



U.S. Department of Housing and Urban
Development

451 Seventh Street, SW
Washington, DC 20410
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**Environmental Review for Activity/Project that is Categorically
Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)**

Project Information

Project Name: 9th Street from G to I

Responsible Entity: City of North Little Rock, AR

Grant Recipient (if different than Responsible Entity):

State/Local Identifier:

Preparer: Melissa Ervin

Certifying Officer Name and Title: Joe A. Smith, Mayor

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable):

Direct Comments to: Melissa Ervin

Project Location: 9th Street, North Little Rock, AR 72114

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

Street and storm water drainage improvements project on the two blocks of 9th Street from "G" Street to "I" Street in the Dixie area of North Little Rock, AR, in Pulaski County. Heavy rain causes flooding and pooling of water in yards, driveways, and street, resulting in unsafe conditions for residents, pedestrians, and drivers. The project will include replacement and/or installation of underground pipes and junction boxes in the footprint of the existing storm water management system. Project will also include removal of existing street to sub-grade and installation of new street, inlets, curbs, gutters, driveway aprons, ADA compliant sidewalks and curb ramps. There is not a change in size or capacity of more than 20 percent The approximately 0.67 acre project site is within a FEMA 100 year floodplain, per Community Number 050182, Panel 0363G, Flood Insurance Rate Map Number 05119C0363G, dated July 6, 2015. Executive Order 11988 (Floodplain Management) applies to this project.

Level of Environmental Review Determination:

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

Funding Information

Grant Number	HUD Program	Funding Amount
B-18-MC-05-0005	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)

Estimated Total HUD Funded Amount: \$320,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$350,000

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 & 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. Nearest airport is Bill and Hillary Clinton National Airport, a civilian airport, which is more than 2,500 ft from project site.

<p>Coastal Barrier Resources</p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.</p>
<p>Flood Insurance</p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements. Project site is in floodplain but project is street, sidewalk and drainage improvements only. No structures that would require flood insurance are part of project.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5</p>		
<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.</p>
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.</p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project has been determined to have No Effect on listed species. This project is in compliance with the Endangered Species Act without mitigation.</p>

<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.</p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>This project is located in a 100-year floodplain. The 8-Step Process is required. With the 8-Step Process the project will be in compliance with Executive Order 11988. The City of North Little Rock's Floodplain Administrator has reviewed the project, and current local and state floodplain permitting and protection procedure requirements will be followed. The City of North Little Rock will comply with applicable local, state, and Federal laws.</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106. In the event that ground-disturbing work uncovers significant archaeological materials, such as stone arrowheads, ceramics, or early building foundations, or if work uncovers human burials or human remains, ground disturbing activities will immediately be stopped within a 300 foot radius and the materials protected. The SHPO and tribes with an interest in the area will be contacted as soon as possible, and given an opportunity to provide input before construction resumes. If any archaeological or cultural materials are discovered during the project undertaking, neither the construction team nor the City will disclose this information to the general public or the media in any manner. Discoveries of archaeological materials will be kept private and confidential.</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.</p>

Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project is not located on a sole source aquifer. Project is in compliance with sole source aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Project is not within proximity of NWSRS river. Project is in compliance with Wild and Scenic Rivers Act.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898

Field Inspection (Date and completed by): 11/21/19 Melissa Ervin

Summary of Findings and Conclusions: In 100 year floodplain. No other issues.

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
Floodplain Management	Project is located in 100 year floodplain. The 8 step process was conducted. The State Clearinghouse provided notification that its Technical Review Committee reviewed and supports the project. US Fish and Wildlife advised that the City's notification to their agency of a no effect determination completed Section 7 consultation requirements. FEMA commented with a request that the City contact the Floodplain Administrator for permit requirements, and that the City comply with Executive Orders 11988 and 11990 if applicable. City Floodplain Administrator and City

	engineers were notified of project. The City of North Little Rock's Floodplain Administrator has reviewed the project, and current local and state floodplain permitting and protection procedure requirements will be followed. The City of North Little Rock will comply with applicable local, state, and Federal laws.

Determination:

- This categorically excluded activity/project converts to Exempt, per 58.34(a)(12) because there are no circumstances which require compliance with any of the federal laws and authorities cited at §58.5. **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR
- This categorically excluded activity/project cannot convert to Exempt because there are circumstances which require compliance with one or more federal laws and authorities cited at §58.5. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain "Authority to Use Grant Funds"** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
- This project is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature: Melissa Ervin Date: 8-5-20

Name/Title/Organization: Melissa Ervin, Director

Responsible Entity Agency/Official Signature:

Joe A. Smith Date: 8-5-20

Name/Title: Joe A. Smith, Mayor

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).