



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

**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: San-Lucas-Curb,-Gutter,-&-Sidewalk-Construction

HEROS Number: 900000010182285

Responsible Entity (RE): MONTEREY COUNTY, CA, 1441 Schilling Place - 2nd Floor
South Salinas CA, 93901

State / Local Identifier:

RE Preparer: Darby Marshall

Certifying Office Charles J. McKee
r:

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 53675 San Benito St, San Lucas, CA 93954

Additional Location Information:

The Area of Potential Effect is the Community of San Lucas, roughly bounded by Main, Monterey, Julius, Star, San Benito, and Mary Streets. The APE is approximately 50-acres. The validated address is for San Lucas Elementary School

Direct Comments to: MarshallD@co.monterey.ca.us
sfcpdmail@hud.gov
CPD_COVID-19OEE-SFO@hud.gov

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

The proposed project is to construct curbs, gutters, ADA Access Ramp, sidewalks, driveways, drainage swale and pavement rehabilitation in the community. The initial focus of Community Development Block Grant funded improvements will be on the most heavily used road segments leading to San Lucas Union Elementary School. The amount of funding initially available, approximately \$881,840, will fund construction of approximately 2,690 linear feet of improvements. If additional funds become available before 2024, additional segments of curb, gutter, ADA Ramps, driveways, sidewalks, and drainage swale may be constructed. Construction of the curb, gutters, sidewalks, driveways, ADA Access Ramps, and drainage swale will require disturbance of approximately 12 inches below existing grades. Construction of these improvements within the public right-of-way may be the first time these soils have been disturbed in the last 40-years. The County Public Works, Facilities, and Parks Department may also undertake, with non-CDBG funds, selected asphalt rehabilitation that may require disturbing up to 6 inches below the existing grade.

Community Setting The unincorporated community of San Lucas is in south Monterey County approximately 55 miles southeast of Salinas and 8 miles southeast of King City. The community is home to 67-households with a total population of 543. The community institutions are: the San Lucas Branch of the Monterey County Free Library System located at the corner of Main St. and Teresa St.; the Post Office, also located at Main St. and Teresa St.; Saint Luke's Catholic Church, located on Main St. between Teresa St. and Rosa St.; and, San Lucas Union Elementary School located at San Benito St. and Rosa St. The community has one bus stop at the intersection of San Benito St. and Rosa St. Monterey-Salinas Transit stops in San Lucas four times per day (2 northbound trips and 2 southbound trips). There are three streets that run roughly east to west and are each approximately 2,200 feet long. These streets, from north to south, are San Benito Street, Alley A, and Main Street. There are also seven street that run roughly north to south and are between 400 and 800 feet long. There are 55 discrete road segments within the community. None of these road segments have curb, gutter, sidewalks, or are ADA compliant. Additionally, most road segments need to be repaved.

Historical Setting As of 2011, the California Office of Historic Preservation Directory of Properties in the Historic Property Data File identified 13 bridges and structures in San Lucas and the surrounding vicinity. Based on the street addresses listed, none of these bridges or structures are located within the APE. The County will request an updated copy of the Director as part of its environmental review. Based on a Record Search Request prepared by the California Historical Resources Information System (CHRIS) for another project in San Lucas, the County anticipates that there is a moderate potential of identifying unrecorded Native American Resources in the APE.

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

[Existing Condition Photographs.pdf](#)

Level of Environmental Review Determination:

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

Determination:

	This categorically excluded activity/project converts to EXEMPT per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; 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 status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. 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 not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Approval Documents:

**7015.15 certified by Certifying Officer
on:**

**7015.16 certified by Authorizing Officer
on:**

Funding Information

Grant / Project Identification Number	HUD Program	Program Name
B-21-UC-06-0011	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)

**Estimated Total HUD Funded,
Assisted or Insured Amount:** \$1,000,000.00

Estimated Total Project Cost: \$1,500,000.00

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

<p>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6</p>	<p>Are formal compliance steps or mitigation required?</p>	<p>Compliance determination (See Appendix A for source determinations)</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6</p>		
<p>Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>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. Del Rey Mesa, a general aviation airport located in King City, CA is approximately 9 miles to the northwest of the community of San Lucas.</p>
<p>Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is 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 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. The community of San Lucas is located in Zone X as indicated on Panel 03053C1125G, effective 4/2/2009.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5</p>		
<p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act. Per the EPA Greenbook, Monterey County</p>

		<p>has no Federal criteria pollutants classified as Nonattainment. Verified by EPA Greenbook "Currently Designated Nonattainment Areas for all Criteria Pollutants at https://www3.epa.gov/airquality/greenbook/ancl.html#CALIFORNIA (accessed 4.1.21)</p>
<p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. Verified April 13, 2021, through the California Coastal Commission Coastal Zone Boundary Mapping widget (https://www.coastal.ca.gov/maps/czb/).</p>
<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. The EPA Cleanups in My Community (https://www.epa.gov/cleanups/cleanups-my-community#map) and the EPA NEPAAssist (https://nepassisttool.epa.gov/nepassist/nepamap.aspx?wherestr=San+Lucas%2C+CA) websites were accessed on April 6, 2021. These sites identified one brownfields cleanup, the San Lucas Public Library, within a five-mile radius of the APE. EPA reported that remediation was completed October 20, 2015 and no institutional controls were required. The CalEPA Regulated Site Portal (https://siteportal.calepa.ca.gov/nsite/map/help) was accessed on April 1, 2021. Within the five-mile radius from San Lucas, there were 35 regulated</p>

		<p>sites. Only 2 of these sites are within the APE. Both sites are operated by AT&T mobility and store diesel fuel no. 2 and lead acid batteries to keep the facilities running in the event of a power outage. Neither site had any reported violations or enforcement actions. An Excel spreadsheet that contains all listed sites, affiliations, regulated programs, chemicals, violations, and enforcement actions reported by CalEPA within 5 miles of San Lucas is attached to this environmental review.</p>
<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. An on-site biological survey has not been prepared for the APE. While listed species may transit the area, the developed nature of the San Lucas community makes it an unsuitable habitat for these species. The USFW Species List identified 7 threatened, endangered, or candidate species that may be found within the APE. The Species List was generated through https://ecos.fws.gov/ipac/ (accessed 4.1.21). The USFW Critical Habitat map indicates no critical habitat on or near the Project Site (downloaded from https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77 on 3.31.21)</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>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. Construction of curbs, gutters, ADA access ramps, sidewalks, and driveways within the area of potential effect will not result in increased residential density or result in</p>

		properties being converted to residential uses.
<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<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. Site soils are in Map Unit Symbols GbE (Not Prime Farmland) and RaA (Prime farmland if irrigated). RaA designated soils are on southern boundary of the APE and account for approximately 15% of the APE. Although the site contains a listed soil, the site is located in an area committed to urban uses and is therefore exempt. Verified through Web Soil Survey downloaded from the USDA, NRCS website at https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx (accessed 4.1.21).</p>
<p>Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. The presence, or lack of, floodplains in the APE was verified through the FEMA Flood Map Service Center (https://msc.fema.gov/portal/search) on 4/5/21. The community of San Lucas is found on panel 06053C1125G, effective 4/2/09 and is in an Area of Minimal Flood Hazard, Zone X). A copy of the FEMA FIRMette is attached.</p>
<p>Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: Other. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section 106.</p>
<p>Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<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</p>

		regulation. When complete, the project, will not create new noise sensitive uses.
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 closest Sole Source Aquifer is the Fresno Stream Source Zone located approximately 65 miles to the east-northeast.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. The closest emergent wetland is approximately 0.3 miles west of the project and will not be impacted by the project. Proximity to wetlands was verify through the US Fish and Wildlife Service, National Wetlands Inventory (https://www.fws.gov/wetlands/data/Mapper.html) accessed 4/5/21.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. The nearest designated river is the Big Sur. The Big Sur River and its watershed are on the western flanks of the Santa Lucia mountain range, approximately 25 miles west of the project location.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. The proposed curb, gutter, ADA ramp, and drainage swale construction project has no aggregate environmental justice issues identified by EPA EJSCREEN Report (Version 2020) or this NEPA review. EJ data was collected for the Area of Potential Effect, at 0.5, 0.75, and 1-mile radii. The isolated, rural nature of the APE is demonstrated by the values

		<p>for demographic and environmental indicators at the three distances are the same. The APE scores lower on 7 of the 11 environmental indicators than the state, EPA Region and nation. The remaining environmental indicators are all above those found at the state, EPA Region and national levels. With respect to demographic indicators, the APE's population is composed of greater percentages of persons of color; low-income; linguistically isolated; with less than a high school education; and, under 5 years of age than the state, EPA Region, or nation. The proposed project will not make existing environmental justice factors worse. In fact, construction of the proposed improvements may improve environmental justice conditions related to the respiratory hazard index by reducing local sources of dust. The EPA EJSscreen Report was downloaded April 6, 2021 from https://www.epa.gov/ejscreen.</p>
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Mitigation Measures and Conditions [40 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
Historic Preservation	If archeological or cultural resources are discovered, all work will stop until a qualified archeologist can evaluate the resource and develop/implement a plan to	N/A	Stop work within 50 meters of find and consult qualified archeologist	

	preserve or document the resources.		and/or County Coroner as appropriate.	
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Project Mitigation Plan

In the event archaeological resources are encountered during ground disturbing activities, contractor shall temporarily halt or divert excavations within 50 meters of the find until it can be evaluated. All potentially significant deposits shall be evaluated to demonstrate whether the resource is eligible for inclusion on the California Register of Historic Resources. If deposits are encountered, they will be evaluated and mitigated simultaneously in the timeliest manner practicable, allowing for recovery of materials and data by standard archaeological procedures. For prehistoric archaeological sites, this data recovery involves the hand excavated recovery and non-destructive analysis of a small sample of the deposit. Resources shall also be sampled through hand excavation, though architectural features may require careful mechanical exposure and hand excavation. Any previously undiscovered resources found shall be recorded on appropriate CA Dept. of Parks and Rec. forms and evaluated for significance by a qualified Archaeologist. Significant cultural resources consist of but are not limited to stone, bone, glass, ceramics, fossils, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. If the resource is determined significant, a qualified Archaeologist shall prepare and implement a research design and archaeological data recovery plan that will capture those categories of data for which the site is significant in accordance with Section 15064.5 of the CEQA Guidelines. The Archaeologist shall also perform appropriate technical analyses, prepare a comprehensive report complete with methods, results, and recommendations, and provide for the permanent curation of the recovered resources with the exception: All significant cultural materials and or tribal cultural resources recovered shall be, returned to Native American tribes traditionally and culturally affiliated with the area. If human remains (or remains that may be human) are discovered at the project site, Pub. Resource Code Sec. 5097.98 must be followed. All grading or earthmoving activities shall immediately stop within 50 meters of the find. The project proponent shall then inform the Monterey County Coroner, the County Pub. Works Dept, and the County Housing and Comm. Dev. Dep. immediately, and the coroner shall examine the remains as required by CA Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the project proponent shall comply with the state relating to the disposition of Native American burials within the jurisdiction of the Native American Historical Commission (NAHC) (Pub. Resource Code Sec. 5097). The coroner shall contact the NAHC to determine the Most Likely Descendants. The MLD shall complete his or her inspection and make recommendations for treatment within 48 hours of being granted access to the site. The MLD will determine the most appropriate means of treating the human remains and grave artifacts and shall oversee the disposition of the remains. In the event the NAHC is unable to identify an MLD or MLD fails to make a recommendation within 48 hours after being granted access to the site, the landowner, or representative shall rebury the Native American

human remains and grave goods with appropriate dignity within the project area in a location not subject to further subsurface disturbance if: a) the NAHC is unable to identify the MLD or the MLD failed to make a recommendation within 48 hours after being allowed access to the site; b) the MLD identified fails to make a recommendation; or c) the landowner or their representative rejects the recommendation of the descendent, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

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. Del Rey Mesa, a general aviation airport located in King City, CA is approximately 9 miles to the northwest of the community of San Lucas.

Supporting documentation

[King City Airport.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Barrier Resources

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

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.

Screen Summary

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.

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. The community of San Lucas is located in Zone X as indicated on Panel 03053C1125G, effective 4/2/2009.

Supporting documentation

[FIRMETTE_6ebf298d-3425-443e-a1bc-ad8aa617a8a2.pdf](#)

Are formal compliance steps or mitigation required?

San-Lucas-Curb,-Gutter,-&-
Sidewalk-Construction

San Lucas, CA

900000010182285

Yes

✓ No

Air Quality

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

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

Yes

No

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

Screen Summary

Compliance Determination

Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act. Per the EPA Greenbook, Monterey County has no Federal criteria pollutants classified as Nonattainment. Verified by EPA Greenbook "Currently Designated Nonattainment Areas for all Criteria Pollutants at <https://www3.epa.gov/airquality/greenbook/ancl.html#CALIFORNIA> (accessed 4.1.21)

Supporting documentation

[nayro.xlsx](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Zone Management Act

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

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

Yes

No

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

Screen Summary

Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. Verified April 13, 2021, through the California Coastal Commission Coastal Zone Boundary Mapping widget (<https://www.coastal.ca.gov/maps/czb/>).

Supporting documentation

[2021-3-24 - CA Coastal Commission 09CZB_MontereyCounty Coastal Zone Map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Contamination and Toxic Substances

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

1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.

American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
ASTM Phase II ESA
Remediation or clean-up plan
ASTM Vapor Encroachment Screening

None of the Above

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

No

Yes

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. The EPA Cleanups in My Community (<https://www.epa.gov/cleanups/cleanups-my-community#map>) and the EPA NEPAAssist (<https://nepassisttool.epa.gov/nepassist/nepamap.aspx?wherestr=San+Lucas%2C+CA>) websites were accessed on April 6, 2021. These sites identified one brownfields

cleanup, the San Lucas Public Library, within a five-mile radius of the APE. EPA reported that remediation was completed October 20, 2015 and no institutional controls were required. The CalEPA Regulated Site Portal (<https://siteportal.calepa.ca.gov/nsite/map/help>) was accessed on April 1, 2021. Within the five-mile radius from San Lucas, there were 35 regulated sites. Only 2 of these sites are within the APE. Both sites are operated by AT&T mobility and store diesel fuel no. 2 and lead acid batteries to keep the facilities running in the event of a power outage. Neither site had any reported violations or enforcement actions. An Excel spreadsheet that contains all listed sites, affiliations, regulated programs, chemicals, violations, and enforcement actions reported by CalEPA within 5 miles of San Lucas is attached to this environmental review.

Supporting documentation

[Contamination and Toxic Substances.pdf](#)

[CalEPA Regulate Site Portal.xlsx](#)

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. An on-site biological survey has not been prepared for the APE. While listed species may transit the area, the developed nature of the San Lucas community makes it an unsuitable habitat for these species. The USFW Species List identified 7 threatened, endangered, or candidate species that may be found within the APE. The Species List was generated through <https://ecos.fws.gov/ipac/> (accessed 4.1.21). The USFW Critical Habitat map indicates no critical habitat on or near the Project Site (downloaded from <https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77> on 3.31.21)

Supporting documentation

[Endangered Species Act.pdf](#)

[Species List_Ventura Fish And Wildlife Office.pdf](#)

[Critical Habitat for Threatened and Endangered Species - USFWS.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

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

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

No

Yes

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

No

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

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements. Construction of curbs, gutters, ADA access ramps, sidewalks, and driveways within the area of potential effect will not result in increased residential density or result in properties being converted to residential uses.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

San-Lucas-Curb,-Gutter,-&-
Sidewalk-Construction

San Lucas, CA

900000010182285

✓ 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:

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. Site soils are in Map Unit Symbols GbE (Not Prime Farmland) and RaA (Prime farmland if irrigated). RaA designated soils are on southern boundary of the APE and account for approximately 15% of the APE. Although the site contains a listed soil, the site is located in an area committed to urban uses and is therefore exempt. Verified through Web Soil Survey downloaded from the USDA, NRCS website at <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx> (accessed 4.1.21).

Supporting documentation

[20210401_11234811069_8_Soil_Report.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	24 CFR 55

1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]

- 55.12(c)(3)
- 55.12(c)(4)
- 55.12(c)(5)
- 55.12(c)(6)
- 55.12(c)(7)
- 55.12(c)(8)
- 55.12(c)(9)
- 55.12(c)(10)
- 55.12(c)(11)
- None of the above

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

[FIRMETTE_6ebf298d-3425-443e-a1bc-ad8aa617a8a2\(1\).pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

Does your project occur in a floodplain?

- No

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

Yes

Screen Summary

Compliance Determination

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. The presence, or lack of, floodplains in the APE was verified through the FEMA Flood Map Service Center (<https://msc.fema.gov/portal/search>) on 4/5/21. The community of San Lucas is found on panel 06053C1125G, effective 4/2/09 and is in an Area of Minimal Flood Hazard, Zone X). A copy of the FEMA FIRMette is attached.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" 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) Response Period Elapsed

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

- ✓ Amah Mutsun Tribal Band Completed

✓ Amah Mutsun Tribal Band of San Juan Bautista	Completed
✓ CA Native American Her. Comm.	Completed
✓ Costanoan Rumsen Carmel Tribe	Completed
✓ Esselen Tribe of Monterey County	Completed
✓ Indian Canyon Mutsun Band Coastanoan	Completed
✓ Ohlone/Costanoan-Esselen Nation	Completed
✓ Salinan Tribe of Monterey, San Luis Obispo County	Completed
✓ Tule River Indian Tribe	Completed
✓ Xolon-Salinan Tribe	Completed

Other Consulting Parties

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

The California Native American Heritage Commission was contacted for a sacred lands records search and to obtain a list of Native American Tribes that may have knowledge of cultural resources in the project area.

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:

Unincorporated San Lucas, CA roughly bounded by Monterey St. to the west; Julius St./Star Rd./San Benito St. to the north; Mary St. to the east; and Main St. to the South.

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
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Additional Notes:

The CA Office of Historic Preservation's Built Environment Resource Directory (accessed April 5, 2021) associates 14 resources with San Lucas. The listed street names for 13 of the resources are outside the APE. There is no street associated with the 14th resource, however the resource, a CalFire Lookout Station, was not observed within the APE during a site visit on March 8, 2021.

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:

There are no documented archeological or cultural resources within the APE. The Salinian Nation has indicated that there may have been a village within the APE and has requested to be on-site during all soil disturbance activities.

If archeological or cultural resources are discovered, all work will cease until a qualified archeologist can be consulted and the resources documented or preserved.

Does the No Adverse Effect finding contain conditions?

✓ Yes (check all that apply)

Avoidance

Modification of project

✓ Other

Describe conditions here:

If archeological or cultural resources are discovered, all work will stop until a qualified archeologist can evaluate the resource and develop/implement a plan to preserve or document the resources.

No

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: Other. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section 106.

Supporting documentation

[2022-2-28 - SHPO Consultation Portfolio.pdf](#)

[CHRIS-NWIC Consultation Package.pdf](#)

[Native American Consultation Package.pdf](#)

Are formal compliance steps or mitigation required?

San-Lucas-Curb,-Gutter,-&-
Sidewalk-Construction

San Lucas, CA

900000010182285

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

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

Screen Summary

Compliance Determination

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. When complete, the project, will not create new noise sensitive uses.

Supporting documentation

[Fig10dCent_Salinas_Val_NoI.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

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

Yes

No

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 closest Sole Source Aquifer is the Fresno Stream Source Zone located approximately 65 miles to the east-northeast.

Supporting documentation

[Sole Source Aquifer Map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

No

✓ Yes

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. Document and upload a map or any other relevant documentation below which explains your determination

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

Screen Summary

Compliance Determination

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. The closest emergent wetland is approximately 0.3 miles west of the project and will not be impacted by the project. Proximity to wetlands was verify through the US Fish and Wildlife Service, National Wetlands Inventory (<https://www.fws.gov/wetlands/data/Mapper.html>) accessed 4/5/21.

Supporting documentation

[USFWS NWI San Lucas Proximity Map.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. The nearest designated river is the Big Sur. The Big Sur River and its watershed are on the western flanks of the Santa Lucia mountain range, approximately 25 miles west of the project location.

Supporting documentation

[Wild and Scenic River.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

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

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

Yes

No

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

Screen Summary

Compliance Determination

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. The proposed curb, gutter, ADA ramp, and drainage swale construction project has no aggregate environmental justice issues identified by EPA EJSCREEN Report (Version 2020) or this NEPA review. EJ data was collected for the Area of Potential Effect, at 0.5, 0.75, and 1-mile radii. The isolated, rural nature of the APE is demonstrated by the values for demographic and environmental indicators at the three distances are the same. The APE scores lower on 7 of the 11 environmental indicators than the state, EPA Region and nation. The remaining environmental indicators are all above those found at the state, EPA Region and national levels. With respect to demographic indicators, the APE's population is composed of greater percentages of persons of color; low-income; linguistically isolated; with less than a high school education; and, under 5 years of age than the state, EPA Region, or nation. The proposed project will not make existing environmental justice factors worse. In fact, construction of the proposed improvements may improve environmental justice

conditions related to the respiratory hazard index by reducing local sources of dust.
The EPA EJScreen Report was downloaded April 6, 2021 from
<https://www.epa.gov/ejscreen>.

Supporting documentation

[EJSCREEN Report - Half Mile.pdf](#)
[EJSCREEN Report - Three Quarter Mile.pdf](#)
[EJSCREEN Report - One Mile.pdf](#)
[EJSCREEN Report - APE.pdf](#)
[EJSCREEN ACS Summary Report - APE.pdf](#)
[Environmental Justice Factors.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No