

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

Project Information

Project Name: The-Refuge---Non-Congregate-Shelter

HEROS Number: 900000010462323

Start Date: 04/01/2025

Responsible Entity (RE): MOUNTAINLAND ASSOCIATION OF GOVERNMENTS, 586 E
800 N OREM UT, 84097

RE Preparer: Taylor Draney

State / Local Identifier:

Certifying Officer: Karen McCandless

Grant Recipient (if different than Responsible Entity): The Refuge

Point of Contact: Ashlee Taylor

Consultant (if applicable):

Point of Contact:

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

- ✓ By checking this box, I attest that as a consultant, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

Project Location: 866 W 400 N, Orem, UT 84057

Additional Location Information:

The subject property is an irregular-shaped parcel (66-977-0203) totaling approximately 4.03 acres located approximately 244 feet north of the northwest corner of the North State Street & 800 North intersection at 851 North State Street, Orem, Utah. Its historical address is 855 North State Street, Orem, Utah. To the north of the subject property is residential housing, to the east is State Street and a multi-tenant commercial strip, to the south various businesses and to the west is 400 West and additional multi-tenant commercial retail spaces.

Direct Comments to: tdraney@magutah.gov 586 E 800 N Orem, UT 84097

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

Funding will be allocated to meet the urgent need for more shelter space for domestic violence victims. The project will include a 120-bed non-congregate shelter facility with parking, a playground, storage units for residents, a childcare facility, and space to build 9 transitional housing non-congregate apartment units. In December 2023 The Refuge purchased the property for this project through a loan from Capital Community Bank and aims to repay the loan before starting construction. The total cost of the property was \$3,528,360, they have paid \$1,528,360 from private donations and federal funding toward the cost of the purchase. They have raised additional funding toward the payment of the loan as follows: private donations of \$50,360 and private foundation funding for \$190,000. They are requesting \$1,759,085 from the HOME_ARP funding to help pay for the remainder of the loan. Currently, they are working on obtaining the architectural renderings needed for the project. Once these renderings are finalized, they will proceed with the site approval process with the City of Orem. The Refuge will continue to seek additional funds for the construction and, when sufficient resources are secured, will move forward with developing a construction bid.

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

The need for domestic violence (DV) shelters in Utah County is increasingly urgent. The Utah State Domestic Violence Coalition has identified a critical shortage of sheltering options in the area. DV shelters play a crucial role in preventing homelessness for those escaping abusive situations. They provide immediate refuge and connect victims with essential services to support long-term stability and independent living. With Utah County's population at 719,174 and increasing rapidly, the single existing shelter facility, the Refuge, has only 25 beds. This results in a

current ratio of one bed for every 28,760 residents, compared to an average ratio of one bed for every 5,397 residents in the other major population centers of the state. This disparity has become more pronounced in recent years, forcing the Refuge to relocate hundreds of victims to other counties for shelter. Once the new facility is completed the ratio of beds to residents in Utah County will improve to approximately one bed for every 5,600 people, significantly advancing the ability to meet the needs of the qualifying population. Emergency sheltering offers short-term protective housing for individuals who have escaped abusive environments that are unsafe and unfit for living. The Refuge aims to empower domestic violence survivors by enhancing their emotional and physical safety through advocacy, education, and trauma-informed services. During their stay, residents receive support and resources designed to foster healing, family-sustaining employment and permanent housing.

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

Founded in February 1984, the Refuge boasts a 40 year-year history of supporting adult and child survivors of domestic violence (DV), dating violence, rape, sexual assault, and stalking. It is the sole domestic violence shelter serving Utah and Juab Counties, and the only Rape Intervention and Prevention program in Utah, Juan and Wasatch Counties. In 2023, the Refuge provided shelter and/or housing to 402 adults and 351 children who were survivors of domestic and dating violence. The Refuge primarily provides emergency shelter and transitional housing services for survivors of DV. Domestic violence is a severe and widespread pattern of control that can manifest as physical, sexual, verbal, emotional, or psychological abuse for women, men or children. In 2021, DV was responsible for 34% of homelessness in Utah County. Additionally, in 2022 there were 1,906 DV cases, marking a 39% increase from 2020. It is estimated that DV affects about 16% of homes in Utah at any given time, with over 8% experiencing severe or potentially life-threatening situations. In Utah County, which has approximately 179,387 households, this equates to DV occurring in over 60,000 homes annually with more than 1,435 households facing serious threats to life. Furthermore, about 72% of reported DV cases in this region involve children present in the home, leading to long-term negative effects on these children. Additionally, approximately 32% of all homicides in Utah are related to DV which impacts individuals across all races, ethnic groups, educational levels, economic classes, and religions.

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

[Image 1 .JPG](#)

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Determination:

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

Approval Documents:

[The Refuge Project Info - Fully Executed.pdf](#)

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
B-23-MC-49-0002	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	\$45,113.00

Estimated Total HUD Funded, Assisted or Insured Amount: \$1,966,983.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$1,966,983.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. The project is located more than 15,000 feet from the nearest military airport and more than 2,500 feet from the closest civilian airport, which exceeds the distance thresholds typically used to assess potential airport hazards as defined in 24 CFR Part 51 Subpart D. Furthermore, the project site is not within a designated airport clear zone, which is an area surrounding an airport where land use is restricted due to the potential risks associated with aircraft operations, such as noise, accidents, or other safety concerns. These factors collectively indicate that the project is outside of any identified airport hazard zones, and thus no significant risks from airport-related hazards are anticipated for this project.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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. There are no Coastal Barrier Resource Areas (CBRAs) in Region VIII, which includes Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming. The Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990, applies specifically to coastal areas along the Atlantic and Gulf coasts. Since the project is located in a region that does not contain any designated CBRAs, the provisions of the Act do not apply.

		Therefore, no further analysis or compliance with the Act is required for this project.
<p>Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements. I reviewed FEMA's Flood Plain Map database and confirmed that the project is situated outside of the designated flood plain. Specifically, the project falls within Zone X, which is classified as an area that is determined to be outside the 100-year floodplain and is not prone to flooding. Based on this classification, the project is not subject to flood hazards. As a result, flood insurance is not required for this project. For further verification, please refer to the attached FEMA Flood Map 49049C0330F, which is effective as of June 19, 2020, for additional details regarding the flood zone designation. Based on the FFRMS Freeboard Value Approach Report the project location is in a non-critical designation area, the proposed action is not located within the coastal or riverine Floodplain Management and Regulatory Standards (FFRMS) floodplain. This means the project does not fall within areas that are subject to significant flooding risks from coastal or riverine sources. Consequently, there are no floodplain-related concerns for this development, and no further floodplain-related analysis is required.</p>

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
<p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act. To comply with the Clean Air Act, a Stormwater Pollution Prevention Plan (SWPPP) will be filed, and a permit will be obtained before any disturbance of 1/4 acre or more. A NEPAassist report was generated, indicating there are no areas of concern identified.</p>
<p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<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. There are no Coastal Barrier Resource Areas (CBRAs) in Region VIII, which includes Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming. As such, the provisions of the Coastal Zone Management Act, specifically sections 307(l) & (d), do not apply to this project. The Act is primarily concerned with the management and protection of coastal zones along the Atlantic and Gulf coasts, and since this project is not located within a coastal area, it is not subject to the Act's requirements.</p>
<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Phase II ESA. 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. Radon analysis indicated elevated levels of radon or consideration of radon will occur following construction. Adverse radon impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be</p>

		in compliance with contamination and toxic substances requirements.
<p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. The reviewer consulted the United States Department of the Interior, Fish and Wildlife Service (project code 2024-0124300) to obtain a list of threatened and endangered species for the proposed project location. The Monarch Butterfly (<i>Danaus Plexippus</i>) is a candidate for the list, but no critical habitat has been designated for the species. There are no critical habitats within the project area under the office's jurisdiction and the species itself is not present on the project site. A site inspection was conducted on July 30, 2024 and March 11, 2025.</p>
<p>Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements. The vicinity of the site visited by the checklist preparer on March 11, 2025, and verified using Google Earth, show no above-ground storage tanks within a one-mile radius of the proposed project.</p>
<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. The project site is a non-agricultural parcel and is not classified as farmland. The land is currently vacant, covered by weeds and rocks, with no ongoing agricultural use or designation. Therefore, there will be no impact on</p>

		farmland or agricultural resources as a result of the project.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. Reviewed FEMAs Flood Plain Map database and determined that the project is not located in a flood plain. The project is in Zone X, an area outside the floodplain. Reference attached FEMA Flood Map 49049C0330F eff. 6/19/2020. FFRMS created 12/12/2024 determined the proposed action is not in the coastal or riverine FFRMS floodplain.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: None. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A Noise Assessment was conducted. The noise level was normally unacceptable: 69.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation with mitigation. The Refuge will adhere to the mitigation plan outlined in the analysis provided by Spectrum Engineers on February 3, 2025.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The proposed project is not situated within an area designated by the EPA as a sole source aquifer recharge area. There are no sole source aquifers located in Utah County where the proposed project is located.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

<p>Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. There are no wild or scenic rivers located in Utah County, therefore the project will not impact any. Utah has approximately 81,899 miles of river, of which 232.3 miles are designated as wild and scenic, representing less than 0.2% of the state's total river miles. The Green River and Virgin River are designated as wild and scenic, but neither flows through Utah County.</p>
<p>HUD HOUSING ENVIRONMENTAL STANDARDS</p>		

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Impact Codes: An impact code from the following list has been used to make the determination of impact for each factor.

- (1)** Minor beneficial impact
- (2)** No impact anticipated
- (3)** Minor Adverse Impact – May require mitigation
- (4)** Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning /	2	The project will comply with local planning and zoning regulations and its compatible with other uses within the City. The parcel	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Scale and Urban Design		is located within Orem City, and The Refuge will collaborate with Orem City to ensure adherence to all regulations.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	The land is level with minimal erosion. The parcel is vacant, we do not anticipate any issues with the soil, which is suitable for construction. All state laws and SWPPP regulations will be followed.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	The parcel does not appear to have any visible site hazards. During construction, all necessary safety measures will be implemented to protect the public and workers. The completed project will pose no potential hazards to the environment or the community.	
SOCIOECONOMIC			
Employment and Income Patterns	2	The construction of the proposed project may provide temporary employment opportunities for the local workforce. However, the project will not affect the employment or income of residents in the project area, nor will it create new permanent job opportunities. Employment and income levels will remain unchanged.	
Demographic Character Changes / Displacement	1	The proposed project will not significantly impact the demographics or character of the surrounding area. The majority of future residents are expected to be from the local community and will likely align with the existing demographic makeup of the area.	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	No changes to the educational facilities in the community are anticipated. Future residents typically come from the area. The project will not have a significant impact on cultural facilities in the area. Orem City and the surrounding communities offer several cultural facilities, including two universities, Thanksgiving Point, Scera Shell and Hale Center Theater.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Commercial Facilities (Access and Proximity)	1	With the project being located in the center of the City, access to and proximity to amenities will not be an issue. It is expected that future residents of the project will be from the local community and already engaged or in need of the social service network in the area and region. We do not anticipate the need for additional services that won't already be provided by The Refuge, there will be minimal impact on the community's existing system.	
Health Care / Social Services (Access and Capacity)	2	Non-emergency healthcare services are conveniently located within a reasonable distance from the project site and are well established in the community. Social services are available throughout the area. As the project's residents are likely already part of the community, and The Refuge will be providing additional services so there will be no additional burden placed on these providers.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	Solid waste services are provided by the City, and these services will continue to be available to the project area. It is anticipated that many residents will be from within the community and are already utilizing the City's solid waste services. The City has accounted for waste management needs within their system. Where feasible, recycling will be incorporated in the project.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The City will provide wastewater services to the residents of this project. A sewer line runs along the edge of the property, and all major utilities are stubbed to the property line. The City has accounted for this project's needs within the existing capacity of the sewer plant. Any additional capacity required by the City will be funded through impact fees paid by the project.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Water Supply (Feasibility and Capacity)	2	Orem City will provide culinary water services to the project. Most future residents of the project will come from within the community and are already part of the water system, so no significant impact on the current water system is anticipated. Any additional capacity needed for the water system will be funded through impact fees paid by the project.	
Public Safety - Police, Fire and Emergency Medical	2	The project is not expected to have a significant impact on public safety services. The area is currently served by Orem's public safety departments, and most residents who require these services are already utilizing them, so there should be no impact on the system. The project is located within a short driving distance to emergency medical services, with a hospital and emergency room just a couple miles away.	
Parks, Open Space and Recreation (Access and Capacity)	2	The project will not have a significant impact on open space, parks, or recreation. Orem City offers open space, parks, and walking trails within the city limits, all in close proximity to the project. The City and the surrounding communities feature several recreational facilities, as well as nearby mountains, lakes, and desert areas, all within a short distance of the proposed project.	
Transportation and Accessibility (Access and Capacity)	2	The residents of these projects are likely to be from within the community and are already integrated into the local transportation system. UTA and Front Runner service Orem City, providing residents with access to other communities and services throughout the county.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	The project is not expected to have a significant impact on unique natural features or water resources. It has been	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		designed to minimize any disruption to the surrounding environment.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	The proposed project site is a vacant parcel covered in weeds and rocks, with no significant vegetation or wildlife habitats present.	
Other Factors 1			
Other Factors 2			
ENERGY			
Energy Efficiency	2	The project will adhere to the HUD Minimum Property Standards, as well as other relevant state and city energy-saving codes and regulations. The project will incorporate energy-efficient materials, insulation and systems to optimize heating, cooling and lighting, contributing to lower utility costs and promoting sustainability.	

Supporting documentation

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[Image 1 \(1\).JPG](#)

Additional Studies Performed:

Field Inspection [Optional]: Date and completed by:

[Image 1 .JPG](#)

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

Salem Engineering, Spectrum Engineers

List of Permits Obtained:

Public Outreach [24 CFR 58.43]:

Cumulative Impact Analysis [24 CFR 58.32]:

The proposed project, when considered with past, present, and future actions, will have minimal cumulative environmental impacts. It follows energy-efficient standards and sustainable practices, reducing energy consumption and greenhouse gas emissions. The project is in an established community with existing infrastructure, limiting potential negative environmental effects. The site is vacant with no significant habitats, so impacts on water resources, vegetation, and wildlife will be minimal. Overall, the project will support community growth and resilience without significantly affecting the environment or local resources.

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

No Action Alternative [24 CFR 58.40(e)]

Without the project, the community would continue to rely on existing facilities, which is not sufficient to address the increasing demand for safe, temporary housing solutions. The conditions for vulnerable populations, such as individuals in need of emergency shelter, would not improve, and the county may face challenges in managing homelessness and providing adequate services. In the absence of this project, the opportunity to create a supportive, non-congregate shelter for individuals in need would be lost, potentially exacerbating the ongoing housing and social service challenges faced by the community.

Summary of Findings and Conclusions:

The environmental review for The Refuge - Non-Congregate Shelter in Orem, UT, found that the project will have no significant environmental impact and complies with all regulations. Key Benefits: Expands shelter capacity from 25 to 120 beds, addressing a critical shortage. Provides essential support services, including childcare and transitional housing. Helps prevent homelessness among domestic violence

survivors. Minimal environmental impact due to existing infrastructure. Potential Concerns & Solutions: Noise Levels: Traffic noise is slightly high (69 dB), but soundproofing measure will be used. Construction Disruptions: Temporary dust and noise will be managed with best practices. Traffic & Infrastructure: No major impact expected; existing services are sufficient. Conclusion: With the planned noise reduction and environmental safeguards, the project is safe to proceed and will provide much-needed support to the community.

Mitigation Measures and Conditions [CFR 1505.2(c)]:

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
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Project Mitigation Plan

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

✓ No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. The project is located more than 15,000 feet from the nearest military airport and more than 2,500 feet from the closest civilian airport, which exceeds the distance thresholds typically used to assess potential airport hazards as defined in 24 CFR Part 51 Subpart D. Furthermore, the project site is not within a designated airport clear zone, which is an area surrounding an airport where land use is restricted due to the potential risks associated with aircraft operations, such as noise, accidents, or other safety concerns. These factors collectively indicate that the project is outside of any identified airport hazard zones, and thus no significant risks from airport-related hazards are anticipated for this project.

Supporting documentation

[Refuge Property Acquisition Airport Proximity \(1\).pdf](#)

Are formal compliance steps or mitigation required?

The-Refuge---Non-
Congregate-Shelter

Orem, UT

900000010462323

- Yes
- No

Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Compliance Determination

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. There are no Coastal Barrier Resource Areas (CBRAs) in Region VIII, which includes Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming. The Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990, applies specifically to coastal areas along the Atlantic and Gulf coasts. Since the project is located in a region that does not contain any designated CBRAs, the provisions of the Act do not apply. Therefore, no further analysis or compliance with the Act is required for this project.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

- ✓ No. This project does not require flood insurance or is excepted from flood insurance.

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

Yes

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

Yes

- ✓ No

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements. I reviewed FEMA's Flood Plain Map database and confirmed that the project is situated outside of the designated flood plain. Specifically, the project falls within Zone X, which is classified as an area that is determined to be outside the 100-year floodplain and is not prone to flooding. Based on this classification, the project is not subject to flood hazards. As a result, flood insurance is not required for this project. For further verification, please refer to the attached FEMA Flood Map 49049C0330F, which is effective as of June 19, 2020, for additional details regarding the flood zone designation. Based on the FFRMS

Freeboard Value Approach Report the project location is in a non-critical designation area, the proposed action is not located within the coastal or riverine Floodplain Management and Regulatory Standards (FFRMS) floodplain. This means the project does not fall within areas that are subject to significant flooding risks from coastal or riverine sources. Consequently, there are no floodplain-related concerns for this development, and no further floodplain-related analysis is required.

Supporting documentation

[FVA REPORT.pdf](#)

[Refuge Property - FIRMETTE.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

Yes

No

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?

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

Yes, project's management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

Screen Summary

Compliance Determination

The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act. To comply with the Clean Air Act, a Stormwater Pollution Prevention Plan (SWPPP) will be filed, and a permit will be obtained before any disturbance of 1/4 acre or more. A NEPAassist report was generated, indicating there are no areas of concern identified.

Supporting documentation

[Air Quality Letter.pdf](#)

[Nepa Assist Report.pdf](#)

[Nepa Assist Report.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

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.

Screen Summary

Compliance Determination

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. There are no Coastal Barrier Resource Areas (CBRAs) in Region VIII, which includes Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming. As such, the provisions of the Coastal Zone Management Act, specifically sections 307(l) & (d), do not apply to this project. The Act is primarily concerned with the management and protection of coastal zones along the Atlantic and Gulf coasts, and since this project is not located within a coastal area, it is not subject to the Act's requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Contamination and Toxic Substances

General Requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)
Reference		
https://www.onecpd.info/environmental-review/site-contamination		

1. How was site contamination evaluated?* Select all that apply.

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

None of the above

* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site.

For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

2. Were any on-site or nearby toxic, hazardous, or radioactive substances* (excluding radon) found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)

Provide a map or other documentation of absence or presence of contamination** and explain evaluation of site contamination in the Screen Summary at the bottom of this screen.

✓ No

Explain:

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 exempt from radon consideration. The project is in compliance with contamination and toxic substances requirements.

Yes

* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.

** Utilize EPA's Enviromapper, NEPAAssist, or 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.

3. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions* from having to consider radon in the contamination analysis listed in CPD Notice [CPD-23-103](#)?

Yes

Explain:

✓ No

* Notes:

- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.

- Buildings tested within five years of the submission of application for HUD assistance: test results document indoor radon levels are below current the EPA's recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

4. Is the proposed project new construction or substantial rehabilitation where testing will be conducted but cannot yet occur because building construction has not been completed?

✓ Yes

Compliance with this section is conditioned on post-construction testing being conducted, followed by mitigation, if needed. Radon test results, along with any needed mitigation plan, must be uploaded to the mitigation section within this screen.

No

8. Mitigation

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

For instances where radon mitigation is required (i.e. where test results demonstrated radon levels at 4.0 pCi/L and above), then you must include a radon mitigation plan*.

Can all adverse environmental impacts be mitigated?

No, all adverse environmental impacts cannot feasibly be mitigated.
Project cannot proceed at this location.

- ✓ Yes, all adverse environmental impacts can be eliminated through mitigation, and/or consideration of radon and radon mitigation, if needed, will occur following construction.
Provide all mitigation requirements** and documents in the Screen Summary at the bottom of this screen.

* Refer to CPD Notice [CPD-23-103](#) for additional information on radon mitigation plans.

** Mitigation requirements include all clean-up requirements required by applicable federal, state, tribal, or local law. Additionally, please upload, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

9. Describe how compliance was achieved. Include any of the following that apply: State

Voluntary Clean-up Program, a No Further Action letter, use of engineering controls*, or use of institutional controls.**

It has not yet been determined whether mitigation is necessary. Once the building is constructed, we will test the radon levels and mitigate if necessary. See mitigation page for the mitigation plan.

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

Complete removal

Risk-based corrective action (RBCA)

Other

* Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, caps, covers, dikes, trenches, leachate collection systems, radon mitigation systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, slurry walls and ground water pumping systems.

** 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.

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Phase II ESA. 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. Radon analysis indicated elevated levels of radon or consideration of radon will occur following construction. Adverse radon impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements.

Supporting documentation

[9 422 0996 REV Phase I Vacant Land Orem Utah.pdf](#)
[9 422 0996 REV Phase II Vacant Land Orem Utah.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402

1. Does the project involve any activities that have the potential to affect species or habitats?

No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

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

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

- ✓ 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. Document and upload all documents used to make your determination below. 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.

Screen Summary

Compliance Determination

This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. The reviewer consulted the United States Department of the Interior, Fish and Wildlife Service (project code 2024-0124300) to obtain a list of threatened and endangered species for the proposed project location. The Monarch Butterfly (*Danaus Plexippus*) is a candidate for the list, but no critical habitat has been designated for the species. There are no critical habitats within the project area under the office's jurisdiction and the species itself is not present on the project site. A site inspection was conducted on July 30, 2024 and March 11, 2025.

Supporting documentation

[Species List_Utah Ecological Services Field Office.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

No

Yes

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No

Yes

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

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR

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

If all containers within the search area fit the above criteria, answer "No." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "Yes."

No

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

Yes

Screen Summary

Compliance Determination

There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements. The vicinity of the site visited by the checklist preparer on March 11, 2025, and verified using Google Earth, show no above-ground storage tanks within a one-mile radius of the proposed project.

Supporting documentation

[The Refuge Google Earth Image 2025-03-27 105423.jpg](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

Yes

No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Historical aerial photos show that single-family dwellings and agricultural outbuildings were located on the eastern portion of the property from at least 1946 until sometime between 1997 and 2006. A review of city directory listings revealed that part of the subject property was home to an auto repair shop from at least 1964 to 1967. The subject property is situated in the middle of Orem city, surrounded by a mix of businesses and residential areas. No farmland will be impacted or taken out of inventory as defined by the Farmlands Protections Policy Act.

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

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. The project site is a non-agricultural parcel and is not classified as farmland. The land is currently vacant, covered by weeds and rocks, with no ongoing agricultural use or designation. Therefore, there will be no impact on farmland or agricultural resources as a result of the project.

Supporting documentation

[map from phase I.pdf](#)
[The Refuge Farmlands TIGERWEB Map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

1. Does this project meet an exemption at 24 CFR 55.12 from compliance with HUD's floodplain management regulations in Part 55?

Yes

(a) HUD-assisted activities described in 24 CFR 58.34 and 58.35(b).

(b) HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19.

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is placed on the property's continued use for flood control, wetland protection, open space, or park land, but only if:

(1) The property is cleared of all existing buildings and walled structures; and

(2) The property is cleared of related improvements except those which:

(i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);

(ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and

(iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.

(d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance,

or other HUD assistance.

(e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.

(f) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland.

(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

No

2. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.

Yes

Describe:

No

3. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information¹ to determine flood elevation. Include documentation and an explanation of why this is the best available information² for the site. Note that newly constructed and substantially improved³ structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

- ✓ CISA for non-critical actions. If using a local tool, data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

¹ Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood 'experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

² If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary. Contact your [local environmental officer](#) with additional compliance questions.

³ Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units. The full definition can be found at [24 CFR 55.2\(b\)\(12\)](#).

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

Screen Summary

Compliance Determination

This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. Reviewed FEMA's Flood Plain Map database and determined that the project is not located in a flood plain. The project is in Zone X, an area outside the floodplain. Reference attached FEMA Flood Map 49049C0330F eff. 6/19/2020. FFRMS created 12/12/2024 determined the proposed action is not in the coastal or riverine FFRMS floodplain.

Supporting documentation

[FFRMS-Freeboard-Value-Approach-Report.pdf](#)
[\(Flood Zone Map\) FIRMETTE The Refuge \(1\).pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Threshold

Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)

No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation

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

- ✓ State Historic Preservation Offer (SHPO) Completed

- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

- ✓ Goshute Reservation - Amos Murphy Response Period Elapsed
- ✓ Paiute Indian Tribe of Utah - Corrina Bow Response Period Elapsed

- ✓ Shoshone Nation - Dennis Alex Response Period Elapsed
- ✓ Skull Valley Band of Goshute Indians Response Period Elapsed
- ✓ Ute Indian Tribes of Uintah and Ouray Response Period Elapsed
Reservation

Other Consulting Parties

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

The Northern Plains Area Office Grantee Website contact list was consulted for tribal consultation contacts. A letter was sent to each located in Utah on 12/12/2024, but no responses were received from any of the contacts.

Document and upload all correspondence, notices and notes (including comments and objections received below).

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

- Yes
- No

Step 2 – Identify and Evaluate Historic Properties

1. **Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

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

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
----------------------------------	-----------------------------	------------------	--------------------------

Additional Notes:

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

project?

Yes

No

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 guidance on direct and indirect effects.

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

No Adverse Effect

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

Document reason for finding:

A letter was sent to Utah SHPO 12/12/2024 outlining the finding of no adverse effect. Ryan McGrath, Compliance Archaeologist with SHPO, concurred with the determination on 12/19/2024.

Does the No Adverse Effect finding contain conditions?

Yes (check all that apply)

No

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: None. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section 106.

Supporting documentation

[Parcel Map.pdf](#)

[24-3079.pdf](#)

[SHPO letter.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Noise Abatement and Control

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

1. What activities does your project involve? Check all that apply:

- New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

None of the above

4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

There are no noise generators found within the threshold distances above.

- ✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

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

- ✓ 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))

Is your project in a largely undeveloped area?

- ✓ No

Document and upload noise analysis, including noise level and data used to complete the analysis below.

Yes

Unacceptable: (Above 75 decibels)

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels.

Check here to affirm that you have considered converting this property to a non-residential use compatible with high noise levels.

Document and upload noise analysis, including noise level and data used to complete the analysis below.

6. **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:

The Refuge has received a traffic noise mitigation analysis from Spectrum Engineers, which outlines the necessary steps to reduce noise to within HUD's acceptable levels. The combined attenuation for all wall components was calculated using the STraCAT calculator. The EA reviewer has forwarded this report to HUD representatives, who have agreed that the building envelope can be sufficiently attenuated to manage the noise.

Based on the response, the review is in compliance with this section. Document and upload drawings, specifications, and other materials as needed to describe the project's noise mitigation measures below.

No mitigation is necessary.

Screen Summary

Compliance Determination

A Noise Assessment was conducted. The noise level was normally unacceptable: 69.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation with mitigation. The Refuge will adhere to the mitigation plan outlined in the analysis provided by Spectrum Engineers on February 3, 2025.

Supporting documentation

[The Refuge Exterior Acoustic Mitigation .pdf](#)

Are formal compliance steps or mitigation required?

✓ Yes

No

Sole Source Aquifers

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

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

Yes

✓ No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

✓ No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

Screen Summary

Compliance Determination

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The proposed project is not situated within an

area designated by the EPA as a sole source aquifer recharge area. There are no sole source aquifers located in Utah County where the proposed project is located.

Supporting documentation

[Utah Rivers.pdf](#)

[Refuge Property Aquisition Sole Source Aquifers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 requires avoiding to the extent possible the long and short term adverse impacts associated with the destruction or modification of wetlands, and avoiding actions that directly or indirectly support new construction in wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory must be used as a primary screening tool, but observed or known wetlands not delineated on NWI maps must also be evaluated.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in 24 CFR 55.10 and referenced in Executive Order 11990? The term "new construction" shall include grading, clearing, draining, dredging, channelizing, filling, diking, impounding, and related activities for any structure or facilities, including the siting of new manufactured housing units.

No

Yes

Screen Summary

Compliance Determination

Supporting documentation

[The Refuge Wetlands.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

1. Is your project within proximity of a NWSRS river?

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

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

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. There are no wild or scenic rivers located in Utah County, therefore the project will not impact any. Utah has approximately 81,899 miles of river, of which 232.3 miles are designated as wild and scenic, representing less than 0.2% of the state's total river miles. The Green River and Virgin River are designated as wild and scenic, but neither flows through Utah County.

Supporting documentation

[Utah Rivers\(1\).pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

