



U.S. Department of Housing and Urban
Development

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

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

Project Information

Project Name: The Cottages on Georgia Road

Responsible Entity: The City of Birmingham, Alabama

Grant Recipient (if different than Responsible Entity):

State/Local Identifier:

Preparer: Wendy Hicks, Senior Administrative Analyst

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

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable)

Direct Comments to: Christopher Hatcher, Director
City of Birmingham
Community Development Department
710 North 20th Street – 10th Floor City Hall
Birmingham, AL 35203

Project Location:

5984 Georgia Road, Birmingham, AL 35212 add Sub Division Copeland W B situated in the City of Birmingham, Jefferson County Alabama as recorded at Map Book 3, Page 87 in the office of the Judge of Probate of Jefferson County, Alabama.

1. 23 00 21 1 023 015.000 5984 Georgia Road, Birmingham, AL 35212

6004 Georgia Road, Birmingham, AL 35212 add Sub Division1: Copeland W B situated in the City of Birmingham, Jefferson County, Alabama as recorded at Map Book 3, Page 87 in the office of the Judge of Probate of Jefferson County, AL.

2. 2300211023016.000 6004 Georgia Road, Birmingham, AL 35212

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

The Cottages on Georgia Road is the third phase of WF's mixed-income housing strategy. The development will be in South Woodlawn, an established residential neighborhood within the Woodlawn Community. The project site formerly housed a failed multi-family complex that was a nuisance property, contributing to blight and drug activity in the area.

This project will include 20 homes and will be adjacent to the Park at Wood Station. The development will be comprised of a combination of townhomes, cottages and a single-family home. Twelve units will be market-rate and sold at price points affordable for moderate-income individuals and families. Eight cottages, the subject of this funding request, will be marketed to extremely low-income individuals, families and/or veterans and there will be eight (8) HUD Project Based vouchers.

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

This initiative is part of an overall Master Plan drafted in partnership with the Neighborhood Associations. The City of Birmingham approved a Redevelopment District and Urban Renewal Plan for the area. These efforts are focused on the goal of increasing the supply of high quality mixed-income housing that is affordable to a wide range of families and individuals, creating a platform for families that currently live in Woodlawn to improve their quality of life and attract new families. The ultimate vision is to increase home ownership in an area that is currently experiencing over 70% renter occupancy and significant blight due to vacant and abandoned properties.

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

At the present time, the site consists of some area covered by grass and trees. The Property consists of a rectangle shaped parcel and the size of the property is 23,800 square feet. The property is vacant. Currently, the Property is not developed.

Funding Information

Grant Number	HUD Program	Funding Amount
B14MC010002	CDBG	\$614,500
M17/18MC010200	HOME	\$527,303
N/A	HUD Project Based Vouchers (8) units	N/A

Estimated Total HUD Funded Amount: \$1,141,803

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

This project consists of eight new-construction single-family detached cottages. Total development budget is estimated \$1,530,903. Of this amount, construction costs (infrastructure, site improvements, builder general requirements, builder overhead, builder profit and hard cost contingency) are estimated at \$1,253,147. Alabama Housing Finance Authority has committed \$933,388 in take-out funding which will be paid at the close of construction.

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.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project site is not located in an Accident Potential Zone (APZ) or Runway Protection Zone/Clear Zone (RPZ/CZ).
Coastal Barrier Resources 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"/>	Birmingham, Alabama is not in a coastal area.
Flood Insurance	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to the subject parcel is not located within a moderate-to-low risk areas, which

Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]		means the risk of being flooded is reduced but not completely removed. According to the Overview Map the subject property is not in the 100 or 500-year flood zone.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air 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"/>	Affordable Housing programs will not add to 03 concentrations and therefore, complies with the Clean Air Act.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The City of Birmingham is not located in a coastal area.
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According EPA Mapping, the project site is not located on the U.S. EPA Superfund Program CERCLIS Site Location Listing.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project site is centrally located in a highly developed urban area. There are no known occurrences of rare or state or federally - listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of the site. Therefore, the proposed action would not violate the Endangered Species Act.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on the site maps, there were no hazards as defined by 51.201 within the acceptable separation distance and the proposed action is in compliance with 24 CFR 51 C.
Farmlands Protection 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"/>	The City of Birmingham is an urban area and not located within a soil type with a farmland designation. The Affordable Housing Programs would not involve the conversion of farmland to nonagricultural use and therefore would not violate the Farmland Protection Policy Act.
Floodplain Management	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to the most recent available FEMA mapping, the project site lies outside of mapped FEMA floodplain. There would be no potential direct or indirect impacts

Executive Order 11988, particularly section 2(a); 24 CFR Part 55		to the floodplain or floodway associated and therefore would not violate Executive Order 11988.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project site is not located in a historic district. Correspondence was sent to all the tribal nations: Muscogee (Creek) Nation, etc. February 21, 2020 regarding possibly interest if any.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	The noise level for the subject site range of 74.3 dB, which place the site in the normally unacceptable range. See attached support
Sole Source Aquifers 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"/>	According to the U. S. Environmental Protection Agency (EPA), there are no sole source aquifers in Alabama. See attached support.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to the U.S. Fish and Wildlife Service National Wetlands Inventory, the project site is not located in nor does it encroach upon any federal wetlands. Therefore, the proposed action would not violate Executive Order 11990.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to available mapping from the National Park Service, there is no designated Wild or Scenic Rivers that would be affected by this project.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The construction of 20 new units will have a potentially beneficial impact to the City of Birmingham and would not result in a disproportionately high adverse human health impact or environmental impact on minority or low-income populations.

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
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	The proposed project is consistent with the comprehensive plan, land use plan and zoning ordinance. The lots already zone residential. The structures will be constructed to fit with the character of existing structures. Compliance will be guaranteed the City's by permitting processes
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The site is vacant and had been previously developed. The soil type is urban land. The topography of the site is generally flat. Construction and soil disturbance will take place on the project site; however, no impacts to slope are anticipated. Erosion, drainage, and storm water runoff compliance 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 other than those associated with typical construction projects. The project Site will be secured during construction to limit access to any potential hazards. No significant hazard or nuisance impacts are expected. Ambient noise levels will increase throughout construction, however this activity will be limited to daylight hours and will not pose a significant long term increase in noise.
Energy Consumption	2	The 20 new units will be designed and constructed to meet the current Energy Star Standard.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	There are no anticipated income or employment changes anticipated as a result of this project.

Demographic Character Changes, Displacement	1	The project will benefit existing and new residents. The 20 new units are not expected to result in a noticeable change in the demographic character of the area. No displacement will occur. A significant impact is not expected as a result.
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Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	20 units are not expected to result in a noticeable change in the demand on educational facilities, and a significant impact is not expected as a result.
Commercial Facilities	2	20 units are not expected to result in a noticeable change in the demand on commercial facilities, and a significant impact is not expected as a result.
Health Care and Social Services	2	20 units are not expected to result in a noticeable change in the demand on solid waste disposal and recycling, and a significant impact is not expected as a result.
Solid Waste Disposal / Recycling	2	20 units are not expected to result in a noticeable change in the demand on solid waste disposal and recycling, and a significant impact is not expected as a result.
Waste Water / Sanitary Sewers	2	Lots are serviced or have been serviced by the existing public utility company. No impact is anticipated.
Water Supply	2	Lots are serviced or have been serviced by the existing public utility company. No impact is anticipated.
Public Safety - Police, Fire and Emergency Medical	2	Area is serviced by the City of Birmingham's Fire and Police Departments. No impact is anticipated.
Parks, Open Space and Recreation	2	There are no adverse impacts anticipated for any of the parks, open space and recreation areas.
Transportation and Accessibility	2	There are no adverse impacts anticipated on transportation and accessibility.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The project will be constructed on existing vacant lots. There are no unique natural features or agricultural lands near on vacant lots. Therefore, the proposed action would have no impact on such resources.
Vegetation, Wildlife	2	The project site and immediate surroundings are previously developed and disturbed. Therefore, no significant impacts to vegetation or wildlife would result from the proposed programs.

Other Factors	2	N/A
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Additional Studies Performed:

Field Inspection (Date and completed by):

August 11, 2017, L'Tryce Slade, MRP, JD, a representative of Slade

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

Phase I completed by Slade Land Use, Environmental and Transportation Planning, LLC

List of Permits Obtained:

All permits will be obtained from the City of Birmingham's Planning, Engineering & Permits Department.

Public Outreach [24 CFR 50.23 & 58.43]:

Notices will be placed in the Birmingham New on April 26, 2020 and the Birmingham Times on April 26, 2020.

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 environmental 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
24 CFR Part 51 Subpart B Noise Abatement and Control	Landscaping noise barrier that consist of Evergreen trees comprised of the following: (6) Dwarf Southern Magnolia Trees, each 10 feet wide by 17 feet tall. (15) Brodie Columnar Cedar trees, each at 7 feet wide by 20 feet tall. The total combined sized of the landscaping noise barrier, including both Magnolia and Cedar evergreen trees = 165 feet wide/long by an average height of 19 feet high. See attached

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: _____

Name/Title/Organization: Wendy Hicks/Senior Administrative Analyst/ Community Development/ City of Birmingham, Alabama

Certifying Officer Signature: _____

Date: _____

Name/Title: Christopher Hatcher/Director Community Development/City of Birmingham, Alabama

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).

Cottages on Georgia Road

Woodlawn, one of Birmingham's great historic neighborhoods, was incorporated into Birmingham in 1910 and grew into a community of working- and middle-class families. Over the years, the community succumbed to familiar patterns of urban neglect. Much of the housing stock was built before 1950 and is in poor condition. Almost half of the families in the neighborhood earn less than \$25,000 per year.

Recognizing the negative impact of concentrated poverty, Woodlawn Foundation (WF) is developing a critical mass of mixed-income housing units to stabilize the neighborhood and attract private investment to the surrounding area. Phase I, the Park at Wood Station, was completed in 2015 and consists of 64 affordable townhomes. Phase II, the Cottages at Wood Station, consists of 12 newly constructed single-family market-rate homes.

This initiative is part of an overall Master Plan drafted in partnership with the Neighborhood Associations. The City of Birmingham approved a Redevelopment District and Urban Renewal Plan for the area. These efforts are focused on the goal of increasing the supply of high quality mixed-income housing that is affordable to a wide range of families and individuals, creating a platform for families that currently live in Woodlawn to improve their quality of life and also attract new families. The ultimate vision is to increase home ownership in an area that is currently experiencing over 70% renter occupancy and significant blight due to vacant and abandoned properties.

The Cottages on Georgia Road is the third phase of WF's mixed-income housing strategy. The development will be located in South Woodlawn, an established residential neighborhood within the Woodlawn Community. The project site formerly housed a failed multi-family complex that was a nuisance property, contributing to blight and drug activity in the area.

This project will include 20 homes and will be adjacent to the Park at Wood Station. The development will be comprised of a combination of townhomes, cottages and a single-family home. Twelve units will be market-rate and sold at price points affordable for moderate-income individuals and families. Eight cottages, the subject of this funding request, will be marketed to extremely low-income individuals, families and/or veterans and will be leased units.

Recent commercial development along the 1st Avenue North corridor and surrounding neighborhoods make this site an ideal location for housing development. Amenities within a mile of the site include a Title Bucks building that was recently renovated into a family-style restaurant, a FQHC health clinic and a state-of-the-art Early Learning Center. A \$9.0 million + high-quality K-5 public charter school is scheduled to open in 2020.

Development Budget: This project consists of eight new-construction single-family detached cottages. Total development budget is estimated \$1,530,903. Of this amount, construction costs (infrastructure, site improvements, builder general requirements, builder overhead, builder profit and hard cost contingency) are estimated at \$1,253,147. Alabama Housing Finance Authority has committed \$933,388 in take-out funding which will be paid at the close of construction.

EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-13) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

TARGET PROPERTY INFORMATION

ADDRESS

5984 GEORGIA ROAD AND 6004 GEORGIA ROAD
BIRMINGHAM, AL 35212

COORDINATES

Latitude (North):	33.5421790 - 33° 32' 31.84"
Longitude (West):	86.7445990 - 86° 44' 40.55"
Universal Transverse Mercator:	Zone 16
UTM X (Meters):	523712.1
UTM Y (Meters):	3711231.8
Elevation:	646 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map:	6700710 IRONDALE, AL
Version Date:	2014
West Map:	6700690 BIRMINGHAM NORTH, AL
Version Date:	2014

AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from:	20150805
Source:	USDA

PARCEL #: 23 00 21 1 023 015.000
OWNER: W F REAL PROPERTY RESOURCES LLC
ADDRESS: 3800 COLONNADE PARKWAY STE 430 BIRMINGHAM AL 3524.
LOCATION: 5984 GEORGIA RD BHAM AL 35212

Baths: 0.0 **H/C Sqft:** 0
50-011.0 **Bed Rooms:** 0 **Land Sch:** L1
Land: 23,800 **Imp:** 0 **Total:** 23,800
Acres: 0.000 **Sales Info:** 08/23/2012 \$169,500

1 / 1 Records

Tax Year: 2017

SUMMARY

ASSESSMENT

PROPERTY CLASS: 2
EXEMPT CODE:
MUN CODE: 30 BIRMINGHAM
SCHOOL DIST:
OVR ASD VALUE: \$0.00
CLASS USE:
FOREST ACRES: 0
PREV YEAR VALUE: \$159,600.00
OVER 65 CODE:
DISABILITY CODE:
HS YEAR: 0
EXM OVERRIDE AMT: \$0.00
TOTAL MILLAGE: 72.5
TAX SALE:
BOE VALUE: 0

VALUE

LAND VALUE 10% \$0
LAND VALUE 20% \$23,770
CURRENT USE VALUE [DEACTIVATED] \$0

TOTAL MARKET VALUE (LAND VALUE EXEMPTED) \$23,770

Assessment Override:

MARKET VALUE:
CU VALUE:
PENALTY:
ASSESSED VALUE:

TAX INFO

	CLASS	HUMCODE	ASSED. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	2	30	\$4,760	\$30.94	\$0	\$0.00	\$30.94
COUNTY	2	30	\$4,760	\$64.26	\$0	\$0.00	\$64.26
SCHOOL	2	30	\$4,760	\$39.03	\$0	\$0.00	\$39.03
DIST SCHOOL	2	30	\$4,760	\$0.00	\$0	\$0.00	\$0.00
CITY	2	30	\$4,760	\$135.66	\$0	\$0.00	\$135.66
FOREST	2	30	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	2	30	\$4,760	\$27.13	\$0	\$0.00	\$27.13
SPC SCHOOL2	2	30	\$4,760	\$48.08	\$0	\$0.00	\$48.08

TOTAL FEE & INTEREST: \$78.33

ASSED. VALUE: \$4,760.00

\$345.10

GRAND TOTAL: \$423.43

QUICK LINKS

- BOE
- Property Tax
- Assessment
- Collection
- Millage Rate
- Contact Us
- County Site

Disclaimer: This information is provided for informational purposes only. It is not intended to be used for legal or financial purposes. The information may be subject to change without notice.

Jefferson County
 TIA Richard Arrington Jr
 800 N
 Birmingham, AL 35203
 (205) 325-9000





ALABAMA HISTORICAL COMMISSION

468 South Perry Street
P.O. Box 300900
Montgomery, Alabama 36130-0900
334-242-3184 / Fax: 334-240-3477

Lisa D. Jones
Executive Director
State Historic Preservation Officer

March 31, 2020

Adrienne Stitt
710 North 20th Street
Room 1000
Birmingham, AL 35203

Re: AHC 20-0588
The Cottages on Georgia Road
Jefferson County

Dear Ms. Stitt:

Upon review of the above referenced project, we have determined that project activities will have no effect on cultural resources eligible for or listed on the National Register of Historic Places. Therefore, we concur with the proposed project activities.

Consultation with the State Historic Preservation Office does not constitute consultation with Tribal Historic Preservation Offices, other Native American tribes, local governments, or the public. If archaeological materials are encountered during construction, the procedures codified at 36 CFR 800.13(b) will apply. Archaeological materials consist of any items, fifty years old or older, which were made or used by man. These items include but are not limited to, stone projectile points (arrowheads), ceramic sherds, bricks, worked wood, bone and stone, metal, and glass objects. The federal agency or the applicant receiving federal assistance should contact our office immediately. If human remains are encountered, the provisions of the Alabama Burial Act (*Code of Alabama* 1975, §13A-7-23.1, as amended; Alabama Historical Commission Administrative Code Chapter 460-X-10 Burials) should be followed. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's historic archaeological and architectural resources. Should you have any questions, please contact Eric Sipes at 334.230.2667 or Eric.Sipes@ahc.alabama.gov. Have the AHC tracking number referenced above available and include it with any future correspondence.

Sincerely,

Lee Anne Wofford
Deputy State Historic Preservation Officer

LAW/EDS/law



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 historic 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, applicants, and consultants. 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 historic preservation professional with expertise in history and/or architectural history.

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.

PROJECT NAME

The Cottages Phase II

FEDERAL AGENCY PROVIDING FUNDS, LICENSE, OR PERMIT

HUD HOME Funds - City of Birmingham

AHC NUMBER (If project has been previously submitted)

APPLICANT

City of Birmingham

TELEPHONE

205-254-2309

CONTACT PERSON

Adrienne Stitt

TELEPHONE

205-254-2309

CONTACT EMAIL

Adrienne.stitt@birminghamal.gov

ADDRESS FOR RESPONSE 710 North 20th St.

Room 1000

Birmingham, AL 35203

PROJECT LOCATION

STREET ADDRESS

5984 Georgia Rd.

CITY

Birmingham

COUNTY

Jefferson

ZIP CODE

35212

LATITUDE / LONGITUDE

latitude 33.5421790 33° 32' 31.84" and longitude 86.7445990 -86° 44' 40.56"

PROJECT DESCRIPTION

Describe the overall project in **DETAIL**. 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. The Cottages on Georgia Road is the third phase of WF's mixed-income housing strategy. The development will be located in South Woodlawn, an established residential neighborhood within the Woodlawn Community. The project site formerly housed a failed multi-family complex that was a nuisance property, contributing to blight and drug activity in the area.

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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: www.digital-topo-maps.com. City maps can be printed using www.google.com/maps.

Provide current, high resolution color photographs that illustrate the project area and the entire APE as defined above. Digital prints will be accepted, but photographs should also be submitted on a CD or DVD.

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 property is not developed(see additional photographs)

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 archaeologist's report.

BUILDING & STRUCTURE INFORMATION

Background research for previously identified historic properties within an APE may be undertaken at the Alabama SHPO in Montgomery. These files include the National Register of Historic Places, Alabama Register of Landmarks & Heritage, Alabama Historic Cemetery Register, and county architectural surveys. To request a research appointment, contact Nicole Woods at 334.230.2673 or Nicole.Woods@ahc.alabama.gov. Alabama SHPO staff cannot perform the file research for your project. As mentioned previously, 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 buildings or structures 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) Are any of the buildings or structures identified in question #2 listed or eligible for listing in the NRHP?
☐ YES ☒ NO If yes, identify the properties by name or photo number.
If no, provide an explanation as to why the properties are not eligible for the NRHP.
- 4) Does the project involve the rehabilitation, renovation, demolition, or addition to any building or structure that is 50 years old or older?
☐ YES ☒ NO If yes, provide rehabilitation plans and / or reasons for demolition.

A note about photographs: Current, high resolution photographs must be submitted on CD or DVD. Prints may also be submitted, but a CD or DVD of the images must accompany the prints. Black and white photocopies, faxed photographs or Polaroids will not be accepted. 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?☐ Completed form.☐ Photographs of current site conditions and all identified historic properties keyed to a site map.☐ Maps with project area, APE, and any historic properties marked and identified.☐ For new construction, rehabilitations, etc., attach work plans, drawings, etc.☐ Other supporting documents (if necessary to explain the project).☐ Description of present use and condition of the project area.

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.

AHC is unable to accept electronic submissions.

Return mail hard copies of this form and attachments to:

**Lee Anne Wofford, Deputy SHPO
Alabama Historical Commission
Attn: Section 106 Review
468 South Perry Street
Montgomery, Alabama 36130-0900 (US post) 36104 (courier)**

AHC is unable to accept electronic submissions.



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.nhp.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 historic 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, applicants, and consultants. 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 historic preservation professional with expertise in history and/or architectural history.

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.

PROJECT NAME

The Cottages on Georgia Road

FEDERAL AGENCY PROVIDING FUNDS, LICENSE, OR PERMIT

HUD CDBG/ HOME Funds - City of Birmingham

AHC NUMBER (If project has been previously submitted)

APPLICANT

City of Birmingham/ Community Development Department

TELEPHONE

205-254-2309

CONTACT PERSON

Adrienne Stitt

TELEPHONE

205-254-2309

CONTACT EMAIL

Adrienne.stitt@birminghamal.gov

ADDRESS FOR RESPONSE

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

PROJECT LOCATION

STREET ADDRESS

5984 Georgia Rd.

CITY

Birmingham

COUNTY

Jefferson

ZIP CODE

35212

LATITUDE / LONGITUDE

latitude 33.5421790 33° 32' 31.84" and longitude 86.7445990 -86° 44' 40.56"

PROJECT DESCRIPTION

Describe the overall project in DETAIL. 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. The Cottages on Georgia Road is the third phase of WF's mixed-income housing strategy. The development will be located in South Woodlawn, an established residential neighborhood within the Woodlawn Community. The project site formerly housed a failed multi-family complex that was a nuisance property, contributing to blight and drug activity in the area.

This project will include 20 homes and will be adjacent to the Park at Wood Station. The development will be comprised of a combination of townhomes, cottages and a single-family home. Twelve units will be market-rate and sold at price points affordable for moderate-income individuals and families. Eight cottages, the subject of this funding request, will be marketed to extremely low-income individuals, families and/or veterans and will be leased units.

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: www.digital-topographics.com. City maps can be printed using www.citymaps.com.

Provide current, high resolution color photographs that illustrate the project area and the entire APE as defined above. Digital prints will be accepted, but photographs should also be submitted on a CD or DVD.

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 property is not developed(see additional photographs)

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 archaeologist's report.

BUILDING & STRUCTURE INFORMATION

Background research for previously identified historic properties within an APE may be undertaken at the Alabama SHPO in Montgomery. These files include the National Register of Historic Places, Alabama Register of Landmarks & Heritage, Alabama Historic Cemetery Register, and county architectural surveys. To request a research appointment, contact Nicole Woods at 334.230.2673 or Nicole.Woods@psh.alabama.gov. Alabama SHPO staff cannot perform the file research for your project. As mentioned previously, 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 buildings or structures 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) Are any of the buildings or structures identified in question #2 listed or eligible for listing in the NRHP?
☐ YES ☒ NO If yes, identify the properties by name or photo number.
If no, provide an explanation as to why the properties are not eligible for the NRHP.
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CHECKLIST: Did you provide the following information?

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☒ Maps with project area, APE, and any historic properties marked and identified.

☒ For new construction, rehabilitations, etc., attach work plans, drawings, etc.

☐ Other supporting documents (if necessary to explain the project).

☐ Description of present use and condition of the project area.

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Section 106 Coordinator, at 334.230.2692 or Amanda.McBride@ahc.alabama.gov.

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Attn: Section 106 Review
468 South Perry Street
Montgomery, Alabama 36130-0900 (US post) 36104 (courier)**

AHC is unable to accept electronic submissions.

Cottages at Georgia Rd.

APE Maps

Alabama Register of Landmarks and Heritage

Alabama_Register_Features
- Historic Building Survey
Points



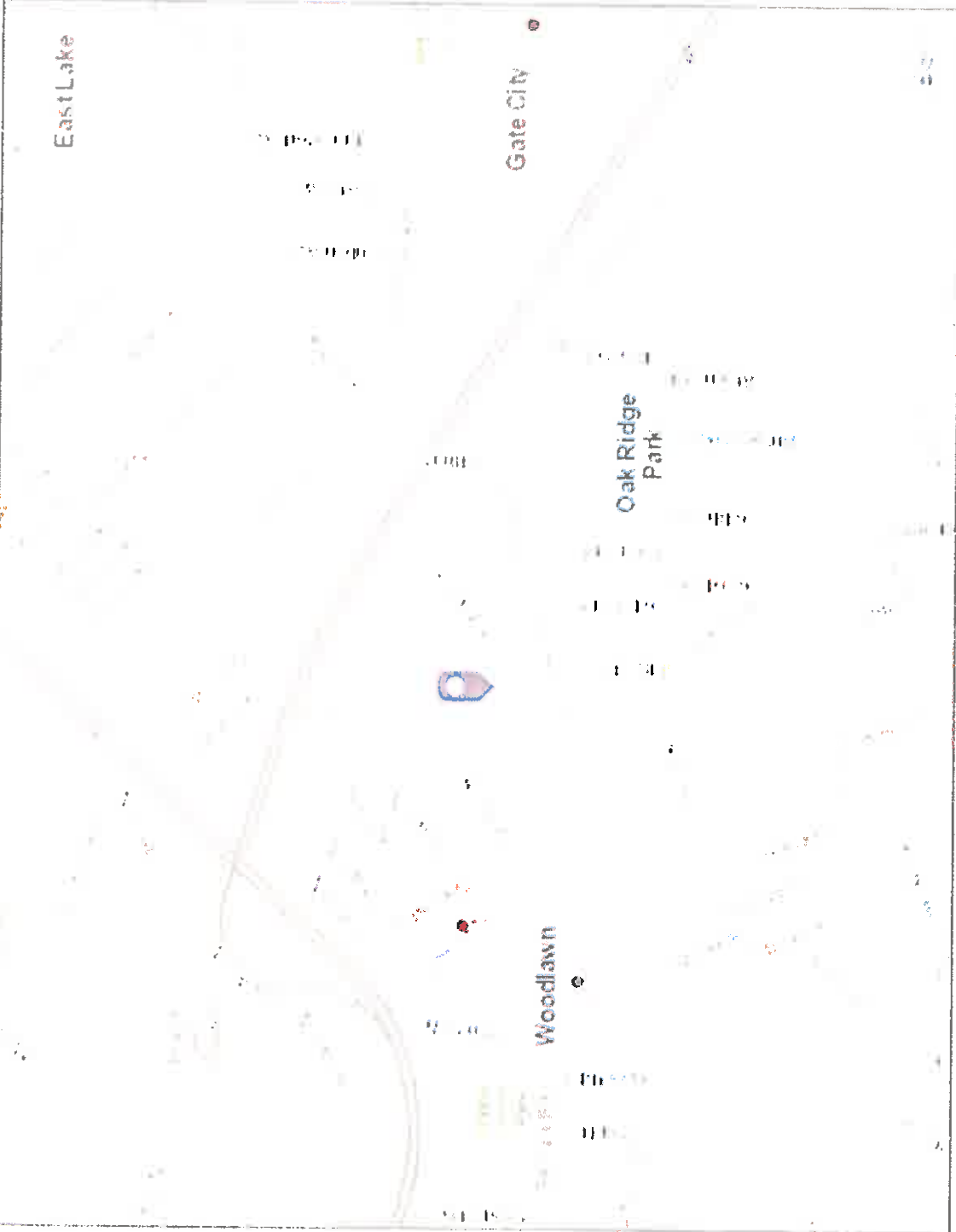
Alabama_Register_Features
- Historic Building Survey
Polylines



Alabama_Register_Features
- Historic Building Survey
Polygons



Alabama Counties



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

0.3mi

JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA





5984 Georgia Rd

Birmingham, AL 35212

-  [Directions](#)
-  [Save](#)
-  [History](#)
-  [Send to your phone](#)
-  [Share](#)

 G7R4+V5 Birmingham, Alabama

Photos







[DOI\(O365\) Microsoft ArcGIS Online Google](#)



[New Editor FAQs](#)



[Privacy Statement](#)



[ONB 1028-011](#)



5984 Georgia Rd Birmingham Search



Address or Place ▾

Clear



5984 Georgia Rd, Birmingham, Alabama, 35212

- Address: 5984 Georgia Rd, Birmingham, Alabama, 35212
- Suburb: Jefferson County
- Region: Alabama

Source: ESRI Unlabeled

Zoom To

Details

College of Business

Elementary School

Trinity Park School

General School

High School

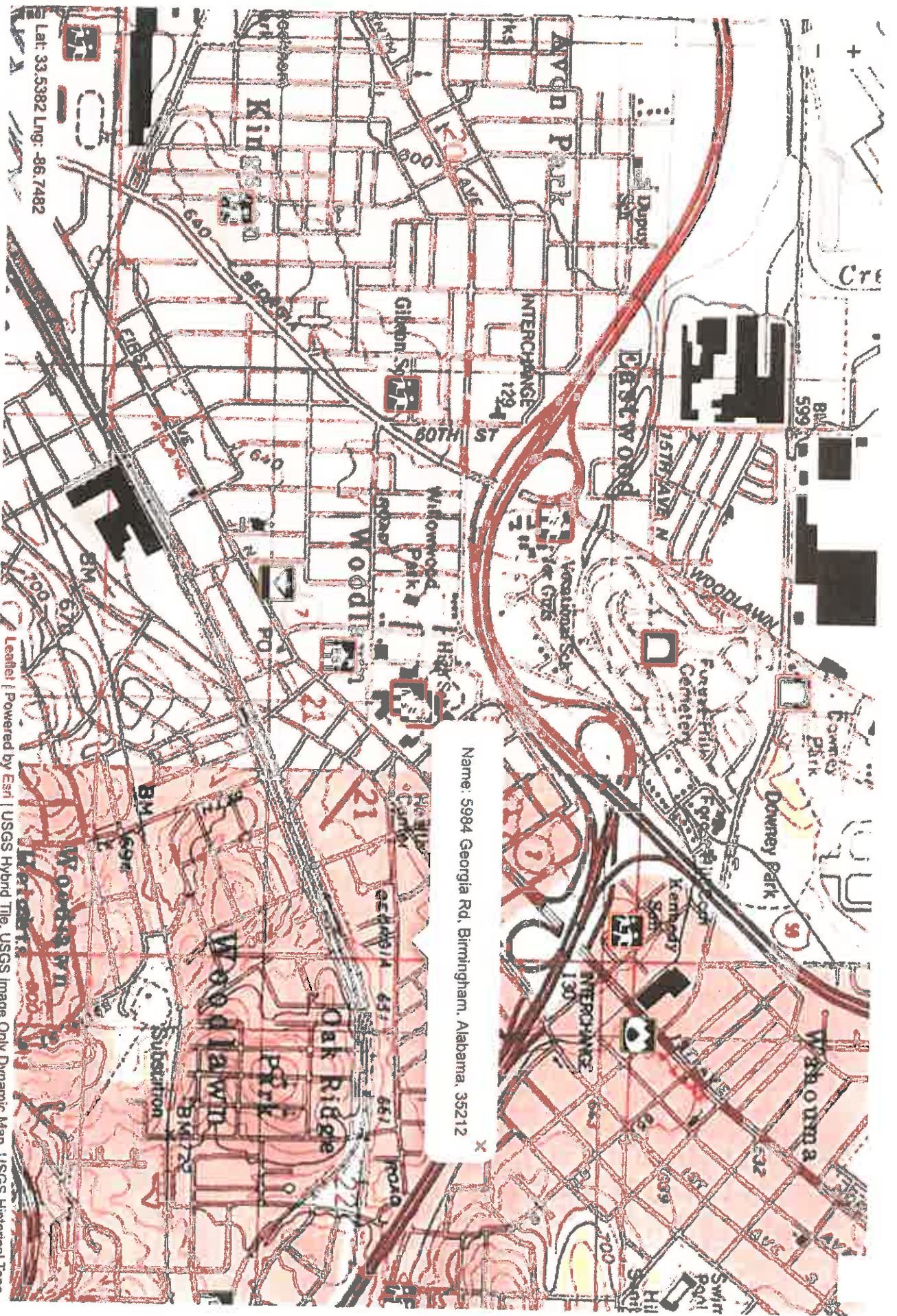
Midlife School

Amberley Springs

Trinity Springs

East Birmingham

Private Construction Industry



Name: 5984 Georgia Rd, Birmingham, Alabama, 35212

Lat: 33.5382 Lng: -86.7482

Leaflet | Powered by Esri | USGS Hybrid Tile, USGS Image Only Dynamic Map, USGS Historical Topo

Cottages at Georgia Rd.
New Construction
Drawings

WOODLAWN REDEVELOPMENT PARTNERSHIP INITIATIVE

Collaborative Partnership

Through a common mission to provide affordable housing, HABD, along with the Woodlawn Foundation and the National Community Reinvestment Coalition (NCRC), and Alabama Power have partnered to develop an affordable housing community which will provide additional affordable housing options for HABD residents. The proposed housing development will be located off Georgia Road on 2.8 acres currently owned by the Woodlawn Foundation. The partnership has committed to developing on the aforementioned property an affordable housing community consisting of (8) rental cottages and (12) homeownership townhouse units. The newly developed community will provide housing for HABD residents between 30% - 80% of Area Median Income (AMI).

Rental Units

The Woodlawn Foundation will own and manage (8) affordable rental cottages targeting individuals, families and veterans at 30% AMI. The cottages will support HABD's need to increase housing options for its large aging-in-place senior population. The proposed units will consist of 2 bedrooms / 1-bath one-story cottages at 900 square feet.

Woodlawn Foundation, with the support of HABD, submitted an application to the AHFA to receive a Housing Trust Fund Grant and was awarded \$933,388 in funding to assist with the construction of the rental cottages. HABD has resources through its section 8 voucher program to provide rental subsidy for these rental units.

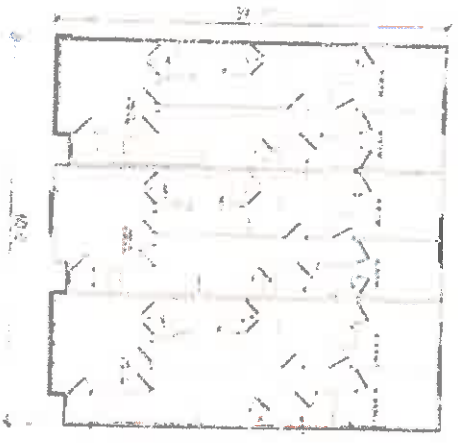
Homeownership Units

The for-sale portion of the site will consist of (11) townhomes and (1) single-family units. The for-sale units will be developed at the property off Georgia Road by HABD and NCRC. HABD will provide support to develop the infrastructure and NCRC will perform the construction of the homeownership units. HABD will identify residents enrolled in the Homeownership Program to purchase the homeownership units. Alabama Power is partnering with HABD to offer smart technology in these units.

Location

The development will be located in South Woodlawn, an established residential neighborhood within the Woodlawn Community. The project site formerly housed a failed multi-family complex that was a nuisance property, contributing to blight and drug activity in the area. Recent commercial development in the neighborhood makes this site an ideal location for housing development. Amenities within a mile of the site include a family-style restaurant, a FQHC clinic and a state-of-the-art Early Learning Center.

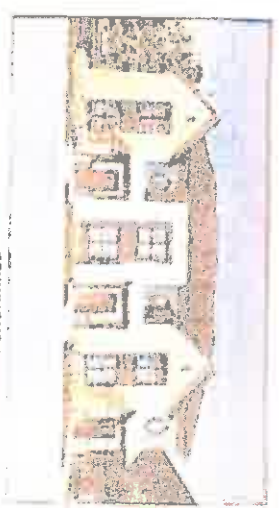
Exhibit H



TOWNHOUSE LEVEL 2



TOWNHOUSE SIDE ELEVATION



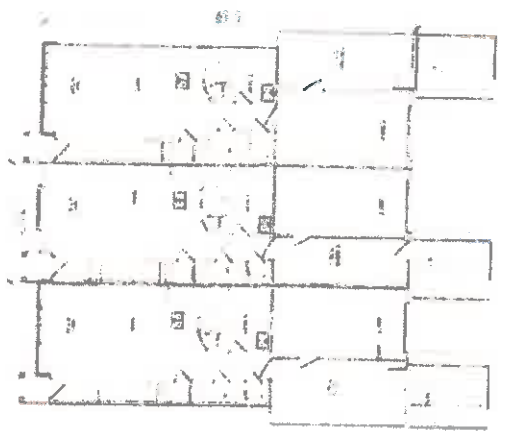
TOWNHOUSE FRONT ELEVATION



SINGLE FAMILY HOME FRONT ELEVATION



SINGLE FAMILY HOME SIDE ELEVATION



TOWNHOUSE LEVEL 1



TOWNHOUSE BACK ELEVATION



TOWNHOUSE STREET VIEW



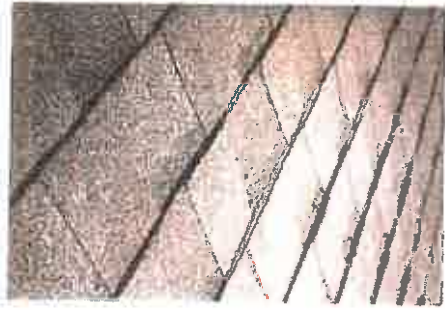
SINGLE FAMILY HOME FLOOR PLAN



WOODLAWN COTTAGES AND TOWNHOUSES AT GEORGIA ROAD

Woodlawn Foundation and Housing Authority of the Birmingham District

Exhibit A - Apartments



ELEVATION - WEST SIDE



ELEVATION - SOUTH SIDE



ELEVATION - EAST SIDE

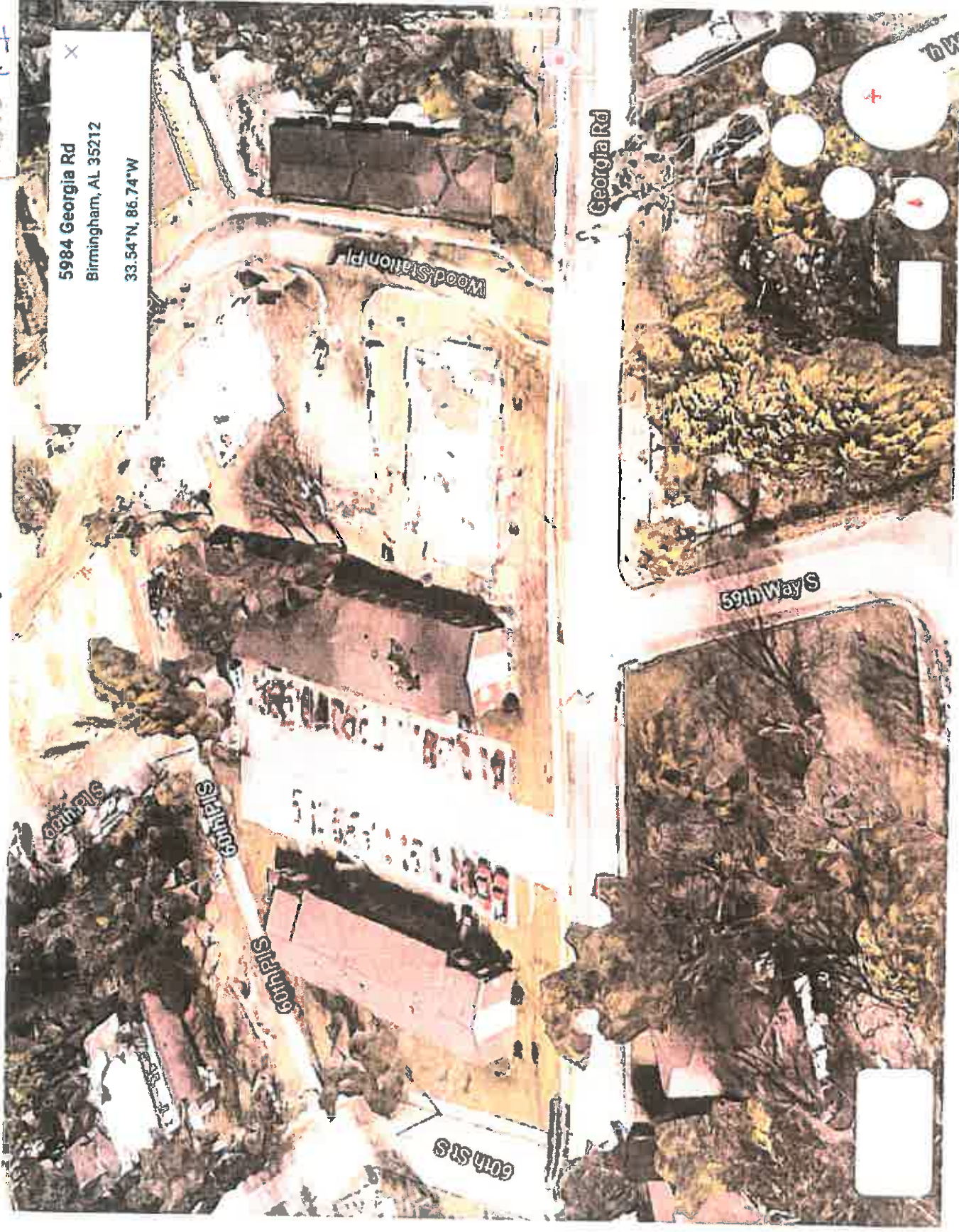


ELEVATION - NORTH SIDE

Cottages at Georgia Rd.

Photographs

5984 Georgia Rd
Birmingham, AL 35212
33.54°N, 86.74°W



Environmental Phase I Assessment

5984 and 6004 Georgia Road

6125 1st Avenue South



ENVIRONMENTAL CONSULTING | GENERAL CONTRACTING

location site Current view Photo #1

Current View of Photo # 1

Photograph 6



ENVIRONMENTAL CONSULTING GENERAL CONTRACTING

Google Maps 6001 Georgia Rd



Old property photo
apartments no long
there.

Image capture: Nov 2012 © 2020 Google

Birmingham, Alabama

Google

Street View

Photo #1

Google Maps 6001 Georgia Rd

Photo #1



Image capture Nov 2012 © 2020 Google

Birmingham, Alabama

Google

Street View



Street View

Photo Sphere

Click and drag to move the camera

Photograph 5



ENVIRONMENTAL CONSULTING GENERAL CONTRACTING



5984 Georgia Rd
Birmingham, AL 35212
33.54°N, 86.74°W

PARCEL ID: 012300211023015000

SOURCE: TAX ASSESSOR RECORDS **TAX YEAR:** 2018

DATE: Monday, February 10, 2020 11:35:45 AM

OWNER: W F REAL PROPERTY RESOURCES LLC

ADDRESS: 3800 COLONNADE PARKWAY STE 430

CITY/STATE: BIRMINGHAM AL

ZIP+4: 35243

SITE ADDR: 5984 GEORGIA RD

CITY/STATE: BIRMINGHAM, AL

ZIP: 35212



LAND: \$23,800.00

BLDG: \$0.00

OTHER: \$0.00

AREA: 28,064.49

ACRES: 0.64

SUBDIVISION INFORMATION:

NAME COPELAND W B

BLOCK:

LOT:

Section: 21-17-2W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Not in Commercial Revitalization District

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: South Woodlawn (2103)

Communities: WOODLAWN (21)

Council Districts: District - 4 (Councilor: William Parker)

Zoning Outline: R5

Demolition Quadrants: DEM Quadrant - 4

Impaired Watersheds: Impaired Watershed - Upper Village Creek

Strategic Opportunity Area: In Strategic Opportunity Area

RISE Focus Area: In RISE Focus Area

Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: In Opportunity Zones

Judicial Boundaries: JEFFERSON

Parcel mapping and description information is obtained from the Jefferson County Tax Assessor's Office. This site does not provide real-time information and may contain errors. All data should be verified with the official source. The City of Birmingham makes no warranty as to the accuracy of the data and assumes no responsibility for any errors. Data from the Tax Assessor's Office may not be available for all parcels.

Cottages at Georgia Rd.
Historic Preservation
Worksheet

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)	<u>36 CFR 800 "Protection of Historic Properties"</u>
References		
https://www.burlexchange.info/environmental-review/historic-preservation		

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:

Letter to THPO
SHPO Section 106 Review Application

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.

See maps attached

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:

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.

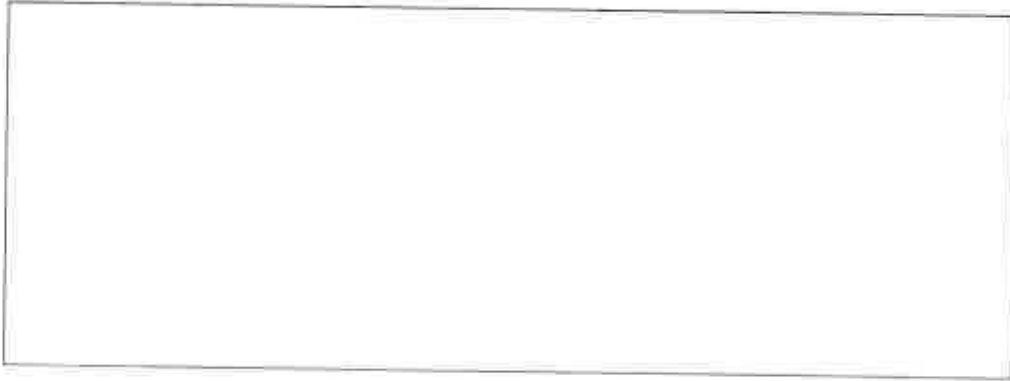
--

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

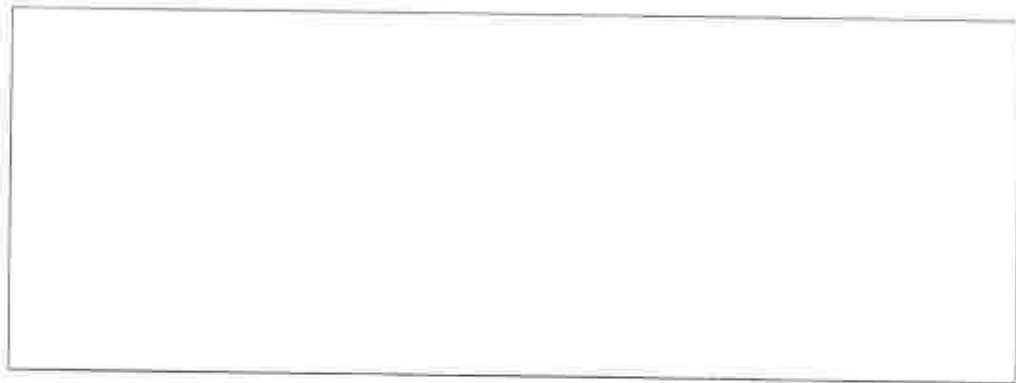
☐ No

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

Based on Area of Potential Effect, Alabama Registry of Historic Landmarks, parcel records and current use photos, it is determined that No Adverse Effects to Historic Sites as a result of this project.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Hicks, Wendy J.

From: Stitt, Adrienne
Sent: Monday, April 20, 2020 11:56 AM
To: Hicks, Wendy J.
Subject: FW: Cottages on Georgia Road

From: Section106 <Section106@mcn-nsn.gov>
Sent: Tuesday, March 17, 2020 2:02 PM
To: Stitt, Adrienne <Adrienne.Stitt@birminghamal.gov>
Subject: Cottages on Georgia Road

Good afternoon Ms. Stitt,

Thank you for sending the correspondence regarding the proposed construction of 20 homes consisting of townhomes, cottages, and a single-family home, all located adjacent to the Park at Wood Station located within the Woodlawn Community, Jefferson County, Alabama. Jefferson County is located within the Muscogee (Creek) Nation's historic area of interest and is of importance to us. After review, the Muscogee Nation is unaware of any Muscogee sacred sites, burial grounds, or significant cultural resources located within the immediate project areas. As much of the work will be performed within previously disturbed areas, the Muscogee Nation concurs that there should be **no effects to any known historic properties** and that work should continue as planned. However, due to the historic presence of Muscogee people in the project areas, inadvertent discoveries of human remains and related NAGPRA items may occur, even in areas of existing or prior development. Should this occur, the Muscogee (Creek) Nation requests that all work cease and our office as well as other appropriate agencies be notified immediately. This stipulation should be implemented into the project plans to ensure that contractors are aware of it. Any changes to the approved scope of work for this project will require re-submission to, and evaluation and approval by the Muscogee (Creek) Nation prior to initiation of any work for compliance with Section 106. Please feel free to contact me if there are any questions or concerns.

Thank you,

Robin Soweka Jr.
Historic and Cultural Preservation Department | Cultural Resource Specialist
Muscogee (Creek) Nation
P.O. Box 580 | Okmulgee, OK 74447
T 918.732.7726
F 918.758.0649
<http://www.muscogeenation-nsn.gov/>

THIS MESSAGE AND ANY ATTACHMENTS ARE COVERED BY THE ELECTRONIC COMMUNICATIONS PRIVACY ACT, 18 U.S.C. §§2510 et seq. AND CONTAIN INFORMATION THAT IS HIGHLY CONFIDENTIAL, PRIVILEGED AND EXEMPT FROM DISCLOSURE. ANY RECIPIENT OTHER THAN THE INTENDED RECIPIENT IS ADVISED THAT ANY DISSEMINATION, RETENTION, DISTRIBUTION, COPYING OR OTHER USE OF THE MESSAGE WITHOUT PRIOR WRITTEN CONSENT IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY.

Hicks, Wendy J.

From: Stitt, Adrienne
Sent: Monday, April 20, 2020 11:55 AM
To: Hicks, Wendy J.
Subject: FW: HUD- Cottages on Georgia Road, 5984 & 6004 Georgia Road, Birmingham, Alabama

From: Kassie Dawsey <KDawsey@coushatta.org>
Sent: Monday, March 9, 2020 9:38 AM
To: Stitt, Adrienne <Adrienne.Stitt@birminghamal.gov>
Subject: HUD- Cottages on Georgia Road, 5984 & 6004 Georgia Road, Birmingham, Alabama

Thank you for requesting our 106/EA determination. Based on the information provided, I do not believe that this project will have a negative impact on any archaeological, historic or cultural resources of the Coushatta people. Accordingly, we do not wish to consult further on this project. If any inadvertent discoveries are made in the course of this project, we expect to be contacted immediately and reserve the right to consult with you at that time.

Aliilamo (thank you),

Kassie Dawsey
Department of Cultural, Historical, and Natural Resources
Coushatta Tribe of Louisiana
P.O. Box 10
Elton, LA 70532
337-584-1585



CITY OF BIRMINGHAM

DEPARTMENT OF COMMUNITY DEVELOPMENT

PUTTING PEOPLE FIRST

February 20, 2020

Muscogee (Creek) Nation
James Floyd, Principal Chief
Cultural Preservation Department
P.O. Box 580
Okmulgee, OK 74447

Re: Cottages on Georgia Road
5984 Georgia Road
6004 Georgia Road
Birmingham, Alabama 35212

Dear Chief Floyd,

The City of Birmingham is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Birmingham has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The City of Birmingham will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

The Cottages on Georgia Road is the third phase of Woodlawn Foundation's mixed-income housing strategy. The development will be in South Woodlawn, an established residential neighborhood within the Woodlawn Community. The project site formerly housed a failed multi-family complex that was a nuisance property, contributing to blight and drug activity in the area.

This project will include 20 homes and will be adjacent to the Park at Wood Station. The development will be comprised of a combination of townhomes, cottages and a single-family home. Twelve units will be market-rate and sold at price points affordable for moderate-income individuals and families. Eight cottages, the subject of this funding request, will be marketed to extremely low-income individuals, families and/or veterans and will be leased units.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project

on religious or cultural properties, can you please note them in your response?

Enclosed are maps that show the project area and, if applicable, any additional area of potential indirect effects.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,



Adrienne Stitt
Deputy Director of Community Development
(205)254-2309
adrienne.stitt@birmingham1.gov

cc: RaeLynn Butler, THPO



CITY OF BIRMINGHAM

DEPARTMENT OF COMMUNITY DEVELOPMENT

PUTTING PEOPLE FIRST

February 20, 2020

Cousthatta Tribe of Louisiana
David Sickey, Chairman
Cultural Preservation Department
P.O. Box 10
Elton, LA 70532

Re: Cottages on Georgia Road
5984 Georgia Road
6004 Georgia Road
Birmingham, Alabama 35212

Dear Chairman,

The City of Birmingham is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Birmingham has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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Sincerely,



Adrienne Stitt

Deputy Director of Community Development

(205)254-2309

adrienne.stitt@birminghamal.gov

cc: Linda Langley, THPO



CITY OF BIRMINGHAM

DEPARTMENT OF COMMUNITY DEVELOPMENT

PUTTING PEOPLE FIRST

February 20, 2020

Alabama-Quassarte Tribal Town
Tarpie Yargee, Town King
Cultural Preservation Department
P.O. Box 187
Wetumka, OK 74883

Re: Cottages on Georgia Road
5984 Georgia Road
6004 Georgia Road
Birmingham, Alabama 35212

Dear Town King,

The City of Birmingham is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Birmingham has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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Sincerely,



Adrienne Stitt

Deputy Director of Community Development

(205)254-2309

adrienne.stitt@birminghamal.gov

cc: Samantha Robison, THPO



CITY OF BIRMINGHAM

DEPARTMENT OF COMMUNITY DEVELOPMENT

PUTTING PEOPLE FIRST

February 20, 2020

Alabama-Coushatta Tribe of Texas
Nita Battise, Chairperson
Cultural Preservation Department
571 State park Road 56
Livingston, TX 77351

Re: Cottages on Georgia Road
5984 Georgia Road
6004 Georgia Road
Birmingham, Alabama 35212

Dear Chairperson,

The City of Birmingham is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Birmingham has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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Sincerely,



Adrienne Stitt
Deputy Director of Community Development
(205)254-2309
adrienne.stitt@birminghamal.gov

cc: Bryant Celestine, THPO

Environmental Phase I Assessment

5984 and 6004 Georgia Road

6125 1st Avenue South



SILADIE

ENVIRONMENTAL CONSULTING | GENERAL CONTRACTING

location site current view photo #1



photo #1



X
5984 Georgia Rd
Birmingham, AL 35212
33.54°N, 86.74°W

Google Maps 6001 Georgia Rd

Photo # 1

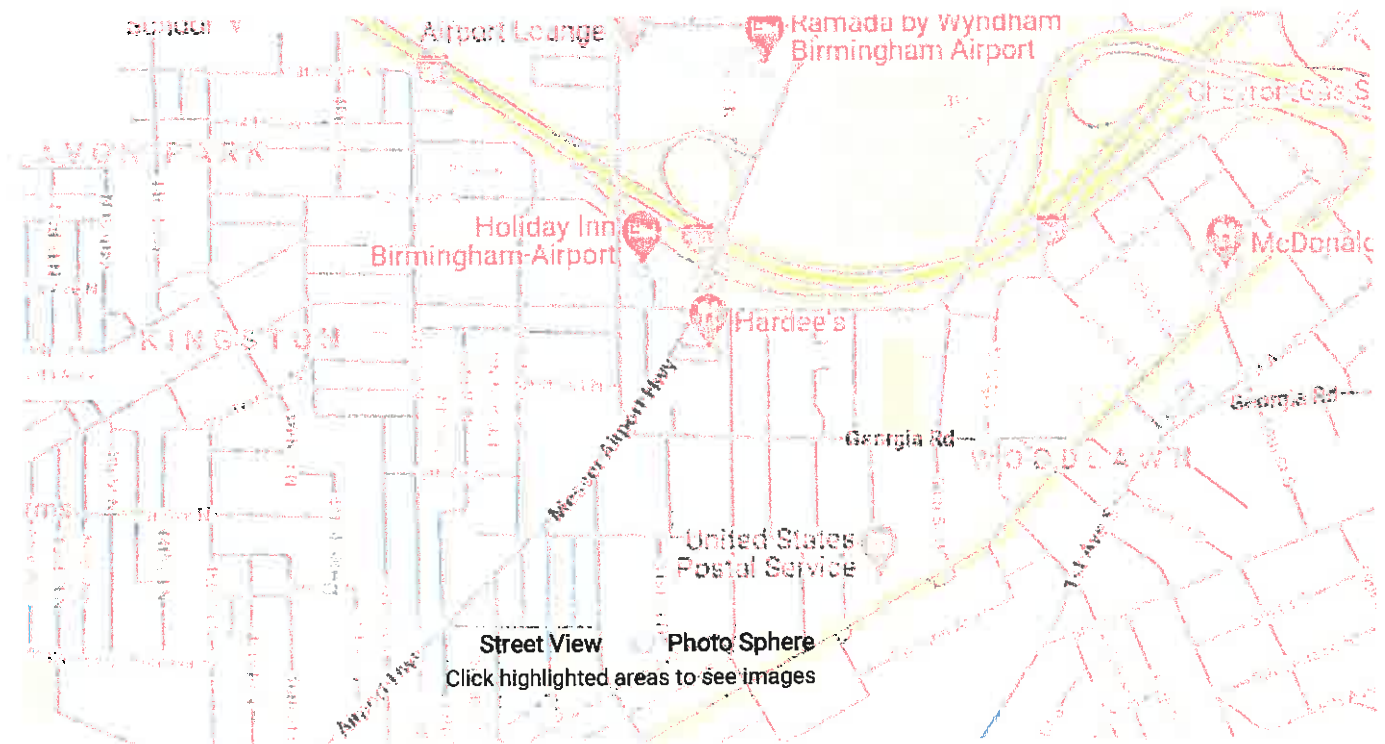


Image capture: Nov 2012 © 2020 Google

Birmingham, Alabama

Google

Street View



Current View of Photo #1

Photograph 6



SLALOE
ENVIRONMENTAL CONSULTING | GENERAL CONTRACTING

Google Maps 6001 Georgia Rd



Image capture: Nov 2012 © 2020 Google

Birmingham, Alabama

Google

Street View

Old property photo
apartments no long
There

Photo #1




Photograph 5



SLALOE
ENVIRONMENTAL CONSULTING | GENERAL CONTRACTING



 **5984 Georgia Rd**
Birmingham, AL 35212
33.54°N, 86.74°W

PARCEL ID: 012300211023015000

SOURCE: TAX ASSESOR RECORDS **TAX YEAR:** 2018

DATE: Monday, February 10, 2020 11:35:45 AM

OWNER: W F REAL PROPERTY RESOURCES LLC

ADDRESS: 3800 COLONNADE PARKWAY STE 430

CITY/STATE: BIRMINGHAM AL

ZIP+4: 35243

SITE ADDR: 5984 GEORGIA RD

CITY/STATE: BHAM, AL

ZIP: 35212



LAND: \$23,800.00

BLDG: \$0.00

OTHER: \$0.00

AREA: 28,064.49

ACRES: 0.64

SUBDIVISION INFORMATION:

NAME COPELAND W B

BLOCK:

LOT:

Section: 21-17-2W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Not in Commercial Revitalization District

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: South Woodlawn (2103)

Communities: WOODLAWN (21)

Council Districts: District - 4 (Councilor: William Parker)

Zoning Outline: R5

Demolition Quadrants: DEM Quadrant - 4

Impaired Watersheds: Impaired Watershed - Upper Village Creek

Strategic Opportunity Area: In Strategic Opportunity Area

RISE Focus Area: In RISE Focus Area

Tax Delinquent Property: Not in Tax Delinquent Property

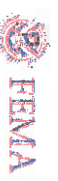
EPA Superfund: Not in EPA Superfund

Opportunity Zones: In Opportunity Zones

Judicial Boundaries: JEFFERSON

Parcel mapping and description information is obtained from the Jefferson County Tax Assessor's Office. This site does not provide real-time information and may contain errors. All data should be verified with the official source. The City of Birmingham makes no warranty as to the accuracy of the data and assumes no responsibility for any errors. Data from the Tax Assessor's Office may not be available for all parcels.

National Flood Hazard Layer FIRMette



Legend

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

SPECIAL FLOOD HAZARD AREAS

Without Base Flood Elevation (BFE) Zone A, V, A99	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
With BFE or Depth Zone AE, AO, AH, VE, AR	Future Conditions 1% Annual Chance Flood Hazard Zone X
Regulatory Floodway	Area with Reduced Flood Risk due to Levee. See Notes, Zone X

OTHER AREAS OF FLOOD HAZARD

NO SCREEN	Area with Flood Risk due to Levee Zone E
Area of Minimal Flood Hazard Zone X	
Effective LOMRs	
Area of Undetermined Flood Hazard Zone	

OTHER AREAS

GENERAL STRUCTURES

Channel, Culvert, or Storm Sewer	
Levee, Dike, or Floodwall	

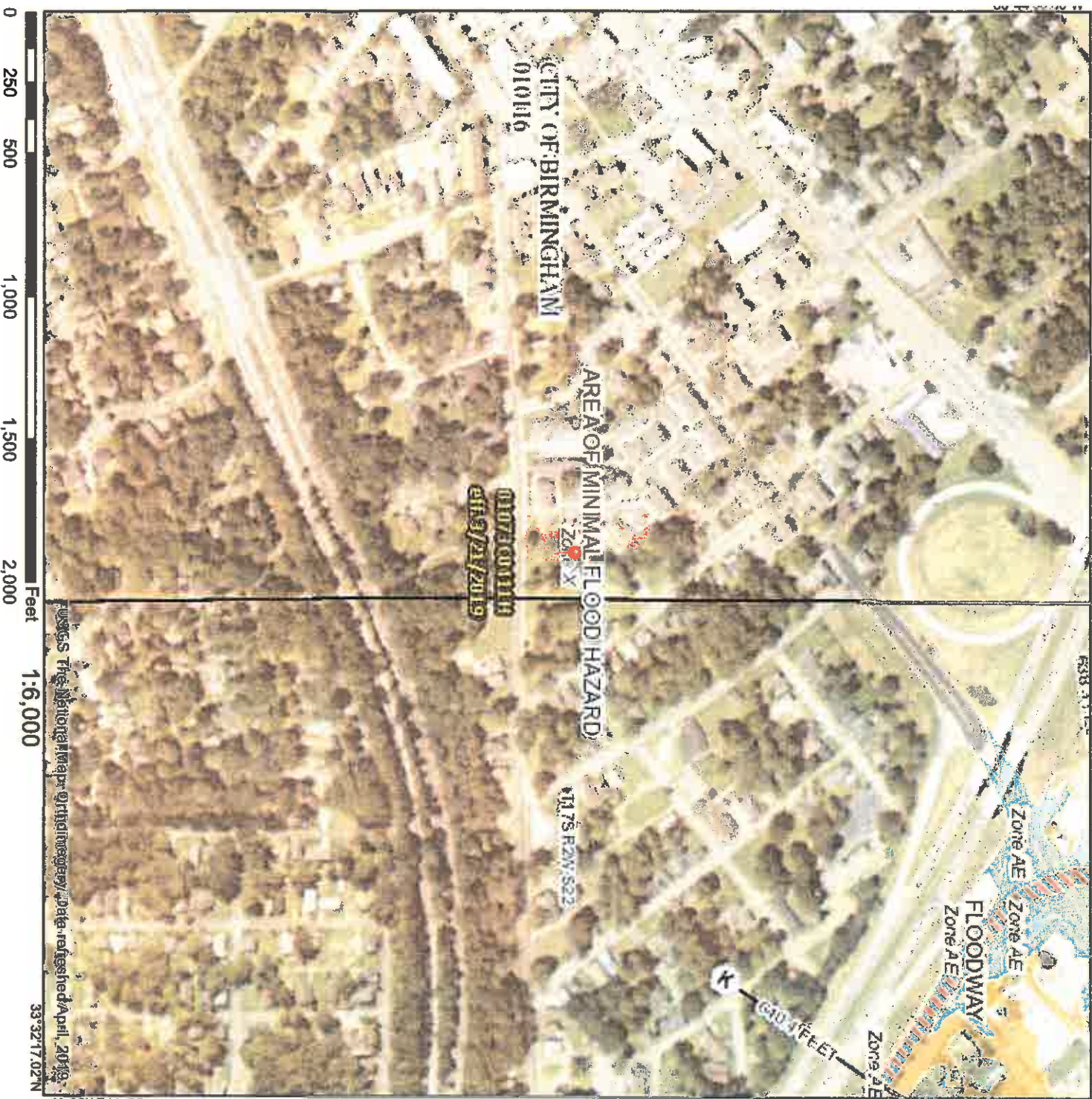
OTHER FEATURES

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	

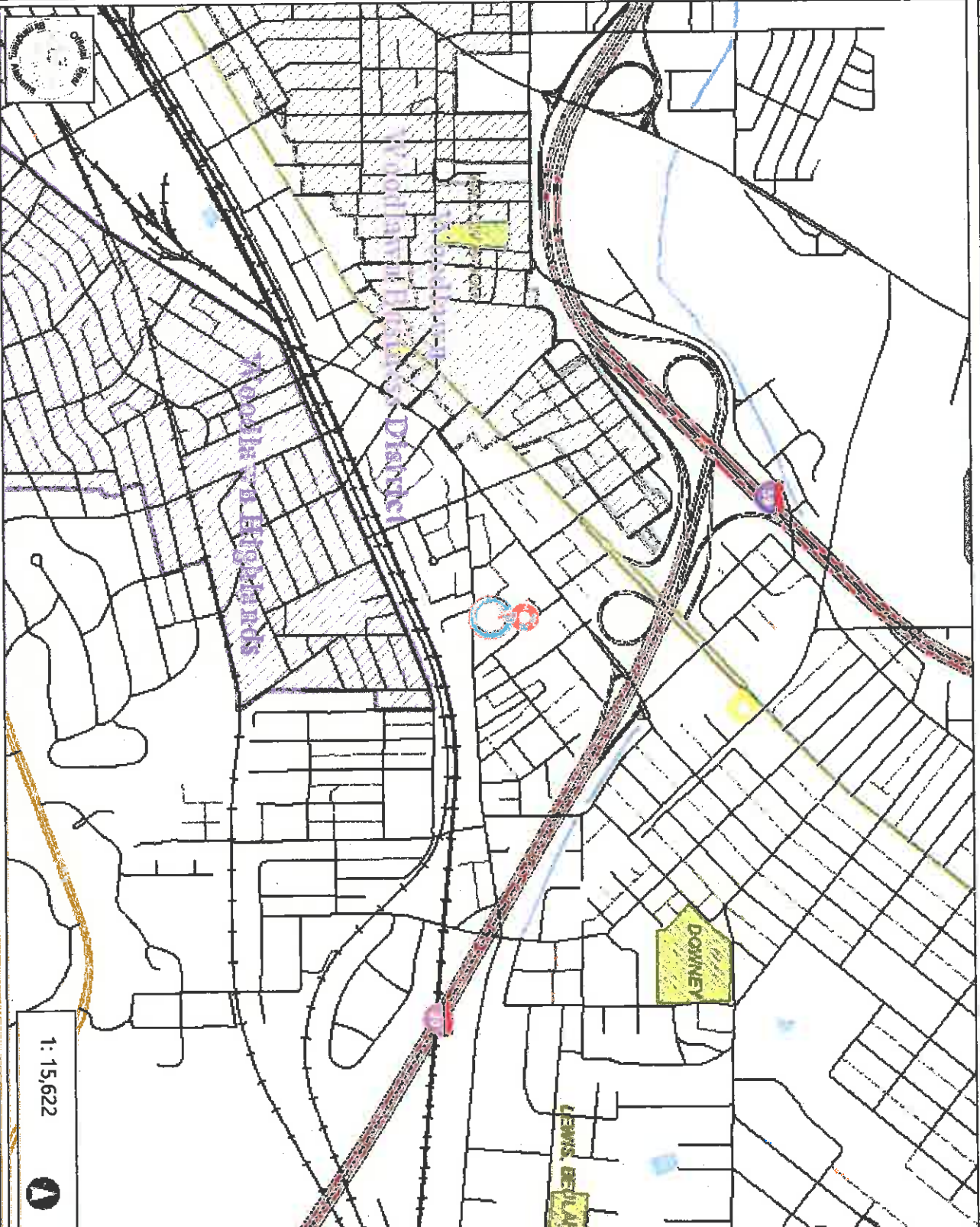
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



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 2/18/2020 at 10:02:16 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 unmapped areas cannot be used for regulatory purposes.



2,603.6
0
1,301.82
2,603.6 Feet

<http://gisweb.birmingham.gov>

Map Created: 02/10/2020

The City of Birmingham makes no warranty, expressed or implied, as to the accuracy of the information represented herein. This map is a user generated static output from an internet mapping site and is for general reference only.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

1: 15,622

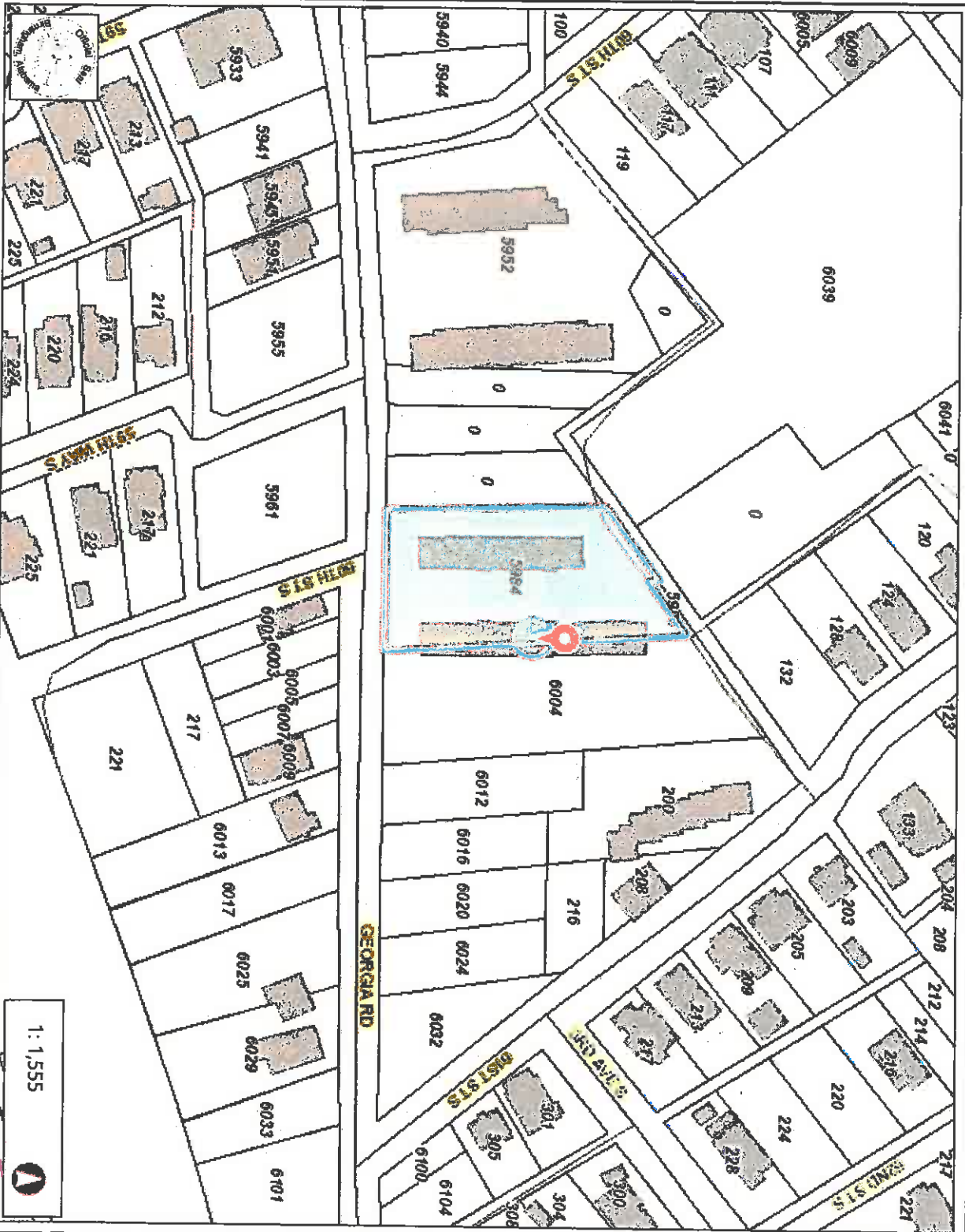


Legend

- + Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
- Limited Access
- Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Historic Building Area
- Historic Districts
- Historic Easement
- City Limits (solid)

Notes

Map Title

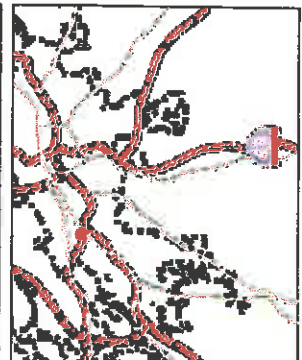


http://gisweb.birminghamal.gov Map Created: 02/18/2020

1:1,555



The City of Birmingham makes no warranty, expressed or implied, as to the accuracy of the information represented herein. This map is a user generated static output from an internet mapping site and is for general reference only. THIS MAP IS NOT TO BE USED FOR NAVIGATION



- Legend**
- Centerline Labels
 - Railroad
 - Alleys
 - Local Roads
 - Arterials
 - County Highways
 - State Highways
 - US Highways
 - Interstates
 - Limited Access
 - Ramp
 - Buildings
 - Hydrology Lines
 - Hydrology Areas
 - Parcels
 - City Parks
 - Airport
 - Flood Zones
 - Floodway
 - 100 Year Flood
 - 500 Year Flood
 - City Limits (solid)

Notes

Airport Hazards

Target property is not located in an Accident Potential Zone or Runway Protection Zone/ Clear Zone

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
References		
https://www.hudexchange.info/environmental-review/airport-hazards		

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:

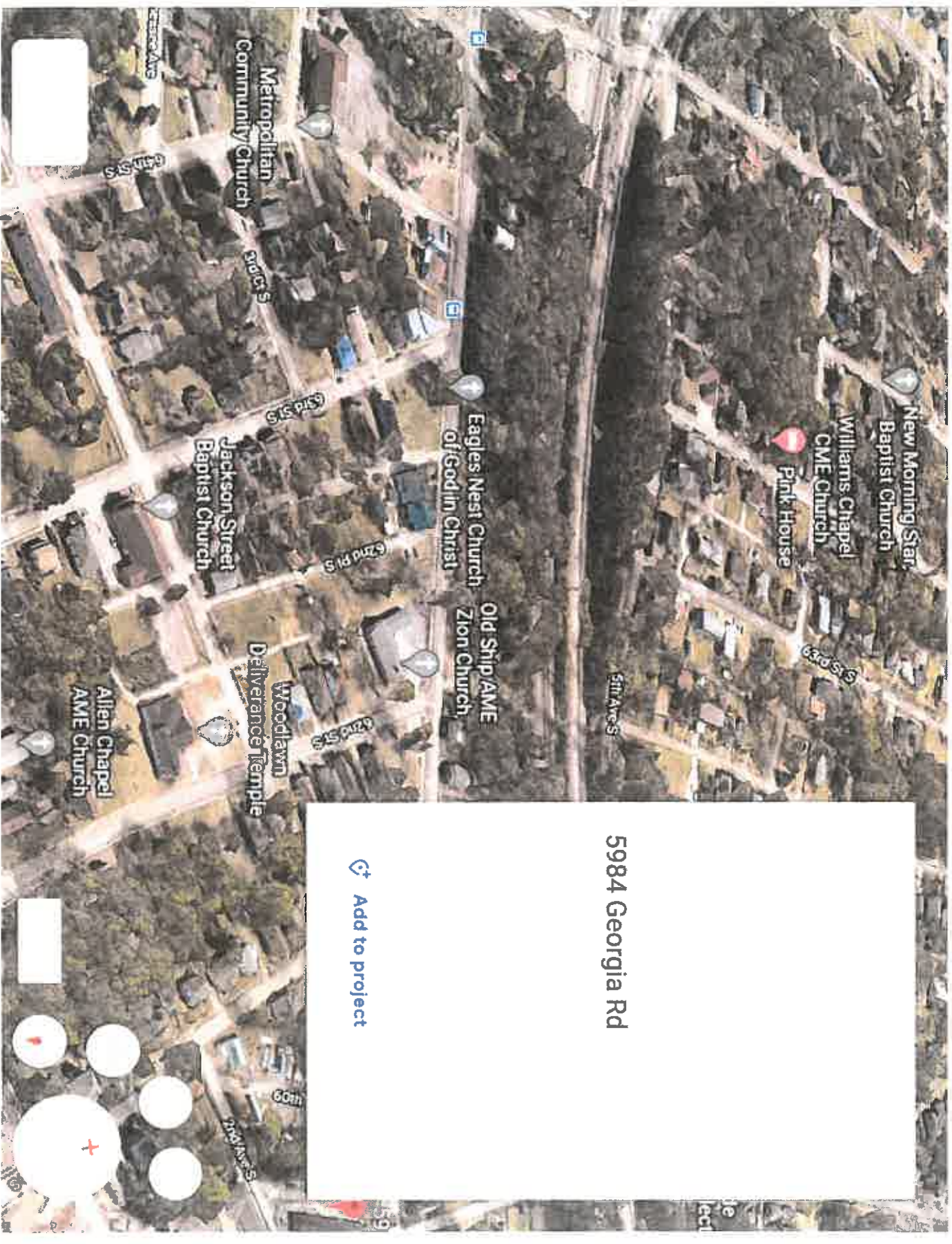
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Target property is not located in an APZ or RPZ

Are formal compliance steps or mitigation required?

☐ Yes

☒ No



5984 Georgia Rd

 Add to project



Federal Aviation
Administration

« OE/AAA

Circle Search for Airports

Searches - Desk Reference Guide V. 2018.2.0

Search for airports as defined in 14 CFR Part 77.9(d) around a center point with a specified radius.

Note: the system returns a maximum of 2000 records. Search results will only display public use facilities.

digital-Terminal Procedures Publication (d-TTP)/Airport Diagrams

List of Active Special Instrument Flight Procedures

Circle Center Point:

An airport:

(e.g. IAD, SFO, LAX)

An Off Airport Case:

- OE

An On Airport Case:

- NRA

* A specific location:

Latitude:

Deg

M

S

N

Longitude:

Deg

M

S

W

Datum:

NAD83

Circle Radius:

Nautical miles

(50 miles max)

Note: this search may take up to 30 seconds to return results.



Federal Aviation
Administration

« OE/AAA

Circle Search For Airports Results

Records 1 to 2 of 2

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	1.46	152.59°
BSX	BESSEMER	Airport	BESSEMER	AL	33° 18' 45.40" N	86° 55' 34.70" W	16.66	34.33°

Records 1 to 2 of 2

Rows per Page: 20 ▾
Page: 1

Page 1 of 1



5984 Georgia Rd

Airport distance



Imagery ©2020 Google, Map data ©2020 Google 1000 ft



5984 Georgia Rd

Birmingham, AL 35212



G7R4+V5 Birmingham, Alabama

Photos



Measure distance

Total distance: 1.39 mi (2.24 km)

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		
https://www.hudexchange.info/environmental-review/coastal-barrier-resources		

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

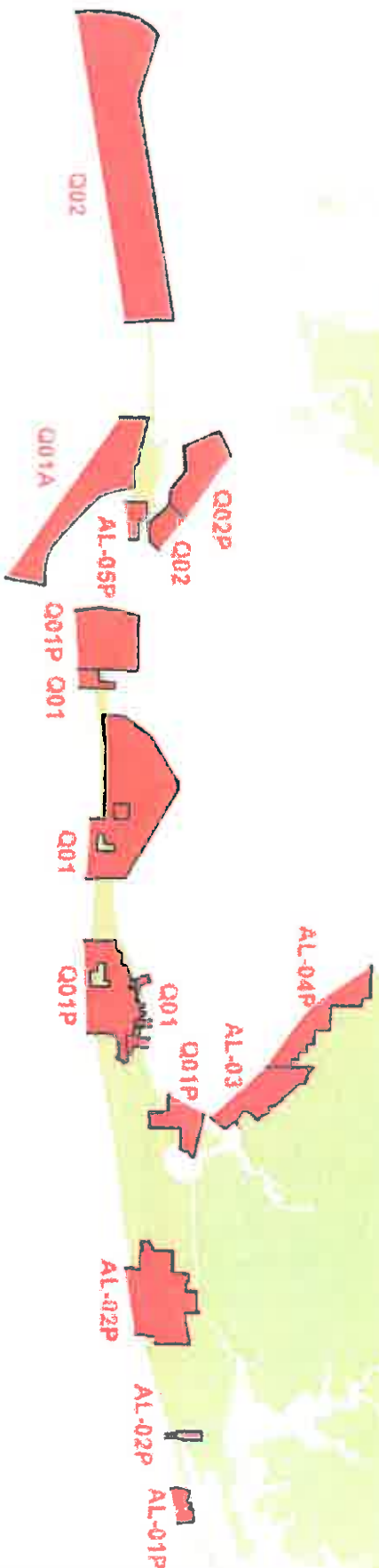
Target property is not located in a Coastal Barrier

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM ALABAMA



GULF OF
MEXICO

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

Map Date: March 14, 2016

Boundaries of the John H. Chafee 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>.

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		
https://www.hudexchange.info/environmental-review/flood-insurance		

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 is not located in FEMA Designated floodplain

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: ?

5984 Georgia Rd. Birmingham, AL

Search

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 at 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 **01073C0411H**, effective on **03/21/2019** ?

DYNAMIC MAP



MAP IMAGE



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

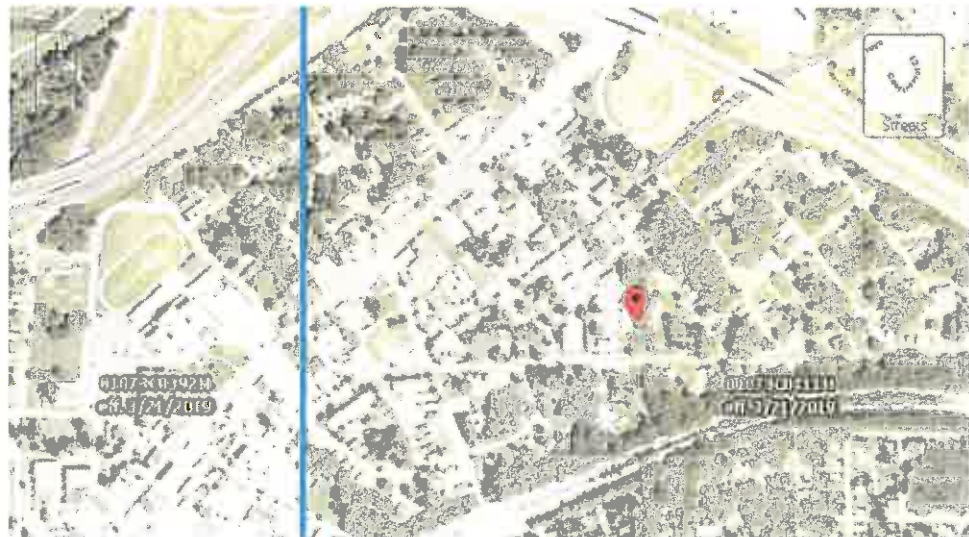
[filepath=/01/P/Firm/01073C0411H.png&productTypeID=FINAL_PRODUCT&productSubTypeID=FIRM_PANEL](#)

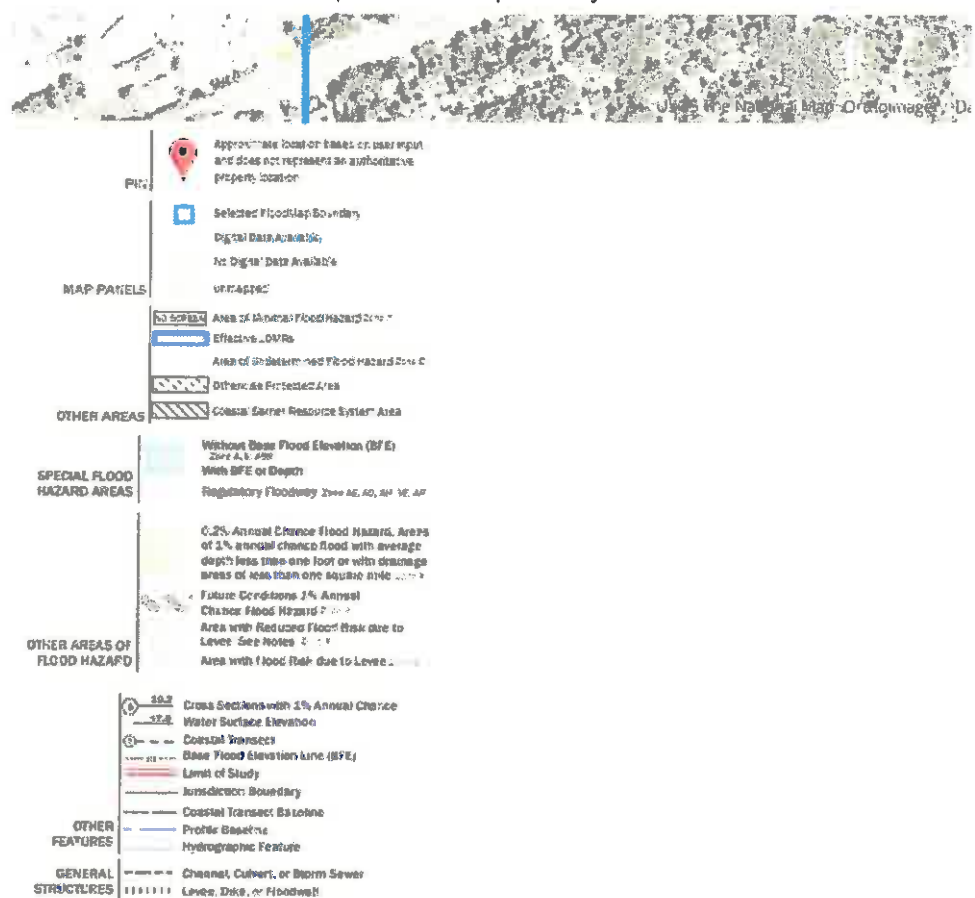
Changes to this FIRM ?

- Revisions (0)
- Amendments (1)
- Revalidations (1)

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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[FOIA \(//www.fema.gov/foia\)](https://www.fema.gov/foia)
[Office of the Inspector General \(//www.oig.dhs.gov/\)](https://www.oig.dhs.gov/)
[Strategic Plan \(//www.fema.gov/fema-strategic-plan\)](https://www.fema.gov/fema-strategic-plan)
[Whitehouse.gov \(//www.whitehouse.gov\)](https://www.whitehouse.gov/)
[DHS.gov \(//www.dhs.gov\)](https://www.dhs.gov/)
[Ready.gov \(//www.ready.gov\)](https://www.ready.gov/)
[USA.gov \(//www.usa.gov\)](https://www.usa.gov/)
[DisasterAssistance.gov \(//www.disasterassistance.gov/\)](https://www.disasterassistance.gov/)



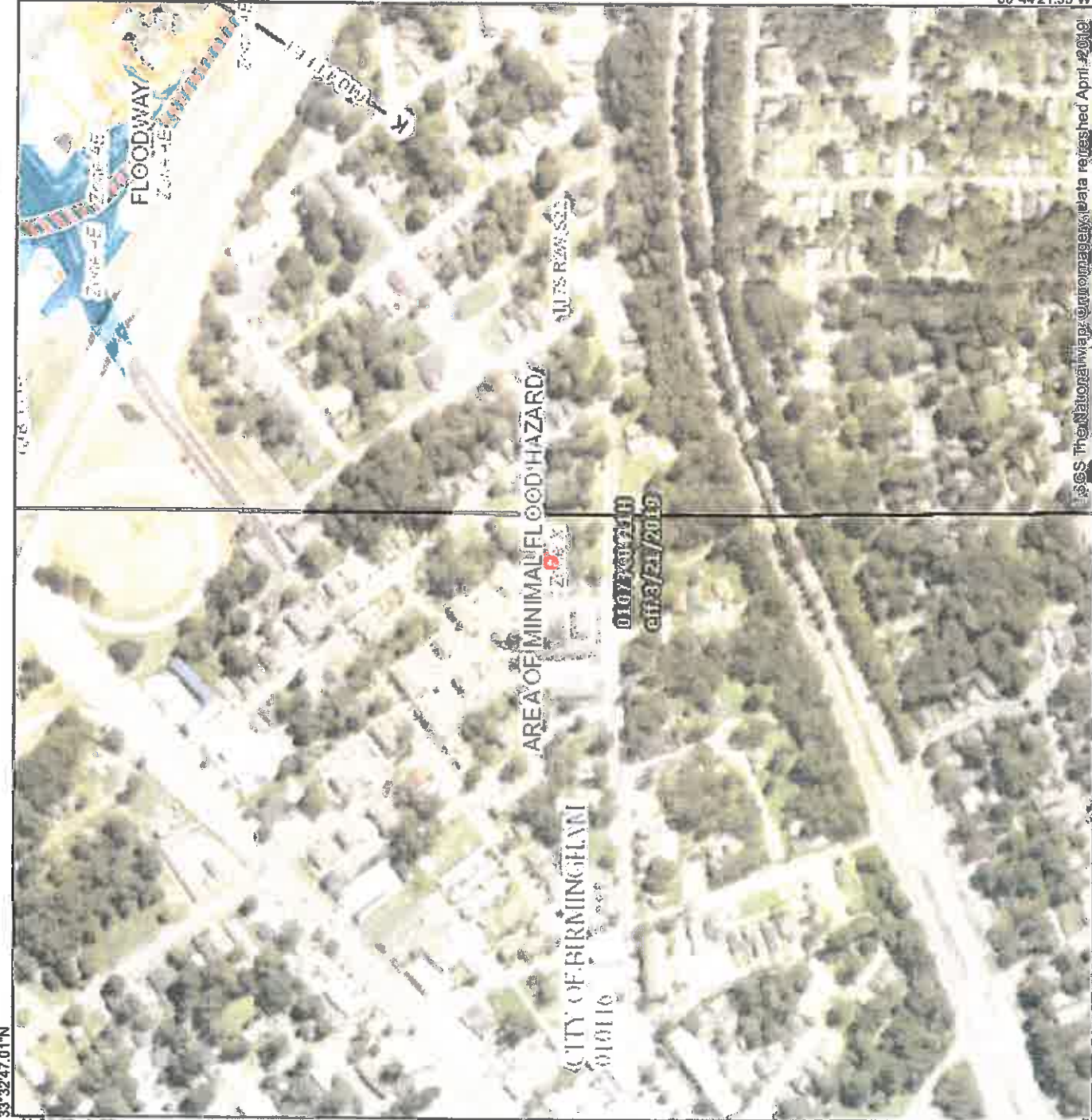
(<https://www.oig.dhs.gov/hotline>)

Official website of the Department of Homeland Security

National Flood Hazard Layer FIRMette



33°32'47.01"N



86°44'21.35"W

33°32'47.02"N

1:6,000

Feet

0 250 500 1,000 1,500 2,000

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, AE, AH, AO, AR, 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 Future Conditions 1% Annual Chance Flood Hazard Area with Reduced Flood Risk due to Levee, See Notes Area with Flood Risk due to Levee

OTHER AREAS	Area of Minimal Flood Hazard Effective LOMRs Area of Undetermined Flood Hazard
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 3/26/2020 at 2:59:37 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.

National Flood Hazard Layer FIRMette



33°32'47.01"N



USGS The National Map, Imagery/Data refreshed April 2019
33°32'17.02"N
86°44'21.35"W

Legend

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

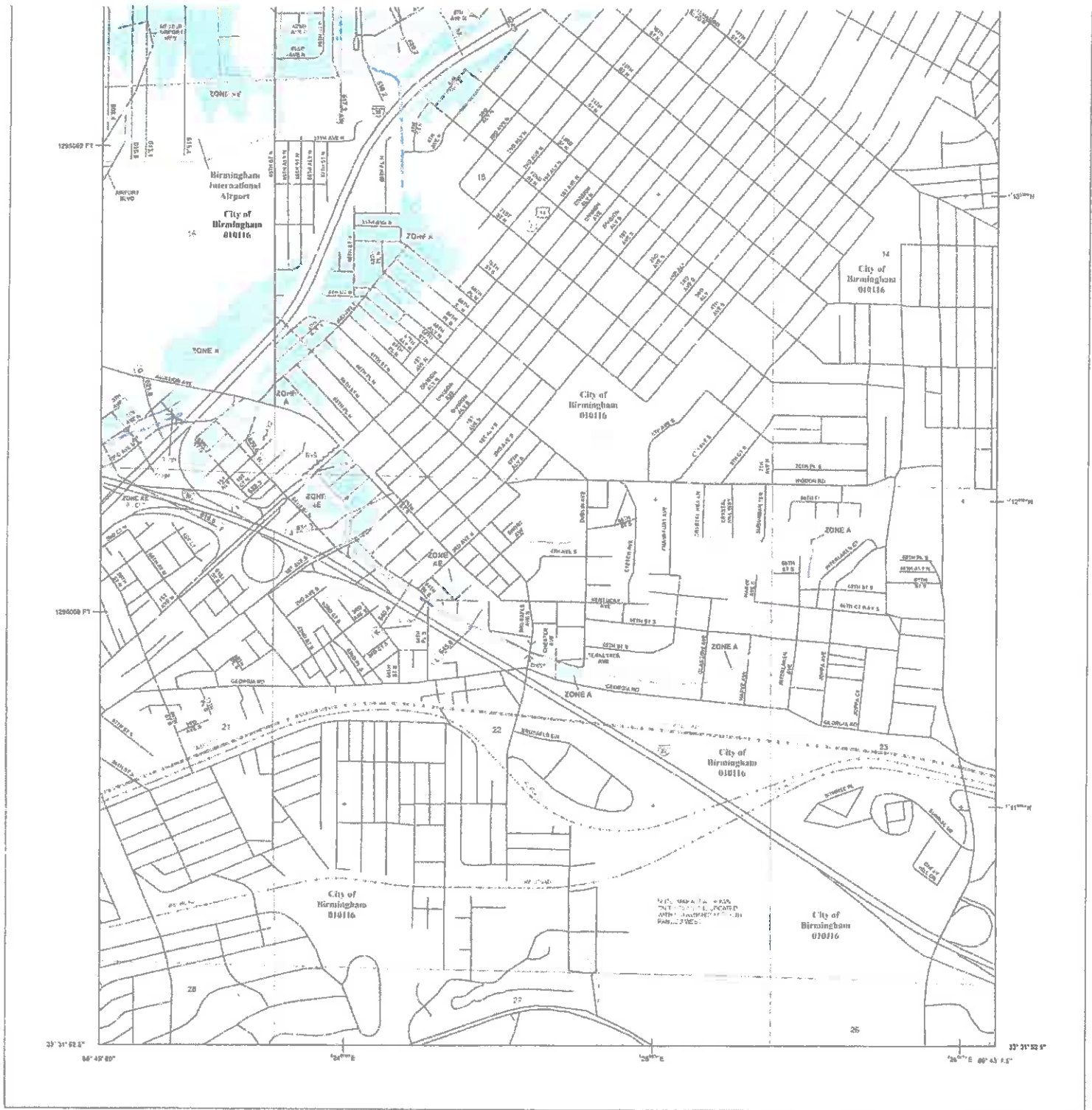
<p>SPECIAL FLOOD HAZARD AREAS</p> <p>Without Base Flood Elevation (BFE) Zone A, V, A99</p> <p>With BFE or Depth Zone AE, AO, AH, VE, AR</p> <p>Regulatory Floodway</p> <p>0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone X)</p> <p>Future Conditions 1% Annual Chance Flood Hazard Zone X</p> <p>Area with Reduced Flood Risk due to Levees. See Notes, Zone X</p> <p>Area with Flood Risk due to Levees Zone D</p>	<p>OTHER AREAS OF FLOOD HAZARD</p> <p>Area of Minimal Flood Hazard Zone X</p> <p>Effective LOMRs</p> <p>Area of Undetermined Flood Hazard Zone X</p> <p>Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall</p>	<p>OTHER AREAS</p> <p>Area of Minimal Flood Hazard Zone X</p> <p>Effective LOMRs</p> <p>Area of Undetermined Flood Hazard Zone X</p> <p>Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall</p>	<p>GENERAL STRUCTURES</p> <p>Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall</p>	<p>OTHER FEATURES</p> <p>Cross Sections with 1% Annual Chance Water Surface Elevation</p> <p>Coastal Tract</p> <p>Base Flood Elevation Line (BFE)</p> <p>Limit of Study</p> <p>Jurisdiction Boundary</p> <p>Coastal Tract Baseline</p> <p>Profile Baseline</p> <p>Hydrographic Feature</p>	<p>MAP PANELS</p> <p>Digital Data Available</p> <p>No Digital Data Available</p> <p>Unmapped</p>
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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 4/20/2020 at 4:44:30 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.

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FLOOD HAZARD INFORMATION

SEE ALSO REPORT FOR DETAILED LEGEND AND NOTES FOR FINAL PANEL LAYOUT
 THIS IS A PRELIMINARY MAP. IT IS NOT TO BE USED FOR CONSTRUCTION OR OTHER PURPOSES.
 THE INFORMATION ON THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY.

- SPECIAL FLOOD HAZARD AREAS**
- Without Base Flood Elevation (BFE)
 - With BFE or Depth
 - Regulatory Floodway
 - 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
 - Future Conditions 1% Annual Chance Flood Hazard
 - Area with Reduced Flood Risk due to Levee Breach
- OTHER AREAS OF FLOOD HAZARD**
- NO SCREEN
 - Area of Minimal Flood Hazard
 - Area of Undetermined Flood Hazard
- GENERAL STRUCTURES**
- Channel, Culvert, or Storm Sewer
 - Levee, Dike, or Floodwall
 - Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)

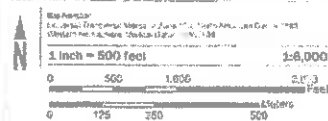
NOTES TO USERS

1. This map was prepared by the Federal Emergency Management Agency (FEMA) as part of the National Flood Insurance Program (NFIP). It is a preliminary map and is not to be used for construction or other purposes. The information on this map is for informational purposes only.

2. The map shows the 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. Future Conditions 1% Annual Chance Flood Hazard. Area with Reduced Flood Risk due to Levee Breach.

3. The map shows the 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. Future Conditions 1% Annual Chance Flood Hazard. Area with Reduced Flood Risk due to Levee Breach.

SCALE



PANEL LOCATOR



FEMA
 National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM

JEFFERSON COUNTY
 ALABAMA
 FLOOD HAZARD MAP
 PANEL 411 OF 755

CONTRACT	NUMBER	PANEL	SHEET
12-10-1000	1	411	1

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
Reference		
https://www.hudexchange.info/environmental-review/air-quality		

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:

→ 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 add to O3 concentrations

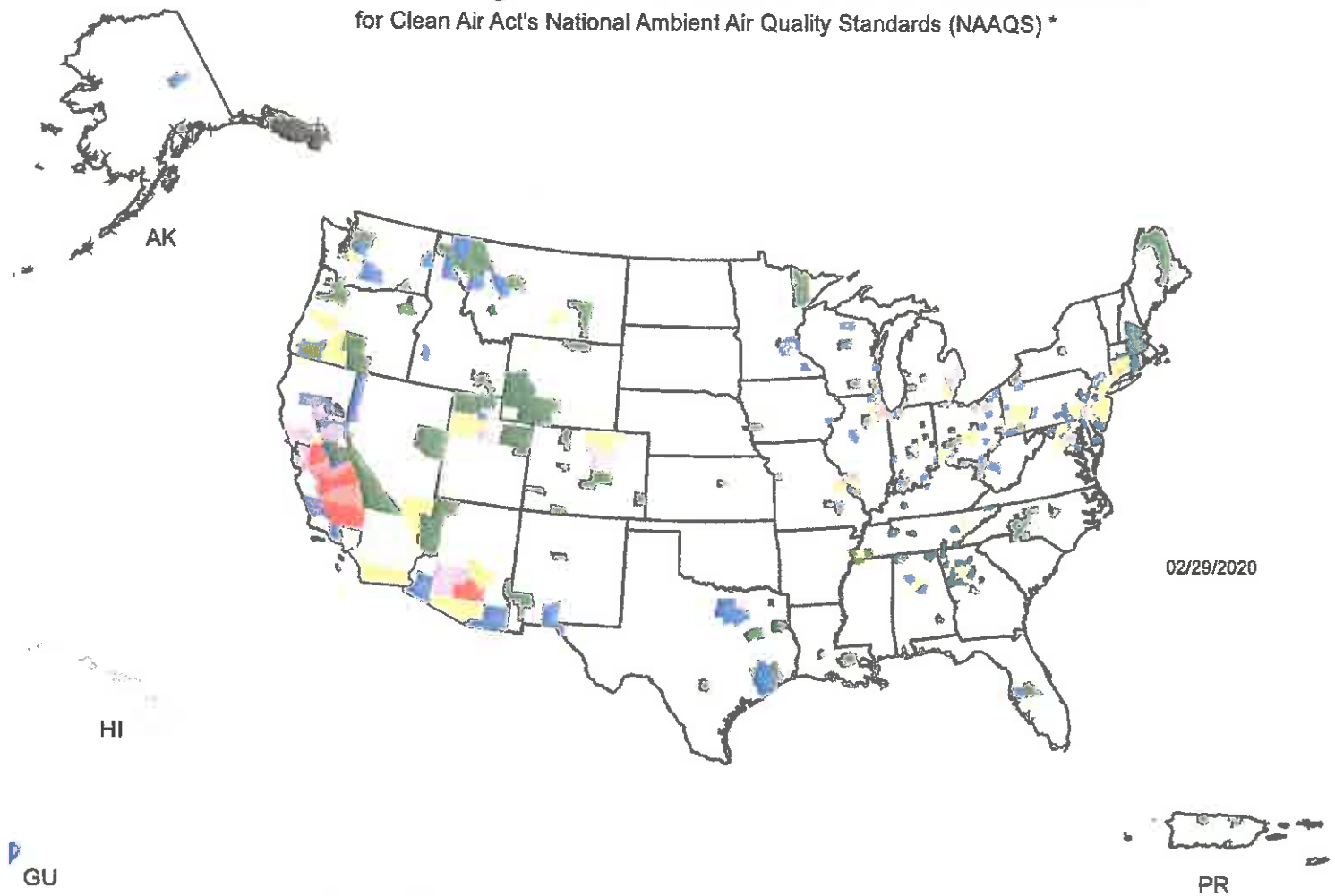
Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Counties Designated "Nonattainment" or "Maintenance"

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

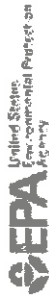


Legend **

- 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.



You are here: EPA Home > Green Book > >National Area and County-Level Multi-Pollutant Information >Alabama Whole or Part County Nonattainment Status by Year Since 1992 for all Criteria Pollutants

Alabama Whole or Part County Nonattainment Status by Year Since 1992 for all Criteria Pollutants

Data is current as of February 29, 2020

Listed by State, County, NAAQS (W=Whole County,P=Partial County designated nonattainment as of report date)
The 8-hour Ozone (1997) standard was revoked on April 6, 2015 and the 1-hour Ozone (1979) standard was revoked on June 15, 2005.

The 1997 Primary Annual PM-2.5 NAAQS (level of 15 $\mu\text{g}/\text{m}^3$) is revoked in attainment and maintenance areas for that NAAQS. For additional information see the PM-2.5 NAAQS SIP Requirements Final Rule, effective October 24, 2016. (81 FR 58009)

Change the State:
ALABAMA

GO

Download National Dataset: dbf | xls | Data dictionary (PDF)

Important Notes

ALABAMA		92	93	94	95	96	97	98	99	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20
County	NAAQS																													
Colbert Co	Sulfur Dioxide (1971)	P																												
Jackson Co	PM-2.5 (1997)														P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Jefferson Co	1-Hour Ozone (1979)-NAAQS revoked	W	W	W	W	W	W	W	W	W	W	W	W																	
Jefferson Co	8-Hour Ozone (1997)-NAAQS revoked												W	W																
Jefferson Co	Lead (1978)	P	P	P																										
Jefferson Co	PM-2.5 (1997)													W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	
Jefferson Co	PM-2.5 (2006)																													
Lauderdale Co	Sulfur Dioxide (1971)	P																												
Pike Co	Lead (2008)																			P	P	P	P	P	P	P	P	P	P	
Shelby Co	1-Hour Ozone (1979)-NAAQS revoked	W	W	W	W	W	W	W	W	W	W	W	W																	
Shelby Co	8-Hour Ozone (1997)-NAAQS revoked												W	W																
Shelby Co	PM-2.5 (1997)													W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	
Shelby Co	PM-2.5 (2006)																													
Walker Co	PM-2.5 (1997)														P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Walker Co	PM-2.5 (2006)																													

Important Notes

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2020-02-29



You are here: [EPA Home](#) > [Current Action](#) > [National Air Quality Criteria](#) > [List of Major Pollutants](#) > [Alabama Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants](#)

Alabama Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants

Data is current as of March 31, 2020

Listed by County, NAAQS, Area. The 8-hour Ozone (1997) standard was revoked on April 6, 2015 and the 1-hour Ozone (1979) standard was revoked on June 15, 2005.

* The 1997 Primary Annual PM_{2.5} NAAQS (level of 15 µg/m³) is revoked in attainment and maintenance areas for that NAAQS. For additional information see the PM_{2.5} NAAQS SIP Requirements Final Rule, effective October 24, 2016. (81 FR 50709)

Change the State:
ALABAMA ☒ GO

Important Notes:

Download National Dataset				Classification	Whole or Part County	Population (2010)	State/County FIPS Codes
County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance			
ALABAMA							
Colbert County	Sulfur Dioxide (1971)	Colbert Co. AL	92	03/15/1993	Part	54,429	01/033
Jackson County	PM _{2.5} (1997)-NAAQS revoked	Chattanooga, TN-GA-AL	05 06 07 08 09 10 11 12 13	12/22/2014 *	Part	1,760	01/071
Jefferson County	1-Hour Ozone (1979)-NAAQS revoked	Birmingham, AL	92 93 94 95 96 97 98 99 00 01 02 03	04/12/2004	Whole	658,466	01/073
Jefferson County	8-Hour Ozone (1997)-NAAQS revoked	Birmingham, AL	04 05	06/12/2006	Whole	658,466	01/073
Jefferson County	Lead (1978)	Jefferson Co. AL	92 93 94	03/07/1995	Part	658,472	01/073
Jefferson County	PM _{2.5} (1997)-NAAQS revoked	Birmingham, AL	05 06 07 08 09 10 11 12	02/21/2013 *	Whole	658,466	01/073
Jefferson County	PM _{2.5} (2006)	Birmingham, AL	09 10 11 12	02/25/2013	Whole	658,466	01/073
Lauderdale County	Sulfur Dioxide (1971)	Lauderdale Co. AL	92	03/15/1993	Part	92,707	01/077
Pike County	Lead (2008)	Troy, AL	10 11 12 13 14 15 16 17	07/20/2018	Part	2,275	01/109
Shelby County	1-Hour Ozone (1979)-NAAQS revoked	Birmingham, AL	92 93 94 95 96 97 98 99 00 01 02 03	04/12/2004	Whole	195,085	01/117
Shelby County	8-Hour Ozone (1997)-NAAQS revoked	Birmingham, AL	04 05	06/12/2006	Whole	195,085	01/117
Shelby County	PM _{2.5} (1997)-NAAQS revoked	Birmingham, AL	05 06 07 08 09 10 11 12	02/21/2013 *	Whole	195,085	01/117
Shelby County	PM _{2.5} (2006)	Birmingham, AL	09 10 11 12	02/25/2013	Whole	195,085	01/117
Walker County	PM _{2.5} (1997)-NAAQS revoked	Birmingham, AL	05 06 07 08 09 10 11 12	02/21/2013 *	Part	4,129	01/127
Walker County	PM _{2.5} (2006)	Birmingham, AL	09 10 11 12	02/25/2013	Part	4,129	01/127

Important Notes:

Discove

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2020-04-15

ing...

Facility Search Results

New Jersey Clean Water Act data are frozen, and some Clean Air Act data are incomplete.
Missouri and Washington are working with EPA to fix problems with their Clean Water Act violation data. [Read More...](#)

[Hide Map](#)[Hide Table](#)[Hide Summary](#)[Report Violation](#)[Help](#)[Map Legend](#)[Basemap Options](#)[Zoom To](#)

5986 Georgia Road, Birmingham

[Sync Map and Table](#)[Customize Columns](#)[Download Data](#)[Results Guide](#)[Reports Legend](#)

Facility Summary

Current Search

0 Facilities
Found

Criteria

Search Type: All
Data
Results View:
Interactive Map
City, State, and/or
ZIP Code: 5986
Georgia Road,
Birmingham

Active/Operating?
Yes

[Explore](#)[Enforcement](#)[and](#)[Compliance](#)[Criteria](#)

0 Facilities with
Current
Violations

0 Facilities with
Current
Significant
Violations

0 Facilities with
Violations (3)

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		
https://www.onecpd.info/environmental-review/coastal-zone-management		

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 Samoa	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:

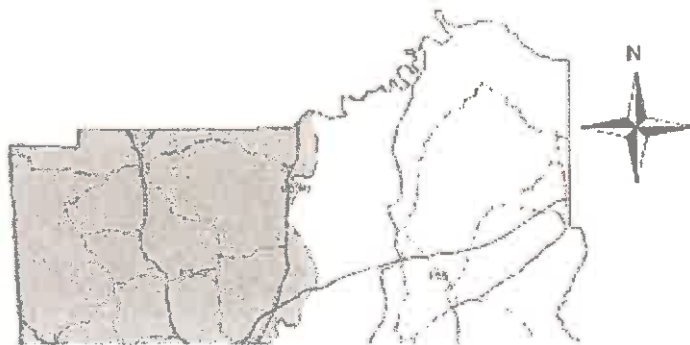
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Target property is not located in a Coastal Zone

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Coastal**Beach
Monitoring****Coastal
Forms****Coastal
Permitting****Gulf of
Mexico****NCA Report****NEP Program****Nonpoint
Pollution
Control
Program****Watershed
Survey****Coastal Programs**[Coastal Permitting Information](#)[Regulatory Database](#)[Beach Monitoring Information](#)[Final NCA Report to EPA](#)[Alabama's Coastal Marine and Watersheds](#)[Nonpoint Pollution Control Program](#)**Submit****Search**



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 Forestry (ADCNR) and the ADEM Coastal Program. ADCNR-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

For more information, please contact:

Alabama | Texas | Virginia | Florida | Georgia

This page best viewed in IE7+ or Firefox.
For questions or comments about this website, please contact the

Contamination and Toxic Substances

The site is not listed on the EPA Superfund Program CERCLIS Site location listing.

Contamination and Toxic Substances (Single Family 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)
Reference https://www.hud.gov/programoffices/assetmanagement/section/contamination		

1. Evaluate the site for contamination. 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?

Provide a map or other documentation of absence or presence of contamination¹ and explain evaluation of site contamination in the Worksheet below.

☒ No

Explain:

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

☐ Yes

¹ Utilize EPA's Enviromapper and state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

→ Describe the findings, including any recognized environmental conditions (RECs), in Worksheet Summary below. Continue to Question 2.

Check here if an ASTM Phase I Environmental Site Assessment (ESA) report was utilized. [Note: HUD regulations does not require an ASTM Phase I ESA report for single family homes]

2. Mitigation

Document the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental mitigation 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 requirements² and documents. Continue to Question 3.*

3. 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 controls³, or use of institutional controls⁴.

² 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.

³ 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.

⁴ 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
- ☐ Risk-based corrective action (RBCA)
- ☐ Other

→ *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

Are formal compliance steps or mitigation required?

- ☐ Yes
- ☒ No

An official website of the United States government.

Close

We've made some changes to EPA.gov. If the information you are looking for is not here, you may be able to find it on the EPA Web Archive or the January 19, 2017 Web Snapshot.



Search for Superfund Sites Where You Live

On this page:

- [National Priorities List and Superfund Alternative Approach Sites](#)
- [Superfund National Priorities List \(NPL\) Where You Live Map](#)
- [Advanced Search: For National Priorities List and Non-NPL Sites](#)
- [Cleanups in Mv Community Mapped Search](#)

National Priorities List and Superfund Alternative Approach Sites

Search for sites proposed to, currently on, and deleted from Superfund's [National Priorities List \(NPL\)](#) as well as sites being addressed under the [Superfund Alternative Approach \(SAA\)](#).

Select a State

After selecting a state, click Go to display sites in that state.

Alabama

Go

State of Alabama Selected

Show All States

Show entries

Search:

Region	City	County	State	Zip Code	Site Name
+ 04	BIRMINGHAM	JEFFERSON	Alabama	35207	<u>35TH AVENUE</u>
+ 04	CHILDERSBURG	TALLADEGA	Alabama	35044	<u>ALABAMA ARMY AMMUNITION PLANT</u>
+ 04	VINCENT	SHELBY	Alabama	35178	<u>ALABAMA PLATING COMPANY, INC.</u>
+ 04	HEADLAND	HENRY	Alabama	36345	<u>AMERICAN BRASS INC.</u>
+ 04	ANNISTON	CALHOUN	Alabama	36253	<u>ANNISTON ARMY DEPOT (SOUTHEAST INDUSTRIAL AREA)</u>
+ 04	ANNISTON	CALHOUN	Alabama	36201	<u>ANNISTON PCB SITE (MONSANTO CO)</u>
+ 04	MONTGOMERY	MONTGOMERY	Alabama	36109	<u>CAPITOL CITY PLUME</u>
+ 04	MCINTOSH	WASHINGTON	Alabama	36553	<u>CIBA-GEIGY CORP. (MCINTOSH PLANT)</u>
+ 04	LEEDS	JEFFERSON	Alabama	35094	<u>INTERSTATE LEAD CO. (ILCO)</u>
+ 04	GREENVILLE	BUTLER	Alabama	36037	<u>MOWBRAY ENGINEERING CO.</u>
+ 04	MCINTOSH	WASHINGTON	Alabama	36553	<u>OLIN CORP. (MCINTOSH PLANT)</u>
+ 04	PERDIDO	BALDWIN	Alabama	36562	<u>PERDIDO GROUND WATER CONTAMINATION</u>
+ 04	SARALAND	MOBILE	Alabama	36571	<u>REDWING CARRIERS, INC. (SARALAND)</u>
+ 04	BUCKS	MOBILE	Alabama	36512	<u>STAUFFER CHEMICAL CO. (COLD CREEK PLANT)</u>

Region	City	County	State	Zip Code	Site Name
--------	------	--------	-------	----------	-----------

Region	City	County	State	Zip Code	Site Name
+ 04	AXIS	MOBILE	Alabama	36505	<u>STAUFFER CHEMICAL CO. (LEMOYNE PLANT)</u>
+ 04	MONTGOMERY	MONTGOMERY	Alabama	36108	<u>T.H. AGRICULTURE & NUTRITION CO. (MONTGOMERY PLANT)</u>
+ 04	LIMESTONE/MORGAN		Alabama	35898	<u>TRIANA/TENNESSEE RIVER</u>
+ 04	HUNTSVILLE	MADISON	Alabama	35808	<u>USARMY/NASA REDSTONE ARSENAL</u>
Region	City	County	State	Zip Code	Site Name

Showing 1 to 18 of 18 entries (filtered from 1,870 total entries)

Superfund National Priorities List (NPL) Where You Live Map

Region 10



Sources: Esri, USGS, NOAA | U.S. Environmental Pr...

*The latitude and longitude coordinates for the sites displayed in the map are derived from Hazard Ranking System documentation records used to support the addition of these sites to the National Priorities List.

[View larger map of NPL and SAA sites](#)

Advanced Search: For National Priorities List and Non-NPL Sites

[Search the Superfund data system for active and archived NPL and non-NPL sites.](#)

Cleanups in My Community Mapped Search

[View EPA's Cleanups in my Community map, which includes Superfund sites as well as sites and facilities addressed under other programs.](#)

LAST UPDATED ON NOVEMBER 22, 2019

// Responsive image maps



NATIONAL PRIORITIES LIST (NPL)

Proposed Site

September 2014

35TH AVENUE | Birmingham, Alabama
Jefferson County

Site Location:

The 35th Avenue site consists of residential soil contamination in the neighborhoods of Collegeville, Fairmont and Harriman Park in northern Birmingham, Alabama. The contaminated neighborhoods are surrounded by industrial facilities associated with coke manufacturing, and iron and steel industries.

Site History:

Residential soils have been contaminated from air deposition or "borrow" fill soil potentially from the operation of several facilities in the area. One facility is the Walter Coke, Inc. operation which manufactures foundry and furnace coke as well as coke by-products in 122 coke ovens. Additional potential sources include: ABC Coke; U.S. Pipe, a lead foundry, KMAC Recycling & Industrial Services and Alagasco Corporation.

Site Contamination/Contaminants:

The primary contaminants of concern are benzo(a)pyrene, arsenic and lead in residential soils.

Potential Impacts on Surrounding Community/Environment:

Hundreds of residential lots are contaminated with benzo(a)pyrene, arsenic, or lead exceeding health risk exposure standards. The total site area encompasses more than 2,000 properties and more than 1,000 total acres.

Response Activities (to date):

The EPA has sampled more than 1,000 properties and is currently conducting soil removal actions at 50 of the highest contaminated properties.

Need for NPL Listing:

The site area is very large and there are numerous potential industries which have contributed to the contamination. Hundreds of properties remain contaminated at levels which exceed health-based benchmark levels. A single, comprehensive assessment and remediation of contaminated residential soils is needed. The EPA received a letter of support for placing this site on the NPL from the state.

[The description of the site (release) is based on information available at the time the site was evaluated with the HRS. The description may change as additional information is gathered on the sources and extent of contamination. See 56 FR 5600, February 11, 1991, or subsequent FR notices.]

For more information about the hazardous substances identified in this narrative summary, including general information regarding the effects of exposure to these substances on human health, please see the Agency for Toxic Substances and Disease Registry (ATSDR) ToxFAQs. ATSDR ToxFAQs can be found on the Internet at www.atsdr.com or by telephone at 1-888-42-ATSDR or 1-888-422-8737.

Warning: Potential systemic adverse effects may result from use of this device. Drugs or solutions delivered with this device have the potential to reach the blood stream and cause systemic effects. Carefully read all labeling of the drug or solution used with this device to understand all potential adverse effects and to ensure appropriate dosing information. If systemic manifestations occur, refer to the drug or solution labeling for appropriate action.

(iii) Appropriate analysis/testing must demonstrate electromagnetic compatibility, electrical safety, thermal safety, and mechanical safety.

(iv) Appropriate software verification, validation, and hazard analysis must be performed.

(v) The elements of the device that may contact the patient must be demonstrated to be biocompatible.

(vi) The elements of the device that may contact the patient must be assessed for sterility.

(vii) Performance data must support the shelf life of the elements of the device that may be affected by aging by demonstrating continued package integrity and device functionality over the stated shelf life.

Dated: September 15, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014-22453 Filed 9-19-14; 8:45 am]

BILLING CODE 4164-01-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R03-OAR-2014-0596; FRL-9916-81-Region 3]

Approval and Promulgation of Air Quality Implementation Plans; West Virginia; 2014 Amendments to West Virginia's Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the State of West Virginia for the purpose of amending their Legislative Rule on Ambient Air Quality Standards. In the Final Rules section of this *Federal Register*, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because EPA views this as a noncontroversial submittal and anticipates no adverse comments. A

detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received in writing by October 22, 2014.

ADDRESSES: Submit your comments, identified by Docket ID Number EPA-R03-OAR-2014-0596 by one of the following methods:

A. www.regulations.gov. Follow the on-line instructions for submitting comments.

B. Email: fernandez.cristina@epa.gov.

C. Mail: EPA-R03-OAR-2014-0596, Cristina Fernandez, Associate Director, Office of Air Program Planning, Air Protection Division, Mailcode 3AP30, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. Hand Delivery: At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA-R03-OAR-2014-0596. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at www.regulations.gov, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through www.regulations.gov or email. The www.regulations.gov Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through www.regulations.gov, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA

cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the electronic docket are listed in the www.regulations.gov index. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in www.regulations.gov or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street SE., Charleston, West Virginia 25304.

FOR FURTHER INFORMATION CONTACT: Ellen Schmitt, (215) 814-5787, or by email at schmitt.ellen@epa.gov.

SUPPLEMENTARY INFORMATION: For further information, please see the information provided in the direct final action, with the same title, that is located in the "Rules and Regulations" section of this *Federal Register* publication. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

Dated: September 2, 2014.

William C. Early,

Acting Regional Administrator, Region III.

[FR Doc. 2014-22414 Filed 9-19-14; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[EPA-HQ-SFUND-2014-0623, 0624, and 0625; FRL-9916-73-OSWER]

National Priorities List, Proposed Rule No. 61

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA" or "the Act"), as amended, requires that the National Oil and Hazardous Substances Pollution Contingency Plan ("NCP") include a list of national priorities among the known releases or threatened releases of hazardous substances, pollutants or

contaminants throughout the United States. The National Priorities List ("NPL") constitutes this list. The NPL is intended primarily to guide the Environmental Protection Agency ("EPA" or "the agency") in determining which sites warrant further investigation. These further investigations will allow the EPA to assess the nature and extent of public health and environmental risks associated with the site and to

determine what CERCLA-financed remedial action(s), if any, may be appropriate. This rule proposes to add three sites to the General Superfund section of the NPL.

DATES: Comments regarding any of these proposed listings must be submitted (postmarked) on or before November 21, 2014.

ADDRESSES: Identify the appropriate docket number from the table below.

DOCKET IDENTIFICATION NUMBERS BY SITE

Site name	City/County, state	Docket ID No.
35th Avenue	Birmingham, AL	EPA-HQ-SFUND-2014-0623
Kokomo Contaminated Ground Water Plume	Kokomo, IN	EPA-HQ-SFUND-2014-0624
DSC McLouth Steel Gibraltar Plant	Gibraltar, MI	EPA-HQ-SFUND-2014-0625

Submit your comments, identified by the appropriate docket number, by one of the following methods:

- <http://www.regulations.gov> Follow the online instructions for submitting comments.

- Email: http://superfund.docket@epa.gov.

- Mail: Mail comments (no facsimiles or tapes) to Docket Coordinator, Headquarters, U.S. Environmental Protection Agency, CERCLA Docket Office; (Mailcode 5305T); 1200 Pennsylvania Avenue NW., Washington, DC 20460.

- Hand Delivery or Express Mail: Send comments (no facsimiles or tapes) to Docket Coordinator, Headquarters, U.S. Environmental Protection Agency, CERCLA Docket Office; 1301 Constitution Avenue NW.; William Jefferson Clinton Building West, Room 3334, Washington, DC 20004. Such deliveries are accepted only during the docket's normal hours of operation (8:30 a.m. to 4:30 p.m., Monday through Friday, excluding federal holidays).

Instructions: Direct your comments to the appropriate docket number (see table above). The EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be confidential business information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or email. The <http://www.regulations.gov> Web site is

an "anonymous access" system; that means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without going through <http://www.regulations.gov>, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional docket addresses and further details on their contents, see section II, "Public Review/Public Comment," of the Supplementary Information portion of this preamble.

FOR FURTHER INFORMATION CONTACT: Terry Jeng, phone: (703) 603-8852, email: jeng.terry@epa.gov, Site Assessment and Remedy Decisions Branch, Assessment and Remediation Division, Office of Superfund Remediation and Technology Innovation (Mailcode 5204P), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; or the Superfund Hotline, phone (800) 424-9346 or (703) 412-9810 in the Washington, DC, metropolitan area.

SUPPLEMENTARY INFORMATION:**Table of Contents****I. Background**

- What are CERCLA and SARA?
- What is the NCP?
- What is the National Priorities List (NPL)?
- How are sites listed on the NPL?
- What happens to sites on the NPL?
- Does the NPL define the boundaries of sites?
- How are sites removed from the NPL?
- May the EPA delete portions of sites from the NPL as they are cleaned up?
- What is the Construction Completion List (CCL)?
- What is the Sitewide Ready for Anticipated Use measure?
- What is state/tribal correspondence concerning NPL listing?

II. Public Review/Public Comment

- May I review the documents relevant to this proposed rule?
- How do I access the documents?
- What documents are available for public review at the Headquarters docket?
- What documents are available for public review at the regional dockets?
- How do I submit my comments?
- What happens to my comments?
- What should I consider when preparing my comments?
- May I submit comments after the public comment period is over?
- May I view public comments submitted by others?
- May I submit comments regarding sites not currently proposed to the NPL?

III. Contents of This Proposed Rule**A. Proposed Additions to the NPL****IV. Statutory and Executive Order Reviews****A. Executive Order 12866: Regulatory Planning and Review****1. What is Executive Order 12866?****2. Is this proposed rule subject to Executive Order 12866 review?****B. Paperwork Reduction Act****1. What is the Paperwork Reduction Act?****2. Does the Paperwork Reduction Act apply to this proposed rule?**

C. Regulatory Flexibility Act**1. What is the Regulatory Flexibility Act?****2. How has the EPA complied with the Regulatory Flexibility Act?****D. Unfunded Mandates Reform Act****1. What is the Unfunded Mandates Reform Act (UMRA)?****2. Does UMRA apply to this proposed rule?****E. Executive Order 13132: Federalism****1. What is Executive Order 13132?****2. Does Executive Order 13132 apply to this proposed rule?****F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments****1. What is Executive Order 13175?****2. Does Executive Order 13175 apply to this proposed rule?****G. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks****1. What is Executive Order 13045?****2. Does Executive Order 13045 apply to this proposed rule?****H. Executive Order 13211: Actions that Significantly Affect Energy Supply, Distribution, or Use****1. What is Executive Order 13211?****2. Does Executive Order 13211 apply to this proposed rule?****I. National Technology Transfer and Advancement Act****1. What is the National Technology Transfer and Advancement Act?****2. Does the National Technology Transfer and Advancement Act apply to this proposed rule?****J. Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations****1. What is Executive Order 12898?****2. Does Executive Order 12898 apply to this proposed rule?****I. Background****A. What are CERCLA and SARA?**

In 1980, Congress enacted the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601–9675 (“CERCLA” or “the Act”), in response to the dangers of uncontrolled releases or threatened releases of hazardous substances, and releases or substantial threats of releases into the environment of any pollutant or contaminant that may present an imminent or substantial danger to the public health or welfare. CERCLA was amended on October 17, 1986, by the Superfund Amendments and Reauthorization Act (“SARA”), Public Law 99–499, 100 Stat. 1613 *et seq.*

B. What is the NCP?

To implement CERCLA, the EPA promulgated the revised National Oil and Hazardous Substances Pollution Contingency Plan (“NCP”), 40 CFR Part 300, on July 16, 1982 (47 FR 31180), pursuant to CERCLA section 105 and Executive Order 12316 (46 FR 42237, August 20, 1981). The NCP sets

guidelines and procedures for responding to releases and threatened releases of hazardous substances or releases or substantial threats of releases into the environment of any pollutant or contaminant that may present an imminent or substantial danger to the public health or welfare. The EPA has revised the NCP on several occasions. The most recent comprehensive revision was on March 8, 1990 (55 FR 8666).

As required under section 105(a)(8)(A) of CERCLA, the NCP also includes “criteria for determining priorities among releases or threatened releases throughout the United States for the purpose of taking remedial action and, to the extent practicable taking into account the potential urgency of such action, for the purpose of taking removal action.” “Removal” actions are defined broadly and include a wide range of actions taken to study, clean up, prevent or otherwise address releases and threatened releases of hazardous substances, pollutants or contaminants (42 U.S.C. 9601(23)).

C. What is the National Priorities List (NPL)?

The NPL is a list of national priorities among the known or threatened releases of hazardous substances, pollutants or contaminants throughout the United States. The list, which is appendix B of the NCP (40 CFR Part 300), was required under section 105(a)(8)(B) of CERCLA, as amended. Section 105(a)(8)(B) defines the NPL as a list of “releases” and the highest priority “facilities” and requires that the NPL be revised at least annually. The NPL is intended primarily to guide the EPA in determining which sites warrant further investigation to assess the nature and extent of public health and environmental risks associated with a release of hazardous substances, pollutants or contaminants. The NPL is only of limited significance, however, as it does not assign liability to any party or to the owner of any specific property. Also, placing a site on the NPL does not mean that any remedial or removal action necessarily need be taken.

For purposes of listing, the NPL includes two sections, one of sites that are generally evaluated and cleaned up by the EPA (the “General Superfund section”), and one of sites that are owned or operated by other federal agencies (the “Federal Facilities section”). With respect to sites in the Federal Facilities section, these sites are generally being addressed by other federal agencies. Under Executive Order 12580 (52 FR 2923, January 29, 1987) and CERCLA section 120, each federal agency is responsible for carrying out

most response actions at facilities under its own jurisdiction, custody or control, although the EPA is responsible for preparing a Hazard Ranking System (“HRS”) score and determining whether the facility is placed on the NPL.

D. How are sites listed on the NPL?

There are three mechanisms for placing sites on the NPL for possible remedial action (see 40 CFR 300.425(c) of the NCP): (1) A site may be included on the NPL if it scores sufficiently high on the HRS, which the EPA promulgated as appendix A of the NCP (40 CFR Part 300). The HRS serves as a screening tool to evaluate the relative potential of uncontrolled hazardous substances, pollutants or contaminants to pose a threat to human health or the environment. On December 14, 1990 (55 FR 51532), the EPA promulgated revisions to the HRS partly in response to CERCLA section 105(c), added by SARA. The revised HRS evaluates four pathways: ground water, surface water, soil exposure and air. As a matter of agency policy, those sites that score 28.50 or greater on the HRS are eligible for the NPL. (2) Pursuant to 42 U.S.C. 9605(a)(8)(B), each state may designate a single site as its top priority to be listed on the NPL, without any HRS score. This provision of CERCLA requires that, to the extent practicable, the NPL include one facility designated by each state as the greatest danger to public health, welfare or the environment among known facilities in the state. This mechanism for listing is set out in the NCP at 40 CFR 300.425(c)(2). (3) The third mechanism for listing, included in the NCP at 40 CFR 300.425(c)(3), allows certain sites to be listed without any HRS score, if all of the following conditions are met:

- The Agency for Toxic Substances and Disease Registry (ATSDR) of the U.S. Public Health Service has issued a health advisory that recommends dissociation of individuals from the release.

- The EPA determines that the release poses a significant threat to public health.

- The EPA anticipates that it will be more cost-effective to use its remedial authority than to use its removal authority to respond to the release.

The EPA promulgated an original NPL of 406 sites on September 8, 1983 (48 FR 40658) and generally has updated it at least annually.

E. What happens to sites on the NPL?

A site may undergo remedial action financed by the Trust Fund established under CERCLA (commonly referred to as the “Superfund”) only after it is

placed on the NPL, as provided in the NCP at 40 CFR 300.425(b)(1). ("Remedial actions" are those "consistent with permanent remedy, taken instead of or in addition to removal actions. * * * 42 U.S.C. 9601(24).) However, under 40 CFR 300.425(b)(2) placing a site on the NPL "does not imply that monies will be expended." The EPA may pursue other appropriate authorities to respond to the releases, including enforcement action under CERCLA and other laws.

F. Does the NPL define the boundaries of sites?

The NPL does not describe releases in precise geographical terms; it would be neither feasible nor consistent with the limited purpose of the NPL (to identify releases that are priorities for further evaluation), for it to do so. Indeed, the precise nature and extent of the site are typically not known at the time of listing.

Although a CERCLA "facility" is broadly defined to include any area where a hazardous substance has "come to be located" (CERCLA section 101(9)), the listing process itself is not intended to define or reflect the boundaries of such facilities or releases. Of course, HRS data (if the HRS is used to list a site) upon which the NPL placement was based will, to some extent, describe the release(s) at issue. That is, the NPL site would include all releases evaluated as part of that HRS analysis.

When a site is listed, the approach generally used to describe the relevant release(s) is to delineate a geographical area (usually the area within an installation or plant boundaries) and identify the site by reference to that area. However, the NPL site is not necessarily coextensive with the boundaries of the installation or plant, and the boundaries of the installation or plant are not necessarily the "boundaries" of the site. Rather, the site consists of all contaminated areas within the area used to identify the site, as well as any other location where that contamination has come to be located, or from where that contamination came.

In other words, while geographic terms are often used to designate the site (e.g., the "Jones Co. Plant site") in terms of the property owned by a particular party, the site, properly understood, is not limited to that property (e.g., it may extend beyond the property due to contaminant migration), and conversely may not occupy the full extent of the property (e.g., where there are uncontaminated parts of the identified property, they may not be, strictly speaking, part of the "site"). The "site" is thus neither equal to, nor confined by,

the boundaries of any specific property that may give the site its name, and the name itself should not be read to imply that this site is coextensive with the entire area within the property boundary of the installation or plant. In addition, the site name is merely used to help identify the geographic location of the contamination, and is not meant to constitute any determination of liability at a site. For example, the name "Jones Co. Plant site," does not imply that the Jones Company is responsible for the contamination located on the plant site.

The EPA regulations provide that the remedial investigation ("RI") "is a process undertaken * * * to determine the nature and extent of the problem presented by the release" as more information is developed on site contamination, and which is generally performed in an interactive fashion with the feasibility study ("FS") (40 CFR 300.5). During the RI/FS process, the release may be found to be larger or smaller than was originally thought, as more is learned about the source(s) and the migration of the contamination. However, the HRS inquiry focuses on an evaluation of the threat posed and therefore the boundaries of the release need not be exactly defined. Moreover, it generally is impossible to discover the full extent of where the contamination "has come to be located" before all necessary studies and remedial work are completed at a site. Indeed, the known boundaries of the contamination can be expected to change over time. Thus, in most cases, it may be impossible to describe the boundaries of a release with absolute certainty.

Further, as noted above, NPL listing does not assign liability to any party or to the owner of any specific property. Thus, if a party does not believe it is liable for releases on discrete parcels of property, it can submit supporting information to the agency at any time after it receives notice it is a potentially responsible party.

For these reasons, the NPL need not be amended as further research reveals more information about the location of the contamination or release.

G. How are sites removed from the NPL?

The EPA may delete sites from the NPL where no further response is appropriate under Superfund, as explained in the NCP at 40 CFR 300.425(e). This section also provides that the EPA shall consult with states on proposed deletions and shall consider whether any of the following criteria have been met:

- (i) Responsible parties or other persons have implemented all appropriate response actions required;
- (ii) All appropriate Superfund-financed response has been implemented and no further response action is required; or
- (iii) The remedial investigation has shown the release poses no significant threat to public health or the environment, and taking of remedial measures is not appropriate.

H. May the EPA delete portions of sites from the NPL as they are cleaned up?

In November 1995, the EPA initiated a policy to delete portions of NPL sites where cleanup is complete (60 FR 55465, November 1, 1995). Total site cleanup may take many years, while portions of the site may have been cleaned up and made available for productive use.

I. What is the Construction Completion List (CCL)?

The EPA also has developed an NPL construction completion list ("CCL") to simplify its system of categorizing sites and to better communicate the successful completion of cleanup activities (58 FR 12142, March 2, 1993). Inclusion of a site on the CCL has no legal significance.

Sites qualify for the CCL when: (1) Any necessary physical construction is complete, whether or not final cleanup levels or other requirements have been achieved; (2) the EPA has determined that the response action should be limited to measures that do not involve construction (e.g., institutional controls); or (3) the site qualifies for deletion from the NPL. For the most up-to-date information on the CCL, see the EPA's Internet site at <http://www.epa.gov/superfund/cleanup/ccl.htm>.

J. What is the Sitewide Ready for Anticipated Use measure?

The Sitewide Ready for Anticipated Use measure (formerly called Sitewide Ready-for-Reuse) represents important Superfund accomplishments and the measure reflects the high priority the EPA places on considering anticipated future land use as part of the remedy selection process. See Guidance for Implementing the Sitewide Ready-for-Reuse Measure, May 24, 2006, OSWER 9365.0-36. This measure applies to final and deleted sites where construction is complete, all cleanup goals have been achieved, and all institutional or other controls are in place. The EPA has been successful on many occasions in carrying out remedial actions that ensure protectiveness of human health

and the environment for current and future land uses, in a manner that allows contaminated properties to be restored to environmental and economic vitality. For further information, please go to http://www.epa.gov/superfund/programs/recycle/pdf/sitewide_a.pdf.

K. What is state/tribal correspondence concerning NPL listing?

In order to maintain close coordination with states and tribes in the NPL listing decision process, the EPA's policy is to determine the position of the states and tribes regarding sites that the EPA is considering for listing. This consultation process is outlined in two memoranda that can be found at the following Web site: <http://www.epa.gov/superfund/sites/npl/hrsres/policy/govlet.pdf>. The EPA is improving the transparency of the process by which state and tribal input is solicited. The EPA is using the Web and where appropriate more structured state and tribal correspondence that (1) explains the concerns at the site and the EPA's rationale for proceeding; (2) requests an explanation of how the state intends to address the site if placement on the NPL is not favored; and (3) emphasizes the transparent nature of the process by informing states that information on their responses will be publicly available.

A model letter and correspondence from this point forward between the EPA and states and tribes where applicable, is available on the EPA's Web site at <http://www.epa.gov/superfund/sites/queryqueryhtml/nplstcor.htm>

II. Public Review/Public Comment

A. May I review the documents relevant to this proposed rule?

Yes, documents that form the basis for the EPA's evaluation and scoring of the sites in this proposed rule are contained in public dockets located both at the EPA Headquarters in Washington, DC, and in the regional offices. These documents are also available by electronic access at <http://www.regulations.gov> (see instructions in the "Addresses" section above).

B. How do I access the documents?

You may view the documents, by appointment only, in the Headquarters or the regional dockets after the publication of this proposed rule. The hours of operation for the Headquarters docket are from 8:30 a.m. to 4:30 p.m., Monday through Friday excluding federal holidays. Please contact the regional dockets for hours.

The following is the contact information for the EPA Headquarters Docket: Docket Coordinator, Headquarters, U.S. Environmental Protection Agency, CERCLA Docket Office, 1301 Constitution Avenue NW., William Jefferson Clinton Building West, Room 3334, Washington, DC 20004; 202/566-0276. (Please note this is a visiting address only. Mail comments to the EPA Headquarters as detailed at the beginning of this preamble.)

The contact information for the regional dockets is as follows:

- Holly Inglis, Region 1 (CT, ME, MA, NH, RI, VT), U.S. EPA, Superfund Records and Information Center, 5 Post Office Square, Suite 100, Boston, MA 02109-3912; 617/918-1413.
- Ildefonso Acosta, Region 2 (NJ, NY, PR, VI), U.S. EPA, 290 Broadway, New York, NY 10007-1866; 212/637-4344.
- Lorie Baker (ASRC), Region 3 (DE, DC, MD, PA, VA, WV), U.S. EPA, Library, 1650 Arch Street, Mailcode 3HS12, Philadelphia, PA 19103; 215/814-3355.
- Jennifer Wendel, Region 4 (AL, FL, GA, KY, MS, NC, SC, TN), U.S. EPA, 61 Forsyth Street SW., Mailcode 9T25, Atlanta, GA 30303; 404/562-8799.
- Todd Quesada, Region 5 (IL, IN, MI, MN, OH, WI), U.S. EPA Superfund Division Librarian/SFD Records Manager SRC-7J, Metcalf Federal Building, 77 West Jackson Boulevard, Chicago, IL 60604; 312/886-4465.
- Brenda Cook, Region 6 (AR, LA, NM, OK, TX), U.S. EPA, 1445 Ross Avenue, Suite 1200, Mailcode 6SFTS, Dallas, TX 75202-2733; 214/665-7436.
- Michelle Quick, Region 7 (IA, KS, MO, NE), U.S. EPA, 11201 Renner Blvd., Mailcode SUPRERNB, Lenexa, KS 66219; 913/551-7335.
- Sabrina Forrest, Region 8 (CO, MT, ND, SD, UT, WY), U.S. EPA, 1595 Wynkoop Street, Mailcode 8EPR-B, Denver, CO 80202-1129; 303/312-6484.
- Sharon Murrav, Region 9 (AZ, CA, HI, NV, AS, GU, MP), U.S. EPA, 75 Hawthorne Street, Mailcode SFD 6-1, San Francisco, CA 94105; 415/947-4250.
- Ken Marcy, Region 10 (AK, ID, OR, WA), U.S. EPA, 1200 6th Avenue, Mailcode ECL-112, Seattle, WA 98101; 206/463-1349.

You may also request copies from the EPA Headquarters or the regional dockets. An informal request, rather than a formal written request under the Freedom of Information Act, should be the ordinary procedure for obtaining copies of any of these documents. Please note that due to the difficulty of reproducing oversized maps, oversized maps may be viewed only in-person;

since the EPA dockets are not equipped to either copy and mail out such maps or scan them and send them out electronically.

You may use the docket at <http://www.regulations.gov> to access documents in the Headquarters docket (see instructions included in the "Addresses" section above). Please note that there are differences between the Headquarters docket and the regional dockets and those differences are outlined below.

C. What documents are available for public review at the Headquarters docket?

The Headquarters docket for this proposed rule contains the following for the sites proposed in this rule: HRS score sheets; documentation records describing the information used to compute the score; information for any sites affected by particular statutory requirements or the EPA listing policies; and a list of documents referenced in the documentation record.

D. What documents are available for public review at the regional dockets?

The regional dockets for this proposed rule contain all of the information in the Headquarters docket plus the actual reference documents containing the data principally relied upon and cited by the EPA in calculating or evaluating the HRS score for the sites. These reference documents are available only in the regional dockets.

E. How do I submit my comments?

Comments must be submitted to the EPA Headquarters as detailed at the beginning of this preamble in the "Addresses" section. Please note that the mailing addresses differ according to method of delivery. There are two different addresses that depend on whether comments are sent by express mail or by postal mail.

F. What happens to my comments?

The EPA considers all comments received during the comment period. Significant comments are typically addressed in a support document that the EPA will publish concurrently with the Federal Register document if, and when, the site is listed on the NPL.

G. What should I consider when preparing my comments?

Comments that include complex or voluminous reports, or materials prepared for purposes other than HRS scoring, should point out the specific information that the EPA should consider and how it affects individual HRS factor values or other listing

criteria (*Northside Sanitary Landfill v. Thomas*, 849 F.2d 1516 (D.C. Cir. 1988)). The EPA will not address voluminous comments that are not referenced to the HRS or other listing criteria. The EPA will not address comments unless they indicate which component of the HRS documentation record or what particular point in the EPA's stated eligibility criteria is at issue.

H. May I submit comments after the public comment period is over?

Generally the EPA will not respond to late comments. The EPA can guarantee only that it will consider those comments postmarked by the close of the formal comment period. The EPA has a policy of generally not delaying a final listing decision solely to accommodate consideration of late comments.

I. May I view public comments submitted by others?

During the comment period, comments are placed in the Headquarters docket and are available to the public on an "as received" basis. A complete set of comments will be available for viewing in the regional dockets approximately one week after the formal comment period closes.

All public comments, whether submitted electronically or in paper form, will be made available for public viewing in the electronic public docket at <http://www.regulations.gov> as the EPA receives them and without change, unless the comment contains copyrighted material, confidential business information (CBI) or other information whose disclosure is restricted by statute. Once in the public dockets system, select "search," then key in the appropriate docket ID number.

J. May I submit comments regarding sites not currently proposed to the NPL?

In certain instances, interested parties have written to the EPA concerning sites that were not at that time proposed to the NPL. If those sites are later proposed to the NPL, parties should review their earlier concerns and, if still appropriate, resubmit those concerns for consideration during the formal comment period. Site-specific correspondence received prior to the period of formal proposal and comment will not generally be included in the docket.

III. Contents of This Proposed Rule

A. Proposed Additions to the NPL

In today's proposed rule, the EPA is proposing to add three sites to the NPL, all to the General Superfund section. All of the sites in this proposed rulemaking are being proposed based on HRS scores of 28.50 or above.

The sites are presented in the table below.

GENERAL SUPERFUND SECTION

State	Site name	City/County
AL	35th Avenue	Birmingham.
IN	Kokomo Contaminated Ground Water Plume	Kokomo.
MI	DSC McLouth Steel Gibraltar Plant	Gibraltar.

IV. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review

1. What is Executive Order 12866?

Under Executive Order 12866 (58 FR 51735 (October 4, 1993)), the agency must determine whether a regulatory action is "significant" and therefore subject to Office of Management and Budget (OMB) review and the requirements of the Executive Order. The Order defines "significant regulatory action" as one that is likely to result in a rule that may: (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety or state, local or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal

mandates, the President's priorities or the principles set forth in the Executive Order.

2. Is this proposed rule subject to Executive Order 12866 review?

No. The listing of sites on the NPL does not impose any obligations on any entities. The listing does not set standards or a regulatory regime and imposes no liability or costs. Any liability under CERCLA exists irrespective of whether a site is listed. It has been determined that this action is not a "significant regulatory action" under the terms of Executive Order 12866 and is therefore not subject to OMB review.

B. Paperwork Reduction Act

1. What is the Paperwork Reduction Act?

According to the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information that requires OMB approval under the PRA, unless it has been approved by OMB and displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations, after

initial display in the preamble of the final rules, are listed in 40 CFR Part 9.

2. Does the Paperwork Reduction Act apply to this proposed rule?

This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* The EPA has determined that the PRA does not apply because this rule does not contain any information collection requirements that require approval of the OMB.

Burden means the total time, effort or financial resources expended by persons to generate, maintain, retain or disclose or provide information to or for a federal agency. This includes the time needed to review instructions; develop, acquire, install and utilize technology and systems for the purposes of collecting, validating and verifying information, processing and maintaining information and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations in 40 CFR are listed in 40 CFR Part 9.

C. Regulatory Flexibility Act

1. What is the Regulatory Flexibility Act?

Pursuant to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*, as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996) whenever an agency is required to publish a notice of rulemaking for any proposed or final rule, it must prepare and make available for public comment a regulatory flexibility analysis that describes the effect of the rule on small entities (i.e., small businesses, small organizations and small governmental jurisdictions). However, no regulatory flexibility analysis is required if the head of an agency certifies the rule will not have a significant economic impact on a substantial number of small entities. SBREFA amended the Regulatory Flexibility Act to require federal agencies to provide a statement of the factual basis for certifying that a rule will not have a significant economic impact on a substantial number of small entities.

2. How has the EPA complied with the Regulatory Flexibility Act?

This proposed rule listing sites on the NPL, if promulgated, would not impose any obligations on any group, including small entities. This proposed rule, if promulgated, also would establish no standards or requirements that any small entity must meet, and would impose no direct costs on any small entity. Whether an entity, small or otherwise, is liable for response costs for a release of hazardous substances depends on whether that entity is liable under CERCLA 107(a). Any such liability exists regardless of whether the site is listed on the NPL through this rulemaking. Thus, this proposed rule, if promulgated, would not impose any requirements on any small entities. For the foregoing reasons, I certify that this proposed rule, if promulgated, will not have a significant economic impact on a substantial number of small entities.

D. Unfunded Mandates Reform Act

1. What is the Unfunded Mandates Reform Act (UMRA)?

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104-4, establishes requirements for federal agencies to assess the effects of

their regulatory actions on state, local and tribal governments and the private sector. Under section 202 of the UMRA, the EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with "federal mandates" that may result in expenditures by state, local and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year. Before the EPA promulgates a rule where a written statement is needed, section 205 of the UMRA generally requires the EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows the EPA to adopt an alternative other than the least costly, most cost-effective or least burdensome alternative if the Administrator publishes with the final rule an explanation why that alternative was not adopted. Before the EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, it must have developed under section 203 of the UMRA a small government agency plan. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of EPA regulatory proposals with significant federal intergovernmental mandates and informing, educating and advising small governments on compliance with the regulatory requirements.

2. Does UMRA apply to this proposed rule?

This proposed rule does not contain a federal mandate that may result in expenditures of \$100 million or more for state, local and tribal governments, in the aggregate, or the private sector in any one year. Proposing a site on the NPL does not itself impose any costs. Proposal does not mean that the EPA necessarily will undertake remedial action. Nor does proposal require any action by a private party or determine liability for response costs. Costs that arise out of site responses result from site-specific decisions regarding what actions to take, not directly from the act of proposing a site to be placed on the NPL. Thus, this rule is not subject to the requirements of section 202 and 205 of UMRA.

This rule is also not subject to the requirements of section 203 of UMRA

because it contains no regulatory requirements that might significantly or uniquely affect small governments. As is mentioned above, site proposal does not impose any costs and would not require any action of a small government.

E. Executive Order 13132: Federalism

1. What is Executive Order 13132?

Executive Order 13132, entitled "Federalism" (64 FR 43255, August 10, 1999), requires the EPA to develop an accountable process to ensure "meaningful and timely input by state and local officials in the development of regulatory policies that have federalism implications." "Policies that have federalism implications" are defined in the Executive Order to include regulations that have "substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government."

2. Does Executive Order 13132 apply to this proposed rule?

This proposed rule does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, because it does not contain any requirements applicable to states or other levels of government. Thus, the requirements of the Executive Order do not apply to this proposed rule.

The EPA believes, however, that this proposed rule may be of significant interest to state governments. In the spirit of Executive Order 13132, and consistent with the EPA policy to promote communications between the EPA and state and local governments, the EPA therefore consulted with state officials and/or representatives of state governments early in the process of developing the rule to permit them to have meaningful and timely input into its development. All sites included in this proposed rule were referred to the EPA by states for listing. For all sites in this rule, the EPA received letters of support either from the governor or a state official who was delegated the authority by the governor to speak on their behalf regarding NPL listing decisions.

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

1. What is Executive Order 13175?

Executive Order 13175, entitled "Consultation and Coordination with Indian Tribal Governments" (65 FR 67249, November 6, 2000), requires the EPA to develop an accountable process to ensure "meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications." "Policies that have tribal implications" are defined in the Executive Order to include regulations that have "substantial direct effects on one or more Indian tribes, on the relationship between the federal government and the Indian tribes, or on the distribution of power and responsibilities between the federal government and Indian tribes."

2. Does Executive Order 13175 apply to this proposed rule?

This action does not have tribal implications, as specified in Executive Order 13175. Proposing a site to the NPL does not impose any costs on a tribe or require a tribe to take remedial action. Thus, Executive Order 13175 does not apply to this proposed rule.

G. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

1. What is Executive Order 13045?

Executive Order 13045: "Protection of Children From Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997) applies to any rule that: (1) Is determined to be "economically significant" as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that the EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the agency.

2. Does Executive Order 13045 apply to this proposed rule?

This proposed rule is not subject to Executive Order 13045 because it is not an economically significant rule as defined by Executive Order 12866, and because the agency does not have reason to believe the environmental health or safety risks addressed by this proposed rule present a disproportionate risk to children.

H. Executive Order 13211: Actions that Significantly Affect Energy Supply, Distribution, or Use

1. What is Executive Order 13211?

Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use," (66 FR 28355, May 22, 2001) requires federal agencies to prepare a "Statement of Energy Effects" when undertaking certain regulatory actions. A Statement of Energy Effects describes the adverse effects of a "significant energy action" on energy supply, distribution and use, reasonable alternatives to the action and the expected effects of the alternatives on energy supply, distribution and use.

2. Does Executive Order 13211 apply to this proposed rule?

This action is not a "significant energy action" as defined in Executive Order 13211, because it is not likely to have a significant adverse effect on the supply, distribution or use of energy. Further, the agency has concluded that this rule is not likely to have any adverse energy impacts because proposing a site to the NPL does not require an entity to conduct any action that would require energy use, let alone that which would significantly affect energy supply, distribution or usage. Thus, Executive Order 13211 does not apply to this action.

I. National Technology Transfer and Advancement Act

1. What is the National Technology Transfer and Advancement Act?

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272 note), directs the EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures and business practices) that are developed or adopted by voluntary consensus standards bodies. The NTTAA directs the EPA to provide Congress, through OMB, explanations when the agency decides not to use available and applicable voluntary consensus standards.

2. Does the National Technology Transfer and Advancement Act apply to this proposed rule?

No. This proposed rulemaking does not involve technical standards. Therefore, the EPA did not consider the

use of any voluntary consensus standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

1. What is Executive Order 12898?

Executive Order (E.O.) 12898 (59 FR 7629, Feb. 16, 1994) establishes federal executive policy on environmental justice. Its main provision directs federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies and activities on minority populations and low-income populations in the United States.

2. Does Executive Order 12898 apply to this proposed rule?

The EPA has determined that this proposed rule will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations because it does not affect the level of protection provided to human health or the environment. As this rule does not impose any enforceable duty upon state, tribal or local governments, this rule will neither increase nor decrease environmental protection.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Natural resources, Oil pollution, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Dated: September 10, 2014.

Mathy Stanislaus,

Assistant Administrator, Office of Solid Waste and Emergency Response.

[FR Doc. 2014-22423 Filed 9-19-14; 8:45 am]

BILLING CODE 6560-50-P

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
References https://www.hudexchange.info/online/cestral-review/endangered-species		

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

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

**ECOS Environmental Conservation Online System**

Conserving the Nature of America

[ECOS](#) / [Species Reports](#) / [Species By County Report](#)

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	Recovery Outline for the Black Warrior Waterdog (<i>Necturus alabamensis</i>), January 2018	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	Recovery Plan for the Mobile River Basin (15 species)	Implementation Progress	Final
Clams	Southern acornshell (<i>Epioblasma othcaloogensis</i>)	Wherever found	Endangered	Alabama Ecological Services Field Office	Recovery Plan for the Mobile River Basin (15 species)	Implementation Progress	Final
Clams	Upland combshell (<i>Epioblasma metastriata</i>)	Wherever found	Endangered	Alabama Ecological Services Field Office	Recovery Plan for the Mobile River Basin (15 species)	Implementation Progress	Final
Clams	Finelined pocketbook (<i>Lampsilis altilis</i>)	Wherever found	Threatened	Alabama Ecological Services Field Office	Recovery Plan for the Mobile River Basin (15 species)	Implementation Progress	Final
Clams	Ovate clubshell (<i>Pleurobema perovatum</i>)	Wherever found	Endangered	Alabama Ecological Services Field Office	Recovery Plan for the Mobile River Basin (15 species)	Implementation Progress	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	Recovery Plan for the Mobile River Basin (15 species)	Implementation Progress	Final
Clams	Triangular Kidneyshell (<i>Ptychobranchus greenii</i>)	Wherever found	Endangered	Alabama Ecological Services Field Office	Recovery Plan for the Mobile River Basin (15 species)	Implementation Progress	Final
Clams	Alabama moccasinshell (<i>Medionidus acutissimus</i>)	Wherever found	Threatened	Alabama Ecological Services Field Office	Recovery Plan for the Mobile River Basin (15 species)	Implementation Progress	Final
Clams	Coosa moccasinshell (<i>Medionidus parvulus</i>)	Wherever found	Endangered	Alabama Ecological Services Field Office	Recovery Plan for the Mobile River Basin (15 species)	Implementation Progress	Final
Clams	Dark pigtoe (<i>Pleurobema furvum</i>)	Wherever found	Endangered	Alabama Ecological Services Field Office	Recovery Plan for the Mobile River Basin (15 species)	Implementation Progress	Final
Clams	Southern pigtoe (<i>Pleurobema georgianum</i>)	Wherever found	Endangered	Alabama Ecological Services Field Office	Recovery Plan for the Mobile River Basin (15 species)	Implementation Progress	Final
Clams	Georgia pigtoe (<i>Pleurobema hanleyianum</i>)	Wherever found	Endangered	Alabama Ecological Services Field Office	Recovery Plan for Georgia pigtoe mussel (Pleurobema hanleyianum). interrupted rocksnail (Leptoxis foremani) and rough homsnail (Pleurocera foremani)	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	Watercress Darter	Implementation Progress	Final Revision 2
Fishes	Cahaba shiner (<i>Notropis cahabae</i>)	Wherever found	Endangered	Mississippi Ecological Services Field Office	Cahaba Shiner	Implementation Progress	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	Recovery Outline for Trispot Darter	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	Recovery Plan for the Mobile River Basin (15 species)	Implementation Progress	Final
Fishes	Vermilion darter (<i>Etheostoma chermocki</i>)	Wherever found	Endangered	Mississippi Ecological Services Field Office	Recovery Plan for the Vermilion Darter, Etheostoma chermocki	Implementation Progress	Final
Fishes	Rush Darter (<i>Etheostoma phytophilum</i>)	Wherever found	Endangered	Mississippi Ecological Services Field Office	Recovery Outline for Rush Darter (Etheostoma phytophilum)	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 mohrli</i>)	Wherever found	Threatened	Mississippi Ecological Services Field Office	Mohr's Barbara's Button	Implementation Progress	Final
Flowering Plants	Gentian pinkroot (<i>Spigelia gentianoides</i>)	Wherever found	Endangered	Panama City Ecological Services Field Office	Recovery Plan for Spigelia gentianoides (Gentian pinkroot)	Implementation Progress	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
Snails	Round rocksnail (<u>Leptoxis ampla</u>)	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 (<u>Elimia melanoides</u>)	Wherever found	Under Review	Assistant Regional Director-Ecological Services			

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Jefferson County, Alabama

Local office

Alabama Ecological Services Field Office

☎ (251) 441-5181

📠 (251) 441-6222

1208 B Main Street

Daphne, AL 36526-4419

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species

and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries).

Species and critical habitats under the sole responsibility of NOAA Fisheries are not shown on this list. Please contact [NOAA Fisheries](#) for more information.

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [NMFS](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME

STATUS

Gray Bat *Myotis grisescens*

Endangered

No critical habitat has been designated for this species.

<https://www.fws.gov/land-management/conservation/gray-bat>

Indiana Bat *Myotis sodalis*

Endangered

There is final critical habitat for this species. Your location is outside the critical habitat.

<https://www.fws.gov/land-management/conservation/indiana-bat>

Northern Long-eared Bat *Myotis septentrionalis*

Threatened

No critical habitat has been designated for this species.

<https://www.fws.gov/land-management/conservation/northern-long-eared-bat>

Reptiles

NAME

STATUS

Flattened Musk Turtle *Sternotherus depressus*

Threatened

No critical habitat has been designated for this species.

<https://www.fws.gov/land-management/conservation/flattened-musk-turtle>

Amphibians

NAME

STATUS

Black Warrior (=sipsey Fork) Waterdog *Necturus alabamensis*

Endangered

There is final critical habitat for this species. Your location is outside the critical habitat.

<https://www.fws.gov/land-management/conservation/black-warrior-waterdog>

Fishes

NAME

STATUS

Rush Darter *Etheostoma phytophilum*

Endangered

There is final critical habitat for this species. Your location is outside the critical habitat.

<https://www.fws.gov/land-management/conservation/rush-darter>

Watercress Darter *Etheostoma nuchale*

Endangered

No critical habitat has been designated for this species.

<https://www.fws.gov/land-management/conservation/watercress-darter>

Clams

NAME

STATUS

Finelined Pocketbook *Lampsilis altilis*

Threatened

There is final critical habitat for this species. Your location is outside the critical habitat.

[https://www.fws.gov/landmanagement/](#)

Ovate Clubshell *Pleurobema perovatum*

Endangered

There is final critical habitat for this species. Your location is outside the critical habitat.

[https://www.fws.gov/landmanagement/](#)

Upland Combshell *Epioblasma metastrata*

Endangered

There is final critical habitat for this species. Your location is outside the critical habitat.

[https://www.fws.gov/landmanagement/](#)

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- [Birds of Conservation Concern](#) [https://www.fws.gov/landmanagement/](#)
- [Measures for avoiding and minimizing impacts to birds](#) [https://www.fws.gov/landmanagement/](#)

- Nationwide conservation measures for birds

[https://www.fws.gov/atlantic-coast/birds/conservation-measures.pdf](#)

The birds listed below are birds of particular concern either because they occur on the [US Fish & Wildlife Service's \(USFWS\) Bird Conservation Concern \(BCC\)](#) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the [FAQ](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [eBird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the **PROBABILITY OF PRESENCE SUMMARY** at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

Black-billed Cuckoo *Coccyzus erythrophthalmus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 15 to Oct 10

Bobolink *Dolichonyx oryzivorus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 20 to Jul 31

Canada Warbler *Cardellina canadensis*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 20 to Aug 10

Cerulean Warbler *Dendroica cerulea*

Breeds Apr 27 to Jul 20

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Golden-winged Warbler *Vermivora chrysoptera*

Breeds May 1 to Jul 20

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Kentucky Warbler *Oporornis formosus*

Breeds Apr 20 to Aug 20

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Prairie Warbler *Dendroica discolor*

Breeds May 1 to Jul 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Red-headed Woodpecker *Melanerpes erythrocephalus*

Breeds May 10 to Sep 10

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Rusty Blackbird *Euphagus carolinus*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Wood Thrush *Hylocichla mustelina*

Breeds May 10 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Yellow-bellied Sapsucker *Sphyrapicus varius*

Breeds May 10 to Jul 15

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

The [Migratory Bird Conservation Plan](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the [Probability of Presence Summary](#). [Birds](#) and/or [plants](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Migratory Bird Species List](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [BCC Range-wide Data](#) (BCC-RWD). The AKN data is based on a growing collection of [avian knowledge network \(AKN\) data](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([eagle requirements](#) may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Migratory Bird Resource List](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [scientific data](#) and [citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the [Probability of Presence Summary](#) and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Council on National Policy's Atlantic Birds and Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [BCC-RWD](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [BCC-RWD](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [eagle requirements](#) (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Atlantic Coastal Bird Resource Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [Data Download](#) link.

project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Marine Bird Tracking Data](#) and the [Marine Bird Tracking Data](#) or contact [Marine Bird Tracking Data](#) or [Marine Bird Tracking Data](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [Eagle Act](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust Resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to [Wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [Wetlands District](#).

THERE ARE NO KNOWN WETLANDS AT THIS LOCATION.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Jefferson County, Alabama

Local office

Alabama Ecological Services Field Office

☎ (251) 441-5181

📠 (251) 441-6222

1208 B Main Street

Daphne, AL 36526-4419

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species

and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries).

Species and critical habitats under the sole responsibility of NOAA Fisheries are not shown on this list. Please contact NOAA Fisheries for more information.

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [USFWS website](#) for more information.
2. [NMFS](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME

STATUS

Gray Bat *Myotis grisescens*

Endangered

No critical habitat has been designated for this species.

<https://www.fws.gov/landmanagement/conservation/gray-bat>

Indiana Bat *Myotis sodalis*

Endangered

There is **final** critical habitat for this species. Your location is outside the critical habitat.

<https://www.fws.gov/landmanagement/conservation/indiana-bat>

Northern Long-eared Bat *Myotis septentrionalis*

Threatened

No critical habitat has been designated for this species.

<https://www.fws.gov/landmanagement/conservation/northern-long-eared-bat>

Reptiles

NAME

STATUS

Flattened Musk Turtle *Sternotherus depressus*

Threatened

No critical habitat has been designated for this species.

<https://www.fws.gov/landmanagement/conservation/flattened-musk-turtle>

Amphibians

NAME

STATUS

Black Warrior (=sipsey Fork) Waterdog *Necturus alabamensis*

Endangered

There is **final** critical habitat for this species. Your location is outside the critical habitat.

<https://www.fws.gov/landmanagement/conservation/black-warrior-waterdog>

Fishes

NAME

STATUS

Rush Darter *Etheostoma phytophilum*

Endangered

There is **final** critical habitat for this species. Your location is outside the critical habitat.

<https://www.fws.gov/landmanagement/conservation/rush-darter>

Watercress Darter *Etheostoma nuchale*

Endangered

No critical habitat has been designated for this species.

<https://www.fws.gov/landmanagement/conservation/watercress-darter>

Clams

NAME

STATUS

Finelined Pocketbook *Lampsilis altilis*

Threatened

There is final critical habitat for this species. Your location is outside the critical habitat.

[Critical Habitat for Finelined Pocketbook](#)

Ovate Clubshell *Pleurobema perovatum*

Endangered

There is final critical habitat for this species. Your location is outside the critical habitat.

[Critical Habitat for Ovate Clubshell](#)

Upland Combshell *Epioblasma metastrata*

Endangered

There is final critical habitat for this species. Your location is outside the critical habitat.

[Critical Habitat for Upland Combshell](#)

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern [http://www.fws.gov/bcc/birds/conservation/](#)
- Measures for avoiding and minimizing impacts to birds [http://www.fws.gov/bcc/birds/conservation/avoiding-and-minimizing-impacts-to-birds/](#)

• Nationwide conservation measures for birds

The birds listed below are birds of particular concern either because they occur on the [BCC list](#) or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the [FAQ](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [Bird Data Mapping Tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the **PROBABILITY OF PRESENCE SUMMARY** at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

Black-billed Cuckoo *Coccyzus erythrophthalmus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 15 to Oct 10

Bobolink *Dolichonyx oryzivorus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 20 to Jul 31

Canada Warbler *Cardellina canadensis*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 20 to Aug 10

Cerulean Warbler *Dendroica cerulea*

Breeds Apr 27 to Jul 20

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Golden-winged Warbler *Vermivora chrysoptera*

Breeds May 1 to Jul 20

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Kentucky Warbler *Oporornis formosus*

Breeds Apr 20 to Aug 20

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Prairie Warbler *Dendroica discolor*

Breeds May 1 to Jul 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Red-headed Woodpecker *Melanerpes erythrocephalus*

Breeds May 10 to Sep 10

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Rusty Blackbird *Euphagus carolinus*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Wood Thrush *Hylocichla mustelina*

Breeds May 10 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Yellow-bellied Sapsucker *sphyrapicus varius*

Breeds May 10 to Jul 15

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

The **Conservation Measures** report describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the **Probability of Presence Summary**. **Conservation Measures** and/or **Conservation Measures** may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS **Endangered Species** and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Bird Knowledge Network](#) ([BKN](#)). The BKN data is based on a growing collection of [BKN data](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([BCC](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [BKN](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [BKN](#). This data is derived from a growing collection of [BKN data](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [BKN](#), [BKN](#), or (if you are unsuccessful in locating the bird of interest there), the [BKN](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [BCC](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [BCC](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [BKN](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [BKN](#).

project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Benthic Data](#) and the [Benthic Data](#) or contact [Benthic Data](#) or [Benthic Data](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [Eagle](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to [Wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [US Fish and Wildlife Service](#).
[Find your local office](#)

THERE ARE NO KNOWN WETLANDS AT THIS LOCATION.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Explosive and Flammable Hazards

Based on Phase I assessment and site maps, there were no hazards as defined by 51.201.

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
Reference https://www.hud.gov/nhp/development/review/explosive-and-flammable-hazards		

1. Does the proposed HUD-assisted project include 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:

→ Continue 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:

- Of more than 100 gallon capacity, containing common liquid industrial fuels OR
- Of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels?

☒ 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. Is the Separation Distance from the project acceptable based on standards in the Regulation?

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 any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the "assessed tank."

☐ No

→ Provide map(s) showing the location of the project site relative to any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the "assessed tank."
Continue 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. Explain in detail the exact measures that must be implemented to make the Separation Distance acceptable, including the timeline for implementation. 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:

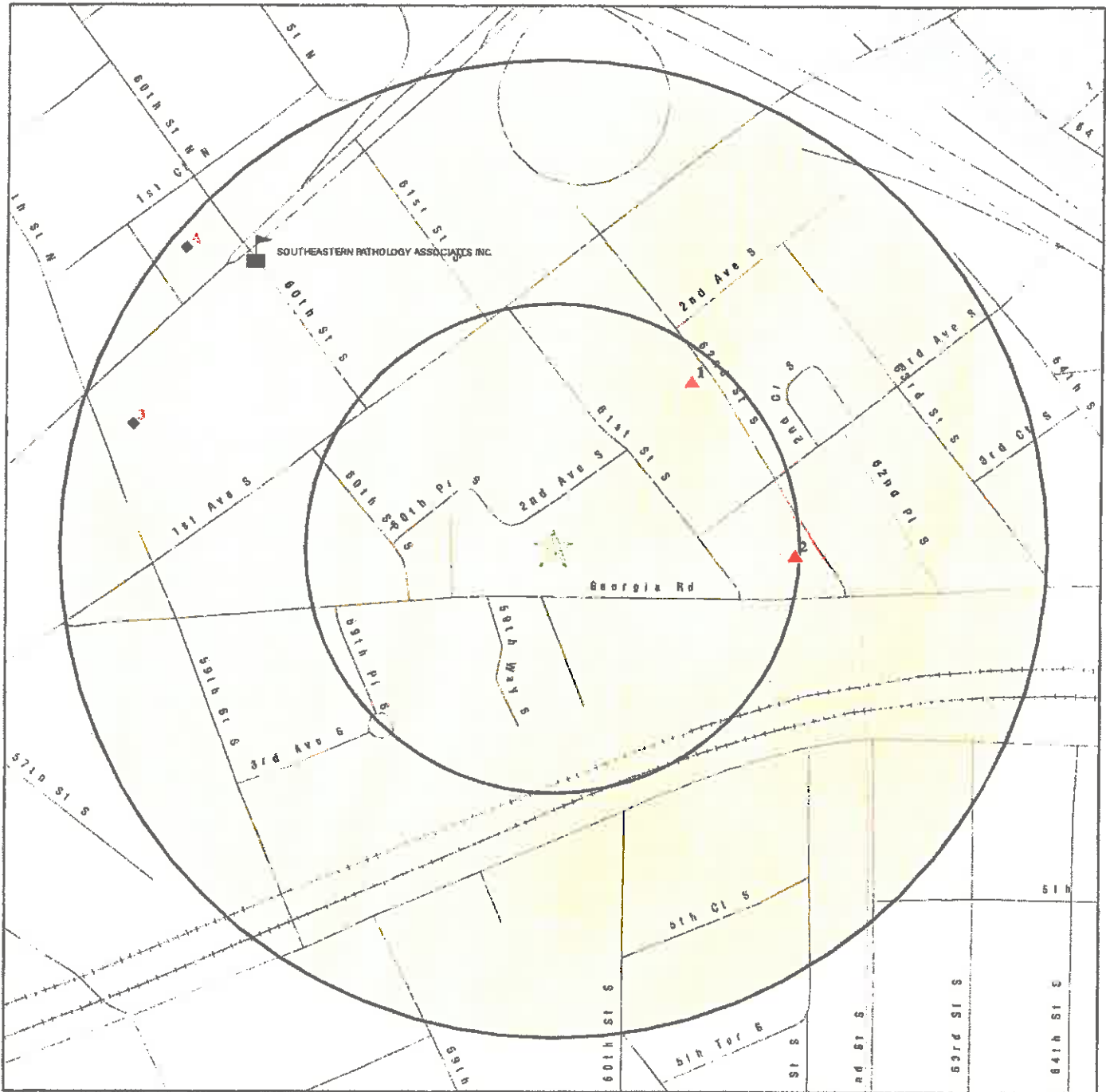
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

DETAIL MAP - 5011492.2S



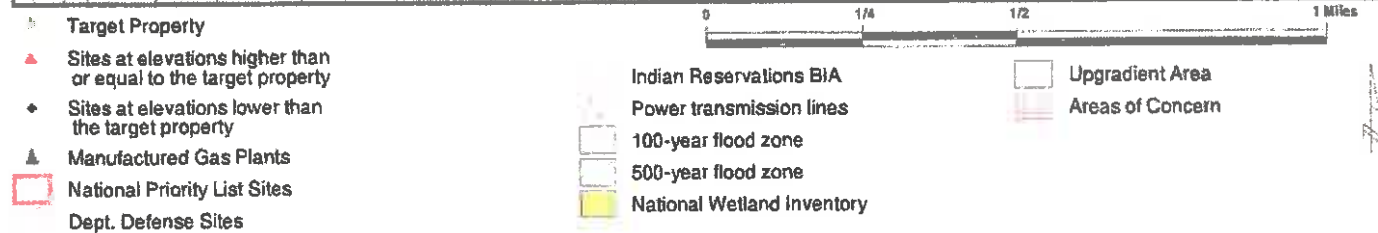
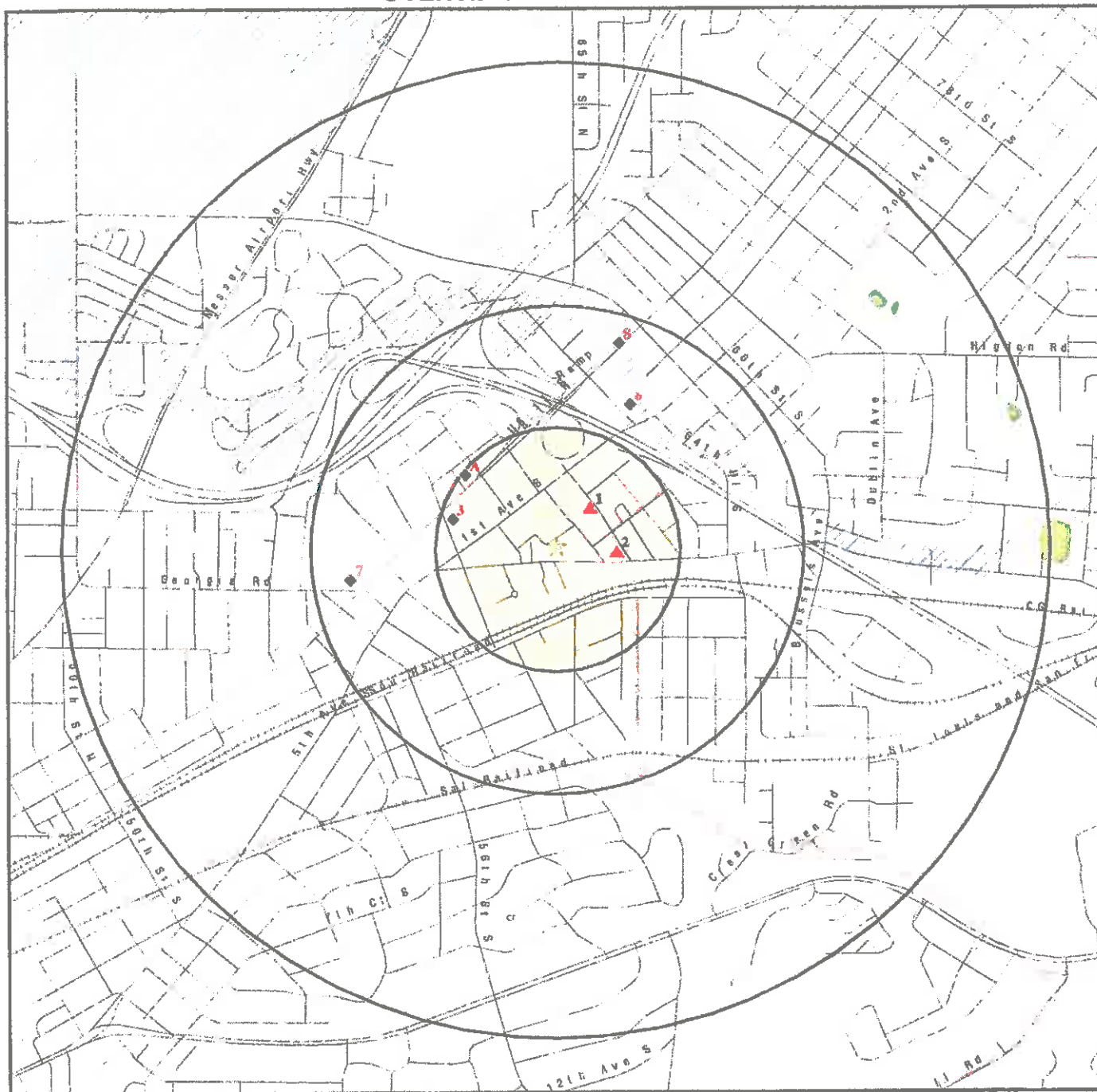
- ★ Target Property
- ◆ Sites at elevations higher than or equal to the target property
- ◆ Sites at elevations lower than the target property
- ▲ Manufactured Gas Plants
- ▲ Sensitive Receptors
- National Priority List Sites
- Dept. Defense Sites
- Indian Reservations BIA
- Power transmission lines
- 100-year flood zone
- 500-year flood zone
- Areas of Concern

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: 5984 Georgia Rd 6004 Georgia Rd
 ADDRESS: 5984 Georgia Road and 6004 Georgia Road
 Birmingham AL 35212
 LAT/LONG: 33.542179 / 86.744599

CLIENT: Slade
 CONTACT: Ltryce Slade
 INQUIRY #: 5011492.2s
 DATE: August 03, 2017 8:25 am

OVERVIEW MAP - 5011492.2S



This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: 5984 Georgia Rd 6004 Georgia Rd
 ADDRESS: 5984 Georgia Road and 6004 Georgia Road
 Birmingham AL 35212
 LAT/LONG: 33.542179 / 86.744599

CLIENT: Slade
 CONTACT: Ltryce Slade
 INQUIRY #: 5011492.2s
 DATE: August 03, 2017 8:23 am

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.)	7 CFR Part 658
Reference		
https://www.hudexchange.info/environmental-review/farmlands-protection		

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:

Project does not involve the conversion of agricultural land. Project is located in urban area.

→ 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/ 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 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.)

- 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

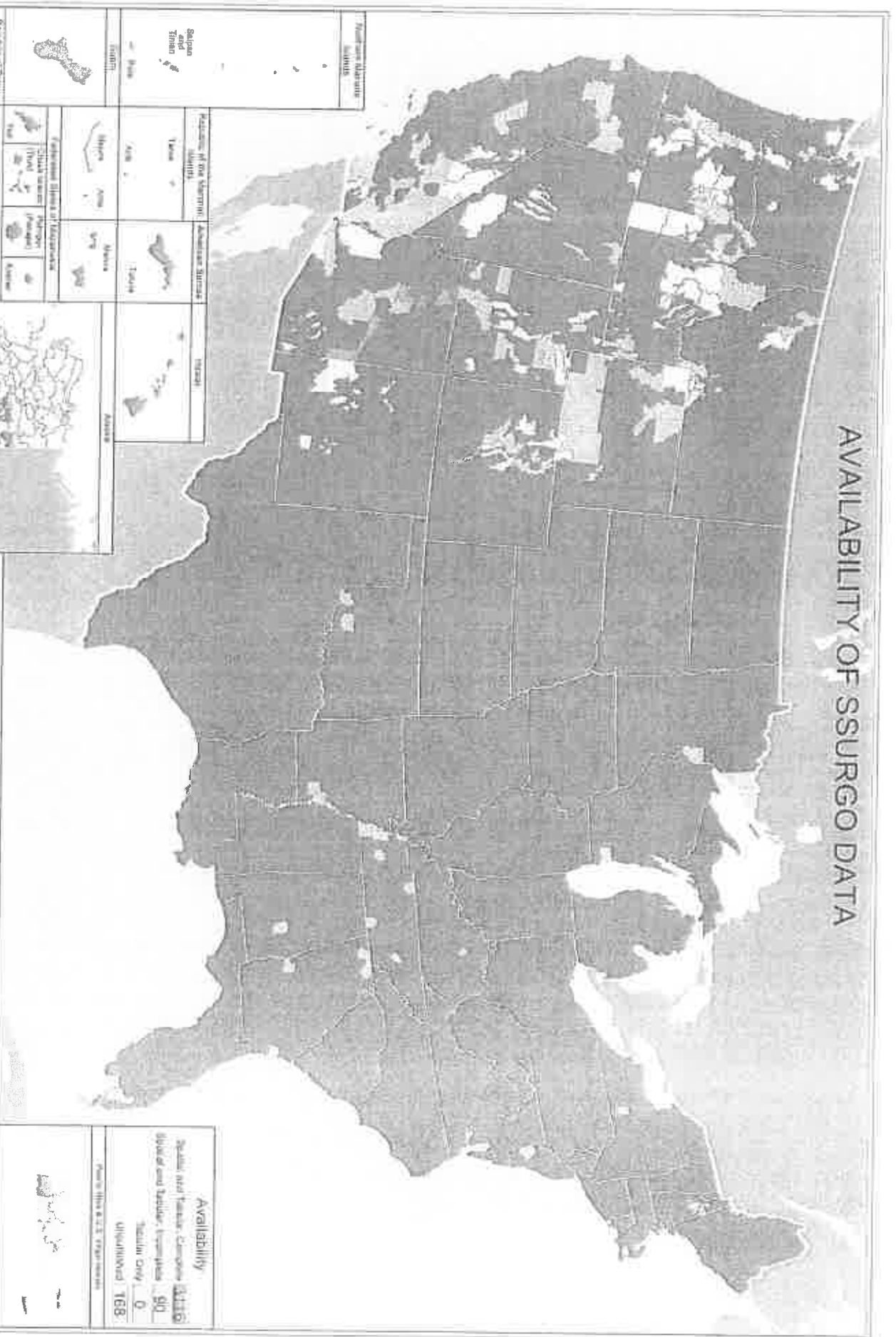
Target property is not within a Farmland

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

AVAILABILITY OF SSURGO DATA



Alaska
 and
 Hawaii
 No Data

Legend
 Data Available
 Data Not Available
 Data Not Available (No Data)

Publication Date: 11/4/2019
 Web Soil Survey: <http://websoilsurvey.nrcs.usda.gov>
 SSURGO: Soil Geography Web Page

USDA
 United States
 Department of
 Agriculture
 USDA is an equal opportunity
 provider and employer

Availability
 Data Available
 Data Not Available
 Data Not Available (No Data)

Data is available for the 48 contiguous states and the District of Columbia. Data is not available for Alaska and Hawaii.

Publication Date: 11/4/2019
 Web Soil Survey: <http://websoilsurvey.nrcs.usda.gov>
 SSURGO: Soil Geography Web Page

USDA
 United States
 Department of
 Agriculture
 USDA is an equal opportunity
 provider and employer

Search

Basic Search

Enter key-words

farmland

Advanced Search

"farmland": 11 matches.

☐ Area of Interest
No match.

☐ Soil Map
No match.

☐ Soil Data Explorer
No match.

☐ Intro to Soils
No match.

☐ 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)

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

(1:100,000 scale)



Floodplain Management

Target Property is not located in a Floodplain

Floodplain Management (CEST and EA)

General Requirements

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.

Legislation

Executive Order 11988

Regulation

24 CFR 55

Reference

<https://www.hudexchange.info/environmental-review/floodplain-management>

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 is not located in Floodplain

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: ?

5984 Georgia Rd. Birmingham, AL

Search

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 **01073C0411H**, 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/01073C0411H.png&productTypeID=FINAL_PRODUCT&productSubTypeID=FIRM_PANEL)

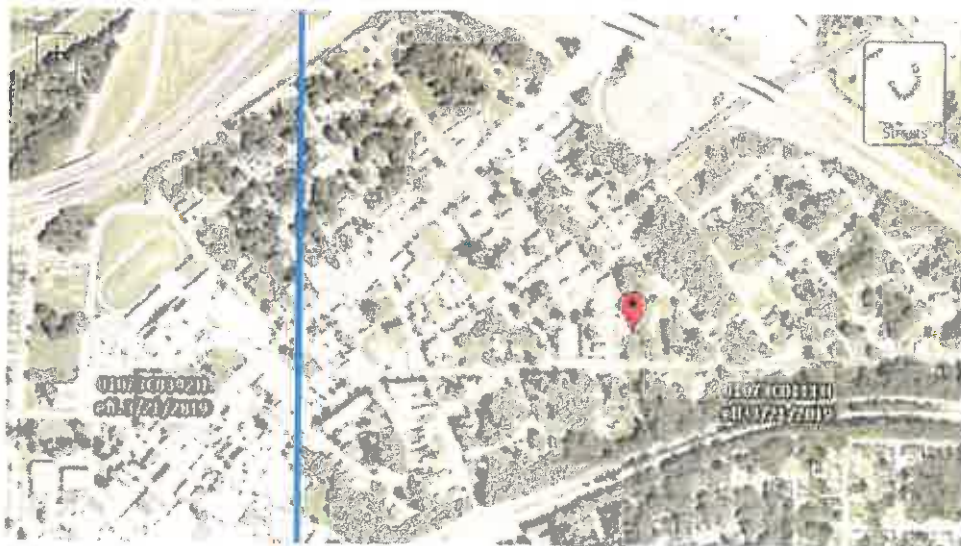
[filepath=/01/P/Firm/01073C0411H.png&productTypeID=FINAL_PRODUCT&productSubTypeID=FIRM_PANEL](https://msc.fema.gov/portal/downloadProduct?filepath=/01/P/Firm/01073C0411H.png&productTypeID=FINAL_PRODUCT&productSubTypeID=FIRM_PANEL)

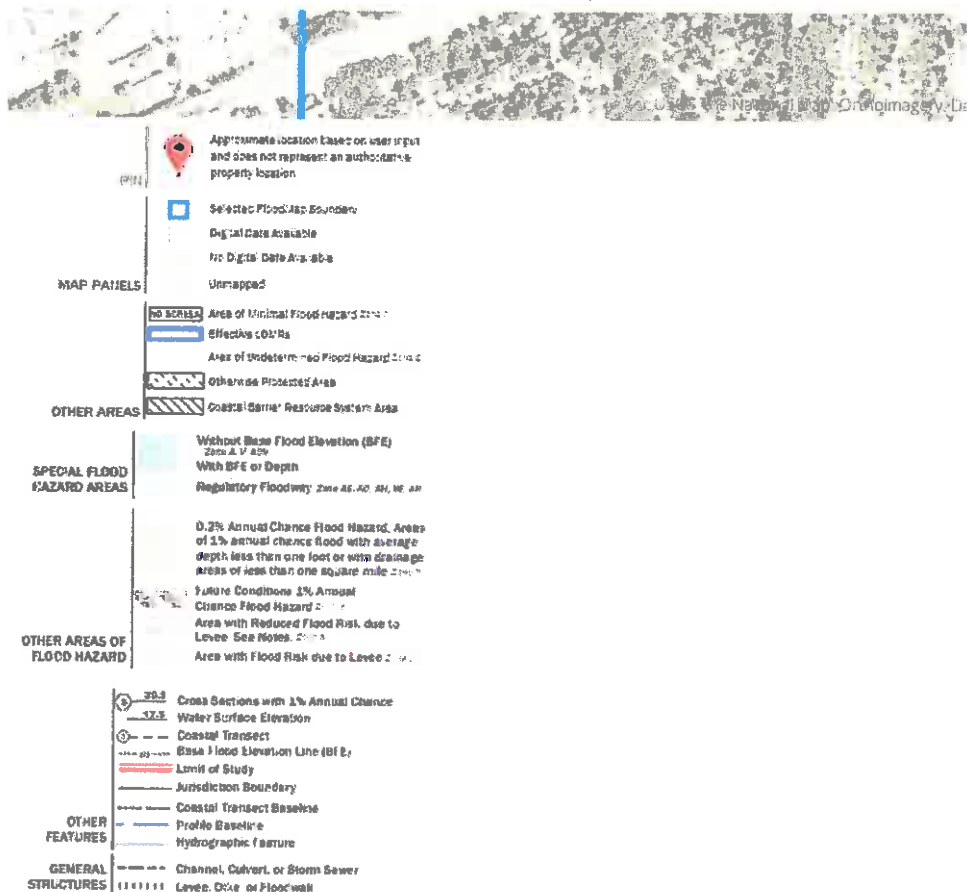
Changes to this FIRM ?

Revisions (0)
Amendments (1)
Revalidations (1)

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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[FOIA \(//www.fema.gov/foia\)](https://www.fema.gov/foia)
[Office of the Inspector General \(//www.oig.dhs.gov/\)](https://www.oig.dhs.gov/)
[Strategic Plan \(//www.fema.gov/fema-strategic-plan\)](https://www.fema.gov/fema-strategic-plan)
[Whitehouse.gov \(//www.whitehouse.gov\)](https://www.whitehouse.gov/)
[DHS.gov \(//www.dhs.gov\)](https://www.dhs.gov/)
[Ready.gov \(//www.ready.gov\)](https://www.ready.gov/)
[USA.gov \(//www.usa.gov\)](https://www.usa.gov/)
[DisasterAssistance.gov \(//www.disasterassistance.gov/\)](https://www.disasterassistance.gov/)



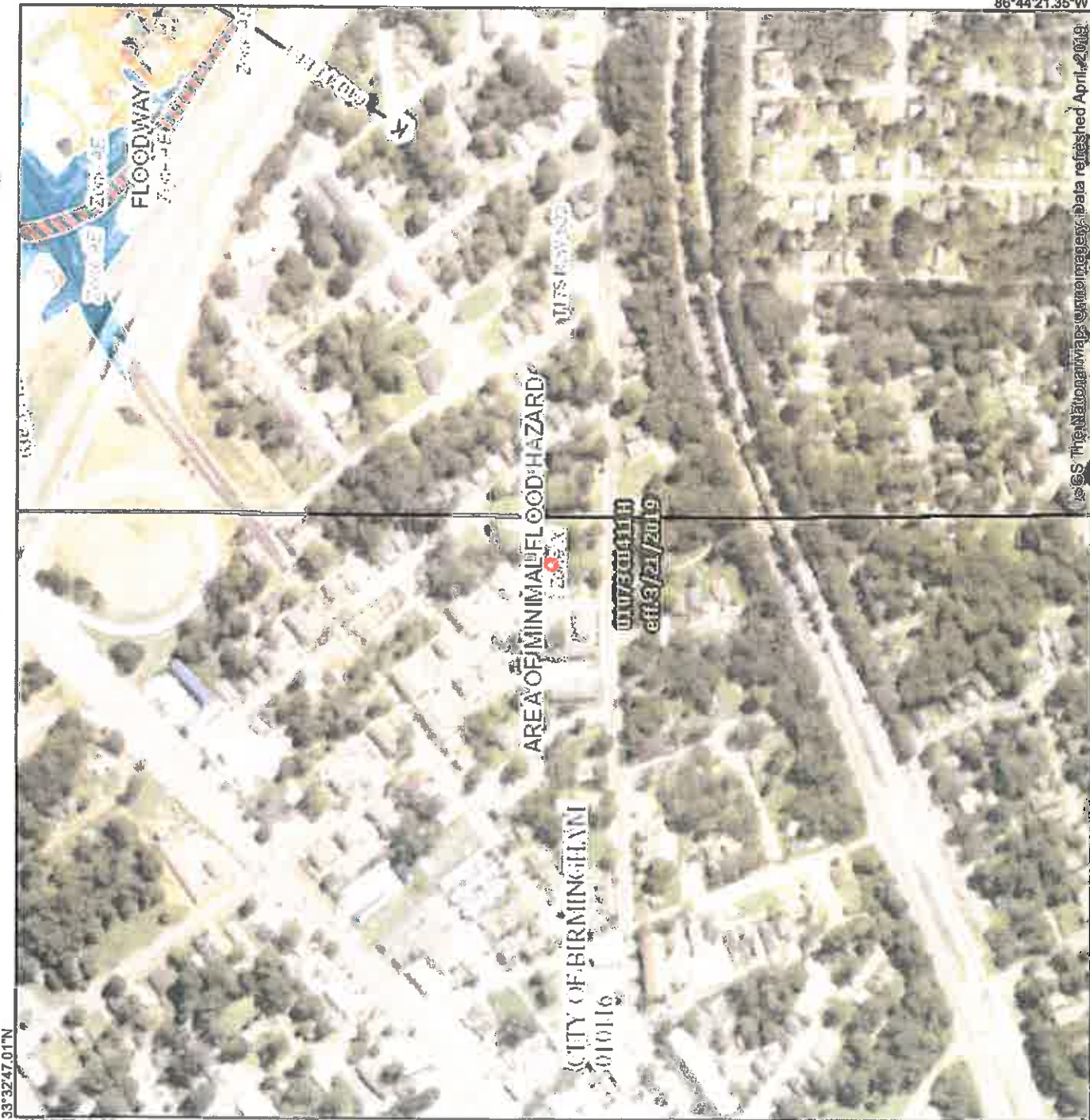
(<https://www.oig.dhs.gov/hotline>)

Official website of the Department of Homeland Security

National Flood Hazard Layer FIRMette



33°32'47.01"N



86°44'21.35"W
33°32'47.02"N
Data refreshed April 2019
US National Map Accuracy Standards

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, AF5
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

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

OTHER AREAS OF FLOOD HAZARD

- Future Conditions 1% Annual Chance Flood Hazard Zone 3
- Area with Reduced Flood Risk due to Levees. See Notes. Zone X
- Area with Flood Risk due to Levees Zone 1, 2, 3, D

OTHER AREAS

- Area of Minimal Flood Hazard Zone 1
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone 2

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. 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 4/20/2019 at 2:06:27 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.

Historic Preservation

The project is not located in a historic district. Correspondence was sent to all the tribal nations.

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)	36 CFR 800 "Protection of Historic Properties"
References https://www.hudexchange.info/environmental-review/historic-preservation		

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 consultation

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.*

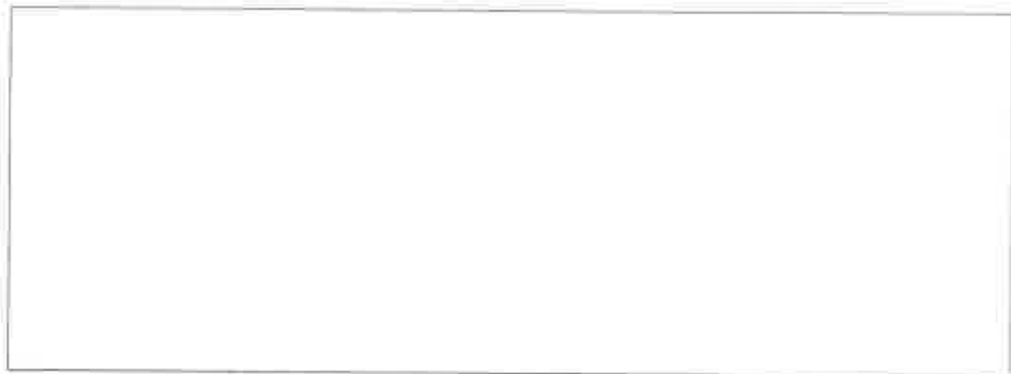
☐ No

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":

A large, empty rectangular box with a thin black border, intended for the user to 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.

A large, empty rectangular box with a thin black border, intended for the user to 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:

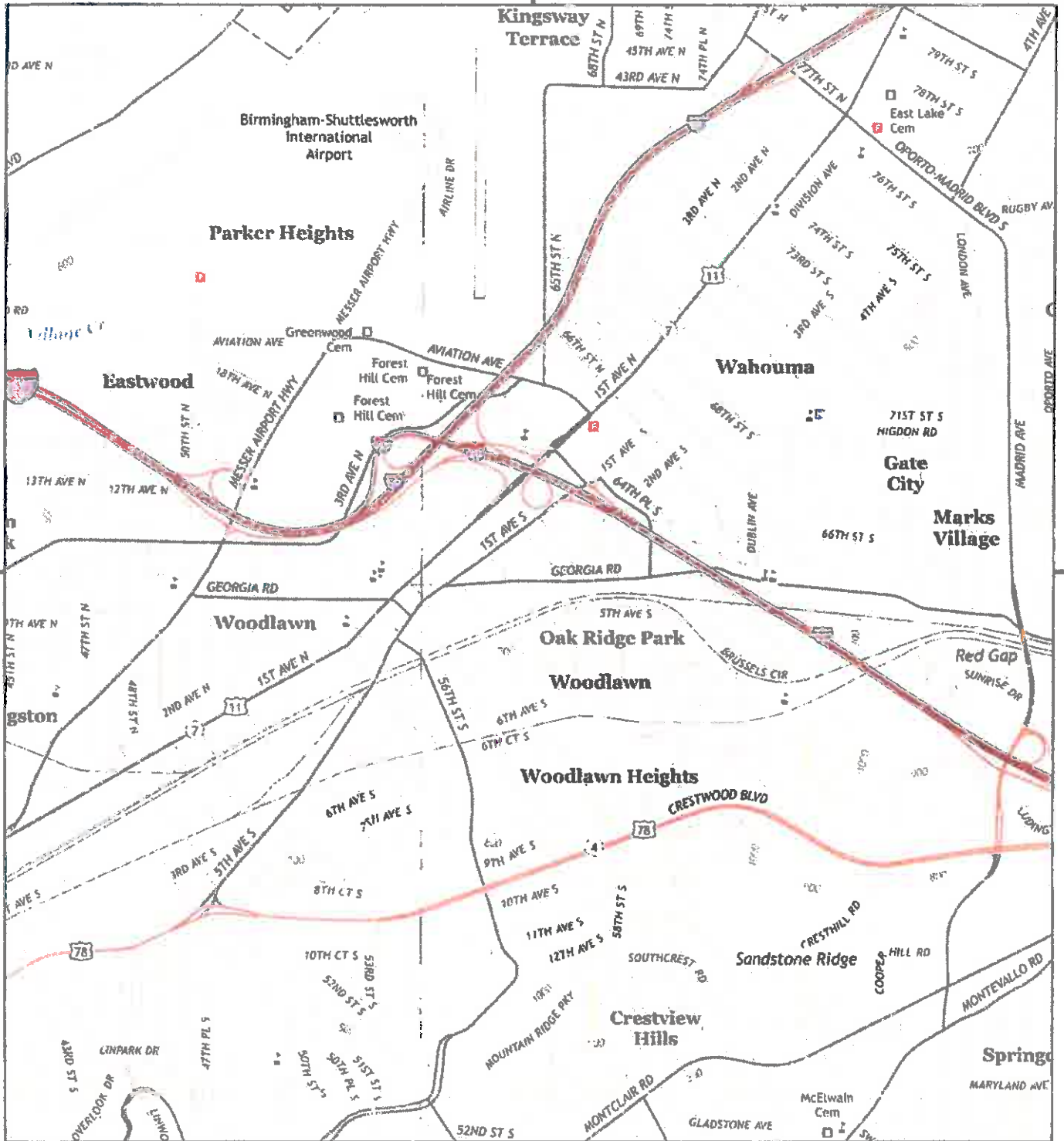
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

See consultations

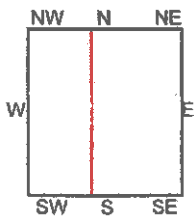
Are formal compliance steps or mitigation required?

☐ Yes

☒ No



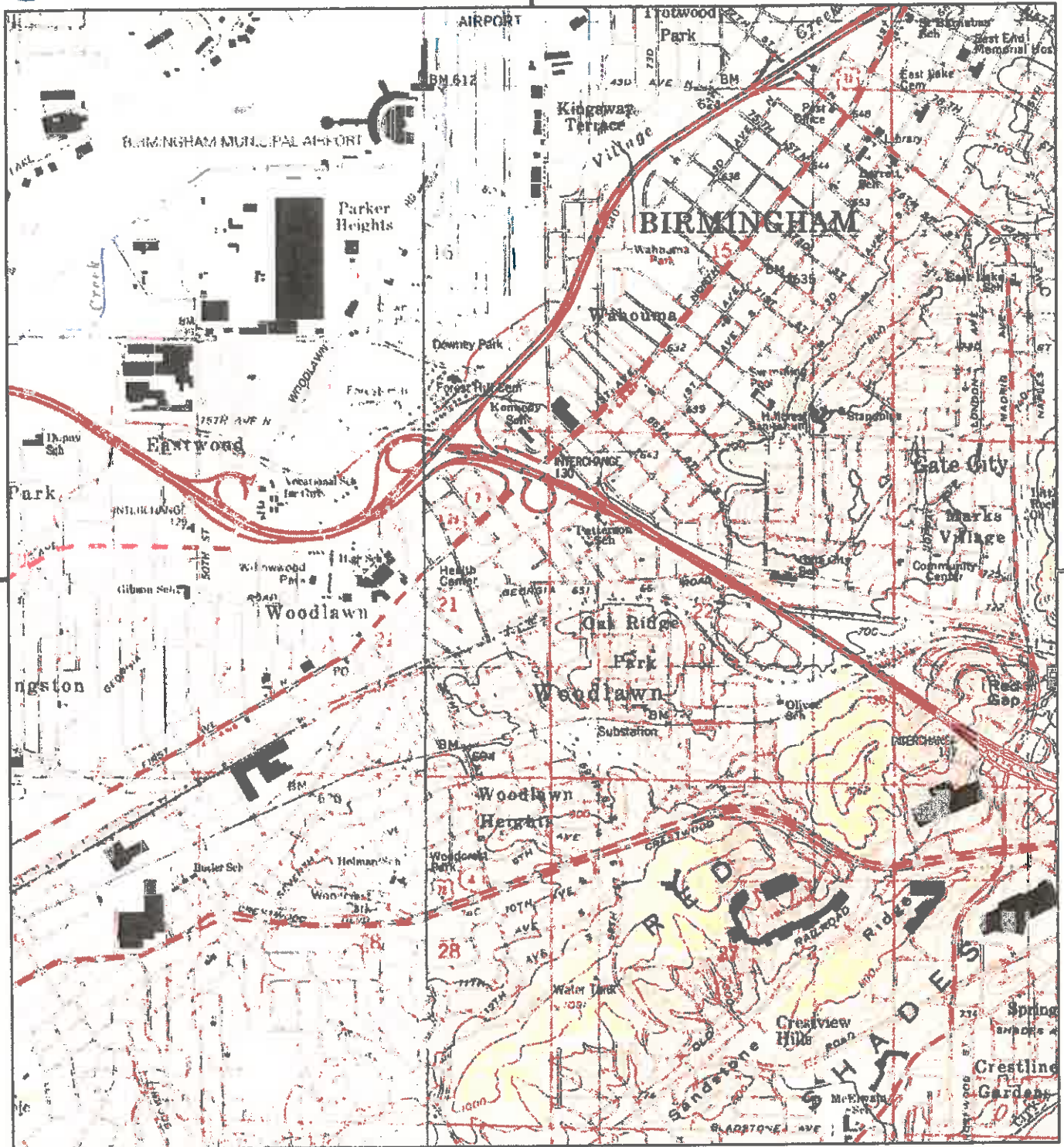
This report includes information from the following map sheet(s).



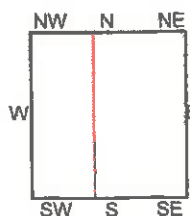
TP, Irondale, 2014, 7.5-minute
W, Birmingham North, 2014, 7.5-minute

SITE NAME: 5984 Georgia Rd 6004 Georgia Rd
ADDRESS: 5984 Georgia Road and 6004 Georgia Rd
Birmingham, AL 35212
CLIENT: Slade





This report includes information from the following map sheet(s).



TP, Irondale, 1998, 7.5-minute
W, Birmingham North, 1997, 7.5-minute

SITE NAME: 5984 Georgia Rd 6004 Georgia Rd
ADDRESS: 5984 Georgia Road and 6004 Georgia Rd
Birmingham, AL 35212
CLIENT: Slade



Noise Abatement and Control

The noise level for the site is 74dB, which is within the normally unacceptable range. Appropriate sound attenuation measures will be undertaken in the design of the building and trees on the property. See attached noise study.

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
https://www.hudexchange.info/programs/section-8/documents/fmcs/compatible-land-uses-at-federal-airfields/		

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 area¹?

☒ No

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

¹ 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:

Landscaping noise barrier that consist of Evergreen trees comprised of the following: (6) Dwarf Southern Magnolia Trees, each 10 feet wide by 17 feet tall. (15) Brodie Columnar Cedar trees, each at 7 feet wide by 20 feet tall. The total combined sized of the landscaping noise barrier, including both Magnolia and Cedar evergreen trees = 165 feet wide/long by an average height of 19 feet high.
See attached

→ 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

Are formal compliance steps or mitigation required?

☒ Yes

☐ No

U. S. DOT CROSSING INVENTORY FORM

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION

OMB No. 2130-0017

Instructions for the initial reporting of the following types of new or previously unreported crossings: For public highway rail grade crossings, complete the entire inventory form. For private highway-rail grade crossings, complete the Header, Parts I and II, and the Submission Information section. For public pathway grade crossings (including pedestrian station grade crossings), complete the Header, Parts I and II, and the Submission Information section. For private pathway grade crossings, complete the Header, Parts I and II, and the Submission Information section. For grade-separated highway-rail or pathway crossings (including pedestrian station crossings), complete the Header, Part I, and the Submission Information section. For changes to existing data, complete the Header, Part I Items 1-3, and the Submission Information section, in addition to the updated data fields. Note: For private crossings only, Part I Item 20 and Part III Item 2.K are required unless otherwise noted. An asterisk * denotes an optional field.

A. Revision Date (MM/DD/YYYY) 02 / 28 / 2018	B. Reporting Agency <input checked="" type="checkbox"/> Railroad <input type="checkbox"/> Transit <input type="checkbox"/> State <input type="checkbox"/> Other	C. Reason for Update (Select only one) <input checked="" type="checkbox"/> Change in Data <input type="checkbox"/> New Crossing <input type="checkbox"/> Closed <input type="checkbox"/> Re-Open <input type="checkbox"/> Date Change Only <input type="checkbox"/> Change in Primary Operating RR <input type="checkbox"/> No Train Traffic <input type="checkbox"/> Quiet Zone Update <input type="checkbox"/> Admin. Correction	D. DOT Crossing Inventory Number 728007M
---	--	---	--

Part I: Location and Classification Information

1. Primary Operating Railroad Norfolk Southern Railway Company (NS)		2. State ALABAMA	3. County JEFFERSON
4. City / Municipality <input checked="" type="checkbox"/> In <input type="checkbox"/> Near BIRMINGHAM	5. Street/Road Name & Block Number 56TH ST (Street/Road Name) * (Block Number)		6. Highway Type & No. CITY
7. Do Other Railroads Operate a Separate Track at Crossing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Specify RR		8. Do Other Railroads Operate Over Your Track at Crossing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Specify RR	
9. Railroad Division or Region <input type="checkbox"/> None ALABAMA	10. Railroad Subdivision or District <input type="checkbox"/> None AGS-B HAM TERM	11. Branch or Line Name <input checked="" type="checkbox"/> None	12. RR Milepost C139.170 (prefix) (nnnn nnn) (suffix)
13. Line Segment *	14. Nearest RR Timetable Station * BIRMINGHAM	15. Parent RR (if applicable) <input type="checkbox"/> N/A NS	16. Crossing Owner (if applicable) <input type="checkbox"/> N/A NS
17. Crossing Type <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	18. Crossing Purpose <input checked="" type="checkbox"/> Highway <input type="checkbox"/> Pathway, Ped. <input type="checkbox"/> Station, Ped.	19. Crossing Position <input checked="" type="checkbox"/> At Grade <input type="checkbox"/> RR Under <input type="checkbox"/> RR Over	20. Public Access (if Private Crossing) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
21. Type of Train <input checked="" type="checkbox"/> Freight <input type="checkbox"/> Intercity Passenger <input type="checkbox"/> Commuter		22. Average Passenger Train Count Per Day <input type="checkbox"/> Transit <input type="checkbox"/> Shared Use Transit <input type="checkbox"/> Tourist/Other <input type="checkbox"/> Less Than One Per Day <input type="checkbox"/> Number Per Day 0	
23. Type of Land Use <input type="checkbox"/> Open Space <input type="checkbox"/> Farm <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional <input type="checkbox"/> Recreational <input type="checkbox"/> RR Yard			
24. Is there an Adjacent Crossing with a Separate Number? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Provide Crossing Number		25. Quiet Zone (FRA provided) <input checked="" type="checkbox"/> No <input type="checkbox"/> 24 Hr <input type="checkbox"/> Partial <input type="checkbox"/> Chicago Excused Date Established	
26. HSR Corridor ID <input checked="" type="checkbox"/> N/A	27. Latitude in decimal degrees (WGS84 std: nn.nnnnnnn) 33.5388524	28. Longitude in decimal degrees (WGS84 std: -nnn.nnnnnnn) -86.7485359	29. Lat/Long Source <input checked="" type="checkbox"/> Actual <input type="checkbox"/> Estimated
30.A. Railroad Use *		31.A. State Use *	
30.B. Railroad Use *		31.B. State Use *	
30.C. Railroad Use *		31.C. State Use *	
30.D. Railroad Use *		31.D. State Use * NS	
32.A. Narrative (Railroad Use) *		32.B. Narrative (State Use) *	
33. Emergency Notification Telephone No. (posted) 800-946-4744		34. Railroad Contact (Telephone No.) 800-946-4744	35. State Contact (Telephone No.) 334-353-6433

Part II: Railroad Information

1. Estimated Number of Daily Train Movements				
1.A. Total Day Thru Trains (6 AM to 6 PM) 8	1.B. Total Night Thru Trains (6 PM to 6 AM) 6	1.C. Total Switching Trains 4	1.D. Total Transit Trains 0	1.E. Check if Less Than One Movement Per Day How many trains per week? 1
2. Year of Train Count Data (YYYY) 2018		3. Speed of Train at Crossing 3.A. Maximum Timetable Speed (mph) 30 3.B. Typical Speed Range Over Crossing (mph) From 5 to 20		
4. Type and Count of Tracks Main 3 Siding 0 Yard 0 Transit 0 Industry 0				
5. Train Detection (Main Track only) <input checked="" type="checkbox"/> Constant Warning Time <input type="checkbox"/> Motion Detection <input type="checkbox"/> AFO <input type="checkbox"/> PTC <input type="checkbox"/> DC <input type="checkbox"/> Other <input type="checkbox"/> None				
6. Is Track Signaled? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		7.A. Event Recorder <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		7.B. Remote Health Monitoring <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

U. S. DOT CROSSING INVENTORY FORM

A. Revision Date (MM/DD/YYYY) 02/28/2018		PAGE 2		D. Crossing Inventory Number (7 char) 728007M	
Part III: Highway or Pathway Traffic Control Device Information					
1. Are there Signs or Signals? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		2. Types of Passive Traffic Control Devices associated with the Crossing			
2.A. Crossbuck Assemblies (count) 0		2.B. STOP Signs (R1-1) (count) 0		2.C. YIELD Signs (R1-2) (count) 0	
				2.D. Advance Warning Signs (Check all that apply, include count) <input type="checkbox"/> None	
				<input checked="" type="checkbox"/> W10-1 2 <input type="checkbox"/> W10-3 0 <input type="checkbox"/> W10-11 0 <input checked="" type="checkbox"/> W10-2 0 <input type="checkbox"/> W10-4 0 <input type="checkbox"/> W10-12 0	
2.E. Low Ground Clearance Sign (W10-5) <input type="checkbox"/> Yes (count 0) <input checked="" type="checkbox"/> No		2.F. Pavement Markings <input type="checkbox"/> Stop Lines <input type="checkbox"/> Dynamic Envelope <input checked="" type="checkbox"/> RR Xing Symbols <input type="checkbox"/> None		2.G. Channelization Devices/Medians <input type="checkbox"/> All Approaches <input type="checkbox"/> Median <input type="checkbox"/> One Approach <input checked="" type="checkbox"/> None	
				2.H. EXEMPT Sign (R15-3) <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
				2.I. ENS Sign (R-13) Displayed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2.J. Other MUTCD Signs Specify Type _____ Count 2 Specify Type _____ Count 0 Specify Type _____ Count 0		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		2.K. Private Crossing Signs (if private) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
				2.L. LED Enhanced Signs (List types)	
3. Types of Train Activated Warning Devices at the Grade Crossing (specify count of each device for all that apply)					
3.A. Gate Arms (count) Roadway 2 Pedestrian 0		3.B. Gate Configuration <input type="checkbox"/> 2 Quad <input type="checkbox"/> Full (Barrier) Resistance <input type="checkbox"/> 3 Quad <input type="checkbox"/> Median Gates <input type="checkbox"/> 4 Quad		3.C. Cantilevered (or Bridged) Flashing Light Structures (count) Over Traffic Lane 0 <input type="checkbox"/> Incandescent Not Over Traffic Lane 0 <input type="checkbox"/> LED	
				3.D. Mast Mounted Flashing Lights (count of masts) 4 <input checked="" type="checkbox"/> Incandescent <input type="checkbox"/> LED <input type="checkbox"/> Back Lights Included <input type="checkbox"/> Side Lights Included	
				3.E. Total Count of Flashing Light Pairs 8	
3.F. Installation Date of Current Active Warning Devices: (MM/YYYY) ____/____/____ <input type="checkbox"/> Not Required		3.G. Wayside Horn <input type="checkbox"/> Yes Installed on (MM/YYYY) ____/____/____ <input checked="" type="checkbox"/> No		3.H. Highway Traffic Signals Controlling Crossing <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
				3.I. Bells (count) 2	
3.J. Non-Train Active Warning <input type="checkbox"/> Flagging/Flagman <input type="checkbox"/> Manually Operated Signals <input type="checkbox"/> Watchman <input type="checkbox"/> Floodlighting <input checked="" type="checkbox"/> None				3.K. Other Flashing Lights or Warning Devices Count 0 Specify type _____	
4.A. Does nearby Hwy Intersection have Traffic Signals? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		4.B. Hwy Traffic Signal Interconnection <input type="checkbox"/> Not Interconnected <input type="checkbox"/> For Traffic Signals <input type="checkbox"/> For Warning Signs		4.C. Hwy Traffic Signal Preemption <input type="checkbox"/> Simultaneous <input type="checkbox"/> Advance	
				4.D. Highway Traffic Pre Signals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Storage Distance * 0 Stop Line Distance * 0	
				4.E. Highway Monitoring Devices (Check all that apply) <input type="checkbox"/> Yes - Photo/Video Recording <input type="checkbox"/> Yes - Vehicle Presence Detection <input type="checkbox"/> None	
Part IV: Physical Characteristics					
1. Traffic Lanes Crossing Railroad Number of Lanes 2 <input type="checkbox"/> One-way Traffic <input checked="" type="checkbox"/> Two-way Traffic <input type="checkbox"/> Divided Traffic		2. Is Roadway/Pathway Paved? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		3. Does Track Run Down a Street? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
				4. Is Crossing Illuminated? (Street lights within approx. 50 feet from nearest rail) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
5. Crossing Surface (on Main Track, multiple types allowed) Installation Date * (MM/YYYY) ____/____/____ Width * 120 Length * 70 <input type="checkbox"/> 1 Timber <input type="checkbox"/> 2 Asphalt <input checked="" type="checkbox"/> 3 Asphalt and Timber <input type="checkbox"/> 4 Concrete <input type="checkbox"/> 5 Concrete and Rubber <input type="checkbox"/> 6 Rubber <input type="checkbox"/> 7 Metal <input type="checkbox"/> 8 Unconsolidated <input type="checkbox"/> 9 Composite <input type="checkbox"/> 10 Other (specify) _____					
6. Intersecting Roadway within 500 feet? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Approximate Distance (feet) 0		7. Smallest Crossing Angle <input type="checkbox"/> 0° - 29° <input type="checkbox"/> 30° - 59° <input checked="" type="checkbox"/> 60° - 90°		8. Is Commercial Power Available? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Part V: Public Highway Information					
1. Highway System <input type="checkbox"/> (01) Interstate Highway System <input type="checkbox"/> (02) Other Nat Hwy System (NHS) <input type="checkbox"/> (03) Federal Aid, Not NHS <input checked="" type="checkbox"/> (08) Non-Federal Aid		2. Functional Classification of Road at Crossing <input type="checkbox"/> (0) Rural <input checked="" type="checkbox"/> (1) Urban <input type="checkbox"/> (1) Interstate <input type="checkbox"/> (5) Major Collector <input type="checkbox"/> (2) Other Freeways and Expressways <input type="checkbox"/> (3) Other Principal Arterial <input type="checkbox"/> (6) Minor Collector <input type="checkbox"/> (4) Minor Arterial <input checked="" type="checkbox"/> (7) Local		3. Is Crossing on State Highway System? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
				4. Highway Speed Limit 25 MPH <input type="checkbox"/> Posted <input checked="" type="checkbox"/> Statutory	
				5. Linear Referencing System (LRS Route ID) *	
				6. LRS Milepost *	
7. Annual Average Daily Traffic (AADT) Year 2011 AADT 280		8. Estimated Percent Trucks 2 %		9. Regularly Used by School Buses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Average Number per Day 0	
				10. Emergency Services Route <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Submission Information - This information is used for administrative purposes and is not available on the public website.					
Submitted by _____ Organization _____ Phone _____ Date _____					
Public reporting burden for this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. According to the Paperwork Reduction Act of 1995, a federal agency may not conduct or sponsor, and a person is not required to, nor shall a person be subject to a penalty for failure to comply with, a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for information collection is 2130-0017. Send comments regarding this burden estimate or any other aspect of this collection, including for reducing this burden to: Information Collection Officer, Federal Railroad Administration, 1200 New Jersey Ave. SE, MS 25 Washington, DC 20590.					

X-Ing ID	Street Road	Type Warning	Total Trains Tracks	Per Avg Day	Vehicle Count	Reporting Railroad	Inventory Updated
663613J	25TH ST N	Cross bucks	1	2	1,692	BNSF	02/06/2018
663614R	24TH ST N	Cross bucks	1	0	4,261	BNSF	09/26/2017
663628Y	10TH AVE N	Special warning	2	0	8,580	BNSF	09/26/2017
663632N	BROCK IND DR	Special warning	2	20	410	BNSF	09/26/2017
663633V	ROBERTS IND PARK DR	Special warning	6	17	250	BNSF	09/26/2017
663634C	ROBERTS IND PARK DR	Special warning	4	26	170	BNSF	09/26/2017
663636R	29TH ST N	Special warning	10	4	790	BNSF	09/26/2017
663650L	AVE F	Gates	1	20	3,020	BNSF	09/26/2017
663651T	AVENUE G/ AVENUE H	Cross bucks	1	20	410	BNSF	09/26/2017
663652A	AVE W	Gates	1	18	12,310	BNSF	09/26/2017
664852M	BLOUNT ST	Flashing lights	1	16	210	BNSF	09/26/2017
670859Y	BROCK IND DR	None	4	4	150	BNSF	09/26/2017
725377F	MARY TAYLOR RD	Gates	1	18	3,300	NS	02/28/2018
725383J	24TH ST SW	Gates	3	18	6,410	NS	04/26/2018
725384R	THIRTY-FIRST STREET	Gates	3	18	15,030	NS	08/29/2018
725386E	40TH ST SW/BY WILLIAMS DR	Gates	3	18	11,130	NS	03/06/2018
726881W	35TH AVE N	Gates	3	16	6,560	NS	09/26/2017
726883K	LEWISBURG RD	Gates	1	16	2,670	NS	09/26/2017
728003K	BRUSSELS AVENUE	Gates	2	37	1,570	NS	08/31/2018
728004S	64TH PL	Gates	1	26	2,436	NS	02/06/2018
728005Y	BRUSSELS AVE	Gates	1	31	1,420	NS	09/26/2017
728006F	59TH ST SOUTH	Gates	3	18	760	NS	02/28/2018
728007M	56TH ST	Gates	3	18	280	NS	02/28/2018
728008U	56TH/5TH	Flashing lights	3	31	290	NS	02/28/2018
728012J	50TH ST	Gates	5	31	2,380	NS	02/28/2018
728013R	43RD ST SOUTH	Other	7	39	1,070	NS	02/28/2018
728014X	41ST	Gates	5	39	6,570	NS	02/28/2018
728016L	32ND ST	Flashing lights	5	37	1,090	NS	02/28/2018
728026S	4TH PLACE NTH	Gates	2	18	2,400	NS	08/31/2018
728027Y	CENTER PLACE NTH	Gates	2	37	5,580	NS	04/26/2018
728029M	14TH PLACE SW	Gates	3	18	1,290	NS	02/12/2019
728030G	15TH PLACE SW	Gates	2	18	1,440	NS	08/31/2018
728031N	15TH WAY SW	Gates	3	18	860	NS	04/26/2018
728032V	JEFFERSON AVE	Gates	3	18	6,120	NS	03/05/2018
728033C	17TH ST SW	Gates	3	37	8,220	NS	02/12/2019
728034J	17 Way SW	Gates	3	18	3,210	NS	04/26/2018
728036X	2ND AVE N	Flashing lights	4	16	2,140	NS	09/26/2017
728037E	7TH AVE NORTH	Flashing lights	5	6	330	NS	04/24/2018
728039T	10TH AVE N/ R ARRINGTON EB	Flashing lights	3	12	830	NS	09/26/2017
728044P	21ST AVE N	Gates	4	26	3,910	NS	09/26/2017
728047K	29TH AVE N	Gates	4	16	3,070	NS	09/26/2017
728048S	1ST AVENUE N	Gates	1	5	12,620	NS	02/20/2019
728066P	AIRPT HWY 7TH AVE N	Gates	5	4	8,260	NS	09/26/2017
728067W	41ST ST N	Cross bucks	3	10	4,640	NS	09/26/2017
728068D	40TH ST N	Gates	3	12	9,520	NS	09/26/2017
728069K	APPALACHEE ST	Cross bucks	2	2	730	NS	09/26/2017
728071L	RICHARD ARRINGTON JR BLVD	Flashing lights	1	10	7,430	NS	09/26/2017
728072T	39TH ST N	Cross bucks	2	10	280	NS	09/26/2017
728079R	27TH AVE N	Gates	3	4	9,380	NS	09/26/2017
728080K	SHUTTLESWORTH DR	Flashing lights	3	4	4,970	NS	09/26/2017
728081S	TWENTY-NINTH STREET	Cross bucks	5	5	880	NS	04/29/2019
728082Y	27TH STREET	Flashing lights	4	5	2,460	NS	04/24/2018
728084M	25TH STREET	Flashing lights	3	5	1,710	NS	04/18/2019
728085U	24TH ST/27TH A	Flashing lights	3	5	2,840	NS	04/24/2018
728087H	EIGHTEENTH STREET	Gates	4	5	2,160	NS	04/29/2019

DNL Calculator

WARNING: HUD recommends the use of Microsoft Internet Explorer for performing noise calculations. The HUD Noise Calculator has an error when using Google Chrome unless the cache is cleared before each use of the calculator. HUD is aware of the problem and working to fix it in the programming of the calculator.

The Day/Night Noise Level Calculator is an electronic assessment tool that calculates the Day/Night Noise Level (DNL) from roadway and railway traffic. For more information on using the DNL calculator, view the [Day/Night Noise Level Calculator Electronic Assessment Tool Overview \(/programs/environmental-review/daynight-noise-level-electronic-assessment-tool/\)](#).

Guidelines

- To display the Road and/or Rail DNL calculator(s), click on the "Add Road Source" and/or "Add Rail Source" button(s) below.
- All Road and Rail input values must be positive non-decimal numbers.
- All Road and/or Rail DNL value(s) must be calculated separately before calculating the Site DNL.
- All checkboxes that apply must be checked for vehicles and trains in the tables' headers.
- **Note #1:** Tooltips, containing field specific information, have been added in this tool and may be accessed by hovering over all the respective data fields (site identification, roadway and railway assessment, DNL calculation results, roadway and railway input variables) with the mouse.
- **Note #2:** DNL Calculator assumes roadway data is always entered.

DNL Calculator

Site ID Cottages on Georgia Road

Record Date 09/19/2019

User's Name

Railroad #1 Track Identifier: Norfolk Southern 728007M

Rail # 1

Train Type	Electric	Diesel ✓
Effective Distance		535
Average Train Speed		21
Engines per Train		3
Railway cars per Train		95
Average Train Operations (ATO)		18
Night Fraction of ATO		50
Railway whistles or horns?	Yes: No:	Yes: No: ✓
Bolted Tracks?	Yes: No:	Yes: ✓ No:
Train DNL		63.3194
Calculate Rail #1 DNL	63.3194	Reset

Add Road Source Add Rail Source

Airport Noise Level

Loud Impulse Sounds? Yes No

Combined DNL for all
Road and Rail sources 0

Combined DNL including Airport

Site DNL with Loud Impulse Sound

Calculate

Mitigation Options

If your site DNL is in Excess of 65 decibels, your options are:

- **No Action Alternative:** Cancel the project at this location
- **Other Reasonable Alternatives:** Choose an alternate site
- **Mitigation**
 - Contact your Field or Regional Environmental Officer (</programs/environmental-review/hud-environmental-staff-contacts/>)
 - Increase mitigation in the building walls (only effective if no outdoor, noise sensitive areas)
 - Reconfigure the site plan to increase the distance between the noise source and noise-sensitive uses
 - Incorporate natural or man-made barriers. See *The Noise Guidebook* (</resource/313/hud-noise-guidebook/>)
 - Construct noise barrier. See the Barrier Performance Module (</programs/environmental-review/bpm-calculator/>)

Tools and Guidance

Day/Night Noise Level Assessment Tool User Guide (</resource/3822/day-night-noise-level-assessment-tool-user-guide/>)

Day/Night Noise Level Assessment Tool Flowcharts (</resource/3823/day-night-noise-level-assessment-tool-flowcharts/>)



Highland Technical Services, Inc.
528 Mineral Trace
Birmingham, Alabama 35244
Phone: (205) 985-4874
Fax: (205) 987-6080

Appendix K.5

Railroad
Location Map

Scale: N/A

Project: Phase I ESA
Cottages at Georgia Road
5984 Georgia Rd 6004 Georgia Rd
Location: Birmingham, Alabama
Project No.: 19-0112011.01



Cottages on Georgia Road

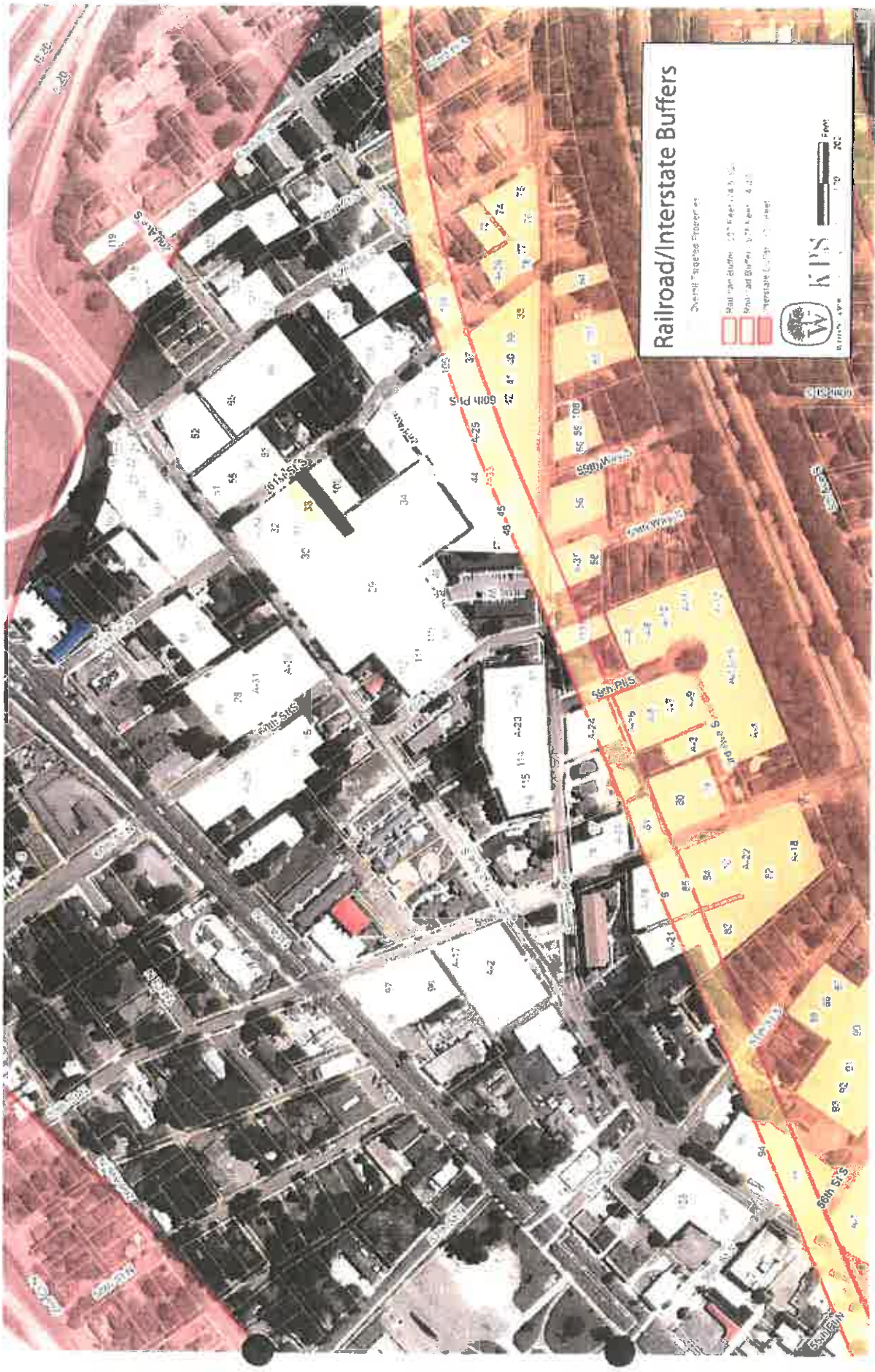
Georgia Rd

5th Ave S

Google Earth

© 2016 Google

© 2016 Earthstar Technologies



Railroad/Interstate Buffers

Overall "Engine" Project

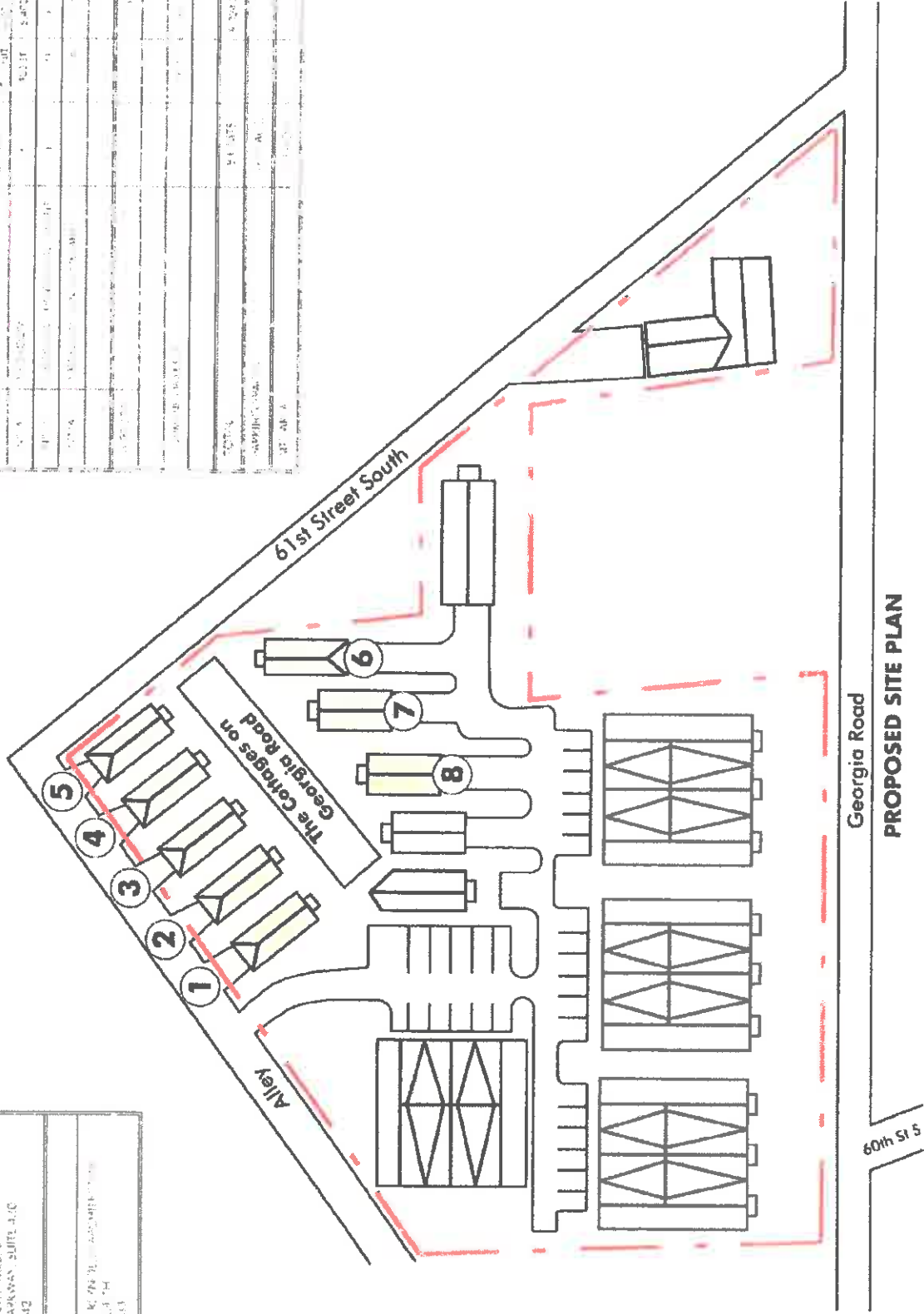
- Railroad Buffer: 10' Buffer
- Interstate Buffer: 10' Buffer
- Interstate Buffer: 10' Buffer

KPS

100' 200' 300'

OWNER	
VIE REAL PROPERTY INVESTMENTS, LLC 3800 COLONNADE'S PARKWAY, SUITE 200 BIRMINGHAM, AL 35242	
ARCHITECT	
COTTON CANNON ARCHITECTS, P.C. 2020 FIRST AVENUE, SUITE 100 BIRMINGHAM, AL 35203	

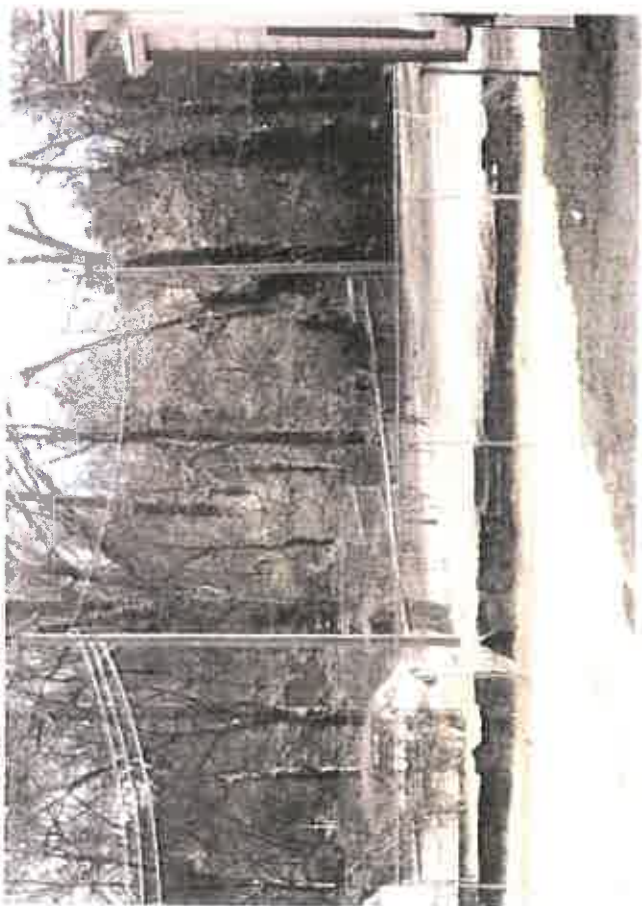
LEGEND	
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NO. 200	10' 0" x 20' 0"
NO. 300	15' 0" x 30' 0"
NO. 400	20' 0" x 40' 0"
NO. 500	25' 0" x 50' 0"
NO. 600	30' 0" x 60' 0"
NO. 700	35' 0" x 70' 0"
NO. 800	40' 0" x 80' 0"
NO. 900	45' 0" x 90' 0"
NO. 1000	50' 0" x 100' 0"
NO. 1100	55' 0" x 110' 0"
NO. 1200	60' 0" x 120' 0"
NO. 1300	65' 0" x 130' 0"
NO. 1400	70' 0" x 140' 0"
NO. 1500	75' 0" x 150' 0"
NO. 1600	80' 0" x 160' 0"
NO. 1700	85' 0" x 170' 0"
NO. 1800	90' 0" x 180' 0"
NO. 1900	95' 0" x 190' 0"
NO. 2000	100' 0" x 200' 0"
NO. 2100	105' 0" x 210' 0"
NO. 2200	110' 0" x 220' 0"
NO. 2300	115' 0" x 230' 0"
NO. 2400	120' 0" x 240' 0"
NO. 2500	125' 0" x 250' 0"
NO. 2600	130' 0" x 260' 0"
NO. 2700	135' 0" x 270' 0"
NO. 2800	140' 0" x 280' 0"
NO. 2900	145' 0" x 290' 0"
NO. 3000	150' 0" x 300' 0"
NO. 3100	155' 0" x 310' 0"
NO. 3200	160' 0" x 320' 0"
NO. 3300	165' 0" x 330' 0"
NO. 3400	170' 0" x 340' 0"
NO. 3500	175' 0" x 350' 0"
NO. 3600	180' 0" x 360' 0"
NO. 3700	185' 0" x 370' 0"
NO. 3800	190' 0" x 380' 0"
NO. 3900	195' 0" x 390' 0"
NO. 4000	200' 0" x 400' 0"
NO. 4100	205' 0" x 410' 0"
NO. 4200	210' 0" x 420' 0"
NO. 4300	215' 0" x 430' 0"
NO. 4400	220' 0" x 440' 0"
NO. 4500	225' 0" x 450' 0"
NO. 4600	230' 0" x 460' 0"
NO. 4700	235' 0" x 470' 0"
NO. 4800	240' 0" x 480' 0"
NO. 4900	245' 0" x 490' 0"
NO. 5000	250' 0" x 500' 0"
NO. 5100	255' 0" x 510' 0"
NO. 5200	260' 0" x 520' 0"
NO. 5300	265' 0" x 530' 0"
NO. 5400	270' 0" x 540' 0"
NO. 5500	275' 0" x 550' 0"
NO. 5600	280' 0" x 560' 0"
NO. 5700	285' 0" x 570' 0"
NO. 5800	290' 0" x 580' 0"
NO. 5900	295' 0" x 590' 0"
NO. 6000	300' 0" x 600' 0"
NO. 6100	305' 0" x 610' 0"
NO. 6200	310' 0" x 620' 0"
NO. 6300	315' 0" x 630' 0"
NO. 6400	320' 0" x 640' 0"
NO. 6500	325' 0" x 650' 0"
NO. 6600	330' 0" x 660' 0"
NO. 6700	335' 0" x 670' 0"
NO. 6800	340' 0" x 680' 0"
NO. 6900	345' 0" x 690' 0"
NO. 7000	350' 0" x 700' 0"
NO. 7100	355' 0" x 710' 0"
NO. 7200	360' 0" x 720' 0"
NO. 7300	365' 0" x 730' 0"
NO. 7400	370' 0" x 740' 0"
NO. 7500	375' 0" x 750' 0"
NO. 7600	380' 0" x 760' 0"
NO. 7700	385' 0" x 770' 0"
NO. 7800	390' 0" x 780' 0"
NO. 7900	395' 0" x 790' 0"
NO. 8000	400' 0" x 800' 0"
NO. 8100	405' 0" x 810' 0"
NO. 8200	410' 0" x 820' 0"
NO. 8300	415' 0" x 830' 0"
NO. 8400	420' 0" x 840' 0"
NO. 8500	425' 0" x 850' 0"
NO. 8600	430' 0" x 860' 0"
NO. 8700	435' 0" x 870' 0"
NO. 8800	440' 0" x 880' 0"
NO. 8900	445' 0" x 890' 0"
NO. 9000	450' 0" x 900' 0"
NO. 9100	455' 0" x 910' 0"
NO. 9200	460' 0" x 920' 0"
NO. 9300	465' 0" x 930' 0"
NO. 9400	470' 0" x 940' 0"
NO. 9500	475' 0" x 950' 0"
NO. 9600	480' 0" x 960' 0"
NO. 9700	485' 0" x 970' 0"
NO. 9800	490' 0" x 980' 0"
NO. 9900	495' 0" x 990' 0"
NO. 10000	500' 0" x 1000' 0"



PROPOSED SITE PLAN

THE COTTAGES ON GEORGIA ROAD

BIRMINGHAM, ALABAMA





#2018643



Sound Transmission Classification Assessment Tool (STraCAT)

Project

Sponsor/Developer

Location

Prepared by

Noise Level

Date

Primary Sources

1. Wall Construction Detail

Area STC

1.000 sq feet

1.000 sq feet 51

2. Window Construction Detail

Quantity Sq Ft/Unit STC

2.000 sq feet

3. Door Construction Detail

Quantity Sq Ft/Unit STC

2.000 sq feet

1. Wall Construction

Area Value

1.000 sq feet

2. Window Construction

Quantity Area Area % of total

2.000 sq feet 10.00%

2.000 sq feet 10.00%

3. Door Construction

Quantity Area Value

2.000 sq feet 74.3

2.000 sq feet 25.29

2.000 sq feet 0.00

2.000 sq feet 32.3

2.000 sq feet 64.5

Sound Transmission Classification Assessment Tool (STraCAT)

Part I - Description

Project

Cottages on Georgia Road

Sponsor/Developer

Woodlawn Foundation

Location

200 61st Street South - Birmingham, AL 35212

Prepared by

CCR Architecture & Interi

Noise Level

74.3

Date

2019-09-06

Railroad

Part II - Wall Components

Wall Construction Detail

Area	STC
-- select wall --	51
1062	1062
5/16	51

Select a Diagram Enter my Own

Add new wall

1,062 Sq. Feet

Window Construction Detail

Quantity	Sq Ft/Unit	STC
-- select window --	10	16
10	16.5	29
36	10	16
29	36	29

Select a Diagram Enter my Own

Add new window

Door Construction Detail	Quantity	Ft/Unit	STC
3'x7' steel-faced	2	21	26
		3'x:	21
			26

Select a Diagram Enter my Own

Add new door

Part III - Results

Wall Statistics

Stat	Value
Area:	1062 ft²
Wall STC:	51

Aperture Statistics

Aperture	Count	Area	% of wall
Windows:	10	165 ft²	15.54%
Doors:	2	42 ft²	3.95%

Evaluation Criteria

Criteria	Value
Noise source sound level(dB):	74.3
Combined attenuation for wall component:	35.21 dB
Required attenuation:	32.3
Do Wall components meet requirements?	Yes

[Print](#)

Part 4 - Tips

What do you do if the preferred wall design is not sufficient to achieve the required attenuation? Another wall design with more substantial materials will work, but may not be the most cost-effective solution. Try adding some other elements for just a little more attenuation.

For example:

- Staggering the studs in a wall offers approximately 4dB of additional protection.
- Increasing the stud spacing from 16" on center to 24" can increase the STC from 2-5dB.
- Adding a 2" air space can provide 3dB more attenuation.
 - Increasing a wall's air space from 3" to 6" can reduce noise levels by an additional 5dB.
- Adding a layer of ½" gypsum board on "Z" furring channels adds 2dB of attenuation.
- Using resilient channels and clips between wall panels and studs can improve the STC from 2-5dB.
- Adding a layer of ½" gypsum board on resilient channels adds 5dB of attenuation.
- Adding acoustical or isolation blankets to a wall's airspace can add 4-10dB of attenuation.

- Filling the cells of lightweight concrete masonry units with expanded mineral loose-fill insulation adds 2dB to the STC.

Shedd, Pam

From: Roman Gary <roman@ccrarchitecture.com>
Sent: Monday, September 23, 2019 1:50 PM
To: Shedd, Pam
Subject: Cottages on Georgia Road Landscaping Noise Barrier

Pam,

From our discussion on the Landscaping noise barrier, I now have the barrier information for your use. The barrier consists of Evergreen trees comprised of the following:

(6) Dwarf Southern Magnolia trees, each at 10 feet wide by 17 feet tall. (= Magnolia barrier subtotal that is 60 feet wide/long by 17 feet high).

(15) Brodie Columnar Cedar trees, each at 7 feet wide by 20 feet tall. (= Cedar barrier subtotal that is 105 feet wide/long by 20 feet high).

The total combined sized of the Landscaping noise barrier, including both Magnolia and Cedar evergreen trees = 165 feet wide/long by an average height of 19 feet high.

Sorry I'm just now responding on the noise barrier info. The landscape architect has been out of town a few days.

Thanks!

Roman Gary, AIA, LEED AP

Sole Source Aquifers

According to the US EPA, there are no sole source aquifers in Alabama.

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		
https://www.hudexchange.info/environmental-review/sole-source-aquifers		

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)¹?

☒ 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.*

¹ 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

According to EPA, no sole source aquifers in Alabama

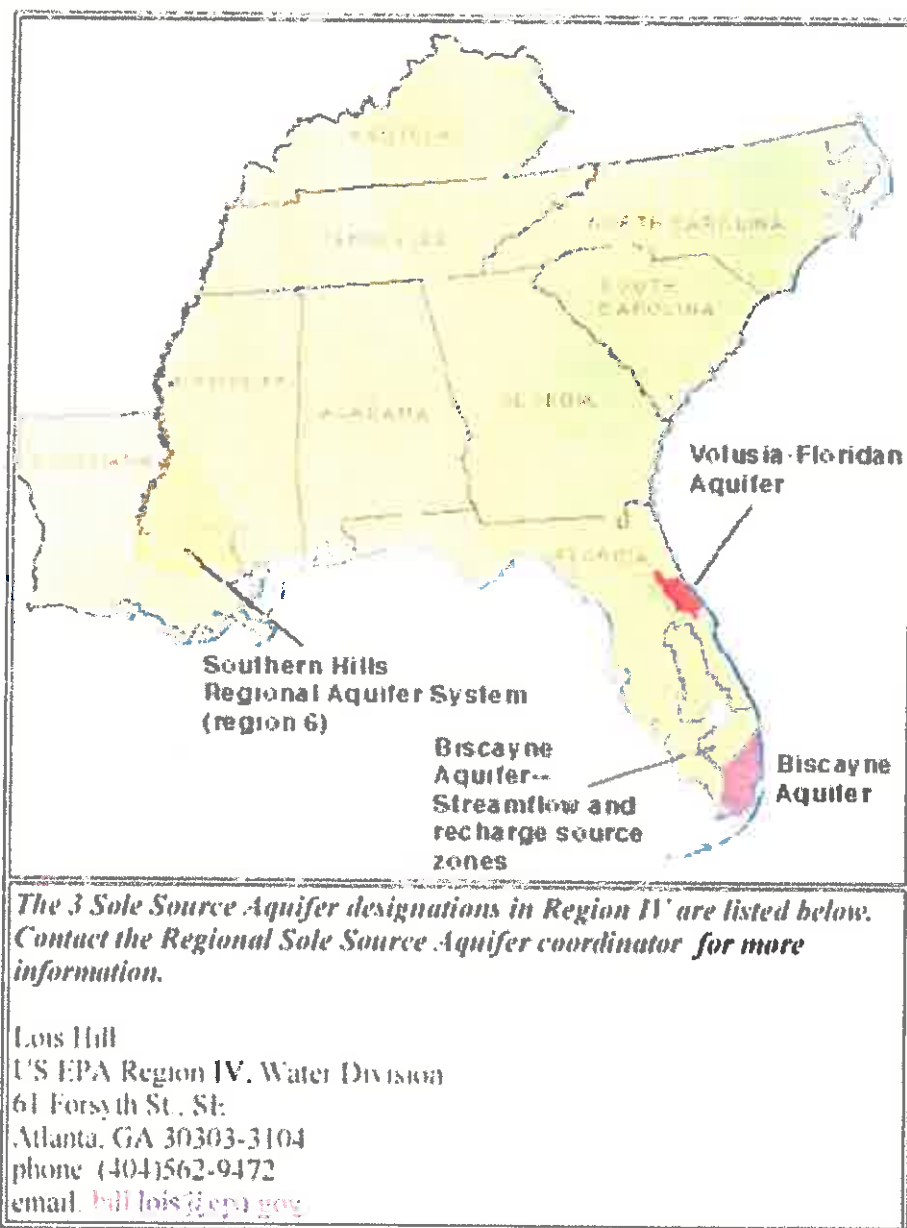
Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Designated Sole Source Aquifers in EPA Region IV

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee



DESIGNATED SOLE SOURCE AQUIFERS IN REGION IV:

State	Sole Source Aquifer Name	Federal Register Cit.	Public. Date	GIS Map
FL	Biscayne Aquifer, Broward, Dade, Monroe & Palm Beach Counties	44 FR 58797	10/11/79	No
FL	Volusia-Floridan Aquifer, Flagler & Putnam Counties	52 FR 44221	11/18/87	No
*LA/MS	Southern Hills Regional Aquifer System	53 FR 25538	07/07/88	No

*The Southern Hills Regional Aquifer system is jointly managed with Region VI. While listed in both regions, it is counted only once in the national total of 70.

Sole Source Aquifer Map





Sole Source Aquifers



**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

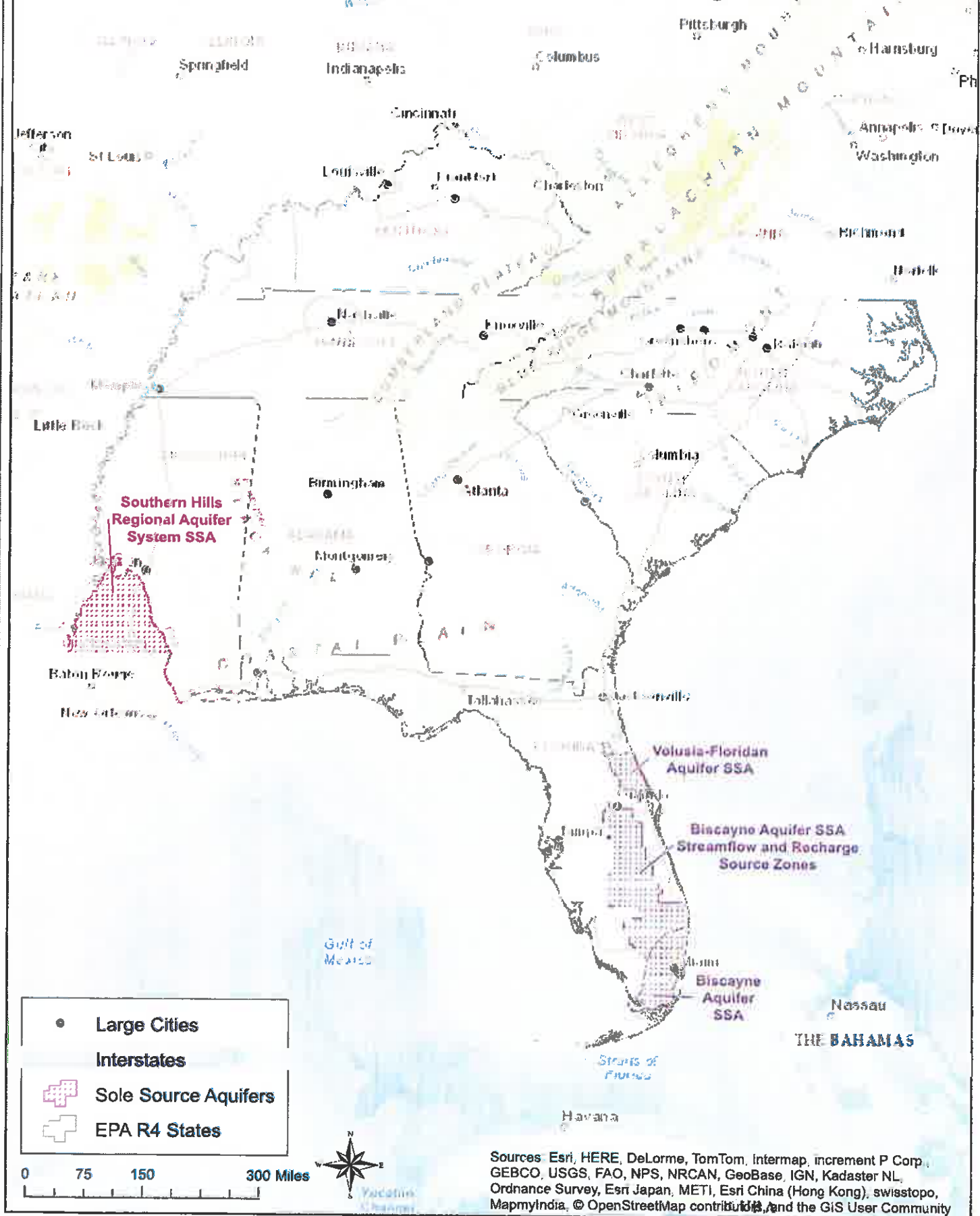
ATTACHMENT A

DESIGNATED SOLE SOURCE AQUIFERS IN EPA REGION 4

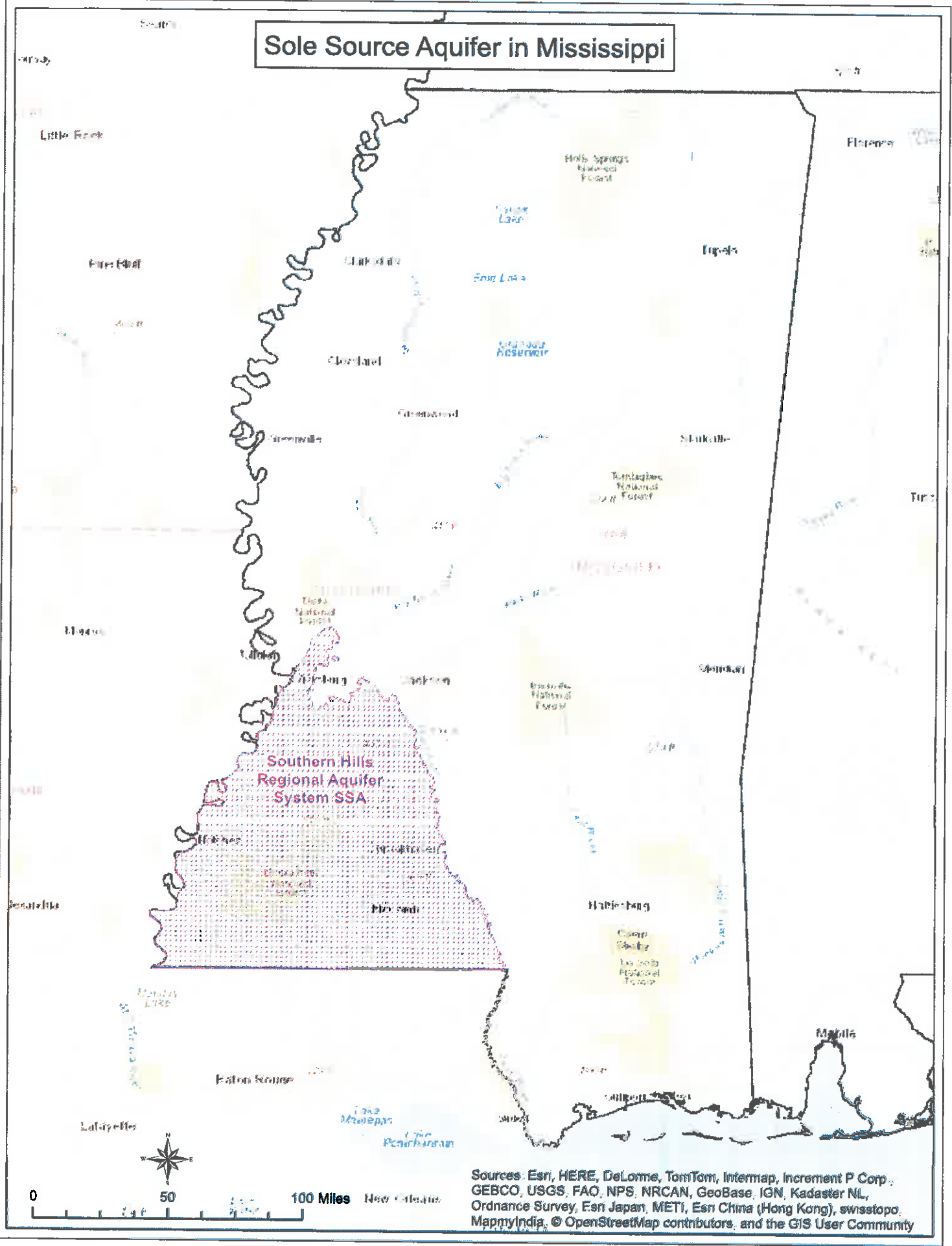
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<u>FLORIDA:</u>	1. Biscayne Aquifer 2. Volusia-Floridan Aquifer
<u>GEORGIA:</u>	NONE
<u>KENTUCKY:</u>	NONE
<u>MISSISSIPPI:</u>	1. Southern Hills Regional Aquifer System
<u>NORTH CAROLINA:</u>	NONE
<u>SOUTH CAROLINA:</u>	NONE
<u>TENNESSEE:</u>	NONE

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



Sole Source Aquifer in Mississippi



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

The map displays the state of Florida with its major cities and water bodies. Two primary aquifer systems are highlighted with different patterns:

- Volusia-Floridan Aquifer SSA:** Indicated by a cross-hatch pattern, covering the central and northern parts of the state, including areas around Orlando and Tampa.
- Biscayne Aquifer SSA:** Indicated by a dotted pattern, located in the southern tip of the state, primarily around Miami.

Other labeled features include the **Biscayne Aquifer SSA Streamflow and Recharge Source Zones** in the south, the **Apalachicola National Forest** in the west, and the **St. Johns River** in the north. Major cities shown include Tallahassee, Jacksonville, Gainesville, Orlando, Tampa, St. Petersburg, Clearwater, Fort Lauderdale, West Palm Beach, Boca Raton, Pompano Beach, and Miami. The map also shows the Gulf of Mexico to the west and the Straits of Florida to the south.

Scale: 0 to 100 Miles

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

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.

ATTACHMENT D

SOLE SOURCE AQUIFER PROJECT REVIEW INFORMATION

HUD or the RE will provide the information below at the time of submittal of the project to the EPA in order to assist the EPA's Sole Source Aquifer Program in timely evaluating whether proposed projects have the potential to contaminate a SSA. The EPA may request additional information as necessary.

1. Confirm a SSA project review is needed by answering the following:
 - a. Is any portion of the project or the property(ies) involved located within a designated SSA project review area? A searchable interactive map of designated SSA project review areas is available at <https://www.epa.gov/dwssa>. **If the answer to this question is no, the EPA does not need to review the project under the SSA program.**
 - b. What Federal funding source or Federal financial assistance is being sought or proposed? **If no Federal financial assistance is sought or proposed, the EPA does not need to review the project under the SSA program.**
2. Provide the location of the project, a map of the project, and the name of the SSA(s) within which the project is located. Descriptions and/or maps with the information below would be helpful if available and applicable:
 - a. What is known about local hydrogeology in the project review area (e.g., soil types, depth to groundwater, and groundwater flow direction)?
 - b. Are there any known wells in the project review area (including groundwater wells; shallow injection wells; and oil, geothermal, and mineral exploration wells) and how close are they to the project?
 - c. Are there any wetlands within the project review area? If applicable, describe any discharge to, loss of, or creation of wetlands by the project.
3. Provide a description of the project, including, but not limited to, answers to the applicable questions below:
 - a. Will the project result in any increase of impervious surface (e.g., concrete, asphalt)? If so, what is the area (e.g., square feet or acres)?
 - b. What is the depth of excavation?
 - c. Will any wells be installed or modified as part of the project (of any use type, including groundwater wells; shallow injection wells; and oil, geothermal, and mineral exploration wells)? For new/proposed wells, indicate depth of wells, depth of casing, casing diameter, and, for water wells, the anticipated average and maximum water demand from the wells during normal operation (gallons per minute).
 - d. Are there any deep pilings or foundations (e.g., greater than 10 feet below land surface) that will be installed, modified, or disturbed during the project?

4. Describe storm water management for the project area, including, but not limited to, answers to the applicable questions below:
 - a. Will the project require the use of shallow injection wells (i.e., dry wells, french drains, sumps, and drainfields)? **If the answer to this question is yes, please provide EPA with an explanation as to why these shallow injection wells are required.**
 - b. How will storm water be managed on this site during construction and after the project is complete, including treatment if applicable?
5. Describe chemical use and storage associated with the project, including, but not limited to, answers to the applicable questions below:
 - a. Will quantities of hazardous chemicals or petroleum above routine household quantities be used or stored in the project review area?
 - b. Are there any above ground storage tanks or underground storage tanks present or to be installed? Fuel tanks are often involved in projects that include generators and/or pump stations. If applicable, include details of such tanks, including spill containment and spill response plans.
6. Describe waste management related to the project, including, but not limited to, answers to the applicable questions below:
 - a. Will any liquid or solid waste be generated during construction (e.g., construction/drilling fluids, excavation dewatering fluids, or demolition debris)? If so, how will it be managed?
 - b. How will liquid or solid waste be managed after project completion, other than routine quantities of household wastes to a permitted sanitary landfill or publicly-owned treatment works (e.g., describe any on-site treatment/disposal, industrial wastewater, or other waste generation)? If applicable, provide details about any 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.
 - c. Are there any known brownfield or hazardous waste sites in close proximity to the project review area (e.g., sites listed on the EPA National Priorities List [i.e., Superfund sites], state-designated brownfield or clean-up sites)? Do any such contaminated sites have underground contamination plumes, monitoring wells, or soil contamination that may be disturbed by the project? Include details such as the name(s) and location(s) of the brownfield or hazardous waste site(s).
 - d. For agricultural projects involving animals, how will animal wastes be managed?
 - e. For burial of flocks or disposal of animals, what Best Management Practices ("BMPs") are planned to protect the SSA from contamination?

7. Provide any other available information that could be helpful in determining if this project may potentially create a significant hazard to public health through contamination of a SSA, including, but not limited to, answers to the applicable questions below:
 - a. Are BMPs planned to address any possible risks or concerns? If so, which BMPs will be used?
 - b. Does the project include any improvements that may be beneficial to any SSA, such as improvements to the publicly-owned treatment works?
 - c. Are any previous environmental assessments available regarding the project or project area?

ATTACHMENT D

SOLE SOURCE AQUIFER PROJECT REVIEW INFORMATION

HUD or the RE will provide the information below at the time of submittal of the project to the EPA in order to assist the EPA's Sole Source Aquifer Program in timely evaluating whether proposed projects have the potential to contaminate a SSA. The EPA may request additional information as necessary.

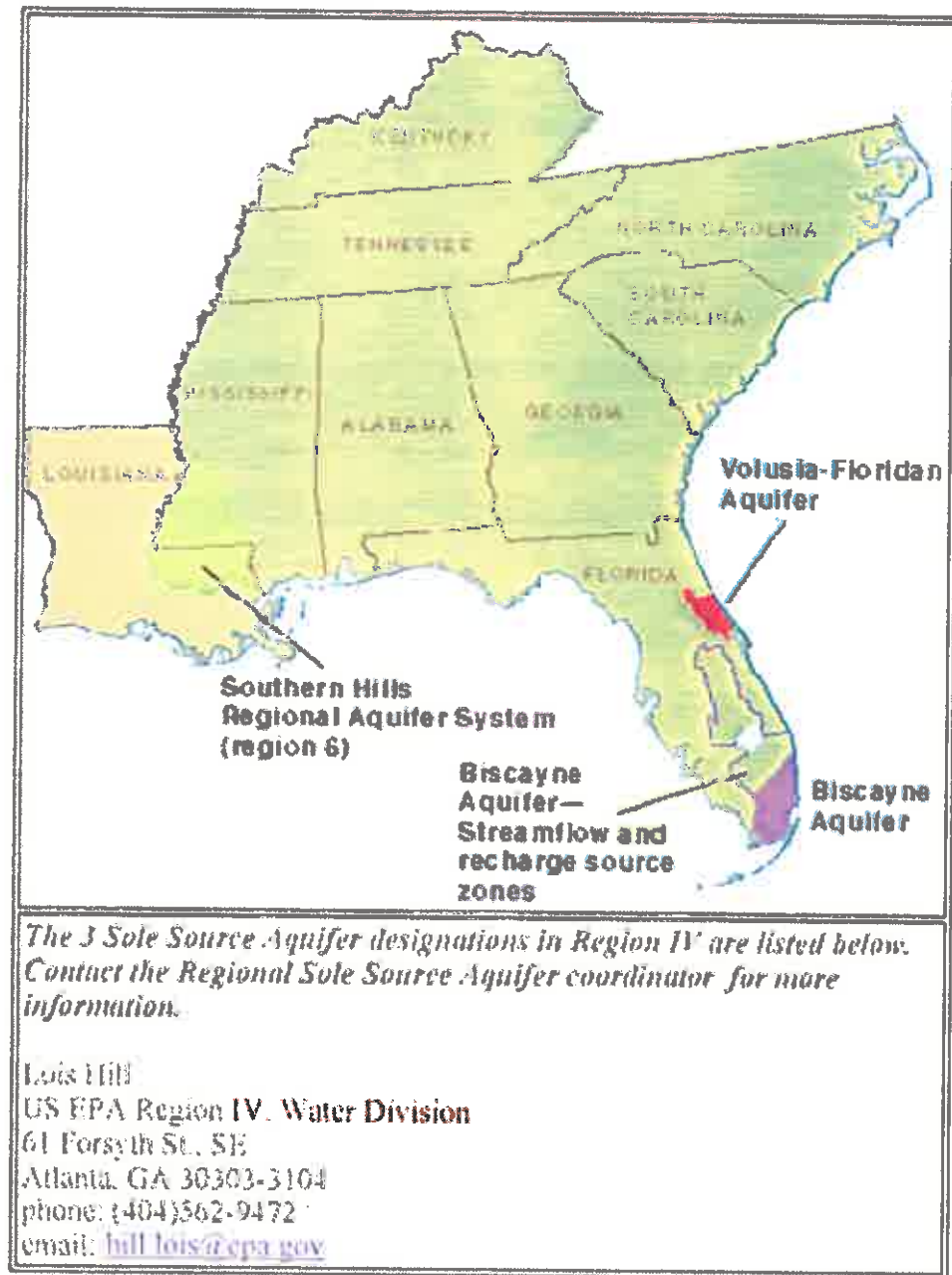
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 - b. What is the depth of excavation?
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 - d. Are there any deep pilings or foundations (e.g., greater than 10 feet below land surface) that will be installed, modified, or disturbed during the project?

4. Describe storm water management for the project area, including, but not limited to, answers to the applicable questions below:
 - a. Will the project require the use of shallow injection wells (i.e., dry wells, french drains, sumps, and drainfields)? **If the answer to this question is yes, please provide EPA with an explanation as to why these shallow injection wells are required.**
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7. Provide any other available information that could be helpful in determining if this project may potentially create a significant hazard to public health through contamination of a SSA, including, but not limited to, answers to the applicable questions below:
- a. Are BMPs planned to address any possible risks or concerns? If so, which BMPs will be used?
 - b. Does the project include any improvements that may be beneficial to any SSA, such as improvements to the publicly-owned treatment works?
 - c. Are any previous environmental assessments available regarding the project or project area?

Designated Sole Source Aquifers in EPA Region IV

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee

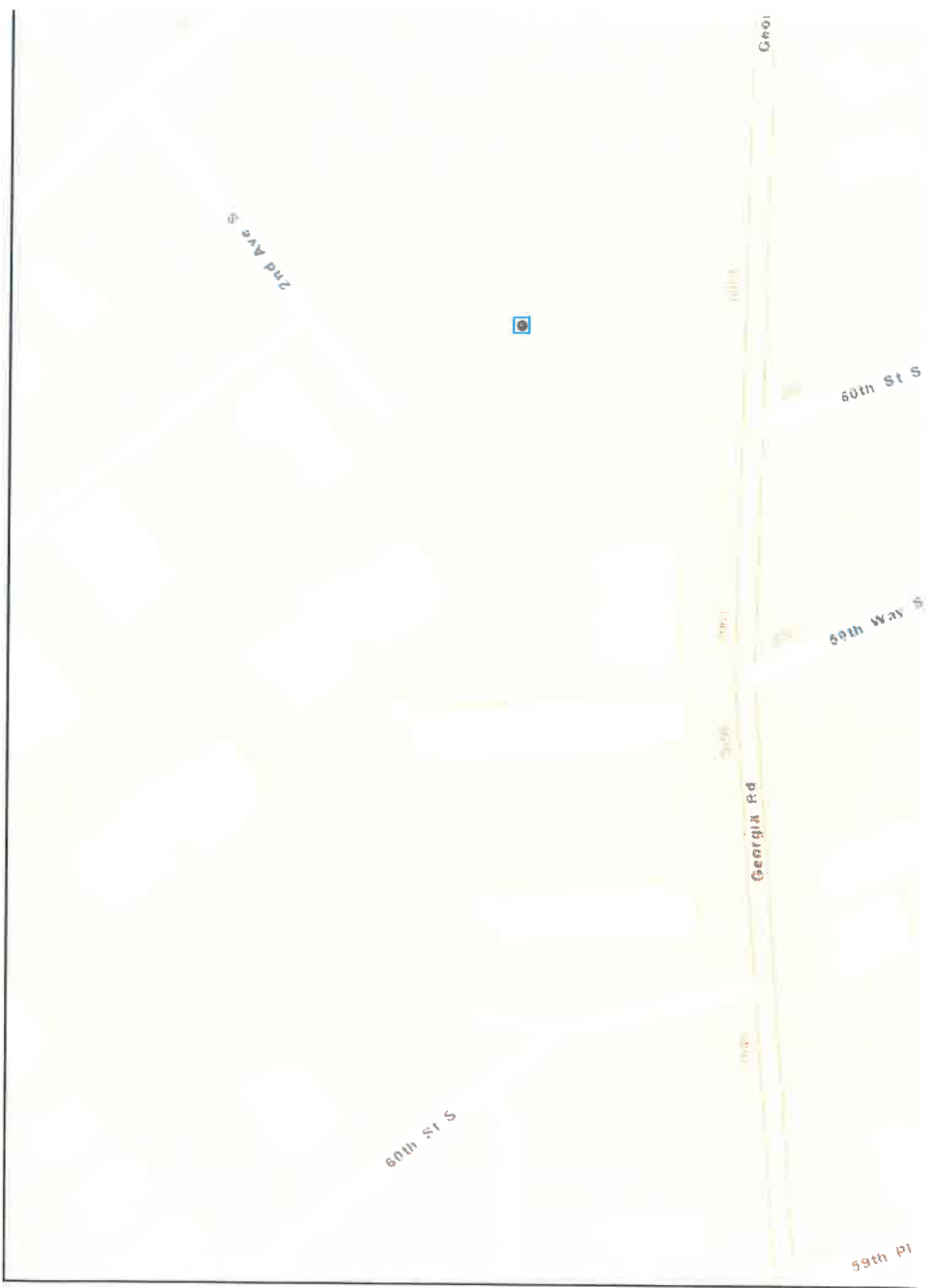


DESIGNATED SOLE SOURCE AQUIFERS IN REGION IV:

State	Sole Source Aquifer Name	Federal Register Cit.	Public. Date	GIS Map
FL	Biscayne Aquifer, Broward, Dade, Monroe & Palm Beach Counties	44 FR 58797	10/11/79	No
FL	Volusia-Floridan Aquifer, Flagler & Putnam Counties	52 FR 44221	11/18/87	No
*LA/MS	Southern Hills Regional Aquifer System	53 FR 25538	07/07/88	No

*The Southern Hills Regional Aquifer system is jointly managed with Region VI. While listed in both regions, it is counted only once in the national total of 70.

Sole Source Aquifer Map





Sole Source Aquifers



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 https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers		

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.

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	Mulbe

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	Upper
Coosa River	Elmore	Below Jordon Dam to above Wetumka	7	Excellent fishery; known archaeological sites.	Cultural, Fish, Geologic, Historic, Recreational, Wildlife	Lower
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	Chippewa
Cypress Creek	Lauderdale	TN State line to west of Florence	24	Significant recreational site; designated canoe trail.	Recreational, Scenic	Pickens
Elk River	Limestone	TN State line to above Lake Wheeler	33	High quality fishing stream.	Fish, Recreational, Scenic	Lower
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	Middle Chattahoochee 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	Uppe

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 Sipsey 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 Elliotsville 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
Sipsey 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	Lowe Talla

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 Talla
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 Talla
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 US 84/AL 12 bridge to FL State line	Flows through Eglin State Wildlife Management Area; official State Canoe Trail; hardwood forests and cypress swamps; valuable fishery.	Fish, Geologic, Recreational, Scenic, Wildlife	Yellow
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Last updated: November 25, 2016

EXPERIENCE MORE

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Buffalo National River

Chattahoochee River National Recreation Area

Delaware Water Gap National Recreation Area

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Wetlands Protection

According to the U.S. Fish and Wildlife Service National Wetlands Inventory, the project site is not located in nor does it encroach upon any federal 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.
References		
https://www.bufileexchange.info/environmental-review/wetlands-protection		

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

See attached maps

Are formal compliance steps or mitigation required?

☐ Yes

☒ No



U.S. Fish and Wildlife Service

National Wetlands Inventory

The Cottages on Georgia Road 5984 Gec



U.S. Fish and Wildlife Service, National Standards and Support Team
wetlands_team@fws.gov

April 21, 2020

Wetlands

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

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.



U.S. Fish and Wildlife Service

National Wetlands Inventory

The Cottages on Georgia Road Wetland I



U.S. Fish and Wildlife Service, National Standards and Support Team.
wetlands_team@fws.gov

April 21, 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.

Environmental Justice

The construction of 20 new units will have a potentially beneficial impact to the City of Birmingham and would not result in a disproportionately high adverse human health impact or environmental impact on minority or low-income populations.

Environmental Justice (CEST and EA)

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	
References https://www.hudexchange.info/environmental/new/environmental-justice		

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

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

☒ Yes → Continue to Question 2.

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

2. Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?

☐ Yes

Explain:

→ Continue to Question 3. Provide any supporting documentation.

☒ No

Explain:

→ Continue to the Worksheet Summary and provide any supporting documentation.

3. All adverse impacts should be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

☐ Mitigation as follows will be implemented:

→ Continue to Question 4.

☐ No mitigation is necessary.

Explain why mitigation will not be made here:

→ Continue to Question 4.

4. Describe how the affected low-income or minority community was engaged or meaningfully involved in the decision on what mitigation actions, if any, will be taken.

→ Continue to the Worksheet Summary and provide any supporting documentation.

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