

ENVIRONMENTAL REVIEW OVERVIEW

COMMUNITY DEVELOPMENT DIVISION

An Environmental Review is completed by Community Development Division (CDD) staff for a proposed project requesting federal funding. The review considers the potential impact a proposed project could have on the surrounding area, and the impact the surrounding area could have on the proposed project. This review ensures that HUD-funded projects are in compliance with the National Environmental Policy Act (NEPA) and related federal, state, and local laws. These reviews happen before funds are committed to a project but after the project is preliminarily approved through the application review process. Activities (including any type of construction) can not begin until this review is complete. An Environmental Review might also be referred to as “Part 58” based off of the section in the Code of Federal Regulations (CFR) where environmental procedures are found. There are different levels of review based on the type of project or activity proposed.

*Regulations have been tailored to Colorado Springs. Last Updated: August 31, 2020

EXEMPT / CENST (CATEGORICALLY EXCLUDED NOT SUBJECT TO CFR 58.5): PLANNING/SERVICE ACTIVITIES THAT DO NOT HAVE A PHYSICAL IMPACT ON THE ENVIRONMENT



PROJECT OR ACTIVITY TYPES:

- Engineering, Design, Inspections, or Affordable Housing Pre-Development Costs
- Public / Supportive Services
- Technical Assistance & Training
- Administration or Operating Expenses
- Tenant Based Rental Assistance (TBRA)

REGULATIONS THAT APPLY:

REQUIREMENTS ON BACK OF SHEET

CFR 58.6

CEST REVIEW (CATEGORICALLY EXCLUDED SUBJECT TO CFR 58.5): ACTIVITIES THAT USUALLY WILL HAVE A PHYSICAL IMPACT ON THE ENVIRONMENT



PROJECT OR ACTIVITY TYPES:

- Acquisition, Leasing or Disposal of Land
- ADA Modifications
- Public Right-of-Way Improvements
- Small Rehabilitation Projects
- New Residential Construction (1-4 units)

REGULATIONS THAT APPLY:

REQUIREMENTS ON BACK OF SHEET

CFR 58.6

CFR 58.5

ENVIRONMENTAL ASSESSMENT (EA) ACTIVITIES THAT WILL HAVE A SUBSTANTIAL IMPACT ON THE ENVIRONMENT



PROJECT OR ACTIVITY TYPES:

- New Construction of 5+ Units
- Major Rehabilitation

THESE PROJECTS NEED A PHASE 1 ENVIRONMENTAL SITE ASSESSMENT (ESA) BEFORE BEGINNING THE ENVIRONMENTAL REVIEW

- See back of sheet “Site Contamination & Toxins”
- Phase 1 ESAs are reimbursable ONLY if the testing was done AFTER entering into a predevelopment funding agreement with CDD.

REGULATIONS THAT APPLY:

REQUIREMENTS ON BACK OF SHEET

CFR 58.6

CFR 58.5

EA FACTORS

CFR 58.6 REGULATIONS

AIRPORT HAZARDS

Projects should ideally be 15,000 feet from a military airport, or 2,500 feet of a civilian airport.

FLOOD INSURANCE

HUD discourages project development in Special Flood Hazard Areas.

CFR 58.5 REGULATIONS

SITE CONTAMINATION & TOXINS

A check of the site for hazardous or toxic substances that are harmful to people or the environment. This includes testing for lead-based paint. Major construction & rehab projects will need a Phase 1 ESA, a formal report that looks for Recognized Environmental Conditions (RECs) such as petroleum products, on the site.

HISTORIC PRESERVATION

Analysis of the possible impacts to historic properties, objects, and areas. **DO NOT** demolish anything prior to asking for federal funds. New construction usually requires a consultation i.e. letter and review, with the State Historic Preservation Officer. There might be a back and forth with the state that will add time, or halt the project, if the site has historic features.

TRIBAL INTEREST

Analysis of the possible impacts to sites of religious or cultural significance. **DO NOT** dig before asking for federal funds. Projects with ground disturbance will likely need to consult with the Tribal Historic Preservation Officer i.e. letter and review. There might be a back and forth with the Tribes that will add time, or halt the project, if the site is significant.

NOISE ABATEMENT

Calculations are performed on sites to ensure that noise levels are acceptable both indoors and in outdoor gathering spaces. Ideally, all Noise Assessment Locations (NALs) would result at or below 65dB making noise attenuation features unnecessary. NALs with dB levels of 66-75 require noise attenuation to be included within wall construction or site design.

AIR QUALITY

If the project includes demolition or substantial rehab: you must test, removal, and dispose of asbestos containing materials according to State regulations. Sites more than 1 acre, but less than 25 acres must apply for a Construction Activity Permit through El Paso County.

EXPLOSIVE HAZARDS

Analysis of how close the project site is located to hazardous facilities that store, handle, or process substances that are flammable, combustible or explosive.

WETLAND PROTECTION & FLOODPLAIN MANAGEMENT

Project sites can not be located in a wetland or 100-year floodplain as designated by USFWS or FEMA. If available, provide CDD with Civil Engineering drawings with FEMA floodplain depicted. Project sites located in 500-year floodplain are discouraged, but evaluated on a case by case basis.

ENDANGERED SPECIES

Will this project have an impact on endangered/threatened species critical habitat (mostly in North COS Preble Jumping Mouse territory) or migratory birds? Because COS is mostly developed urban land, it is unlikely projects will effect endangered species.

ENVIRONMENTAL JUSTICE

Overall analysis to ensure that all people using or regardless of race, national origin, or income are protected from disproportionate impacts of environmental hazards

ENVIRONMENTAL ASSESSMENT (EA) FACTORS THAT STAFF NEED TO CONSIDER

PURPOSE & NEED

What is the issue the project intends to address?

EXISTING CONDITIONS & TRENDS

Baseline conditions of the area.

ALTERNATIVES

Can this project be located elsewhere and/or different design?

CUMULATIVE IMPACTS

When added to other actions are there adverse effects ?

PLANNING & SITE DESIGN

LUR Approved? Aligned w/ PlanCOS?

SOIL & STORMWATER

Are erosion concerns and stormwater managed?

SUSTAINABILITY

What energy efficiencies are integrated into the design?

EMPLOYMENT & INCOME

Will jobs be created?

SITE SAFETY

Are there other hazards near or around the site?

EDUCATIONAL & COMMERCIAL FACILITIES

Is there capacity?

DISPLACEMENT

Will businesses or people be forced to move?

HEALTH CARE & SOCIAL SERVICES

Are services provided?

LANDFILL MANAGEMENT

How will const. material be diverted from landfills?

PUBLIC SAFETY

Are there adequate response times to the project site?

PARKS, TRAILS, & OPEN SPACE

Is there access?

TRANSPORTATION

Is there access to multiple transportation types?

AIRPORT HAZARDS

Is this project or service within 15,000 feet of a military airport, or 2,500 feet of a civilian airport?

FLOOD INSURANCE

If the project or activity located within a Special Flood Hazard Area you will need flood insurance.

AIR QUALITY

Will this project add carbon monoxide emissions to Colorado Springs? If the project is not construction or rehabilitation, this regulation likely does not apply.

SITE CONTAMINATION & TOXINS

Check the site for hazardous or toxic substances that are harmful to people or the environment.

ENDANGERED SPECIES

Will this project have an impact on listed endangered/threatened species critical habitat (mostly in North COS) or migratory birds?

EXPLOSIVE HAZARDS

How close is the project site located to hazardous facilities that store, handle, or process substances that are flammable, combustible or explosive?

HISTORIC PRESERVATION

Analysis of the possible impacts to historic properties and areas. DO NOT demolish anything prior to asking for federal funds. New construction usually requires consultation with the State.

TRIBAL INTEREST

Analysis of the possible impacts to tribal cultural or religious areas of significance. DO NOT dig before you ask for federal funds. Usually requires consultation Indian Tribes.

NOISE ABATEMENT

If your project is located close to busy roads, train tracks, and other noise generators it will likely require noise mitigation techniques.

WETLAND PROTECTION & FLOODPLAIN MANAGEMENT

Project sites can not be located in a wetland or 100 - year floodplain as designated by USFWS or FEMA.

ENVIRONMENTAL JUSTICE

Does this project ensure that all people regardless of race, national origin, or income are protected from disproportionate impacts of environmental hazards?

PURPOSE & NEED

What is the issue the project intends to address?

EXISTING CONDITIONS & TRENDS

What is the baseline condition of the area? What trends will continue without the project?

ALTERNATIVES

If there are negative impacts to the environment or community, can the project be located elsewhere?

CUMULATIVE IMPACTS

When added to past or future actions, does the project adversely affect the environment?

PLANNING & SITE DESIGN

Is this project approved by Land Use Review and does it align with the vision of PlanCOS?

SOIL & STORMWATER

Is the project located on a steep slope? How will stormwater be managed on site?

SUSTAINABILITY

What energy efficiencies are integrated into the building design?

EMPLOYMENT & INCOME

Will the project create employment opportunities for tenants or nearby residents?

SITE SAFETY

Are there hazards on or near the site that are natural or man-made, or nuisances that will affect residents?

EDUCATIONAL & COMMERCIAL FACILITIES

Do nearby schools and have enough capacity? Is there easy access to grocery/retail?

DEMOGRAPHICS & DISPLACEMENT

Will businesses or people be displaced because of this project? What are the demographics of the area?

HEALTH CARE & SOCIAL SERVICES

Will social services be offered on-site? Are non-emergency services less than 30 minutes?

LANDFILL MANAGEMENT

How will the project divert construction material from landfills? Will residents have access to recycling?

PUBLIC SAFETY

Is there adequate emergency response times and local capacity to serve the project?

PARKS, TRAILS, & OPEN SPACE

Are recreational and cultural facilities that serve the anticipated residents located near the project?

ACCESS TO TRANSPORTATION

Is there access to multiple transportation types from the site?