(3) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.

55.12(a)(4) HUD's (or the recipient's) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the

Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10) and that the footprint of the structure and paved areas is not significantly increased.

→ *Continue to Question 7, Mitigation*

8-Step Process is inapplicable per 55.12(b)(1-4).

Select the applicable citation:

- 55.12(b)(1) HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging or refinancing of existing one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway or coastal high hazard area.
- 55.12(b)(2) Financial assistance for minor repairs or improvements on one- to four-family properties that do not meet the thresholds for “substantial improvement” under § 55.2(b)(10)
- 55.12(b)(3) HUD actions involving the disposition of individual HUD-acquired, one-to four-family properties.
- 55.12(b)(4) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573) of loans that refinance existing loans and mortgages, where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance.
- 55.12(b)(5) The approval of financial assistance to lease an existing structure located within the floodplain, but only if—
  - (i) The structure is located outside the floodway or Coastal High Hazard Area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24);
  - (ii) The project is not a critical action; and
  - (iii) The entire structure is or will be fully insured or insured to the maximum under the NFIP for at least the term of the lease.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

## 7. Mitigation

**For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

**Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.**

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology
- Planting or restoring native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements or similar easements
- Floodproofing of structures
- Elevating structures including freeboarding above the required base flood elevations
- Other

*→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Project not located in Floodplain(FEMA FIRM attached)

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

Yes

No

# FEMA Flood Map Service Center: Search By Address

Navigation

Search

Languages

[MSC Home \(/portal/\)](#)

[MSC Search by Address \(/portal/search\)](#)

[MSC Search All Products \(/portal/advanceSearch\)](#)

[MSC Products and Tools \(/portal/resources/productsandtools\)](#)

[Hazus \(/portal/resources/hazus\)](#)

[LOMC Batch Files \(/portal/resources/lomc\)](#)

[Product Availability \(/portal/productAvailability\)](#)

[MSC Frequently Asked Questions \(FAQs\) \(/portal/resources/faq\)](#)

[MSC Email Subscriptions \(/portal/subscriptionHome\)](#)

[Contact MSC Help \(/portal/resources/contact\)](#)

Enter an address, place, or coordinates: ?

642 3rd Ave N Birmingham

Whether you are in a high risk zone or not, you may need [flood insurance \(https://www.fema.gov/national-flood-insurance-program\)](https://www.fema.gov/national-flood-insurance-program) because most homeowners insurance doesn't cover flood damage. If you live in an area with low or moderate flood risk, you are 5 times more likely to experience flood than a fire in your home over the next 30 years. For many, a National Flood Insurance Program's flood insurance policy could cost less than \$400 per year. Call your insurance agent today and protect what you've built.

Learn more about [steps you can take \(https://www.fema.gov/what-mitigation\)](https://www.fema.gov/what-mitigation) to reduce flood risk damage.

## Search Results—Products for BIRMINGHAM, CITY OF

Show ALL Products » (<https://msc.fema.gov/portal/availabilitySearch?addcommunity=010116&communityName=BIRM>)

The flood map for the selected area is number **01073C0389H**, effective on **03/21/2019** ?

DYNAMIC MAP



MAP IMAGE



[. \(https://msc.fema.gov/portal/downloadProduct?](https://msc.fema.gov/portal/downloadProduct?)

[filepath=/01/P/Firm/01073C0389H.png&productTypeID=FINAL\\_PRODUCT&productSubTypeID=FIRM\\_PANEL](https://msc.fema.gov/portal/downloadProduct?filepath=/01/P/Firm/01073C0389H.png&productTypeID=FINAL_PRODUCT&productSubTypeID=FIRM_PANEL)

Changes to this FIRM ?

- Revisions (0)
- Amendments (0)
- Revalidations (0)

You can choose a new flood map or move the location pin by selecting a different location on the locator map below or by entering a new location in the search field above. It may take a minute or more during peak hours to generate a dynamic FIRMette. If you are a person with a disability, are blind, or have low vision, and need assistance, please contact a map specialist (<https://msc.fema.gov/portal/resources/contact>).

Go To NFHL Viewer » (<https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d>)





Approximate location based on user input and does not represent an authoritative property location

Selected Flooded Boundary

Digital Data Available

No Digital Data Available

Unmapped

MAP PANELS

NO SCREEN

Area of Minimal Flood Hazard Zone X

Effective LOTLINE

Area of undetermined Flood Hazard Zone B

Channel Flooded Area

Other Areas

Crestal Barrier Resource Diagram Area

SPECIAL FLOOD HAZARD AREAS

Without Base Flood Elevation (BFE) Zone A, V, AEZ

With BFE or Depth

Regulatory Floodway Zone A5, A9, AE, AR

0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with average depth less than one foot or with drainage areas of less than one square mile Zone X

Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Reduced Flood Risk due to Levee, See Notes, Zone X

Area with Flood Risk due to Levee zone B

OTHER AREAS OF FLOOD HAZARD

Cross Sections with 1% Annual Chance Water Surface Elevation

Crestal Transport

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Crestal Transport Baseline

Profile Baseline

Hydrographic Feature

OTHER FEATURES

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

GENERAL STRUCTURES

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<https://www.oig.dhs.gov/hotline>

Official website of the Department of Homeland Security

# National Flood Hazard Layer FIRMette



33°30'42.27"N

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

## Legend

- SPECIAL FLOOD HAZARD AREAS**
- Without Base Flood Elevation (BFE)  
Zone A, V, A99
  - With BFE or Depth Zone AE, AO, AH, VE, AR
  - Regulatory Floodway
- OTHER AREAS OF FLOOD HAZARD**
- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone 1)
  - Future Conditions 1% Annual Chance Flood Hazard (Zone X)
  - Area with Reduced Flood Risk due to Levee. See Notes. (Zone X)
  - Area with Flood Risk due to Levee (Zone D)

- OTHER AREAS**
- Area of Minimal Flood Hazard (Zone X)
  - Effective LOMRs
  - Area of Undetermined Flood Hazard (Zone 1)
- GENERAL STRUCTURES**
- Channel, Culvert, or Storm Sewer
  - Levee, Dike, or Floodwall

- OTHER FEATURES**
- Cross Sections with 1% Annual Chance Water Surface Elevation
  - Coastal Transect
  - Base Flood Elevation Line (BFE)
  - Limit of Study
  - Jurisdiction Boundary
  - Coastal Transect Baseline
  - Profile Baseline
  - Hydrographic Feature

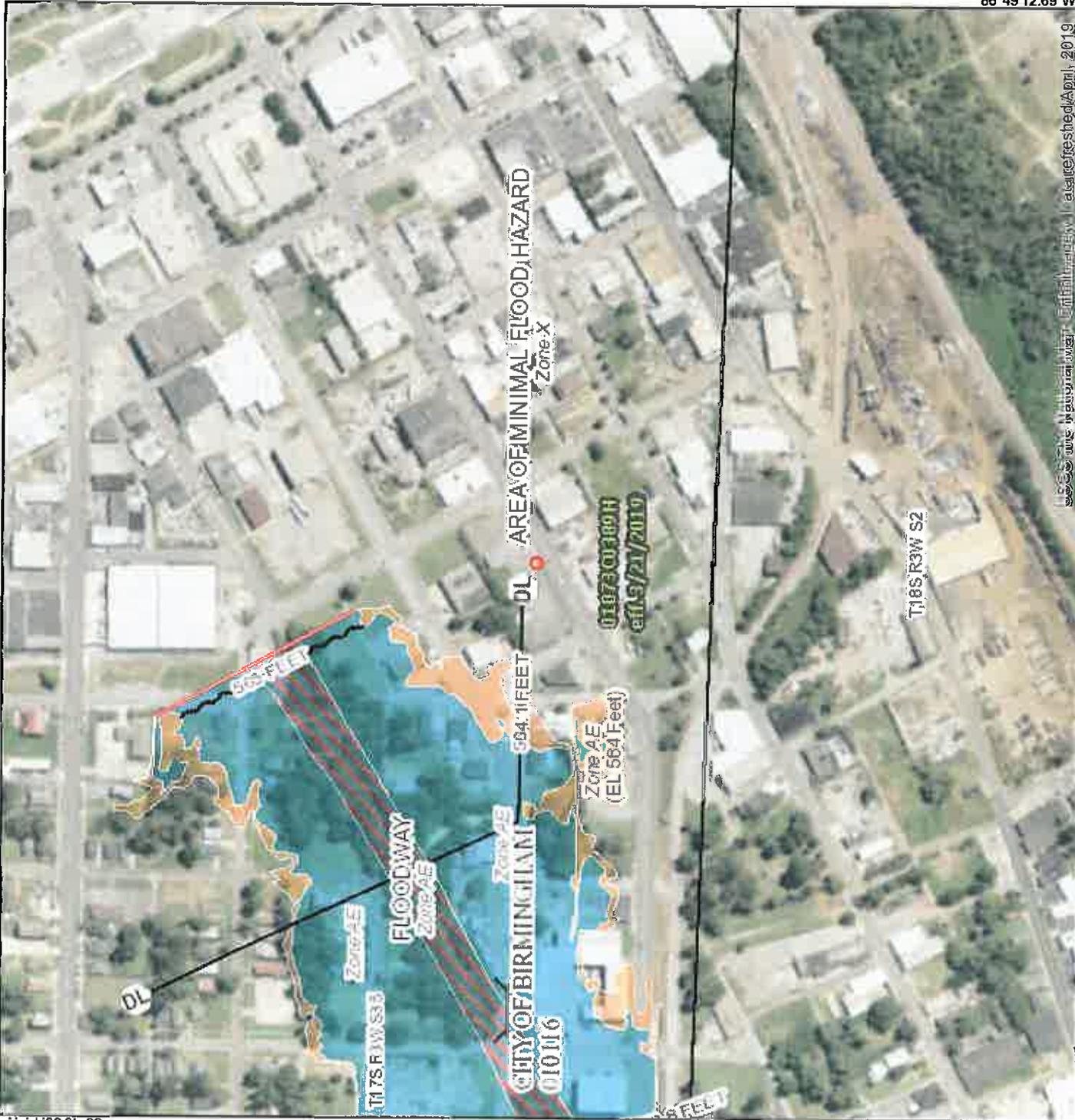
- MAP PANELS**
- Digital Data Available
  - No Digital Data Available
  - Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/31/2020 at 11:42:30 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



86°49'12.69"W

Source: National Imagery Collection Agency | Data refreshed April 2019



## **Historic Preservation**

Target property will have no adverse effect on Historic Properties

## Historic Preservation (CEST and EA)

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)	<a href="#">36 CFR 800 "Protection of Historic Properties"</a>
<b>References</b>		
<a href="https://www.hudexchange.info/environmental-review/historic-preservation">https://www.hudexchange.info/environmental-review/historic-preservation</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.)  
**Either provide the PA itself or a link to it here. Mark the applicable exemptions or include the text here:**

→ *Continue to the Worksheet Summary.*

- 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)].  
**Either provide the memo itself or a link to it here. Explain and justify the other determination here:**

→ *Continue to the Worksheet Summary.*

Yes, because the project includes activities with potential to cause effects (direct or indirect). → *Continue to Step 1.*

**The Section 106 Process**

After determining the need to do a Section 106 review, initiate consultation with regulatory and other interested parties, identify and evaluate historic properties, assess effects of the project on properties listed on or eligible for the National Register of Historic Places, and resolve any adverse effects through project design modifications or mitigation.

Note that consultation continues through all phases of the review.

Step 1: Initiate consultation

Step 2: Identify and evaluate historic properties

Step 3: Assess effects of the project on historic properties

Step 4: Resolve any adverse effects

**Step 1 - Initiate Consultation**

The following parties are entitled to participate in Section 106 reviews: Advisory Council on Historic Preservation; State Historic Preservation Officers (SHPOs); federally recognized Indian tribes/Tribal Historic Preservation Officers (THPOs); Native Hawaiian Organizations (NHOs); local governments; and project grantees. The general public and individuals and organizations with a demonstrated interest in a project may participate as consulting parties at the discretion of the RE or HUD official. Participation varies with the nature and scope of a project. Refer to HUD's website for guidance on consultation, including the required timeframes for response. Consultation should begin early to enable full consideration of preservation options.

Use the [When To Consult With Tribes checklist](#) within [Notice CPD-12-006: Process for Tribal Consultation](#) to determine if you should invite tribes to consult on a particular project. Use the [Tribal Directory Assessment Tool \(TDAT\)](#) to identify tribes that may have an interest in the area where the project is located. Note that consultants may not initiate consultation with Tribes.

**Select all consulting parties below (check all that apply):**

- State Historic Preservation Officer (SHPO)
- Advisory Council on Historic Preservation
- Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native
- Hawaiian Organizations (NHOs)

**List all tribes that were consulted here and their status of consultation:**

--

Other Consulting Parties

List all consulting parties that were consulted here and their status of consultation:

Describe the process of selecting consulting parties and initiating consultation here:

*Provide all correspondence, notices, and notes (including comments and objections received) and continue to Step 2.*

### Step 2 - Identify and Evaluate Historic Properties

Define the Area of Potential Effect (APE), either by entering the address(es) or providing a map depicting the APE. Attach an additional page if necessary.

Gather information about known historic properties in the APE. Historic buildings, districts and archeological sites may have been identified in local, state, and national surveys and registers, local historic districts, municipal plans, town and county histories, and local history websites. If not already listed on the National Register of Historic Places, identified properties are then evaluated to see if they are eligible for the National Register.

Refer to HUD's website for guidance on identifying and evaluating historic properties.

**In the space below, list historic properties identified and evaluated in the APE.**

Every historic property that may be affected by the project should be listed. For each historic property or district, include the National Register status, whether the SHPO has concurred with the finding, and whether information on the site is sensitive. Attach an additional page if necessary.

Provide the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination.

**Was a survey of historic buildings and/or archeological sites done as part of the project?**

If the APE contains previously unsurveyed buildings or structures over 50 years old, or there is a likely presence of previously unsurveyed archeological sites, a survey may be necessary. For Archeological surveys, refer to HP Fact Sheet #6, [Guidance on Archeological Investigations in HUD Projects](#).

- Yes → *Provide survey(s) and report(s) and continue to Step 3.*

Additional notes:

- No → *Continue to Step 3.*

**Step 3 - Assess Effects of the Project on Historic Properties**

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. ([36 CFR 800.5](#)) Consider direct and indirect effects as applicable as per HUD guidance.

**Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.**

- No Historic Properties Affected

**Document reason for finding:**

- No historic properties present. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

- Historic properties present, but project will have no effect upon them. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to ([36 CFR 800.4\(d\)\(1\)](#)) and consult further to try to resolve objection(s).

**No Adverse Effect**

**Document reason for finding:**

See attached

**Does the No Adverse Effect finding contain conditions?**

Yes

**Check all that apply: (check all that apply)**

- Avoidance
- Modification of project
- Other

**Describe conditions here:**

*→ Monitor satisfactory implementation of conditions. Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

No *→ Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to [\(36 CFR 800.5\(c\)\(2\)\)](#) and consult further to try to resolve objection(s).

**Adverse Effect**

**Document reason for finding:**

Copy and paste applicable Criteria into text box with summary and justification.

Criteria of Adverse Effect: [36 CFR 800.5](#)

Notify the Advisory Council on Historic Preservation of the Adverse Effect and provide the documentation outlined in [36 CFR 800.11\(e\)](#). The Council has 15 days to decide whether to enter the consultation (Not required for projects covered by a Programmatic Agreement).

→ *Continue to Step 4.*

#### Step 4 - Resolve Adverse Effects

Work with consulting parties to try to avoid, minimize or mitigate adverse effects. Refer to HUD guidance and [36 CFR 800.6 and 800.7](#).

**Were the Adverse Effects resolved?**

Yes

**Describe the resolution of Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation:**

**For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Provide signed Memorandum of Agreement (MOA) or Standard Mitigation Measures Agreement (SMMA). Continue to the Worksheet Summary.*

No

The project must be cancelled unless the “Head of Agency” approves it. Either provide approval from the “Head of Agency” or cancel the project at this location.

**Describe the failure to resolve Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation and “Head of the Agency”:**

**Explain in detail the exact conditions or measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

*→ Provide correspondence, comments, documentation of decision, and “Head of Agency” approval. Continue to the Worksheet Summary.*

**Worksheet Summary**

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

No adverse effect on historic properties

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

Yes

No

## Newton, Courtney A.

---

**From:** 106, Section <Section.106@ahc.alabama.gov>  
**Sent:** Tuesday, April 14, 2020 9:59 AM  
**To:** Newton, Courtney A.  
**Cc:** Stitt, Adrienne  
**Subject:** RE: Section 106 Review Consultation

Thank you for your e-mail. Your project has been logged into our database.

Your project number is AHC 2020-0709.

Please reference this number in all correspondence regarding this project.

Best regards,

Alabama Historical Commission  
Section 106/Regulatory Review Division

**From:** Newton, Courtney A. <Courtney.Newton@birminghamal.gov>  
**Sent:** Thursday, April 9, 2020 1:47 PM  
**To:** 106, Section <Section.106@ahc.alabama.gov>  
**Cc:** Stitt, Adrienne <Adrienne.Stitt@birminghamal.gov>  
**Subject:** Section 106 Review Consultation

Good afternoon,  
I have attached the Section 106 Review for the City of Birmingham to this email. If you have any questions, you may email me at [courtney.newton@birminghamal.gov](mailto:courtney.newton@birminghamal.gov) or call me direct at 205-254-2334.

Thank you in advance,  
Courtney



**PUTTING PEOPLE FIRST**  
WWW.BIRMINGHAMAL.GOV

Courtney A. Newton

Housing Division  
Community Development

City of Birmingham

p: 205.254.2334

f: 205.254.2717

a: 710 20th Street North  
Birmingham, AL 35203

w: [www.birminghamal.gov](http://www.birminghamal.gov) e: [courtney.newton@birminghamal.gov](mailto:courtney.newton@birminghamal.gov)





ALABAMA HISTORICAL COMMISSION  
STATE HISTORIC PRESERVATION OFFICE  
SECTION 106 PROJECT REVIEW CONSULTATION FORM

Federal laws exist to ensure that federal agencies or their designated applicants carefully consider historic preservation in federally funded, licensed, or permitted projects. Section 106 of the National Historic Preservation Act of 1966, as amended directs this review. <http://www.achp.gov/106summary.html>. At a minimum, submission of this completed form and attachments constitutes a request for review by the Alabama Historical Commission, which is the Alabama State Historic Preservation Office (SHPO). **The responsibility for preparing documentation, including the identification of archaeological and architectural properties and the assessment of potential effects resulting from the project, rests with the federal or state agency, or its designated applicant.** The role of the Alabama SHPO is to review, comment, and consult with federal/state agencies or their designees. The Alabama SHPO's ability to complete a timely project review largely depends on the quality of the material submitted. Some applicants may find it advantageous to hire a professional consultant with expertise in archaeology, history and/or architectural history.

PROJECT NAME

The Way Station/ AIDS Alabama

FEDERAL AGENCY PROVIDING FUNDS, LICENSE, OR PERMIT

HOME

FEDERAL PROJECT NUMBER

FEDERAL AGENCY CONTACT NAME AND E-MAIL/PHONE NUMBER

STATE AGENCY PROVIDING FUNDS, LICENSE, OR PERMIT (IF APPLICABLE)

STATE AGENCY CONTACT NAME AND E-MAIL ADDRESS, PHONE NUMBER, MAILING ADDRESS

AHC NUMBER (If project has been previously submitted)

APPLICANT NAME:

City of Birmingham/ Community Development Department

APPLICANT MAILING ADDRESS:

710 North 20th St., Room 1000 Birmingham, AL 35203

APPLICANT TELEPHONE:

205-254-2309

APPLICANT EMAIL:

Adrienne.stitt@birminghamal.gov

CONTACT NAME (if different than applicant):

Courtney Newton

CONTACT MAILING ADDRESS:

710 North 20th St. Birmingham, AL 35203

CONTACT TELEPHONE:

205-254-2309

CONTACT EMAIL:

Courtney.newton@birminghamal.gov

CONTRACTOR TYPE:  ARCHAEOLOGIST;  ARCHITECTURAL HISTORIAN;  NONE;  OTHER:

CONTRACTOR NAME:

CONTRACTOR MAILING ADDRESS:

CONTRACTOR TELEPHONE:

CONTRACTOR EMAIL:

<b>PROJECT LOCATION</b>	
STREET ADDRESS 3rd Avenue and 7th Street	CITY Birmingham
COUNTY Jefferson	ZIP CODE 35203
LATITUDE / LONGITUDE: USE DECIMAL DEGREES EXAMPLE: 32.3722N, -86.3083W 33.30,32 N 86. 49;24W	
<b>PROJECT DESCRIPTION</b>	
<p>Describe the overall project in <b>DETAIL</b>. Be sure to note if the project involves new construction, if existing buildings will be altered (if so, provide the proposed work in detail), and / or if any buildings/structures will be demolished. Use additional pages if necessary.</p> <p>The Way Station is an overnight emergency crisis shelter and transitional living program. HOME funds from the City of Birmingham will be used to support the transitional housing.</p>	

### AREA OF POTENTIAL EFFECT (APE)

The APE varies with project types and can be direct or indirect (physical, visual, auditory, etc.). The APE is defined as "the geographic area or areas within which an undertaking may cause changes in the character of use of historic properties, if any such properties exist." Factors to consider when determining the APE include; topography, vegetation, existing development, orientation of an existing resource to the project, physical siting of a resource, and existing and planned future development. For example:

- 1) Rehabilitation, renovation, and/or demolition of a historic building or structure, or new construction: the APE might include the building itself and the adjacent setting.
- 2) Streetscapes: the APE might include the viewshed from the street.
- 3) Pedestrian/bicycle facilities: the APE might extend the length of the corridor and for some distance on both sides of the corridor.
- 4) Underground utilities: the APE would usually be limited to the area of ground disturbance.

Attach a map indicating the precise location of the project and the boundaries of the APE, preferably a clear color copy of a USGS topographic quadrangle map (7.5 minute). For projects in urban areas, also include a city map that shows more detail. USGS topographic maps can be printed from this website: <https://ngmdb.usgs.gov/topoview/viewer/>. City maps can be printed using [www.google.com/maps](http://www.google.com/maps).

Provide current, high resolution color photographs that illustrate the project area and the entire APE as defined above.

### ARCHAEOLOGY (Ground Disturbing Activities)

Has the ground in the project area been disturbed other than by agriculture (i.e. grading, grubbing, clear cutting, filling, etc.)?  
 Yes  No  Don't know  N/A

If yes, describe in detail. Use additional pages as necessary. Photographs are helpful.

Describe the present use and condition of the property. Use additional pages as necessary.  
Currently the property is unused. It has a former auto sales and service building on site, and adjacent parking lot.

To your knowledge, has a Cultural Resource Assessment (CRA) been conducted in the proposed project area?  
 Yes  No  Don't know  N/A

If yes, attach a copy of the cultural resources assessment report.

## ARCHITECTURAL INFORMATION

Background research for previously identified historic properties within an APE may be undertaken at the AHC main office in Montgomery. These files include the National Register of Historic Places, Alabama Register of Landmarks & Heritage, Alabama Historic Cemetery Register, county architectural surveys, and other files. To request a research appointment, contact Nicole Johnson at 334.230.2673 or [Nicole.Johnson@ahc.alabama.gov](mailto:Nicole.Johnson@ahc.alabama.gov). Alabama SHPO staff cannot perform the file research for your project. GIS Maps of known historic properties may be accessed here: TBD. The AHC's maps should function as a research tool, not an up-to-the-minute inventory about every historic and/or architecturally significant property in the state. This tool allows researchers to investigate and review potentially significant properties according to the best data that is available in the Alabama Historical Commission's files. The absence of a property from this database does not imply that an unidentified property lacks historic or architectural importance. Some applicants may find it advantageous to hire a historic preservation professional with expertise in history and/or architectural history to complete the identification and evaluation of historic properties.

- 1) Is the project located within or adjacent to a National Register of Historic Places (NRHP) listed or eligible historic district?  
 YES  NO If yes, provide the name of the district: \_\_\_\_\_
- 2) Within the project APE, are there any above-ground properties that are 50 years old or older?  
 YES  NO If yes, provide numbered photographs of each that have been keyed to a site map.
- 3) Does the project involve the rehabilitation, renovation, demolition, or addition to any above-ground property that is 50 years old or older?  
 YES  NO If yes, provide rehabilitation plans and / or reasons for demolition.
- 4) Are any of the properties identified in questions #2 and #3 listed in or eligible for listing in the National Register?  
 YES  NO

If yes, identify the properties by name or photo number.

If no, provide an explanation as to why properties identified are not eligible for the National Register. A discussion of the National Register seven aspects of integrity and the applicable National Register criteria must be included. Refer to the National Park Service's website: [https://www.nps.gov/subjects/nationalregister/upload/NRB-15\\_web508.pdf](https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf)  
Use additional pages as necessary.

A note about photographs: Digital photos must be current, high resolution, and adequately show the resource. If you checked "yes" for #2 and #3 above, include photographs of those properties. Take photographs of the overall property and the exterior of each building on the property, including outbuildings. Include views of the overall setting, views of the building in its immediate surrounding showing the relationship of the building to neighboring buildings, and views of significant landscape features (i.e. tree lined approaches, stone walls, formal gardens, etc.). Exterior views of the building should include full views of each side (if possible) and views of important architectural details. Key all photographs to a site map.

If the project involves rehabilitation, include photographs of the building(s) involved and especially the areas of the building slated for rehab work. Label each exterior view to a site map and label all interior views. If the project involves new construction, include photographs of the surrounding area looking out from the project site. Include photographs of any buildings (more than 50 years old or older) that are located on the project property or on adjoining property.

**EFFECTS DETERMINATION**

An effect occurs when an action alters the characteristics of a property that may qualify it for the National Register of Historic Places or alters the features of a property's location, setting, or use that contributes to its significance. How will this project affect any of the properties identified in the previous section? Use additional pages as necessary.

1) Will the project take away or change anything within the apparent or existing boundary of any of the identified historic properties?

YES  NO If yes, explain: \_\_\_\_\_

2) Will the project change the view from or the view of any of the identified historic properties?

YES  NO If yes, explain: \_\_\_\_\_

3) Will the project introduce any audible or atmospheric elements to the setting of any of the identified historic properties?

YES  NO If yes, explain: \_\_\_\_\_

4) Will the project result in the transfer, lease, or sale of any of the identified historic properties?

YES  NO If yes, explain: \_\_\_\_\_

**CHECKLIST: Did you provide the following information?**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Completed form.   | <input checked="" type="checkbox"/> Photographs of current site conditions and all identified historic properties keyed to a site map. |
| <input checked="" type="checkbox"/> Maps with project area, APE, and any historic properties marked and identified. | <input checked="" type="checkbox"/> For new construction, rehabilitations, etc., attach work plans, drawings, etc.                     |
| <input checked="" type="checkbox"/> Other supporting documents (if necessary to explain the project).               | <input type="checkbox"/> Description of present use and condition of the project area.   |

**NOTE: Section 106 regulations provide for a 30-day response time by the Alabama SHPO from the date of receipt. Project activities may not begin until our office has reviewed this information and issued comments.**

**Upon receipt, applications and attachments become the property of the State of Alabama.**

For questions regarding this form or the Section 106 Review Process, contact Amanda McBride, Section 106 Coordinator, at 334.230.2692 or [Amanda.McBride@ahc.alabama.gov](mailto:Amanda.McBride@ahc.alabama.gov).

**All projects must be submitted digitally**

E-mail this form and supporting documents to [Section.106@ahc.alabama.gov](mailto:Section.106@ahc.alabama.gov) This is the only approved e-mail address for project submission. Projects sent to any other e-mail address will not be accepted. The attachment size cannot exceed 19 MB. Alternatively, you may submit projects with larger attachments through an online system to be determined by the AHC.

Please limit your submission to cultural resources information only.

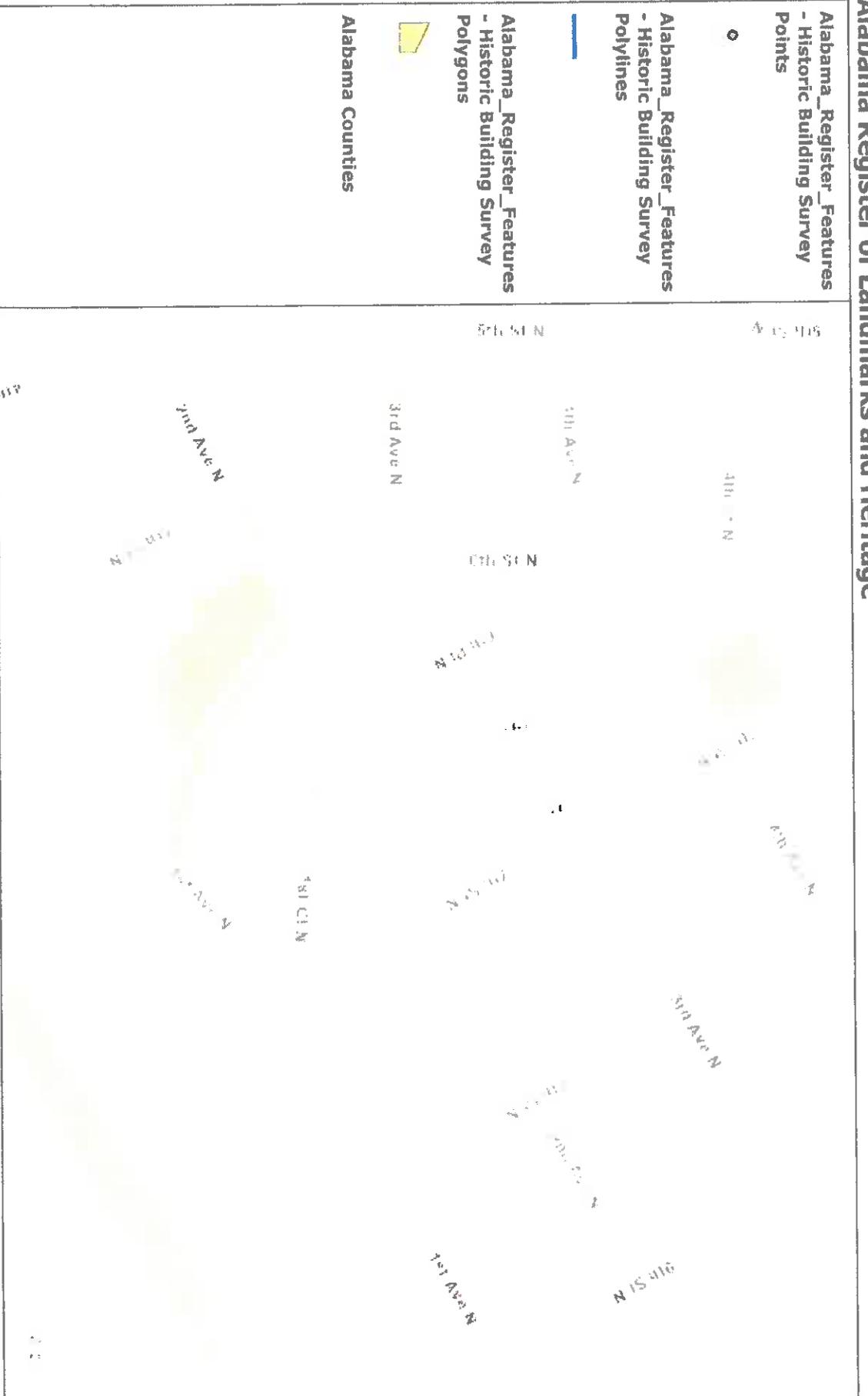
**Contact Amanda McBride for any questions on digital submissions**

**The Way Station**

**AIDS Alabama**

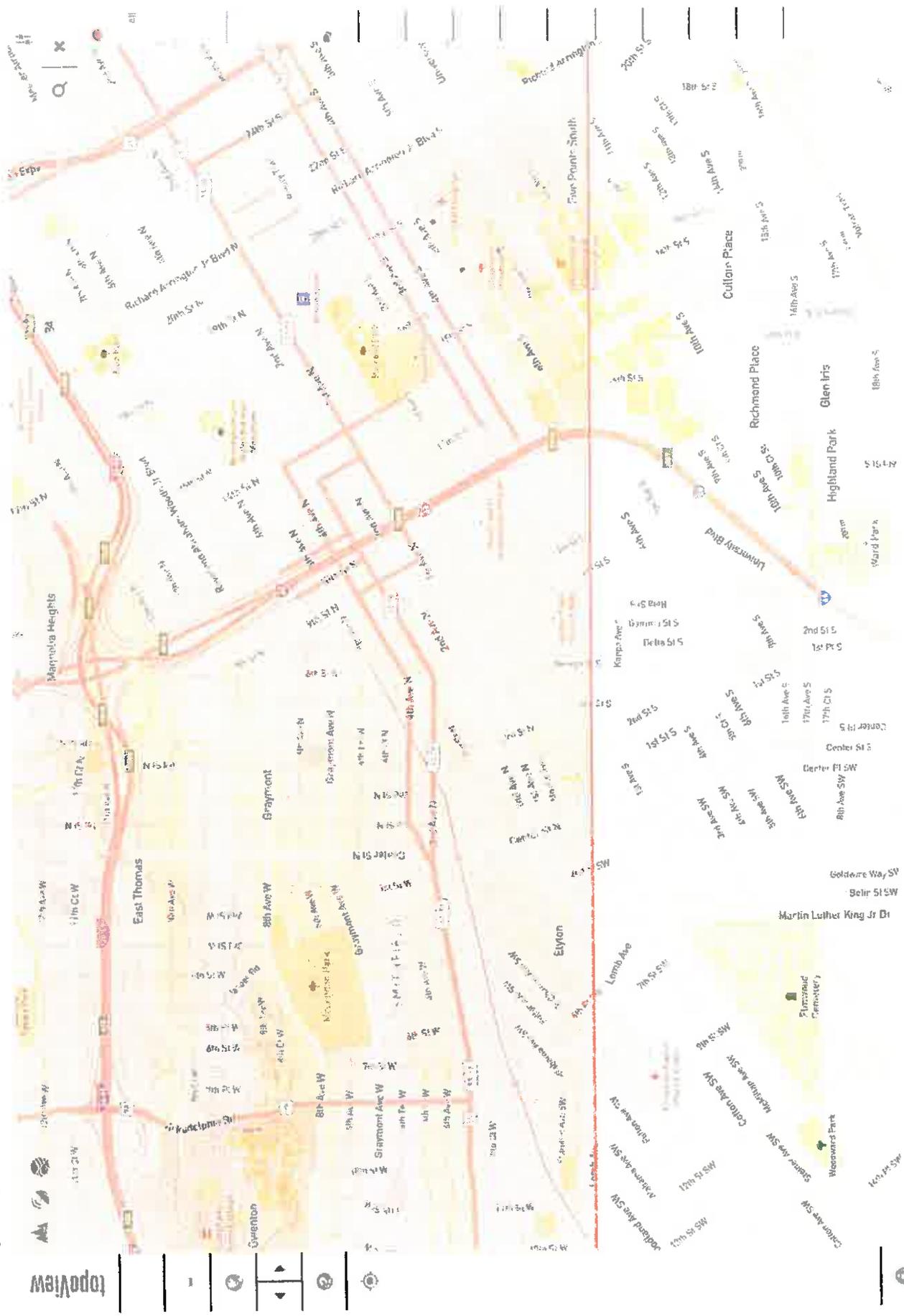
**APE Maps**

# Alabama Register of Landmarks and Heritage



This map represents properties and historic districts listed on the Alabama Register of Landmarks and Heritage.

Esri Community Maps Contributors, JeffCoAL, BuildingFootprintUSA, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



topoView



[Map of Birmingham, AL](#)  
 DMS: DD AA MER: UTM  
 UTM Zone: 18Q  
 UTM Record: 57  
 Source: USGS Topographic, AL





The Way Station/ AIDS Alabama



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020 50 ft

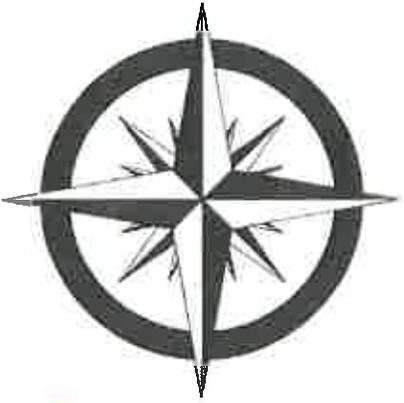


X  
642 3rd Ave N  
Birmingham, AL 35203  
33.51°N, 86.83°W

Camera 325 m 33°30'22"N 86°49'24"W 177 m

100%

**The Way Station**  
**AIDS Alabama**  
**New Construction**  
**Drawings**



# THE WAY STATION

A SAFE PLACE FOR BIRMINGHAM'S HOMELESS YOUTH





# THE WAY STATION

- TO BE LOCATED IN THE CITY LIMITS OF BIRMINGHAM, ALABAMA. PROPERTY LOCATED AT 3<sup>RD</sup> AVENUE NORTH AND 7<sup>TH</sup> STREET NORTH WAS PURCHASED ON JULY 2, 2018.
- A TWENTY-BED, OVERNIGHT, EMERGENCY CRISIS SHELTER FOR YOUTH 24 YEARS OF AGE AND UNDER, OPEN 24 HOURS A DAY, 365 DAYS A YEAR.
- A TRANSITIONAL LIVING PROGRAM FOR YOUTH 16 – 24 YEARS OF AGE.
- PROVIDING FOR THE IMMEDIATE NEEDS OF OUR YOUTH: SAFETY, SECURITY, MEALS, SLEEP, A WARM SHOWER, AND LOVE.

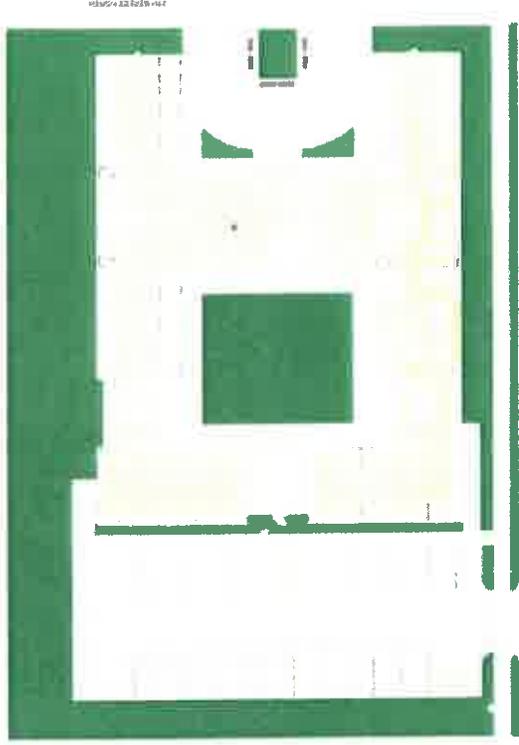


# OUR MISSION

GUIDED BY THE BELIEF THAT ALL PEOPLE DESERVE  
BRIGHT FUTURES, THE WAY STATION PROVIDES  
SHELTER, SUPPORTIVE SERVICES, LIFE SKILLS, AND LOVE  
TO BIRMINGHAM'S HOMELESS, RUNAWAY, AND  
AT-RISK YOUTH AND GUIDES THEM TOWARD  
REWARDING AND PRODUCTIVE ADULTHOOD.



# ARCHITECTURAL RENDERINGS



Local architect John M. Holmes has joined our Way Station team and has offered his architectural expertise at no cost to us. John says that this project “is one for the heart.”

**The Way Station**  
**AIDS Alabama**  
**Photographs**

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**APPENDIX E**  
**HISTORICAL MAPS AND PHOTOGRAPHS**

---



INQUIRY # 6211463.6  
 YEAR: 1941  
 = 50'



Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION NOTE	BY

Drawn By	Project #
DW	3144
Checked By	Date
SH	3/8/18
Project Mgr	File Name
SH	3144-001

**SPECTRUM**  
 Solutions to Your Environmental Challenges  
 65 Spectrum Cove  
 Alabaster, AL 35897  
 O - 205-664-2800  
 F-205-664-2142

TITLE
1941



INQUIRY # 62114935  
 YEAR: 1947  
 1" = 500'  


Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION NOTE	BY

Drawn By:	Project #:
DW	3144
Checked By:	Date:
SH	3/8/18
Project Mgr:	File Name:
SH	3144-001



**SPECTRUM**  
 Solutions to Your Environmental Challenges

85 Spectrum Cove  
 Alabaster, AL 35007  
 O - 205-664-2000  
 F-205-664-2142

TITLE
1947



INQUIRY # 5211483.5  
 YEAR: 1951  
 \* 905



Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION NOTE	BY

Drawn By:	Project #
DW	3144
Checked By:	Date
SH	3/8/18
Project No.:	File Name
SH	3144-001

**SPECTRUM**  
 Solutions to Your Environmental Challenges  
 85 Spectrum Cove  
 Atabaster, AL 35007  
 O - 205-984-2060  
 F-205-984-2142

TITLE
1951



INQUIRY #: 6211483.6

YEAR: 1956



1" = 90'

Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION NOTE	BY

Drawn By	Project #
DW	3144
Checked By	Date
SH	3/8/18
Project Mgr.	File Name
SH	3144-001



**SPECTRUM**  
Solutions to Your Environmental Challenges

85 Spectrum Cove  
Alabaster, AL 35007  
O - 205-684-2000  
F-205-684-2142

TITLE
1956



INQUIRY #: 5211453.5

YEAR: 1960

300'



Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION NOTE	BY

Drawn By:	Project #
DW	3144
Checked By:	Date
SH	3/8/18
Project Mgr:	File Name
SH	3144-001

**SPECTRUM**  
Solutions to Your Environmental Challenges

15 Spectrum Cove  
Alabaster, AL 35097  
C - 205-864-2000  
F-205-804-2142

TITLE
1960



Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION NOTE	BY

Drawn By:	Project #
DW	3144
Checked By:	Date
SH	3/8/18
Project Mgr:	File Name
SH	3144-001

**SPECTRUM**  
Solutions to Your Environmental Challenges

85 Spectrum Core  
Alabaster, AL 35007  
O - 205-664-2000  
F-205-664-2142

TITLE
1967



INQUIRY #: 52114835

YEAR: 1970

500'



Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION NOTE	BY

Drawn By	Project #
DW	3144
Checked By	Date
SH	3/8/18
Project Mgr.	File Name
SH	3144-001

85 Spectrum Cove  
 Alabaster, AL 35007  
 O - 205-684-2005  
 F-205-664-2142

TITLE
1970



INQUIRY #: B2114R3.E

YEAR: 1977

500'



Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION NOTE	BY

Drawn By	Project #
DW	3144
Checked By	Date
SH	3/8/18
Project Mgr	File Name
SH	3144-001

**SPECTRUM**  
Solutions to Your Environmental Challenges

85 Spectrum Cove  
Alabaster, AL 35007  
O - 205-884-2980  
F-205-884-2142

TITLE
1977



INQUIRY # 5211483.6  
 YEAR 1981  
 \* 900



Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION NOTE	BY

Drawn By	Project #
DW	3144
Checked By	Date
SH	3/8/18
Project Mgr	File Name
SH	3144-001

**SPECTRUM**  
 Solutions to Your Environmental Challenges

45 Spectrum Cove  
 Mobile, AL 36687  
 O - 205-884-2000  
 F-205-884-2142

TITLE
1981



INQUIRY # 621483.6

YEAR: 1988

1:500'



Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION NOTE	BY

Drawn By	Project #
DW	3144
Checked By	Date
SH	3/8/18
Project Mgr.	File Name
SH	3144-001

**SPECTRUM**  
Solutions to Your Environmental Challenges

85 Spectrum Cove  
Atabaster, AL 35067  
D - 205-864-2900  
F-205-864-2142

TITLE
1988



INQUIRY # 521489.5  
 YEAR: 1992  
 EDR

Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION NOTE	BY

Drawn By:	Project #
DW	3144
Checked By:	Date
SH	3/8/18
Project Mgr	File Name
SH	3144-001

  
**SPECTRUM**  
 Solutions to Your Environmental Challenges  

 65 Spectrum Circle  
 Alabaster, AL 35007  
 O - 205 664-2000  
 F 205-664-2142

TITLE
1992



INQUIRY #: 5211483.5  
 YEAR: 1997  
 EDR

Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION NOTE	BY

Drawn By	Project #
DW	3144
Checked By	Date
SH	3/8/18
Project Mgr.	File Name
SH	3144-001

  
**SPECTRUM**  
 Solutions to Your Environmental Challenges  
 85 Spectrum Cove  
 Alabaster, AL 35057  
 O - 205-654-2000  
 F-205-684-2142

TITLE
1997



INQUIRY #: 6211483.5

YEAR: 2006



© 2007

Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION	NOTE	BY

Drawn By:	Project #:
DW	3144
Checked By:	Date:
SH	3/8/18
Project Mgr:	File Name:
SH	3144-001

  
**SPECTRUM**  
 Solutions to Your Environmental Challenges  
 85 Spectrum Cove  
 Alabaster, AL 35007  
 O - 205-664-2000  
 F-205-664-2142

TITLE
2006



INQUIRY #: 5211483.5  
 YEAR: 2011  
 = 500' 

Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION NOTE	BY

Drawn By:	Project #
DW	3144
Checked By:	Date
SH	3/8/18
Project Mgr	File Name
SH	3144-001

TITLE
2011



Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION NOTE	BY

Drawn By	Project #
DW	3144
Checked By	Date
SH	3/8/18
Project Mgr	File Name
SH	3144-001

**SPECTRUM**  
Solutions to Your Environmental Challenges

85 Spectrum Cove  
Alabaster, AL 35007  
O - 205-664-2000  
F-205-664-2142

TITLE
2015



Source: Image courtesy of EDR. Green line denotes approximate site location.



NO.	DATE	REVISION NOTE	BY

Drawn By	Project #
DW	3144
Checked By	Date
SH	3/8/18
Project Mgr.	File Name
SH	3144-001



**SPECTRUM**  
Solutions to Your Environmental Challenges

85 Spectrum Cove  
Alabaster, AL 35007  
O - 205-664-2000  
F-205-664-2142

TITLE
2017

# Noise Abatement and Control

Target property is not above 65 decibels

## Noise (EA Level Reviews)

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
References		
<a href="https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control">https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control</a>		

### 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.

→ *Continue to Question 2.*

- Rehabilitation of an existing residential property

NOTE: For major or substantial rehabilitation in Normally Unacceptable zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. For major rehabilitation in Unacceptable zones, HUD strongly encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details.

→ *Continue to Question 2.*

- A research demonstration project which does not result in new construction or reconstruction, interstate, land sales registration, or any timely emergency assistance under disaster assistance provisions 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

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

- None of the above

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

2. 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. Continue to the Worksheet Summary below. Provide a map showing the location of the project relative to any noise generators.

Noise generators were found within the threshold distances.  
→ Continue to Question 3.

3. Complete the Noise Assessment Guidelines to quantify the noise exposure. Indicate the findings of the Noise Assessment below:

Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here:

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide noise analysis, including noise level and data used to complete the analysis.

Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in 24 CFR 51.105(a))

Indicate noise level here:

If project is rehabilitation:

→ Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis.

If project is new construction:

Is the project in a largely undeveloped area<sup>1</sup>?

No

→ Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis, and any other relevant information.

---

<sup>1</sup> A largely undeveloped area means the area within 2 miles of the project site is less than 50 percent developed with urban uses and does not have water and sewer capacity to serve the project.

Yes

→ Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). Elevate this review to an EIS-level review.

Unacceptable: (Above 75 decibels)

Indicate noise level here:

If project is rehabilitation:

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels. Consider converting this property to a non-residential use compatible with high noise levels.

→ Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis, and any other relevant information.

If project is new construction:

**Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). You may either complete an EIS or provide a waiver signed by the appropriate authority. Indicate your choice:**

Convert to an EIS

→ Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 4.

Provide waiver

→ Provide an Environmental Impact Statement waiver from the Certifying Officer or the Assistant Secretary for Community Planning and Development per 24 CFR 51.104(b)(2) and noise analysis, including noise level and data used to complete the analysis.

Continue to Question 4.

4. HUD strongly encourages mitigation be used to eliminate adverse noise impacts. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review.

Mitigation as follows will be implemented:

→ Provide drawings, specifications, and other materials as needed to describe the project's noise mitigation measures. Continue to the Worksheet Summary.

No mitigation is necessary.

Explain why mitigation will not be made here:

→ Continue to the Worksheet Summary.

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

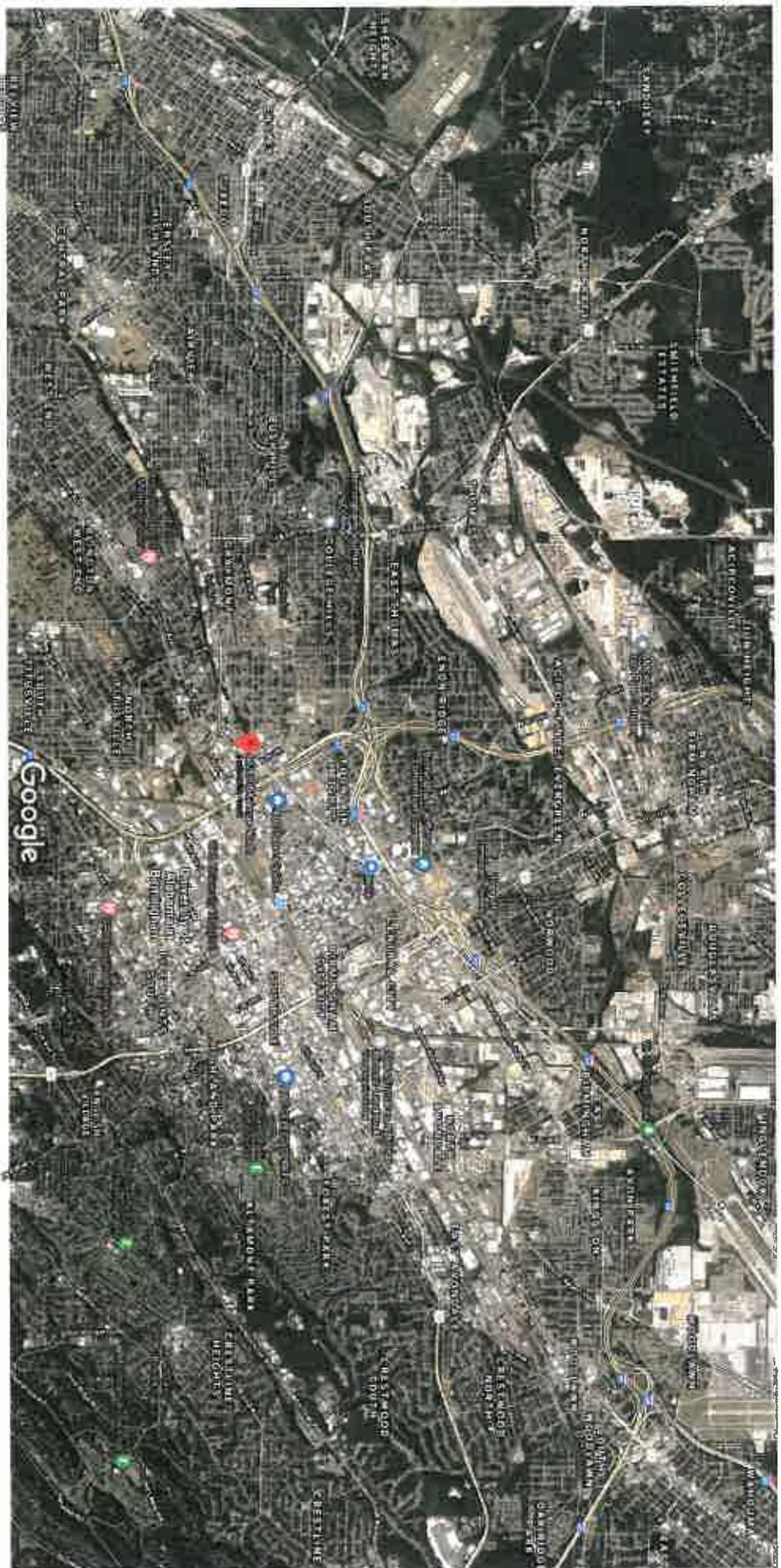
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Target property noise levels are less than 65 decibels

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

Yes

No





## 642 3rd Ave N

Birmingham, AL 35203



Directions



Save



Nearby



Send to your  
phone



Share



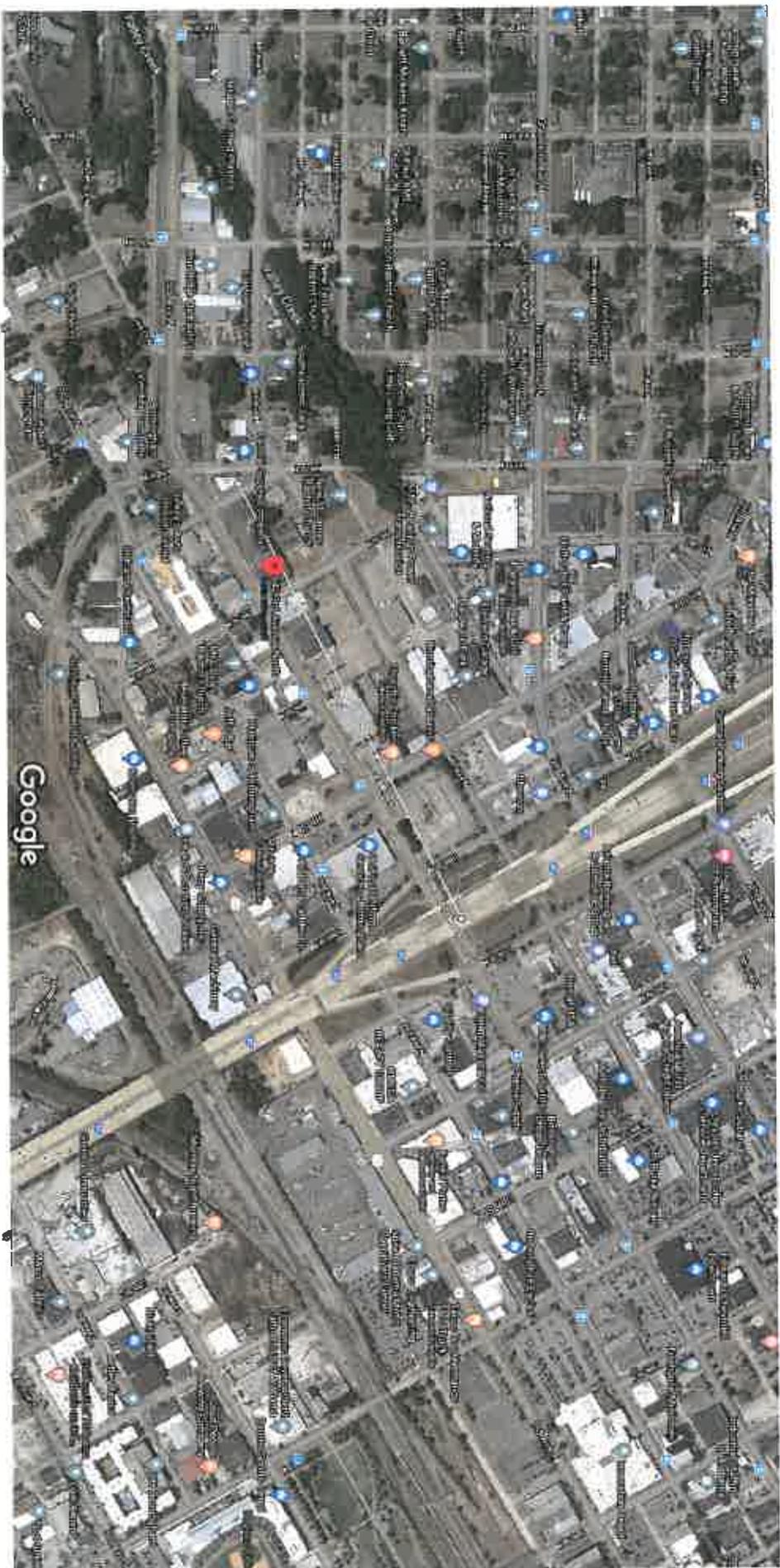
G55F+4V Birmingham, Alabama

### Photos



Measure distance

Total distance: 4.57 mi (7.35 km)





## 642 3rd Ave N

Birmingham, AL 35203

- Directions
- Save
- Nearby
- Send to your phone
- Share

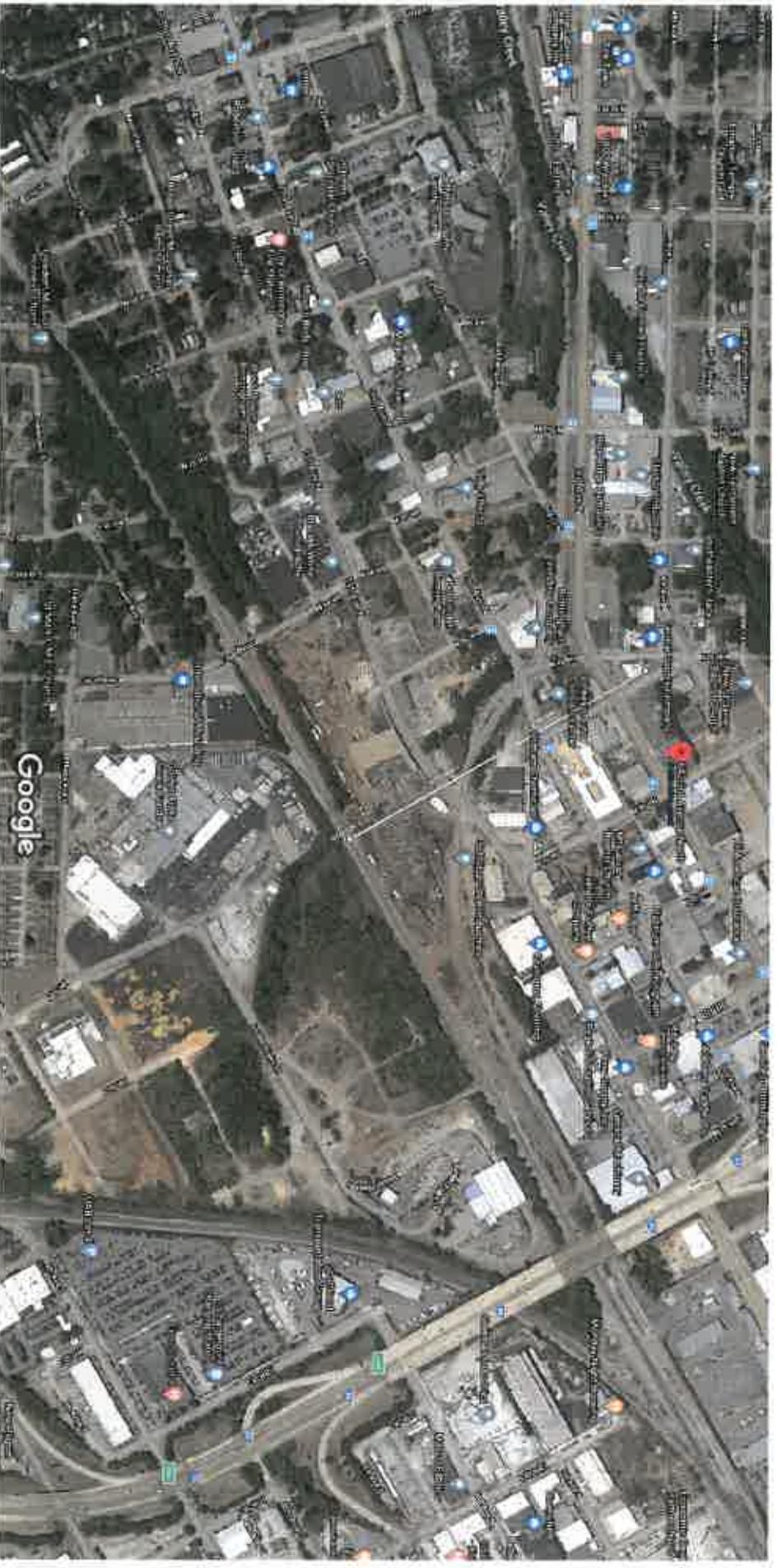
G55F+4V Birmingham, Alabama

### Photos



Measure distance  
Total distance: 2,160.04 ft (658.38 m)







## 642 3rd Ave N

Birmingham, AL 35203



Directions



Save



Nearby



Send to your  
phone



Share



G55F+4V Birmingham, Alabama

### Photos



Measure distance

Total distance: 1,503.05 ft (458.13 m)



## **Sole Source Aquifers**

Target Property will not have a direct or adverse effect on Sole Source Aquifers

## Sole Source Aquifers (CEST and EA)

General requirements	Legislation	Regulation
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.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149
Reference		
<a href="https://www.hudexchange.info/environmental-review/sole-source-aquifers">https://www.hudexchange.info/environmental-review/sole-source-aquifers</a>		

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

- Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*
- No → *Continue to Question 2.*

**2. Is the project located on a sole source aquifer (SSA)<sup>1</sup>?**

- No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide 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.*
- Yes → *Continue to Question 3.*

**3. Does your region have a memorandum of understanding (MOU) or other working agreement with EPA for HUD projects impacting a sole source aquifer?**

Contact your Field or Regional Environmental Officer or visit the HUD webpage at the link above to determine if an MOU or agreement exists in your area.

- Yes → *Provide the MOU or agreement as part of your supporting documentation. Continue to Question 4.*
- No → *Continue to Question 5.*

**4. Does your MOU or working agreement exclude your project from further review?**

- Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination and document where your project fits within the MOU or agreement.*

<sup>1</sup> 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 → *Continue to Question 5.*

**5. Will the proposed project contaminate the aquifer and create a significant hazard to public health?**

Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, storm water and waste water at the proposed project. Follow your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide your correspondence with the EPA and all documents used to make your determination.*

Yes → *Work with EPA to develop mitigation measures. If mitigation measures are approved, attach correspondence with EPA and include the mitigation measures in your environmental review documents and project contracts. If EPA determines that the project continues to pose a significant risk to the aquifer, federal financial assistance must be denied. Continue to Question 6.*

**6. In order to continue with the project, any threat must be mitigated, and all mitigation must be approved by the EPA. Explain in detail the proposed measures that can be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

**Worksheet Summary**

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

There are no Sole Source Aquifers in Birmingham(see map)

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

Yes

No

# Sole Source Aquifers

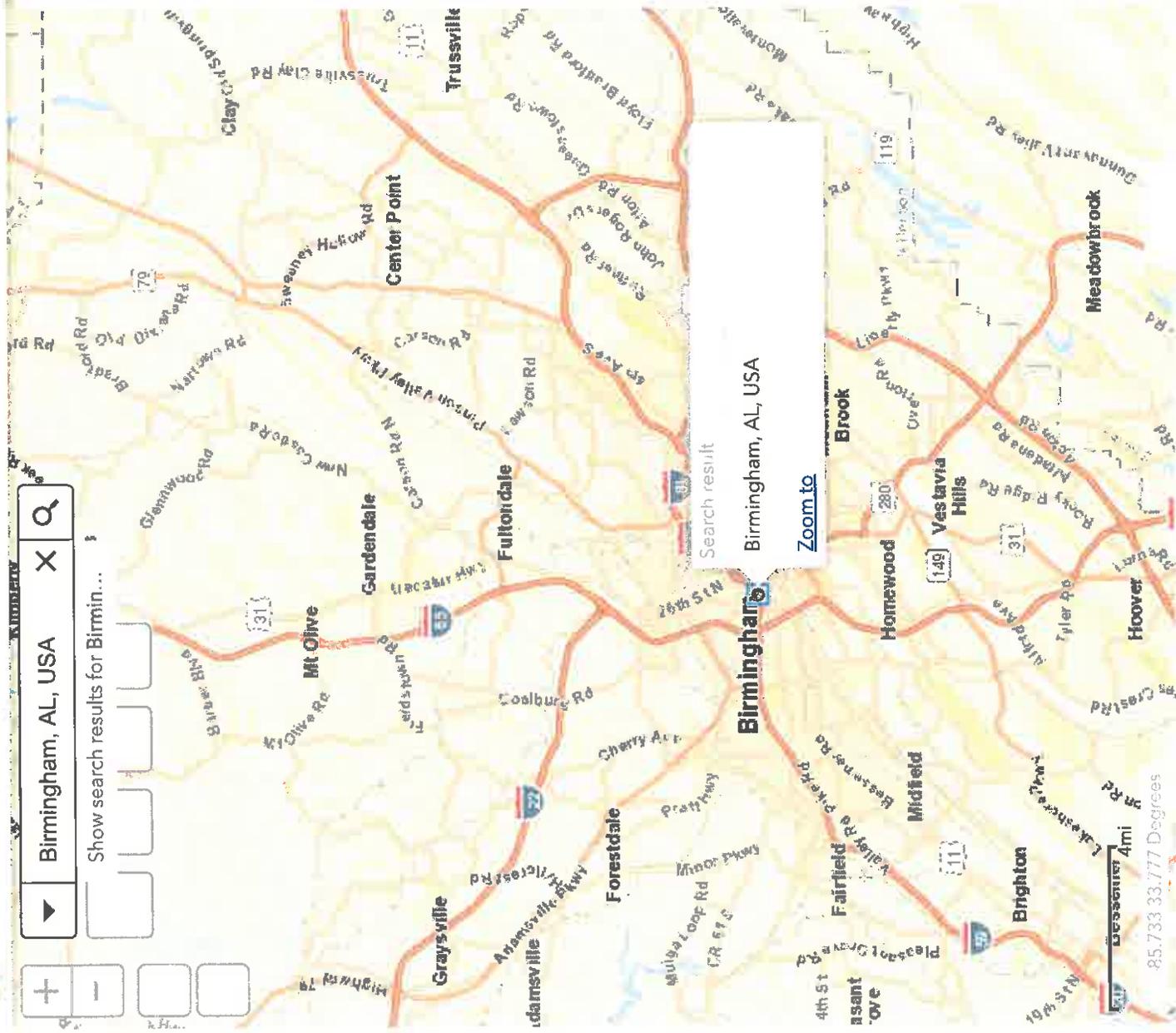
Birmingham, AL, USA

Show search results for Birmin...



Legend

Sole\_Source\_Aquifers



Birmingham, AL, USA  
Zoom to

Lessons 4mi  
85.733 33.777 Degrees

**Memorandum of Understanding Between  
The U.S. Environmental Protection Agency Region 4 and  
The U.S. Department of Housing and Urban Development Region 4  
Regarding the EPA Review of HUD Financial-Assisted Projects Within Sole Source Aquifers**

**Introduction**

This memorandum of understanding (MOU) is intended to memorialize an understanding between the U.S. Environmental Protection Agency Region 4 (EPA) and the U.S. Department of Housing and Urban Development Region 4 (HUD) concerning the review of proposed Federal financially-assisted projects located in whole or in part in the designated sole source aquifers ("SSAs") in the EPA Region 4 (Alabama, Florida, Georgia, Kentucky Mississippi, North Carolina, South Carolina, and Tennessee), which include any recharge zone, streamflow source area, or artesian zone of such SSAs. The most current delineations of these SSAs and their recharge zones are described and depicted on the Region 4 Sole Source Aquifer Webpage, included in **Attachment A** (attached hereto and incorporated herein), and demonstrative maps current as of the signing of this MOU are also included in **Attachment A**.

This MOU is a voluntary agreement that expresses the good-faith intentions of the EPA and HUD, is not intended to be legally binding, does not create any contractual obligations, and is not enforceable by any party. This MOU does not obligate and will not result in an exchange of funds, personnel, property, services, or any kind of financial commitment. This MOU outlines procedures to be followed by HUD in determining which projects should be forwarded to the EPA for review. It also outlines the procedures to be followed and the general criteria the EPA will use in such review.

This MOU does not create any claim, remedy, right, or benefit, substantive or procedural, enforceable by law or equity, by persons who are not a party to this agreement, against HUD or the EPA, their officers or employees, or any other person. This MOU does not apply to any person outside of the EPA and HUD, except that when the environmental review is performed by a Responsible Entity (RE) pursuant to 24 C.F.R. Part 58, HUD will instruct the RE to follow the procedures under this MOU (and any modification thereof by EPA and HUD) during the term of the MOU, unless otherwise instructed by the EPA.

**Background**

Pursuant to Section 1424(e) of the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300h-3(e), the EPA designated several aquifers located within Region 4 as SSAs because they are the sole or principal drinking water source for their areas and contamination of any of them would create a significant hazard to public health. As such, no commitment for Federal financial assistance may be entered into for any project which the EPA determines may contaminate any of these SSAs so as to create a significant hazard to public health. "Federal financial assistance" includes any financial benefits provided directly as aid to a project by a department, agency, or instrumentality of the Federal government in any form including contracts, grants, and loan guarantees.

HUD administers financial assistance under programs subject to its National Environmental Policy Act (NEPA) implementing regulations in 24 C.F.R. Part 50 (Part 50), Protection and Enhancement of Environmental Quality. HUD is the responsible federal agency for NEPA purposes for these regulations. 24 C.F.R. § 50.4(d) of these regulations requires compliance with Section 1424(e) of the SDWA.

HUD regulations at 24 C.F.R. Part 58 (Part 58), Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities, set out environmental review procedures that apply when HUD program legislation authorizes the assumption of authority to perform the environmental reviews by REs, which are units of general local government, such as a town, city, or county, or a tribe or state (see 24 C.F.R. 58.1(b) for a list of programs authorized under Part 58). The RE is responsible for the scope and content of the review and making the environmental finding. The certifying officer of the RE, usually the mayor, signs the review and takes legal responsibility for the review. Local governments must assume environmental review responsibility for grants made directly to the local government when legislation permits. They are encouraged to be responsible for the environmental review in cases where the grants are made to other entities, such as nonprofit organizations and public housing authorities; however, HUD will perform the environmental review under 24 C.F.R. Part 50 in such situations if the local government refuses to do so. As in Part 50, 24 C.F.R. § 58.5(d) requires compliance with Section 1424(e) of the SDWA.

### Goals

The goals of this MOU are to ensure that each project receiving Federal financial assistance is designed and constructed in a manner that will not contaminate a SSA so as to create a significant hazard to public health, and to formalize the process by which review of Federal financially-assisted projects for impacts to the SSAs is to be coordinated between the EPA and HUD.

### HUD Responsibilities for Projects Subject to Part 50

HUD will review projects requesting Federal financial assistance that are subject to the Part 50 regulation to assure that each project located in whole or in part in the SSAs, as depicted on the Region 4 Sole Source Aquifer Webpage, is referred to the EPA Ground Water/UIC/GIS Section for review, as follows:

The EPA and HUD agree that projects of the type listed in **Attachment B**, except those that are also of the type listed in **Attachment C** (attached hereto and incorporated herein), would not normally pose a significant hazard to public health through contamination of a SSA, and generally need not be referred to the EPA for review prior to funding or other HUD assistance.

HUD agrees to refer to the EPA for review the types of projects listed in **Attachment C**, which are located in whole or in part within a SSA and/or its recharge zone. For any of the proposed projects which are of the types listed in **Attachment C**, HUD will ensure that the following information is submitted to the EPA:

1. A copy of appropriate project application documents, such as plans and specifications. Financial documents such as underwriting and credit check should only be included if requested.
2. Project location and its relationship to the SSAs.
3. Description and objective of project or activity, including project design, materials to be used, and any alteration of natural topography.
4. The contact information, including name, address, email address, and telephone number, of the project lead, for any city or county, state, other federal agency involved in the project.
5. Responses to the “Sole Source Aquifer Project Review Information” questions found in **Attachment D** (attached hereto and incorporated herein).

For any projects receiving Federal financial assistance that are located in whole or in part in a SSA and/or its recharge zone and are of a type not listed in either **Attachment B** or **Attachment C**, HUD agrees to contact the Region 4 Sole Source Aquifer Program Coordinator to allow EPA to determine whether a review is required.

### **Projects Subject to Part 58**

For projects located in whole or in part within a SSA and/or its recharge zone, as depicted on the Region 4 Sole Source Aquifer Webpage, it is agreed that projects of the types listed in **Attachment B**, except those that are also of the type listed in **Attachment C**, would not normally pose a significant hazard to public health through contamination of a SSA, and generally need not be referred by REs to the EPA for review prior to receiving funding or other HUD financial assistance.

HUD will inform its Part 58 REs in SSA areas of the exclusions in **Attachment B** and the requirement to seek the EPA’s review for the projects of the types listed in **Attachment C** that are located in whole or in part within a SSA or its recharge zone. For projects listed in **Attachment C**, REs will submit the same materials to the EPA that are listed in the section entitled HUD Responsibilities for Projects Subject to Part 50. HUD will also inform its Part 58 REs of the requirement to contact the EPA Region 4 Sole Source Aquifer Program Coordinator to allow the EPA to determine whether a review is required for any projects receiving Federal financial assistance that are located in whole or in part in a SSA and/or its recharge zone and are of a type not listed in either **Attachment B** or **Attachment C**.

### **EPA Responsibilities**

The EPA intends to respond to all projects submitted by HUD or REs for review purposes within 30 calendar days. The EPA reserves the right to seek additional information during the review period, and may request, in writing and orally, additional information and/or additional time for completing its review. If the EPA requests additional information, it intends to review and respond to the project within thirty (30) calendar days of receiving the requested information.

If HUD or the RE does not receive a response within thirty (30) calendar days of submitting the project or the additional information to the EPA, HUD or the RE may send written notice to the designated EPA liaison officer (or its successor) explaining that HUD or the RE has not received a response. If HUD does not receive a written request for additional time or information from the EPA within fourteen (14) calendar days of sending such written notice, HUD may elect to proceed with funding and/or approval of the project. HUD will not commit funds to a project before notifying the EPA that the initial thirty (30) day review period has concluded.

The EPA will notify the HUD liaison officer within thirty (30) days of designating any additional SSAs.

### **General Procedural Matters**

Materials submitted to the EPA under this MOU will be furnished through the EPA Sole Source Aquifer project review website. If unavailable, materials should be furnished either by mail to: ATTN: Region 4 Sole Source Aquifer Program Coordinator, U.S. Environmental Protection Agency Region 4, Water Division, Ground Water, UIC & GIS Section, 61 Forsyth St. SW, Atlanta, Georgia 30303-8960, or by any other means directed by the EPA.

The EPA and HUD will each assign a liaison officer to serve as a central contact point and to be responsible for maintaining communications as to procedures and activities of their respective agency. The liaison officers are:

HUD: Regional Environmental Officer, U.S. Department of Housing and Urban Development, Office of Energy and Environment, 40 Marietta Street, Atlanta, Georgia 30303-2806

EPA: Sole Source Aquifer Program Coordinator, U.S. Environmental Protection Agency Region 4, Water Division, Ground Water, UIC & GIS Section, 61 Forsyth St. SW, Atlanta, Georgia 30303-8960

The liaison officers, accompanied by appropriate staff, will hold meetings as needed to discuss matters of concern related to the SSAs and this MOU. Liaison officers will work together to prioritize and expeditiously resolve outstanding questions and conduct reviews.

### **Expenses and No Financial Commitment**

The EPA and HUD will each bear its own expenses in connection with the preparation, negotiation, and execution of this MOU, and neither party shall be liable to the other party for such expenses. This MOU does not obligate funds, personnel, services, or other resources of any party. Each party acts as an independent party with respect to the performance of duties under this MOU and is not an employee or agent of another party to the MOU.

### **Publicity**

The parties will coordinate all press releases, websites, or other public facing documents with regard to this MOU. Neither party may engage in any such publicity regarding the MOU unless the parties consult in advance on the form, timing, and contents of the publicity.

### **Modification and Duration**

This MOU is to take effect upon signature and remain in effect for a period of five (5) years and may be extended or modified at any time through the mutual written consent of the EPA and HUD. Additionally, either party may terminate its participation in this MOU at any time by providing written notice to the other, at least thirty (30) days in advance of the desired termination date.

### **Compliance with Applicable Laws**

It is understood and agreed by the EPA and HUD, that changes in local, state, and federal rules, regulations or laws applicable hereto, may occur during the term of this MOU and that any such changes are automatically incorporated as of the effective date of the rule, regulation, or law into this MOU without written amendment hereto. The EPA and HUD expressly agree to comply with all applicable federal, state, and local laws.

### **Confidential Business Information**

To carry out the joint activities described in the MOU, HUD, and Part 58 REs may need to disclose proprietary information to the EPA. Proprietary information is defined as information that an affected business claims to be confidential and is not otherwise available to the public. HUD agrees to clearly identify confidential business information disclosed to the EPA in writing, and to clearly memorialize in writing, within a reasonable time, any confidential information initially disclosed orally. The EPA agrees not to disclose, copy, reproduce, or otherwise make available in any form whatsoever to any other person, firm, corporation, partnership association, or other entity information designated as proprietary or confidential information without proper consent, except as such information may be subject to disclosure under the Freedom of Information Act, 5 U.S.C. § 552, and the EPA's regulations at 40 C.F.R. Part 2, or as otherwise authorized by law.

**Counterparts and Facsimile Signatures**

This MOU may be executed in two or more counterparts, which together shall constitute a single agreement. This MOU may be executed and transmitted to any other party by facsimile, which facsimile shall be deemed to be, and utilized in all respects as, an original executed document.

**Entire MOU**

This MOU constitutes the complete and entire MOU between the EPA Region 4 and HUD Region 4 regarding EPA review of HUD's proposed Federal financially assisted projects located in whole or in part in the SSAs in the EPA Region 4 and replaces all prior agreements or understandings between the EPA and HUD regarding this subject. The EPA and HUD are not bound by any statement, promise, condition, or stipulation not specifically set forth in this MOU. No representative of HUD or the EPA has the authority to make any oral statements that modify or change the terms and conditions of this MOU.

**Signature Page for:**

**Memorandum of Understanding Between  
The U.S. Environmental Protection Agency Region 4 and  
The U.S. Department of Housing and Urban Development Region 4  
Regarding the EPA Review of HUD Financed Projects Within Sole Source Aquifers**



Danielle Schopp  
Departmental Environmental Clearance Officer  
U.S. Department of Housing and Urban Development

7/3/19

Date



Mary S. Walker  
Regional Administrator  
U.S. Environmental Protection Agency Region 4

6/26/19

Date

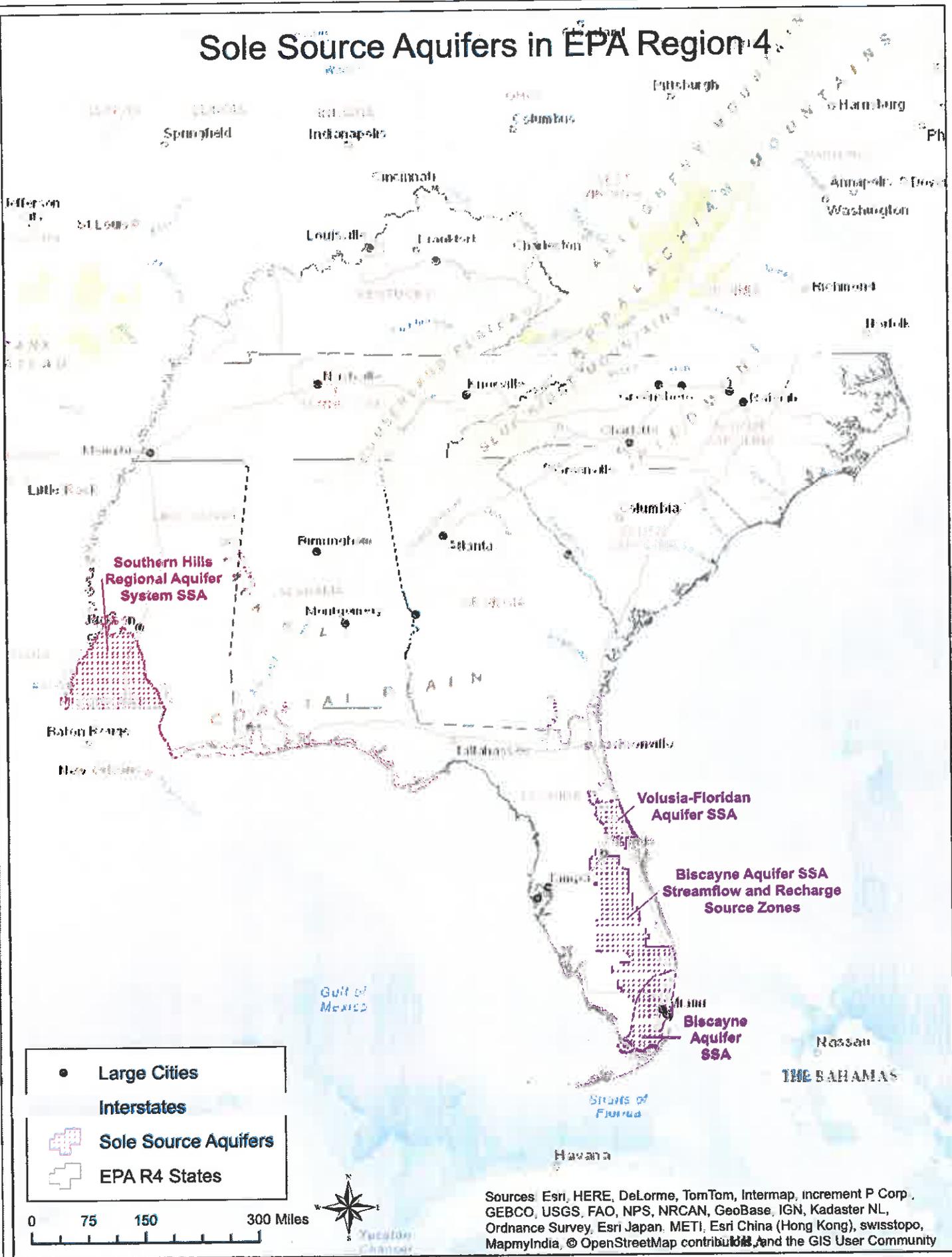
## ATTACHMENT A

### DESIGNATED SOLE SOURCE AQUIFERS IN EPA REGION 4

<u>ALABAMA:</u>	NONE
<u>FLORIDA:</u>	1. Biscayne Aquifer 2. Volusia-Floridan Aquifer
<u>GEORGIA:</u>	NONE
<u>KENTUCKY:</u>	NONE
<u>MISSISSIPPI:</u>	1. Southern Hills Regional Aquifer System
<u>NORTH CAROLINA:</u>	NONE
<u>SOUTH CAROLINA:</u>	NONE
<u>TENNESSEE:</u>	NONE

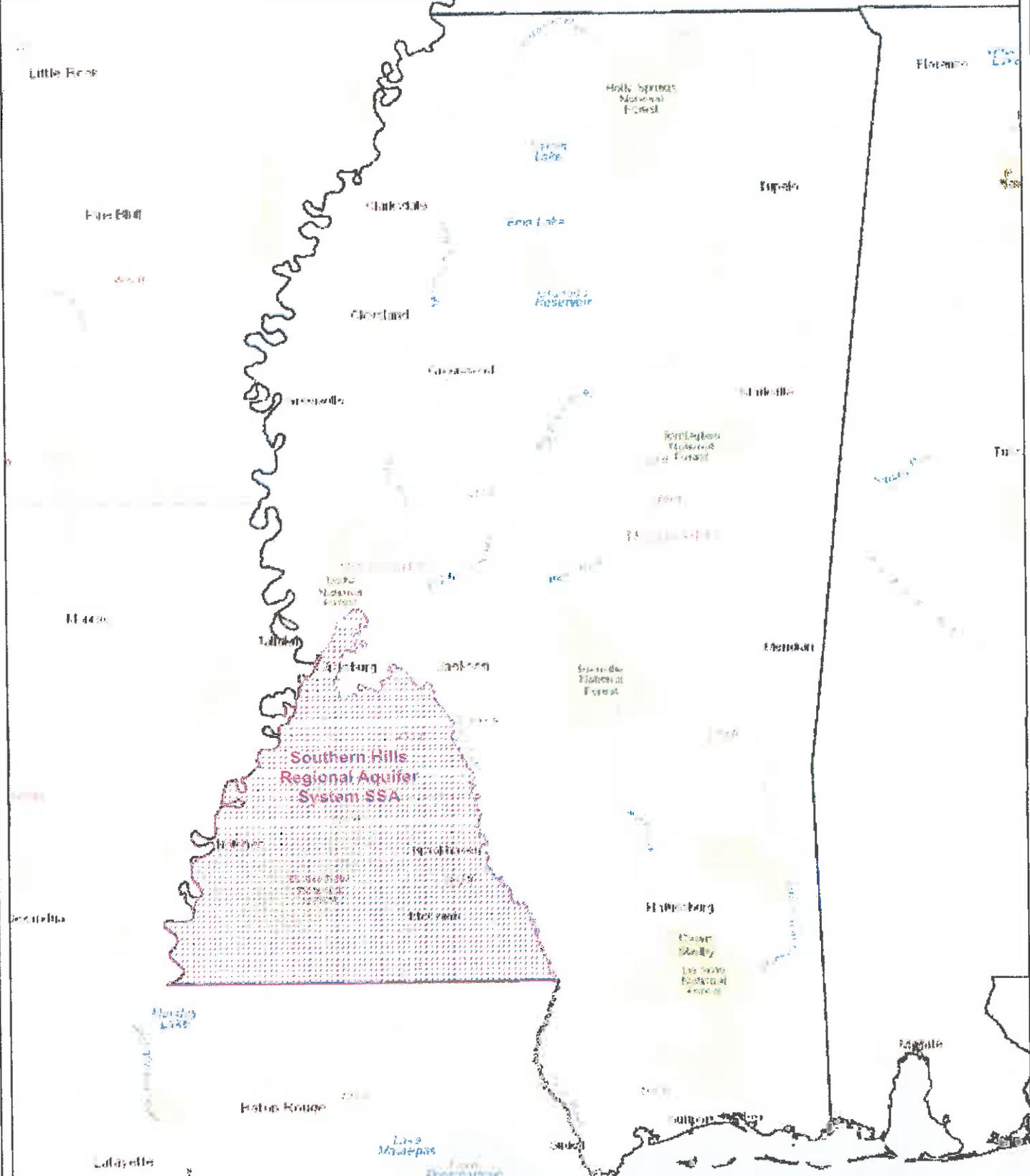
The following maps are for demonstrative purposes only and may not reflect the most updated delineation of the Sole Source Aquifers and their recharge zones. For current maps, please see the EPA Sole Source Aquifer Webpage, located at <https://www.epa.gov/dwssa>

# Sole Source Aquifers in EPA Region 4



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

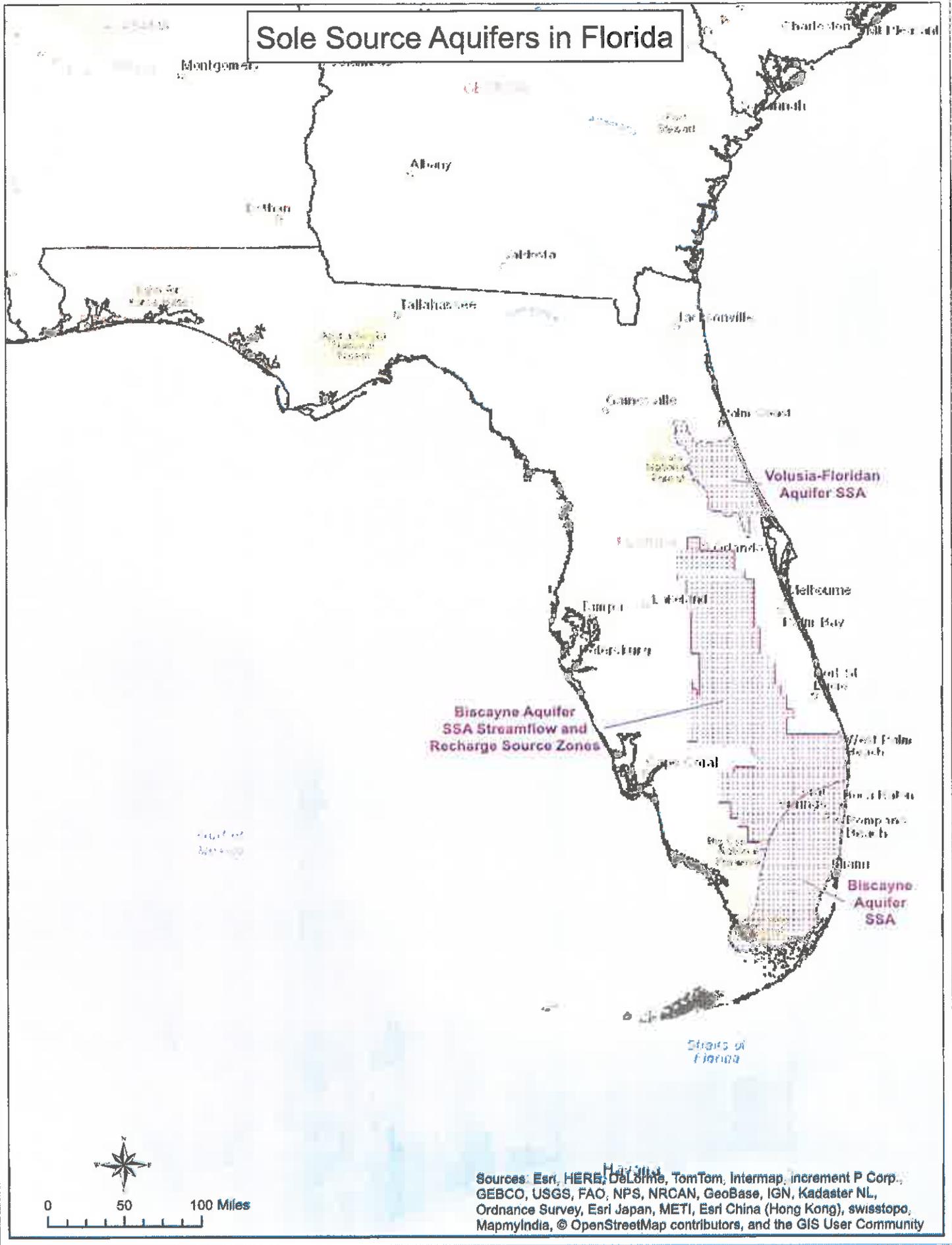
# Sole Source Aquifer in Mississippi



0 50 100 Miles New Orleans

Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

# Sole Source Aquifers in Florida



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

## ATTACHMENT B

### **PROJECTS GENERALLY ASSUMED NOT TO POSE A SIGNIFICANT HAZARD TO PUBLIC HEALTH WHICH DO NOT REQUIRE REFERRAL TO THE EPA FOR REVIEW**

Listed below are the types of projects which are assumed not to pose a significant hazard to public health through contamination of a SSA, and which will NOT be referred to the EPA for review, unless such projects involve activities listed in Attachment C and are not specifically excluded in Attachment C from referral to the EPA for review. Notwithstanding the below list, the EPA may determine that any project for which it makes a written request requires review.

1. All projects whose legal boundaries of the subject property are located wholly outside the SSAs and their recharge zones.
2. New construction, acquisition, or rehabilitation of residential housing that involves no more than four dwelling units.
3. Construction, rehabilitation, or modernization of, or additions to, residential, commercial, or industrial projects, public facilities, or land developments that are or will be served by a municipally or publicly owned and/or operated sanitary sewage treatment plant which is operating in compliance with all applicable permits, is within the capacity for which it was designed and is not subject to any local, state, or EPA imposed moratorium.
4. Acquisition of, or financial assistance, including refinancing and providing mortgage insurance and rental assistance for, existing projects, properties, buildings or developments where no alterations, additions, or expansions are to take place, and all expenses listed as operating costs in 24 C.F.R. §§ 50.19(b)(13) and 58.35(b)(3).
5. Funding of public services, planning activities, technical assistance, or training, or payment, repayment, or reimbursement of loans or interest.
6. Sites for which consultation with US Fish & Wildlife Service under the Endangered Species Act, Section 7, has yielded mitigation measures to avoid impacts to karst-dwelling species.

## ATTACHMENT C

### **PROJECTS REQUIRING REFERRAL TO THE EPA FOR REVIEW**

- A. The following projects located in whole or in part within the SSAs and/or their discharge zones will be referred to the EPA for review/comment prior to any commitment of Federal financial assistance:
1. Construction or rehabilitation of residential (with the exception of single one-to-four family structures excluded under Attachment B), commercial, or industrial projects, public facilities, or land developments whose sanitation facilities will consist of individual disposal systems such as cesspools, septic tanks with leach fields or seepage areas, pit toilets, or privately-owned sewerage systems including, those owned by a homeowners' association.
  2. Any project or activity for an existing or proposed industrial or recreational facility that manufactures, stores, transports, spreads, or disposes of toxic, noxious, or hazardous chemicals or radioactive materials, including insecticides, fungicides, and fertilizers.
  3. Acquisition, disposition, rehabilitation, or new construction of a site intended as a landfill or other waste storage, transfer, disposal, or treatment facility.
  4. Acquisition, disposition, rehabilitation, or new construction of any facility or operation which disposes of its waste water into dry wells, retention ponds, or methods other than a treatment plant.
  5. Acquisition, disposition, rehabilitation, or new construction of storm water drainage facilities that might contaminate a SSA, significant modifications to existing wetlands, or significant modifications or new construction of shallow injection wells (i.e., dry wells, french drains, sumps, and drain fields).
  6. Any project or activity involved in agricultural activities or related operations employed in the production, raising, processing, and marketing of crops or livestock.
  7. Projects that involve the storage or handling of hazardous or toxic materials or petroleum products, including, but not limited to, aboveground or underground storage tanks, and oil and gas pipelines (other than service lateral extensions for four (4) or fewer residential units, or service lateral extensions where trenching and excavation is no deeper than ten (10) feet below ground surface).
  8. Projects for which a NEPA Environmental Impact Statement (EIS) is required within the SSA and/or its recharge zone.

9. Projects that involve domestic waste not connected to a public sanitary sewer system.
  10. Any other project or activity which HUD determines could be a potential source of contamination to a SSA.
- B. Any project located in whole or in part within the SSAs for which the EPA makes a written request for information will be referred to the EPA for review prior to any commitment of Federal financial assistance.

## **Wetlands**

Target Property will not have a direct or adverse effect on Wetlands

## Wetlands (CEST and EA)

General requirements	Legislation	Regulation
Executive Order 11990 discourages that 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.
<b>References</b>		
<a href="https://www.hudexchange.info/environmental-review/wetlands-protection">https://www.hudexchange.info/environmental-review/wetlands-protection</a>		

**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. Continue to the Worksheet Summary below.*

Yes → *Continue to Question 2.*

**2. Will the new construction or other ground disturbance impact an on- or off-site wetland?**

The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands.

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

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.*

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

→ You must determine that there are no practicable alternatives to wetlands development by completing the 8-Step Process.

Provide a completed 8-Step Process as well as all documents used to make your determination, including a map. Be sure to include the early public notice and the final notice with your documentation.

Continue to Question 3.

3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Which of the following mitigation actions have been or will be taken? Select all that apply:

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology through infiltration
- Native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements
- Compensatory mitigation

**Worksheet Summary**

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

No wetlands near target property(see map)

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

Yes

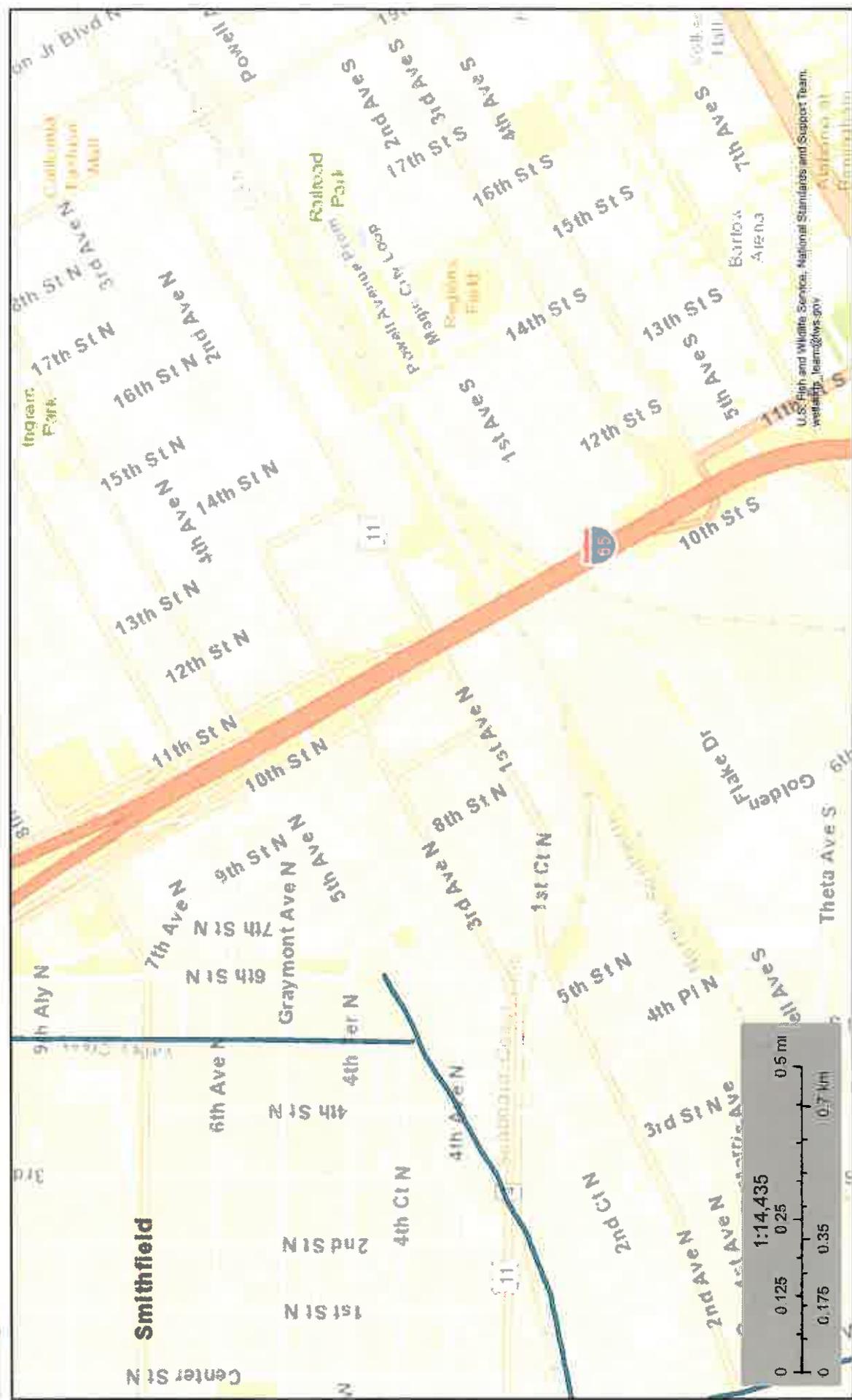
No



U.S. Fish and Wildlife Service

# National Wetlands Inventory

## Wetlands



April 6, 2020

### Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

## **Wild and Scenic Rivers**

Target Property will not have a direct or adverse effect on Wild and Scenic Rivers

## Wild and Scenic Rivers (CEST and EA)

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
References		
<a href="https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers">https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers</a>		

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

**Wild & Scenic Rivers:** These rivers or river segments have been designated by Congress or by states (with the concurrence of the Secretary of the Interior) as wild, scenic, or recreational

**Study Rivers:** These rivers or river segments are being studied as a potential component of the Wild & Scenic River system.

**Nationwide Rivers Inventory (NRI):** The National Park Service has compiled and maintains the NRI, a register of river segments that potentially qualify as national wild, scenic, or recreational river areas

No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map identifying the project site and its surrounding area or a list of rivers in your region in the Screen Summary at the conclusion of this screen.

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

→ Continue to Question 2.

### 2. Could the project do *any* of the following?

- Have a direct and adverse effect within Wild and Scenic River Boundaries,
- Invade the area or unreasonably diminish the river outside Wild and Scenic River Boundaries, or
- Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment.

Consultation with the appropriate federal/state/local/tribal Managing Agency(s) is required, pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse effect on a Wild & Scenic River or a Study River and, if so, to determine the appropriate avoidance or mitigation measures.

Note: Concurrence may be assumed if the Managing Agency does not respond within 30 days; however, you are still obligated to avoid or mitigate adverse effects on the rivers identified in the NWSRS

No, the Managing Agency has concurred that the proposed project will not alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Yes, the Managing Agency was consulted and the proposed project may alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Continue to Question 3.*

3. **For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

### Worksheet Summary

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Project is not located near and wild and scenic rivers(see map and listing)

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

Yes

No

## 2019 Novel Coronavirus (COVID-19) Response

The National Park Service is modifying its operations on a park-by-park basis in accordance with the latest guidance from the Centers for Disease Control and Prevention (CDC) and state and local public health authorities. While most facilities and events are closed or canceled, many of our outdoor spaces remain accessible to the public. Before visiting, please check with [individual parks](#) regarding changes to park operations. If you choose to visit a national park, please ensure that you follow CDC and state and local guidelines to prevent the spread of infectious diseases and practice [Leave No Trace principles](#). Updates about the NPS response, including safety information, are posted on [www.nps.gov/coronavirus](http://www.nps.gov/coronavirus).

### National Park Service

# Rivers

## Alabama

River	County	Reach	Length (miles)	Description	Potential Classification	ORVs	Water (HUC)
Bear Creek	Marion, Franklin	AL 241 bridge west of Bear Creek community to MS State line	55	Significant recreational facilities, including canoe trail in undeveloped, natural corridor.		Recreational, Scenic	Bear
Bear Creek	Escambia, Covington	Confluence with Bear Head Creek to confluence with Blackwater River	7	Entire segment flows through Conecuh National Forest; extensive stands of Atlantic white cedar.		Fish, Recreational, Scenic, Wildlife	Bear

Bear Head Creek	Escambia, Covington	US 29/AL 15 bridge to confluence with Bear Creek	4	Entire segment flows through Conecuh National Forest; extensive stands of Atlantic white cedar.	Fish, Recreational, Scenic, Wildlife	Black
Big Black Creek	St. Clair	Near Trucks Lake to confluence with Cahaba River	15	Wildlife, hiking, fishing, boating and significant historic and archaeological sites.	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Caha
Big Canoe Creek	St. Clair	I-59 bridge to Etowah County line	32	Free-flowing, exceptionally scenic stream segment.	Fish, Recreational, Scenic	Middl
Black Warrior River, Locust Fork	Jefferson, Blount	AL 75 bridge to approximately one mile above US 78 bridge	91	Relatively undeveloped whitewater stream with cascading waterfalls and beautiful stands of mountain laurel and wild azaleas.	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Locust
Black Warrior River, Mulberry Fork	Blount, Cullman	Confluence with Warrior Creek to I-65 bridge	50	Scenic, undeveloped canoeing stream.	Fish, Geologic, Recreational, Scenic, Wildlife	Mulber

Blackwater River	Baldwin	One mile below US 90/AL 16 bridge to confluence with Perdido River	23	Heavily utilized, crystal clear, spring-fed river with clay bluffs and Class II rapids; white sandy banks and cypress stands in lower reach.	Recreational, Scenic	Perdi
Blackwater River	Escambia, Covington	Confluence with Bear Creek to RM 44, FL State line	3	Entire segment flows through Conecuh National Forest; extensive stands of Atlantic white cedar.	Fish, Recreational, Scenic, Wildlife	Perdi
Buttahatchee River	Lamar, Marion, Winston	Headwaters to MS State line	80	Relatively undisturbed stream with numerous shoals and scenic bluffs; popular floating stream with exceptional fishery; sitings of American alligator, bald eagle, Bachman's warbler and Florida panther.	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Butta

Cahaba River	Jefferson, St. Clair	Confluence with Big Black Creek to US 31 south of Birmingham	50	Wildlife, hiking, fishing, boating and significant historic and archaeological sites.	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Caha
Cahaba River	Dallas	US 80 west of Selma to confluence with Alabama River	21	Wildlife, hiking, fishing, boating and significant historic and archaeological sites.	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Caha
Chickasaw Bogue	Marengo	Headwaters near Wilcox County line to confluence with Tombigbee River	42	One of the most popular canoe streams in the State.	Recreational, Scenic	Middl Tomb Chick
Chickasaw Creek	Mobile	Headwaters north of Turnerville to US 43/AL 13 bridge	33	Natural, crystal clear, spring fed stream; well known for wildlife and recreational opportunities.	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Mobil
Choccolocco Creek	Talladega, Calhoun	Below AL 9 bridge US 231/AL 77 bridge	54	Excellent recreational potential; in proximity to populaiton centers.	Fish, Recreational, Scenic, Wildlife	Middl

Choctawhatchee River	Geneva, Houston, Dale, Henry, Barbour	RM 78, FL State line, to RM 170, headwaters southeast of Clayton	51	Scenic recreational stream of ecological significance; excellent water quality; Point Washington State Wildlife Management Area adjacent; Morrison Springs.	Fish, Geologic, Recreational, Scenic, Wildlife	Uppe Choc
Choctawhatchee River, East Fork	Geneva, Houston, Dale, Henry, Barbour	Headwaters southeast of Clayton to confluence with Choctawhatchee River	54	Scenic recreational stream of ecological significance; excellent water quality; Point Washington State Wildlife Management Area adjacent; Morrison Springs.	Fish, Geologic, Recreational, Scenic, Wildlife	Uppe Choc
Conecuh River	Covington, Crenshaw, Pike, Bullock	Headwaters northeast of Peachburg to above Gantt Lake	103	Relatively undisturbed stream; approximately 10 miles from boundary of Conecuh National Forest.	Fish, Recreational, Scenic, Wildlife	Uppe

Conecuh River	Escambia, Conecuh, Covington	One mile below village of River Falls to FL State line	75	Relatively undisturbed stream; approximately 10 miles from boundary of Conecuh National Forest.	Cultural, Fish, Historic, Recreational, Scenic	Uppe
Coosa River	Elmore	Below Jordon Dam to above Wetumka	7	Excellent fishery; known archaeological sites.	Cultural, Fish, Geologic, Historic, Recreational, Wildlife	Lowe
Cowarts Creek	Houston	AL 55 bridge to FL State line	10	Predominantly limestone stream with clear water, long gentle runs, pools, rocks and rapids; official State canoe trail.	Fish, Geologic, Recreational, Scenic, Wildlife	Chipc
Cypress Creek	Lauderdale	TN State line to west of Florence	24	Significant recreational site; designated canoe trail.	Recreational, Scenic	Pickw
Elk River	Limestone	TN State line to above Lake Wheeler	33	High quality fishing stream.	Fish, Recreational, Scenic	Lowe
Halawakee Creek	Lee, Chambers	Headwaters east of Oak Bowery to mouth at Bartletts Ferry Lake (Lake Harding)	19	Free-flowing accessible stream of significant historic value.	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Middl Chatt Lake

Hatchet Creek	Coosa	RM 47, northeast of Goodwater to Coosa County 29 bridge	38	Exceptionally scenic canoeing stream.	Fish, Recreational, Scenic, Wildlife	Low
Line Creek	Montgomery, Macon	RM 17, south of Chesson to confluence with Tallapoosa River	19	Scenic recreational stream in close proximity to population center.	Fish, Geologic, Recreational, Scenic, Wildlife	Low
Little Cahaba River	Bibb, Shelby	Confluence with Shoal Creek to confluence with Cahaba River	27	Picturesque whitewater stream with numerous shoals and waterfalls; bordered in part by Game Management Area.	Fish, Geologic, Recreational, Scenic, Wildlife	Caha
Little River	Baldwin, Monroe, Escambia	AL 1 bridge to above AL 59 bridge	9	Outstanding State coastal canoe stream with numerous sand bars.	Fish, Recreational, Scenic, Wildlife	Low
Little River	Cherokee, DeKalb	River Park in DeSoto State Park to backwaters of Weiss Lake	21	Flows through deepest gorge East of the Grand Canyon; 11.5 miles designated State Wild and Scenic River.	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Upper

Little River, East Fork	Cherokee, DeKalb	RM 8, near GA State line to confluence with Little River	8	Flows through deepest gorge East of the Grand Canyon; 11.5 miles designated State Wild and Scenic River.	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Uppe
Little River, West Fork	Cherokee, DeKalb	RM 8, near GA State line to confluence with Little River	8	Flows through deepest gorge East of the Grand Canyon; 11.5 miles designated State Wild and Scenic River.	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Uppe
Little Uchee Creek	Russell, Lee	RM 11, below US 80 bridge to confluence with Uchee Creek	12	Archaeologically significant corridor area.	Cultural, Fish, Historic, Recreational, Scenic, Wildlife	Middl Chatt Walte
Majors Creek	Baldwin	AL 96 bridge to AL 59 bridge	7	Totally wild coastal stream.	Fish, Historic, Scenic, Wildlife	Lowe
New River	Pickens, Greene, Tuscaloosa, Fayette, Marion, Winston	Headwaters south of Glen Mary to confluence with Sipse River	24	Excellent example of swamp river.	Cultural, Fish, Historic, Recreational, Scenic, Wildlife	Sipse
Noxubee River	Sumter	MS State line to confluence with Tombigbee River	24	Numerous archaeological and historical sites in corridor area.	Cultural, Fish, Historic, Recreational, Wildlife	Noxu

Perdido River	Baldwin	One mile below US 31/AL 3 bridge to Perdido Bay	63	Excellent deep blackwater float stream with magnificent stands of Atlantic white cedar.	Fish, Recreational, Scenic, Wildlife	Perdi
Shoal Creek	Bibb, Shelby	Headwaters southwest of Elliottsville to confluence with Little Cahaba River	8	Picturesque whitewater stream with numerous shoals and waterfalls; bordered in part by Game Management Area.	Fish, Geologic, Recreational, Scenic, Wildlife	Caha
Sipse River	Pickens, Greene, Tuscaloosa, Fayette, Marion, Winston	Confluence with New River to confluence with Tombigbee River	150	Excellent example of swamp river.	Cultural, Fish, Historic, Recreational, Scenic, Wildlife	Sipse
Sixmile Creek	Bibb	Headwaters near town of Six Mile to confluence with Little Cahaba River	27	Remote, totally forested stream corridor in Game Management Area.	Geologic, Recreational, Scenic	Caha
Sougahatchee Creek	Tallapoosa, Lee	Sougahatchee Lake near Opelika to confluence with Tallapoosa River and Lake Gates	50	Heavily utilized forested stream.	Fish, Recreational, Scenic, Wildlife	Lowetalla

Styx River	Baldwin	One mile above AL 57 bridge to confluence with Perdido River	38	Shallow and unique coastal stream with sandstone rapids and white sand bars.	Fish, Geologic, Recreational, Scenic, Wildlife	Perdi
Tallapoosa River	Tallapoosa, Chambers	Bibbys Ferry and AL 6\$ bridge to Jay Bird Landing	24	Flows through Horseshoe Bend National Monument Park.	Cultural, Fish, Historic, Recreational, Scenic, Wildlife	Middl Tallaç
Tallapoosa River	Montgomery, Macon, Elmore	Below Tallassee and Thurlow Dam to US 231 bridge near Wetumpka	40	Undeveloped and undisturbed ecological values.	Cultural, Fish, Historic, Recreational, Scenic, Wildlife	Middl Tallaç
Uchee Creek	Russell, Lee	County Road 65 bridge to confluence with Chattahoochee River	34	Archaeologically significant corridor area.	Cultural, Fish, Historic, Recreational, Scenic, Wildlife	Middl Chatt Walte
Warrior Creek	Blount, Cullman	Walker County line to confluence with Mulberry Fork Black Warrior River	6	Scenic, undeveloped canoeing stream.	Fish, Geologic, Recreational, Scenic, Wildlife	Mulbe

Yellow River	Covington	Two miles below 35	Flows through	Fish,	Yellow
		US 84/AL 12	Eglin State	Geologic,	
		bridge to FL	Wildlife	Recreational,	
		State line	Management	Scenic,	
			Area; official	Wildlife	
			State Canoe		
			Trail; hardwood		
			forests and		
			cypress		
			swamps;		
			valuable fishery.		

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