



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 Carlos Park CDBG-DR Project

Responsible Entity: Lee County, FL

Grant Recipient (if different than Responsible Entity): N/A

State/Local Identifier: N/A

Preparer: Clare Dennehy

Certifying Officer Name and Title: Kevin Ruane, Board Chair, Lee County Board of County Commissioners

Grant Recipient (if different than Responsible Entity): N/A

Consultant (if applicable): N/A

Direct Comments to: Clare Dennehy

Project Location:

Project located in the San Carlos Park Neighborhood within unincorporated Lee County, FL. All work will be done in the low-income areas of San Carlos Park, generally east of US 41 and between Alico Road and San Carlos Boulevard.

Specific streets where sidewalks will be repaired are San Carlos Blvd, Sanibel Blvd, Iris Road, Constitution Circle, Constitution Blvd, Cypress Point Road, Winged Foot Drive, Pebble Beach Road and Rockefeller Circle.

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

This project consists of sidewalk repairs and drainage improvements. Proposed repairs in the Lee County right-of-way include driveway pipes and sidewalks, which are important assets for housing access, safety, and value. Drainage system improvements will include Irma-related silt and vegetation removal from canals, ditches, and drainage pipes to eliminate flow constrictions. This work will provide safety and protect home values for these predominantly owner-occupied, workforce, and retiree households. CDBG-DR-Infrastructure funds will allow the County to

complete restoration by clearing structural and debris constrictions in the drainage system that, if left, will negatively affect low-mod households during severe weather.

Level of Environmental Review Determination:

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

1- Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are already in place and will be retained in the same use without change in size or capacity for more than 20 percent.

Examples:

- Replacement of water or sewer lines
- Reconstruction of curbs and sidewalks
- Repaving of streets

Funding Information

Grant Number	HUD Program	Funding Amount
IR014	CDBG-DR	\$7,119,293.14

Estimated Total HUD Funded Amount: \$7,119,293.14

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$7,119,293.14

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

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not located near an airport. See attached worksheet and map.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project will not directly affect land or water of the coastal barrier resources and

Improvement Act of 1990 [16 USC 3501]		costal zones. See attached worksheet and map.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	All county maintained infrastructure is insured. This project does not require flood insurance or is exempt from flood insurance. See attached worksheet and map.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	There are no activities that require additional evaluation and this project is in compliance with the Clean Air Act. See attached worksheet and map.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not located in a Coastal Zone and will not directly affect land or water of coastal barrier resources. See attached worksheet.
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is not located near an EPA Superfund Site, a toxic or solid –waste landfill site, or by any underground storage tanks. See attached worksheet and initial maps.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project will have no effect on listed or proposed species, and designated or proposed critical habitat. See attached worksheets, letter of determination and map.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	There are no known chemical / materials in the area. EPA monitored sites primarily consist of service industry businesses that support the immediate area. See attached worksheet and EJSscreen report.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is exempt from Farmlands Protection Policy Act, as it is replacing and maintaining existing structures. See attached worksheet and maps.
Floodplain Management	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is located in a floodplain and the 8 Step Decision Making Process has been completed. The activities carried out are maintaining and replacing existing

Executive Order 11988, particularly section 2(a); 24 CFR Part 55		infrastructure and therefore do not require further mitigation. See attached worksheet, map, 8-step process, and 2 affidavits of publication from both the early and complete notices.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This site is not located in a historic district or a place where historic events have taken place. See attached worksheet and notices of approval from the State Historic Preservation Office and The Muscogee Tribe Historic and Cultural Preservation Department.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is repairing existing infrastructure and will not result in an area for congregation or habitation. Noise abatement is not an issue. See attached worksheet.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not within the boundaries of a designated Sole Source Aquifer. See attached worksheet and map.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is considered practicable as the project will not fill or degrade wetlands. See attached worksheet and map.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project will not impact any rivers or river segments that have been designated as wild, scenic or recreational. See attached worksheet and map.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The San Carlos Park neighborhood is a low to moderate income area and it features 44% minority populations. Project intended to reduce flood risk and preserve affordable housing stock low-mod income populations. See attached worksheet and map.

Field Inspection (Date and completed by): The field inspection was completed on 03/06/2020
by Phil Gillogly, Project Manager.

Summary of Findings and Conclusions:

In summary, no formal mitigation efforts are anticipated. The project is anticipated to have no
significant impact on the environment.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

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

Law, Authority, or Factor	Mitigation Measure
Not Applicable	Not Applicable

Determination:

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

Preparer Signature: Clare Dennehy Date: 7/19/2021

Name/Title/Organization: Clare Dennehy / Grants Compliance Analyst / Lee County

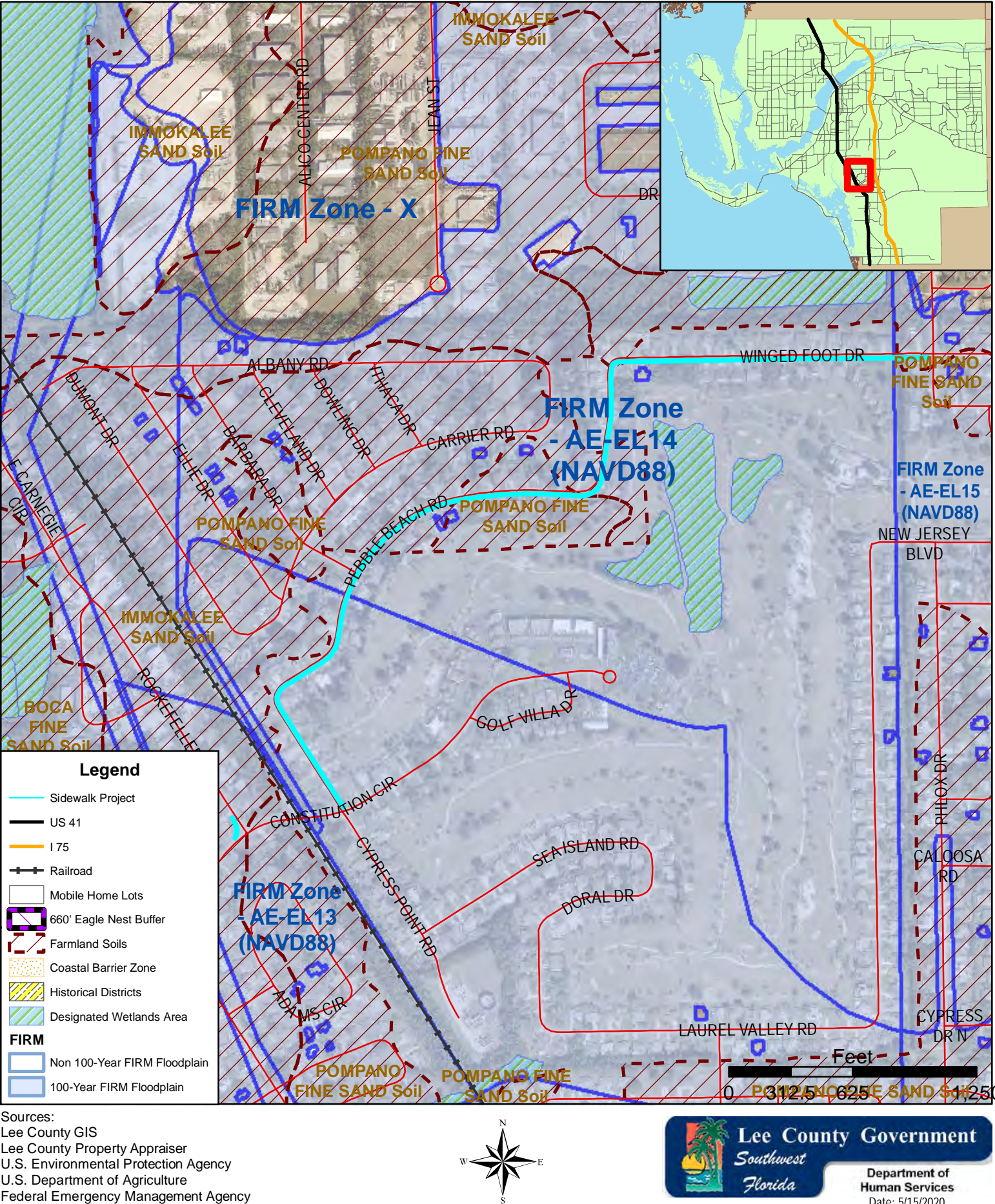
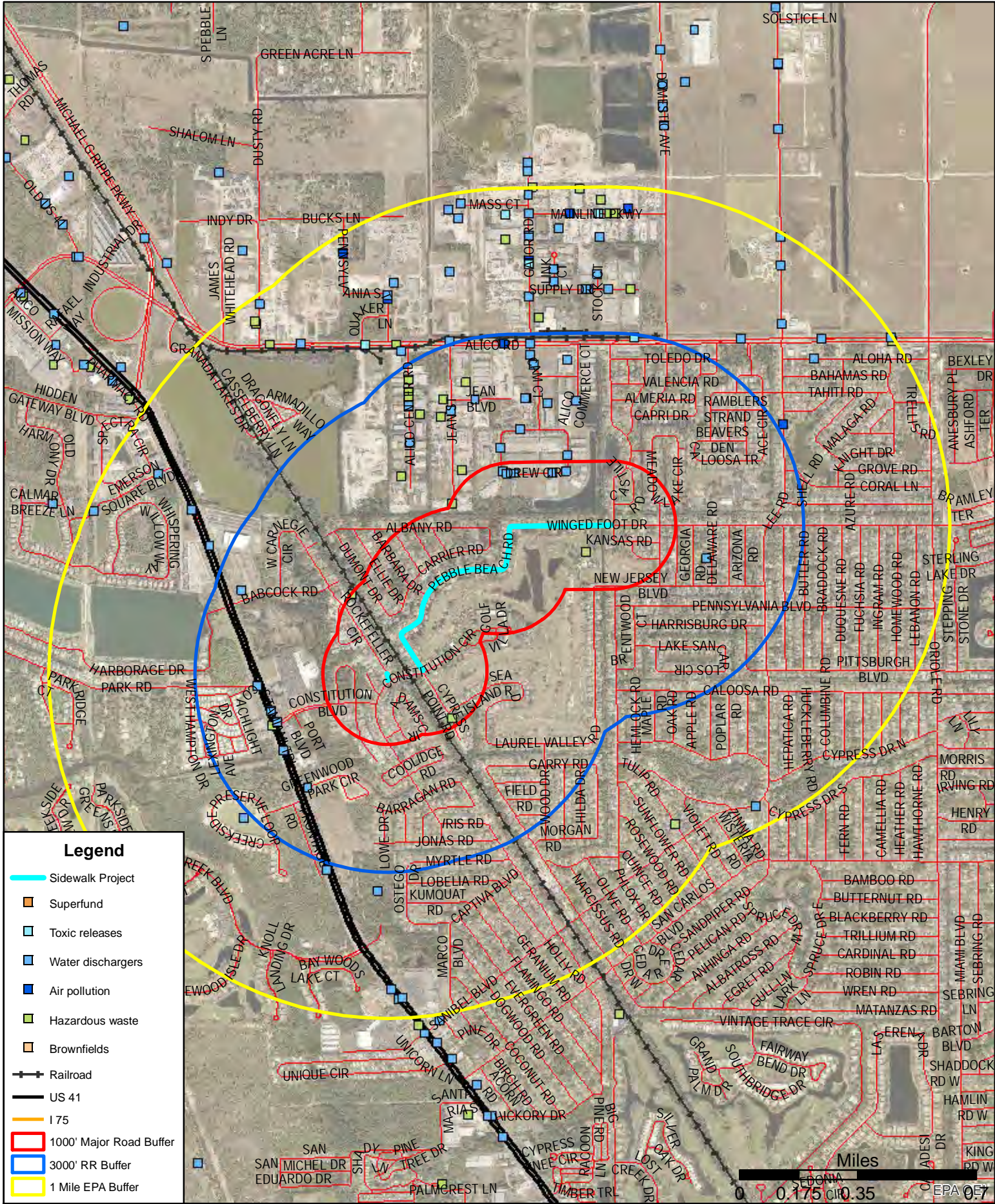
Responsible Entity Agency Official Signature:

 Date: 07202021

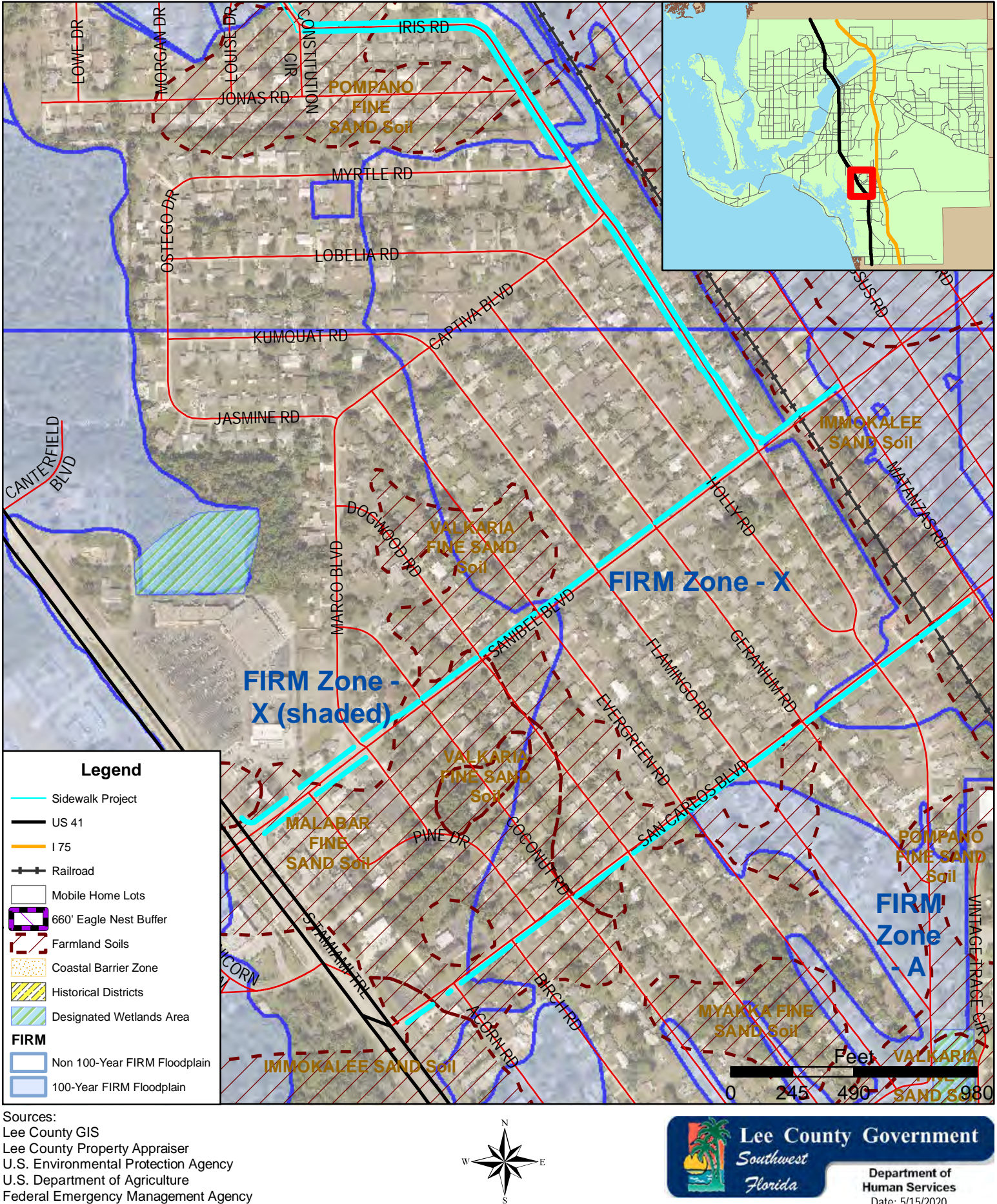
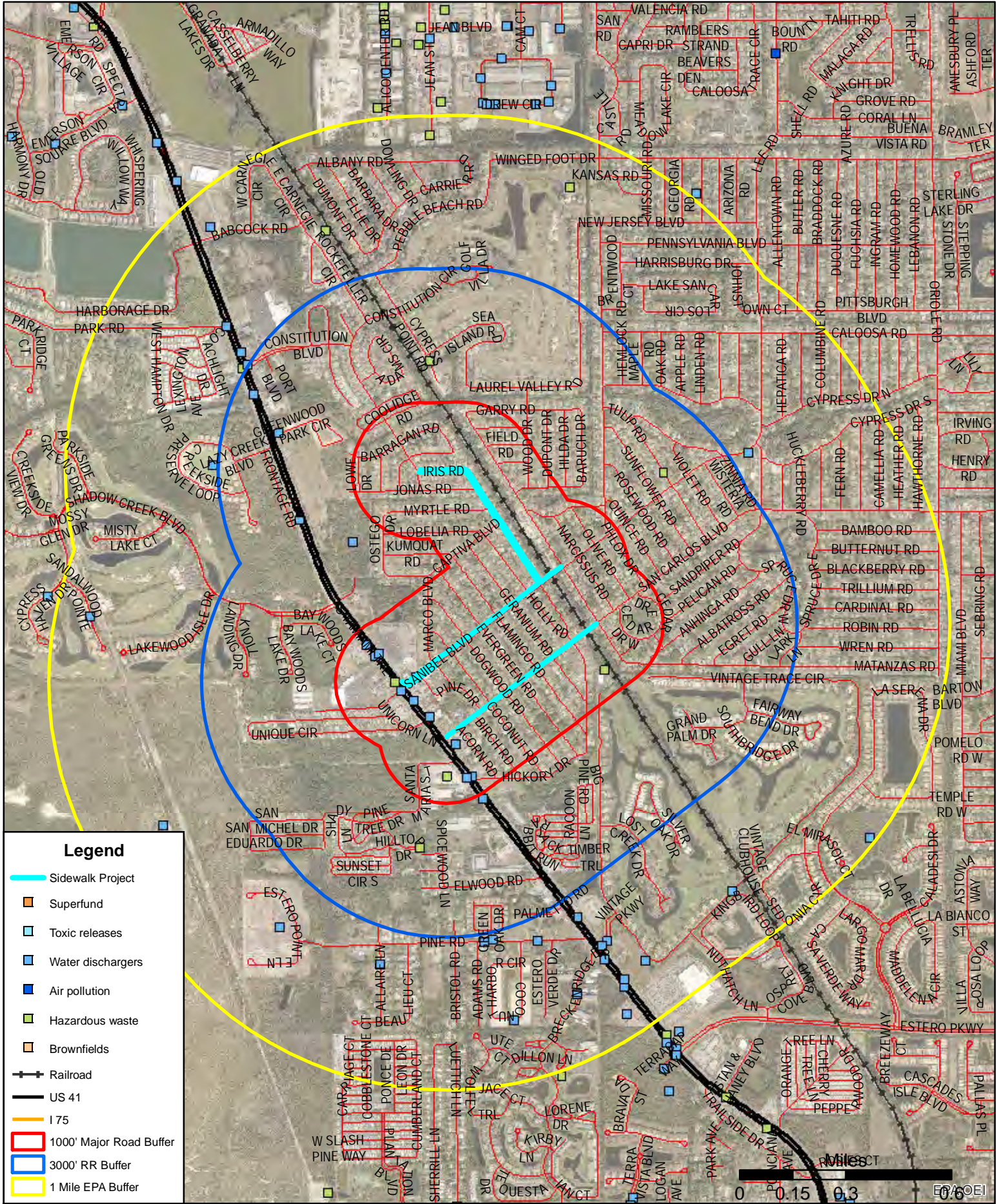
Name/Title: Kevin Ruzo, Chairman

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

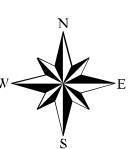
Cypress Point Rd, Winged Foot Dr, Peeble Beach Rd, Rockefeller Cir Sidewalk Project
Fort Myers, FL 33967



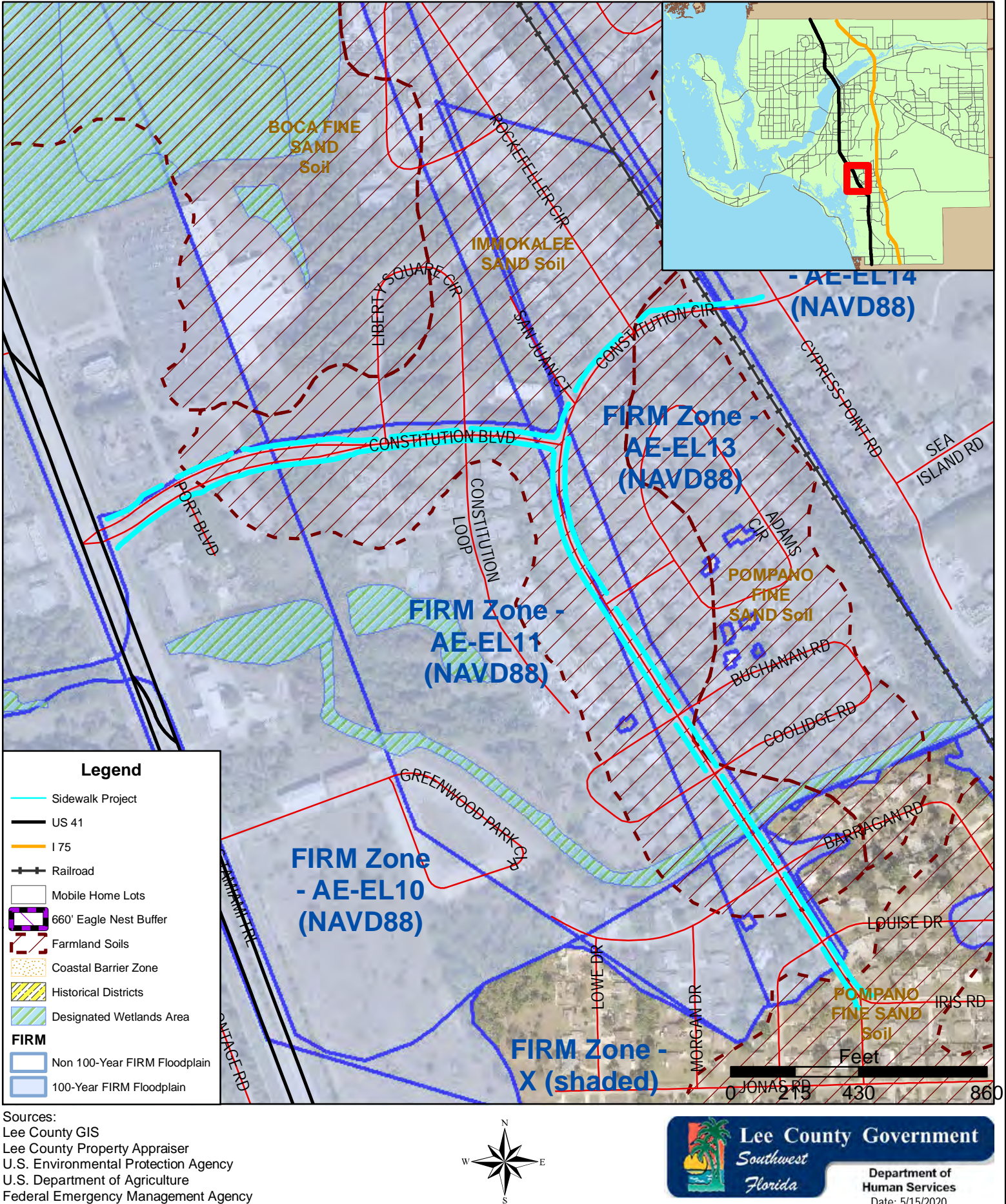
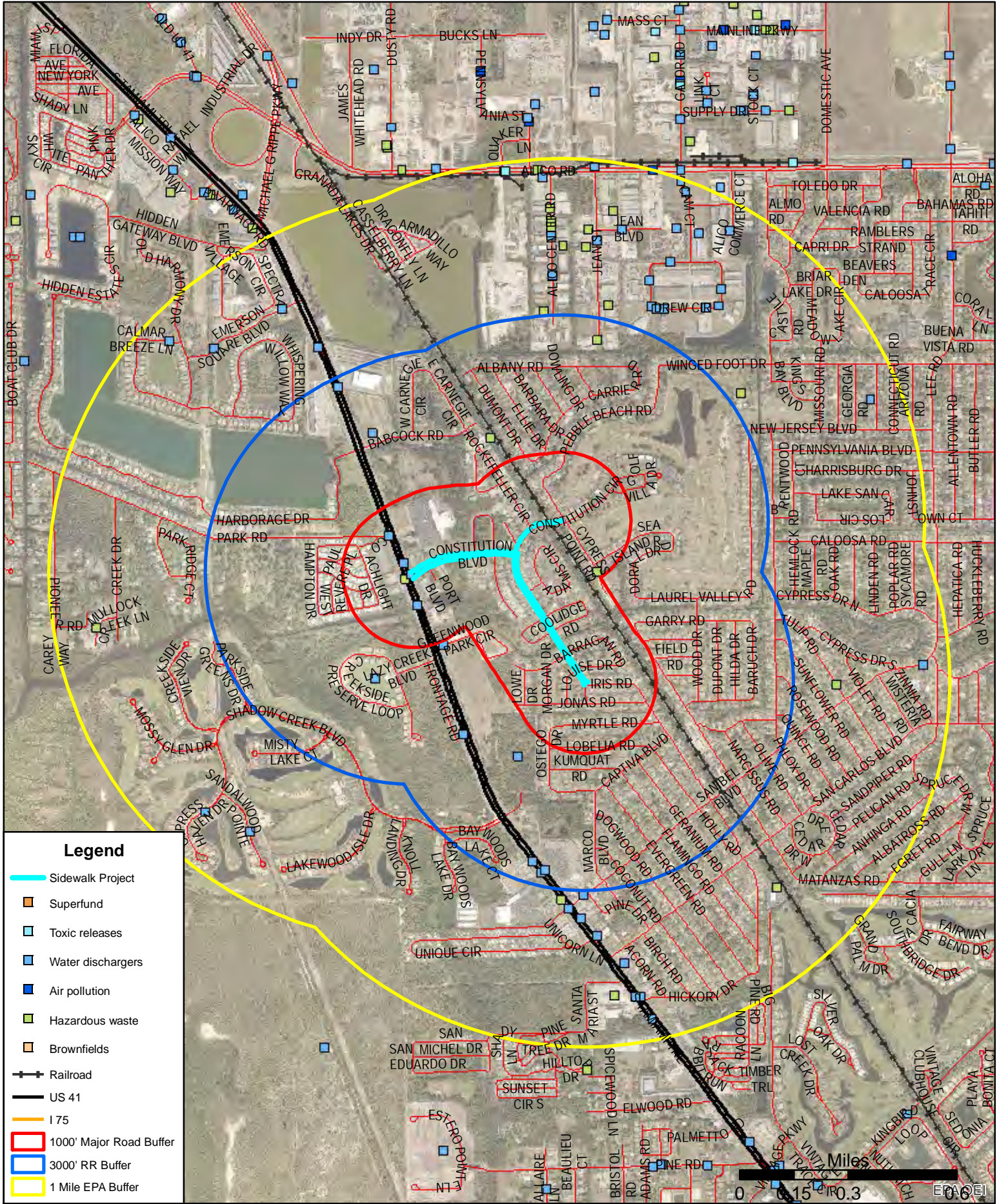
San Carlos Blvd, Sanibel Blvd, Iris Rd Sidewalk Project
Fort Myers, FL 33967



Sources:
Lee County GIS
Lee County Property Appraiser
U.S. Environmental Protection Agency
U.S. Department of Agriculture
Federal Emergency Management Agency



Constitution Cir, Constitution Blvd Sidewalk Project
Fort Myers, FL 33967



Airport Hazards (CEST and EA)

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D
References		
https://www.hudexchange.info/environmental-review/airport-hazards		

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

☒ No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within the applicable distances to a military or civilian airport.*

☐ Yes → *Continue to Question 2.*

2. Is your project located within a Runway Potential Zone/Clear Zone (RPZ/CZ) or Accident Potential Zone (APZ)?

☐ Yes, project is in an APZ → *Continue to Question 3.*

☐ Yes, project is an RPZ/CZ → *Project cannot proceed at this location.*

☐ No, project is not within an APZ or RPZ/CZ

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within either zone.*

3. Is the project in conformance with DOD guidelines for APZ?

☐ Yes, project is consistent with DOD guidelines without further action.

Explain how you determined that the project is consistent:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

☐ No, the project cannot be brought into conformance with DOD guidelines and has not been approved. → *Project cannot proceed at this location.*

- ☐ Project is not consistent with DOD guidelines, but it has been approved by Certifying Officer or HUD Approving Official.

Explain approval process:

If mitigation measures have been or will be taken, explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

The attached map shows the site is not within the applicable distances to a military or civilian airport. No additional parties were consulted or region requirements.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

San Carlos Park Project Airport Proximity

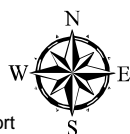


Project Location

2,500ft Buffer

15,00ft Buffer

Southwest Florida International Airport



Feet
0 4,100 8,200 16,400



Date: 6/11/2021

Coastal Barrier Resources (CEST and EA)

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	
References		
https://www.hudexchange.info/environmental-review/coastal-barrier-resources		

Projects located in the following states must complete this form.

Alabama	Georgia	Massachusetts	New Jersey	Puerto Rico	Virgin Islands
Connecticut	Louisiana	Michigan	New York	Rhode Island	Virginia
Delaware	Maine	Minnesota	North Carolina	South Carolina	Wisconsin
Florida	Maryland	Mississippi	Ohio	Texas	

1. Is the project located in a CBRS Unit?

☒ No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.*

☐ Yes → *Continue to Question 2.*

Federal assistance for most activities may not be used at this location. You must either choose an alternate site or cancel the project. In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see [16 USC 3505](#) for exceptions to limitations on expenditures).

2. Indicate your selected course of action.

☐ After consultation with the FWS the project was given approval to continue
 → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map and documentation of a FWS approval.*

☐ Project was not given approval
Project cannot proceed at this location.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

The attached map shows this activity is not located within any units of the Coastal Barrier Resources System or otherwise protected areas. No additional parties were consulted. No additional requirements specific to the Lee County region are applicable.

Are formal compliance steps or mitigation required?

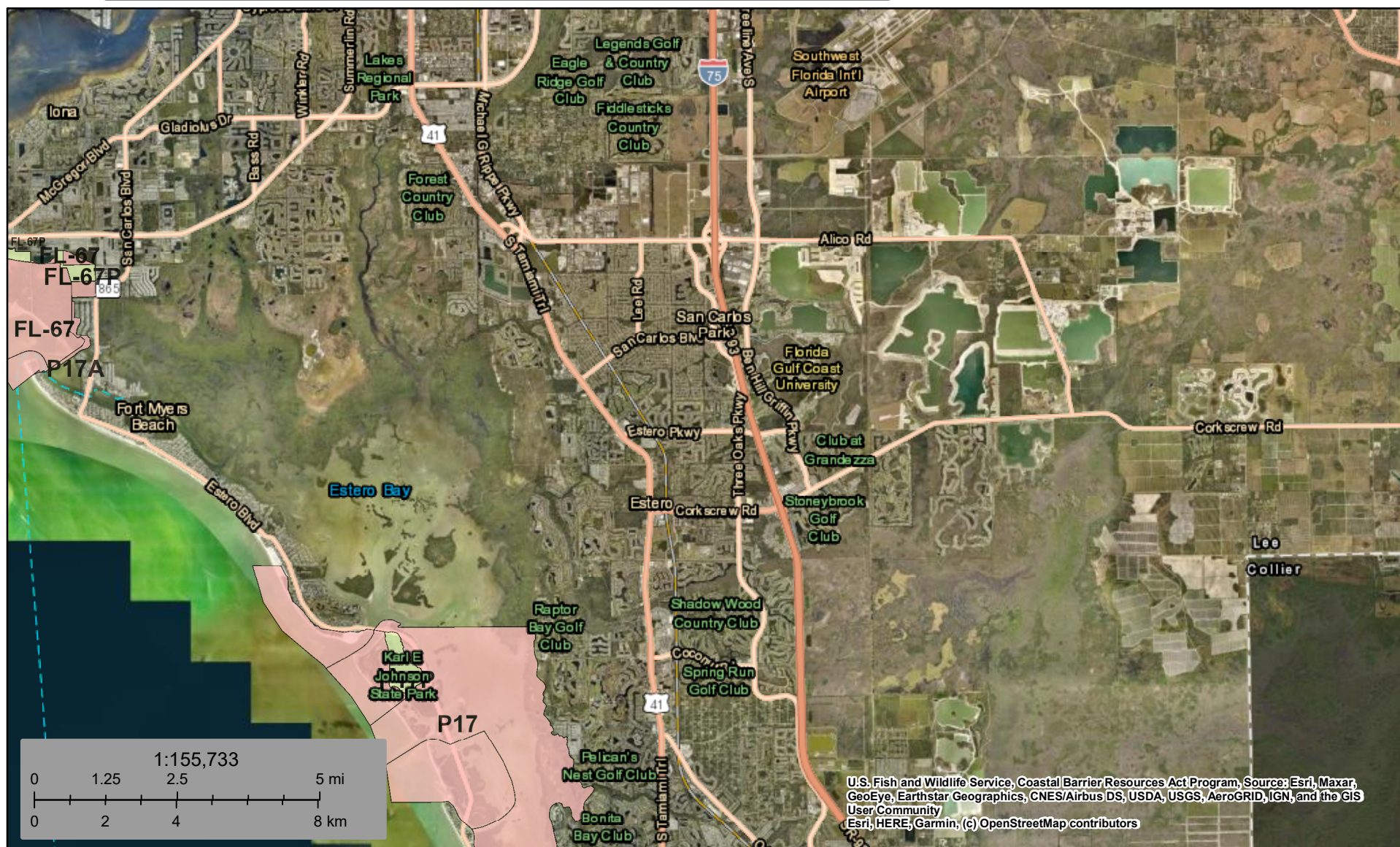
☐ Yes

☒ No



U.S. Fish and Wildlife Service Coastal Barrier Resources System

San Carlos Park CBRSM



April 23, 2021

CBRS Units

- Otherwise Protected Area
- System Unit

This map is for general reference only. The Coastal Barrier Resources System (CBRS) boundaries depicted on this map are representations of the controlling CBRS boundaries, which are shown on the official maps, accessible at <https://www.fws.gov/cbra/maps/index.html>. All CBRS related data should be used in accordance with the layer metadata found on the CBRS Mapper website.

The CBRS Buffer Zone represents the area immediately adjacent to the CBRS boundary where users are advised to contact the Service for an official determination (<http://www.fws.gov/cbra/Determinations.html>) as to whether the property or project site is located "in" or "out" of the CBRS.

CBRS Units normally extend seaward out to the 20- or 30-foot bathymetric contour (depending on the location of the unit). The true seaward extent of the units is not shown in the CBRS mapper.

Flood Insurance (CEST and EA)

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

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

☒ No. This project does not require flood insurance or is excepted from flood insurance. → *Continue to the Worksheet Summary.*

☐ Yes → *Continue to Question 2.*

2. Provide a FEMA/FIRM map showing the site.

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

☐ No → *Continue to the Worksheet Summary.*

☐ Yes → *Continue to Question 3.*

3. Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?

☐ Yes, the community is participating in the National Flood Insurance Program.

For loans, loan insurance or loan guarantees, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less

Provide a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance.

→ *Continue to the Worksheet Summary.*

- ☐ Yes, less than one year has passed since FEMA notification of Special Flood Hazards.
If less than one year has passed since notification of Special Flood Hazards, no flood Insurance is required.

→ *Continue to the Worksheet Summary.*

- ☐ No. The community is not participating, or its participation has been suspended.

Federal assistance may not be used at this location. Cancel the project at this location.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

This project does not require flood insurance, as it does not involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property.

Are formal compliance steps or mitigation required?

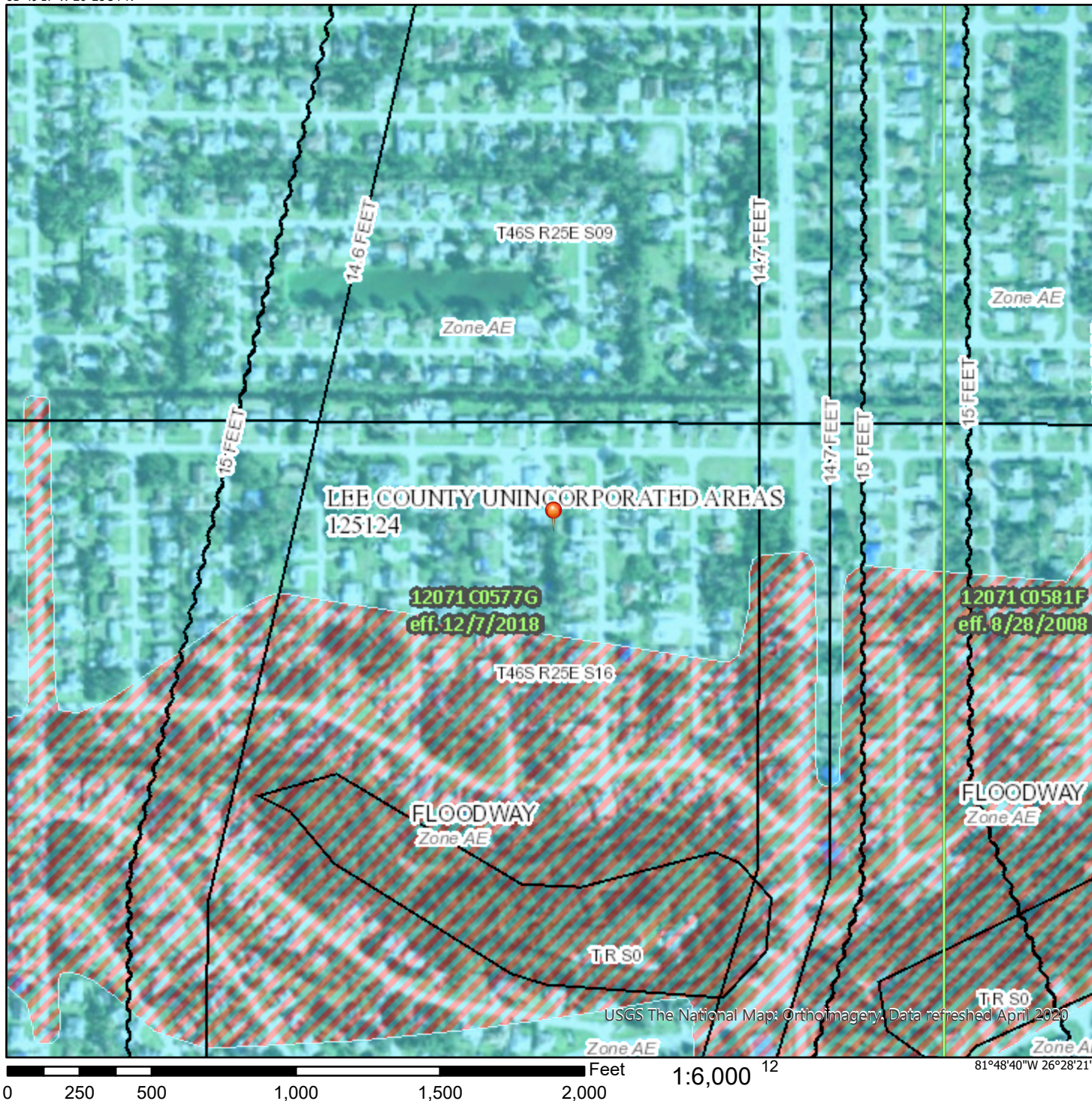
☐ Yes

☒ No

National Flood Hazard Layer FIRMette



81°49'17"W 26°28'54"N



Legend

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

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

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

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

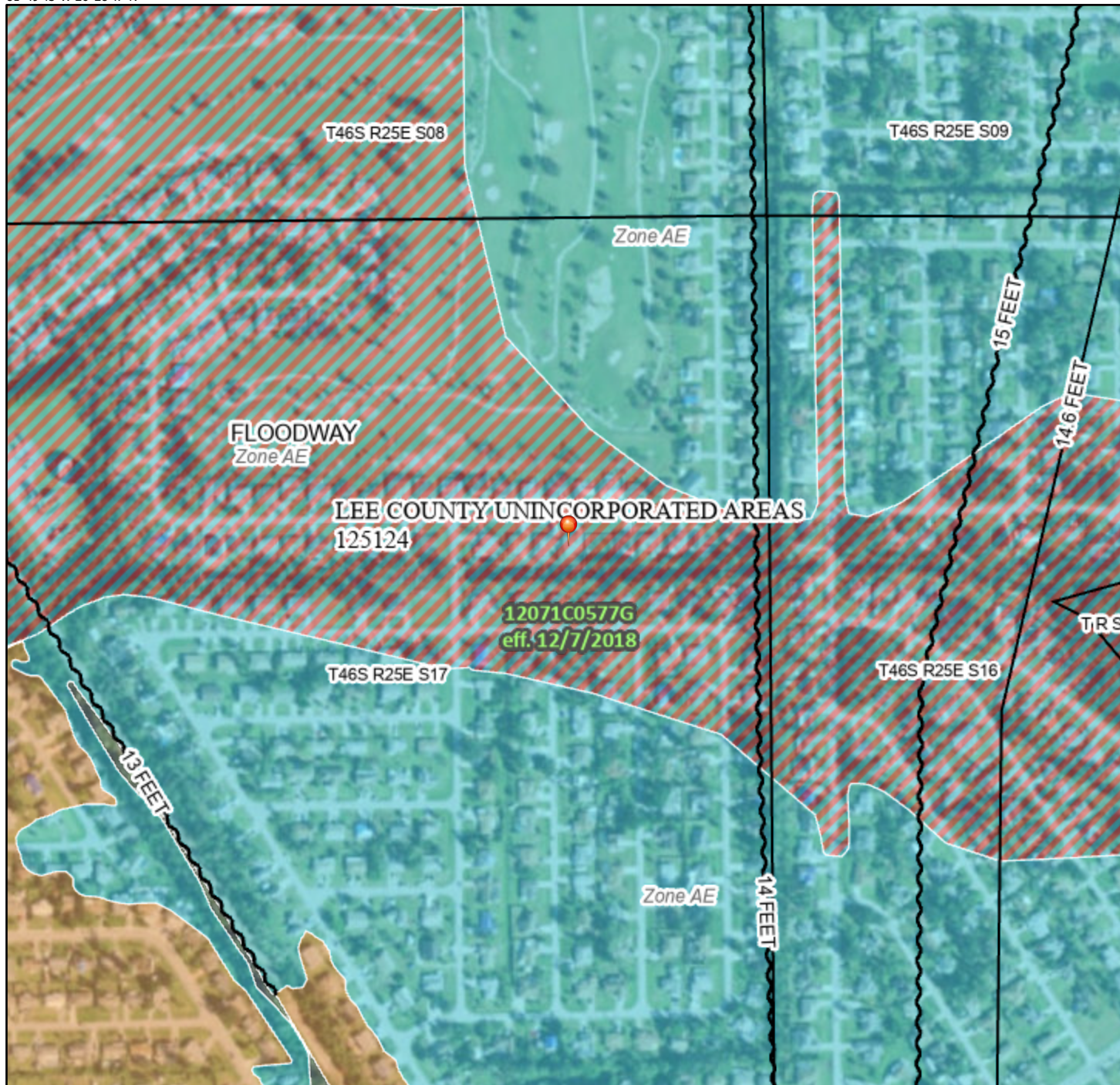
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/29/2020 at 3:02 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

National Flood Hazard Layer FIRMette



81°49'43"W 26°28'47"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000 13 81°49'6"W 26°28'15"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

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

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



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

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 5/10/2021 at 10:04 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

FEMA Flood Map Service Center: Search By Address

Navigation

Search

Languages

Enter an address, place, or coordinates: 

San Carlos Park

Search

Whether you are in a high risk zone or not, you may need [flood insurance](https://www.fema.gov/national-flood-insurance-program) (<https://www.fema.gov/national-flood-insurance-program>) because most homeowners insurance doesn't cover flood damage. If you live in an area with low or moderate flood risk, you are 5 times more likely to experience flood than a fire in your home over the next 30 years. For many, a National Flood Insurance Program's flood insurance policy could cost less than \$400 per year. Call your insurance agent today and protect what you've built.

Learn more about [steps you can take](https://www.fema.gov/what-mitigation) (<https://www.fema.gov/what-mitigation>) to reduce flood risk damage.

Search Results—Products for LEE COUNTY UNINCORPORATED AREAS

Show ALL Products » (<https://msc.fema.gov/portal/availabilitySearch?addcommunity=125124&communityName=LEE COUNTY UNINCORPORATED AREAS#searchresultsanchor>)

The flood map for the selected area is number **12071C0581F**, effective on **08/28/2008** 

DYNAMIC MAP



MAP IMAGE



[https://msc.fema.gov/portal/downloadProduct?](https://msc.fema.gov/portal/downloadProduct?productTypeID=FINAL_PRODUCT&productSubTypeID=FIRM_PANEL&productID=12071C0581F)

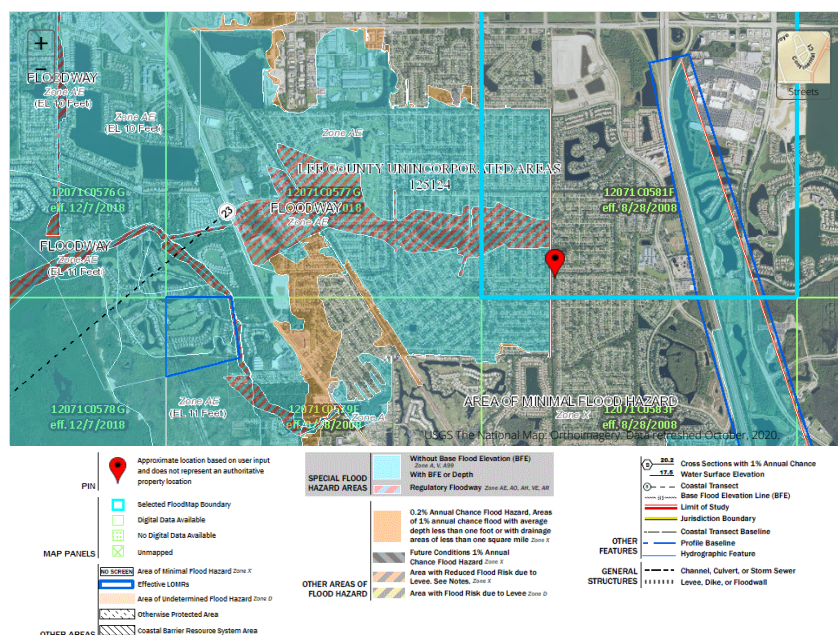
[productTypeID=FINAL_PRODUCT&productSubTypeID=FIRM_PANEL&productID=12071C0581F](https://msc.fema.gov/portal/downloadProduct?productTypeID=FINAL_PRODUCT&productSubTypeID=FIRM_PANEL&productID=12071C0581F)


Changes to this FIRM

- Revisions (1)
- Amendments (112)
- Revalidations (1)

You can choose a new flood map or move the location pin by selecting a different location on the locator map below or by entering a new location in the search field above. It may take a minute or more during peak hours to generate a dynamic FIRMette. If you are a person with a disability, are blind, or have low vision, and need assistance, please contact a map specialist (<https://msc.fema.gov/portal/resources/contact>).

Go To NFHL Viewer » (<https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-81.82603102661186,26.46081595555816,-81.78448>)



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

 Official website of the Department of Homeland Security

Air Quality (CEST and EA)

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

Scope of Work

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

☐ Yes → Continue to Question 2.

☒ No Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

Air Quality Attainment Status of Project's County or Air Quality Management District

2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

Follow the link below to determine compliance status of project county or air quality management district:

<http://www.epa.gov/oaqps001/greenbk/>

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

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

☐ Yes, project's management district or county is in non-attainment or maintenance status for one or more criteria pollutants.

Describe the findings:

3. Determine the estimated emissions levels of your project for each of those criteria pollutants that are in non-attainment or maintenance status on your project area. Will your project exceed any of the *de minimis* or *threshold* emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?

☐ No, the project will not exceed *de minimis* or threshold emissions levels or screening levels

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Explain how you determined that the project would not exceed *de minimis* or threshold emissions.

☐ Yes, the project exceeds *de minimis* emissions levels or screening levels.

→ Continue to Question 4. Explain how you determined that the project would not exceed *de minimis* or threshold emissions in the Worksheet Summary.

4. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

This project does not include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units. There is an attached Clean Air map of the project locations. Additionally, there is an attached chart indicating Lee County has been designated attainment since 1992 and is therefore not “Nonattainment” or “Maintenance”.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No



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

Data is current as of April 30, 2021

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

* The 1997 Primary Annual PM-2.5 NAAQS (level of 15 µg/m³) is revoked in attainment and maintenance areas for that NAAQS. For additional information see the PM-2.5 NAAQS SIP Requirements Final Rule, effective October 24, 2016. (81 FR 58009)

Change the State:

FLORIDA ▼ GO

Important Notes

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

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/Part County	Population (2010)	State/County FIPS Codes
FLORIDA								
Broward County	1-Hour Ozone (1979)-NAAQS revoked	Miami-Fort Lauderdale-W. Palm Beach, FL	929394	04/25/1995	Moderate	Whole	1,748,066	12/011
Duval County	1-Hour Ozone (1979)-NAAQS revoked	Jacksonville, FL	929394	03/06/1995	Section 185A	Whole	864,263	12/031
Hillsborough County	1-Hour Ozone (1979)-NAAQS revoked	Tampa-St. Petersburg-Clearwater, FL	92939495	02/05/1996	Marginal	Whole	1,229,226	12/057
Hillsborough County	Lead (2008)	Tampa, FL	1011121314151617	10/11/2018		Part	4,128	12/057
Hillsborough County	Sulfur Dioxide (2010)	Hillsborough County, FL	131415161718	12/12/2019		Part	17,477	12/057
Hillsborough County	Sulfur Dioxide (2010)	Hillsborough-Polk County, FL	1819	03/23/2020		Part	2,054	12/057

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/ Part County	Population (2010)	State/ County FIPS Codes
Miami-Dade County	1-Hour Ozone (1979)-NAAQS revoked	Miami-Fort Lauderdale-W. Palm Beach, FL	929394	04/25/1995	Moderate	Whole	2,496,435	12/086
Nassau County	Sulfur Dioxide (2010)	Nassau County, FL	131415161718	05/24/2019		Part	6,217	12/089
Palm Beach County	1-Hour Ozone (1979)-NAAQS revoked	Miami-Fort Lauderdale-W. Palm Beach, FL	929394	04/25/1995	Moderate	Whole	1,320,134	12/099
Pinellas County	1-Hour Ozone (1979)-NAAQS revoked	Tampa-St. Petersburg-Clearwater, FL	92939495	02/05/1996	Marginal	Whole	916,542	12/103
Polk County	Sulfur Dioxide (2010)	Hillsborough-Polk County, FL	1819	03/23/2020		Part	137	12/105

Important Notes

Discover.

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2021-04-30

Coastal Zone Management Act (CEST and EA)

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

Projects located in the following states must complete this form.

Alabama	Florida	Louisiana	Mississippi	Ohio	Texas
Alaska	Georgia	Maine	New Hampshire	Oregon	Virgin Islands
American Samona	Guam	Maryland	New Jersey	Pennsylvania	Virginia
California	Hawaii	Massachusetts	New York	Puerto Rico	Washington
Connecticut	Illinois	Michigan	North Carolina	Rhode Island	Wisconsin
Delaware	Indiana	Minnesota	Northern Mariana Islands	South Carolina	

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

☒ Yes → Continue to Question 2.

☐ No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.

2. Does this project include activities that are subject to state review?

☐ Yes → Continue to Question 3.

☒ No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.

3. Has this project been determined to be consistent with the State Coastal Management Program?

☐ Yes, with mitigation. → Continue to Question 4.

☐ Yes, without mitigation. → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.

☐ No, project must be canceled.

Project cannot proceed at this location.

4. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the State Coastal Management Program letter of consistency) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

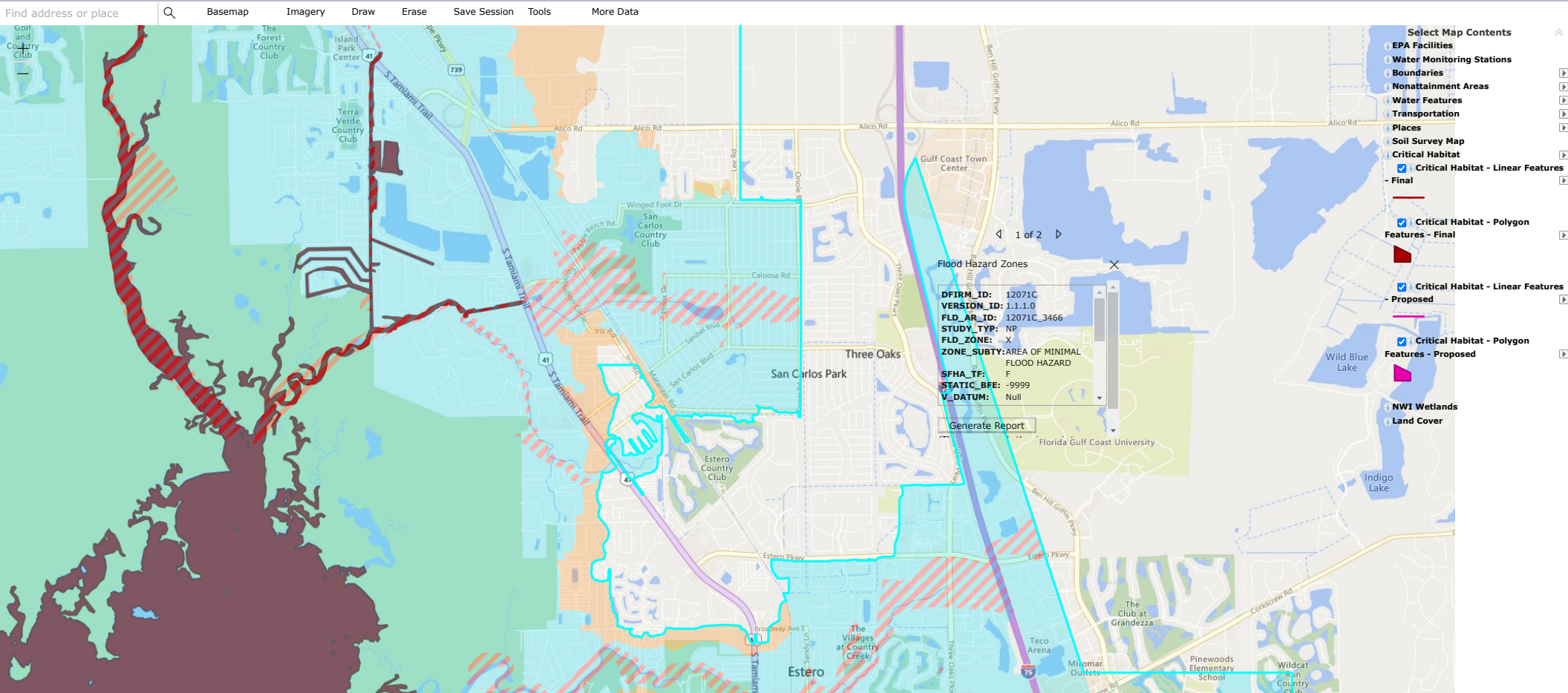
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The entire state of Florida is considered to be a Coastal Zone. This project does not include activities that are subject to a state review. This project will not significantly affect coastal waters and the adjacent shore lands of the state. Map is provided on the following page.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No



Contamination and Toxic Substances (Single Family Properties)

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

- 1. Evaluate the site for contamination. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property?**

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

☒ No

Explain:

There are no 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. The site is not a single family property, but rather the sidewalks and canals within a neighborhood.

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

☐ Yes

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

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

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

2. Mitigation

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

Can adverse environmental impacts be mitigated?

☐ Adverse environmental impacts cannot feasibly be mitigated

→ Project cannot proceed at this location.

☐ Yes, adverse environmental impacts can be eliminated through mitigation.

→ *Provide all mitigation requirements² and documents. Continue to Question 3.*

3. Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls³, or use of institutional controls⁴.

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

² Mitigation requirements include all clean-up actions required by applicable federal, state, tribal, or local law. Additionally, provide, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

³ Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, without limitation, caps, covers, dikes, trenches, leachate collection systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, without limitation, slurry walls and ground water pumping systems.

⁴ Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.

- ☐ Complete removal
- ☐ Risk-based corrective action (RBCA)
- ☐ Other

→ Continue to the Worksheet Summary.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

There are no 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. The site is not a single family property, but rather the sidewalks and canals within a neighborhood.

Are formal compliance steps or mitigation required?

- ☐ Yes
- ☒ No

Toxic Chemicals and Radioactive Materials

24 CFR Part 58

General Requirements	Legislation	Regulation
All property proposed for use in HUD programs must be free of hazardous materials, contamination, toxic chemicals and gasses and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.	Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended by Superfund Amendments and Reauthorization Act	24 CFR 58.5(i)

You are required to consider all hazards that could affect the health and safety of occupants and use current techniques by qualified professionals to undertake investigations determined necessary. This checklist tool is intended as guidance only and does not cover all possible hazards. This document is subject to change. Legislation and Regulations take precedence over any information found in this document.

1. Is the project for acquisition, new construction or rehabilitation of a one-to-four family residential property?

- ☐ Yes: PROCEED to #3 to determine the likelihood of hazardous conditions existing nearby or on the property which could affect the health and safety of proposed occupants.
- ☒ No: PROCEED to #2

2. Is the project for multifamily housing with 5 or more dwelling units (including leasing), or non-residential property?

- ☒ No: PROCEED to #3
- ☐ Yes: The environmental review **must** include the evaluation of previous uses of the site or other evidence of contamination on or near the site, to assure that the occupants of proposed sites are not adversely affected by hazardous materials, contamination, toxic chemicals and gases, and radioactive substances. **For acquisition and new construction projects, HUD strongly advises that the review include an ASTM Phase 1 assessment or equivalent analysis, including an update if the assessment is over 180 days old, in order to meet real estate transaction standards of due diligence.** Your review should also cover the information in the questions below. PROCEED to #3.

3. Is the answer Yes to any of the following questions?

- **Is the property or surrounding neighborhood listed on an EPA Superfund National Priorities, the CERCLA List, or equivalent State list?**

An internet site that may be helpful is www.epa.gov/superfund/sites/npl.

- ☒ No ☐ Yes

- **Is the property located near a toxic or solid-waste landfill site?**

An internet site that may be helpful is <http://www.epa.gov/emefdata/em4ef.home>. Maps, site inspections and documentation from the local planning department may also be useful in making your determination.

☒ No ☐ Yes

- **Are there any underground storage tanks (not including residential fuel tanks) on or near the property?**

For projects in Washington State, visit: www.ecy.wa.gov/programs/tcp/ust-lust/tanks.html.

For projects in Oregon, visit: <http://www.deq.state.or.us/lq/tanks/index.htm>

For projects in Idaho, visit: <http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks/underground-storage-tanks.aspx>

For projects in Alaska, visit: <http://www.dec.state.ak.us/spar/ipp/tanks.htm>

Consider past uses of the property when making your determination.

☒ No ☐ Yes

- **Is the property known or suspected to be contaminated by toxic chemicals or radioactive materials?**

☒ No ☐ Yes

HUD's "Choosing an Environmentally 'Safe' Site" provides guidance in considering potential environmental issues:

http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_12823.pdf

In considering the site the guidance suggests that you:

- Make a visual inspection of the site for signs of distressed vegetation, vents or fill pipes, storage/oil tanks or questionable containers, pits, ponds or lagoons, stained soil or pavement, pungent, foul or noxious odors, dumped material or soil, mounds of dirt, rubble, fill etc.
- Research the past uses of the site and obtain a disclosure of past uses from the owner. Certain past and present uses such as the following signal concerns of possible contamination and require a more detailed review: gasoline stations, vehicle repair shops, car dealerships, garages, depots, warehouses, commercial printing facilities, industrial or commercial warehouses, dry cleaners, photo developing laboratories, hospitals, junkyard or landfills, waste treatment, storage disposal, processing or recycling facilities, agricultural/farming operations (including hog and poultry operations) and tanneries.
- Identify adjoining properties in the surrounding area for evidence of any facilities as described above.
- Research Federal, State and local records about possible toxins and hazards at the site.

☐ Yes - to any of the above questions: PROCEED to #4

☒ No - to all questions: The toxic chemicals and radioactive materials review is complete, unless there are other hazards that could affect the health and safety of occupants.

Record your determination on the Statutory Worksheet and maintain appropriate documentation in the ERR.

4. Could nearby toxic, hazardous or radioactive substances affect the health and safety of project occupants or conflict with the intended utilization of the property?

Gather all pertinent information concerning any on-site and nearby toxic hazards. Consider, at a minimum, each of the areas identified in Question 3. Consider if your ASTM Phase 1 or equivalent analysis identifies any Recognized Environmental Conditions (RECs)? If appropriate and/or required, obtain independent professional reviews of the site (e.g., an ASTM Phase 2 or equivalent analysis). Contact appropriate Federal, State and Local resources for assistance in assessing exposure to health hazards.

- ☐ Yes: PROCEED to #5.
- ☐ No: The toxic chemicals and radioactive materials review is complete, unless there are other hazards that could affect the health and safety of occupants. Record your determination that there are no hazards that could affect the safety of occupants or impact the intended use of the project and maintain appropriate documentation in the ERR.

5. Can the adverse environmental condition be mitigated?

- ☐ Yes: Mitigate according to the requirements of the appropriate Federal, State or local oversight agency. Record your determination that there are no hazards that could affect the safety of occupants or impact the intended use of the project and maintain appropriate documentation in the ERR. HUD assistance should be conditioned on completion of appropriate mitigation. Deny HUD assistance if, after mitigation, the property is still determined to be unsafe or unhealthy. For more details please refer to HUD's "Choosing an Environmentally 'Safe' Site."
- ☐ No: Do not provide HUD assistance for the project at this site.

DISCLAIMER: This document is intended as a tool to help Region X HUD grantees and HUD staff complete environmental requirements. This document is subject to change. This is not a policy statement. Legislation and Regulations take precedence over any information found in this document.

Endangered Species Act (CEST and EA)

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

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

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

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

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

Explain your determination:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

☒ Yes, the activities involved in the project have the potential to affect species and/or habitats. → *Continue to Question 2.*

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

Obtain a list of protected species from the Services. This information is available on the [FWS Website](#) or you may contact your [local FWS](#) and/or [NMFS](#) offices directly.

☐ No, the project will have No Effect due to the absence of federally listed species and designated critical habitat.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.*

- ☒ Yes, there are federally listed species or designated critical habitats present in the action area. → *Continue to Question 3.*

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

- ☒ No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate.*

- ☐ May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

→ *Continue to Question 4, Informal Consultation.*

- ☐ Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

→ *Continue to Question 5, Formal Consultation.*

4. Informal Consultation is required

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?

- ☐ Yes, the Service(s) concurred with the finding.

→ *Based on the response, the review is in compliance with this section. Continue to Question 6 and provide the following:*

- (1) *A biological evaluation or equivalent document*
- (2) *Concurrence(s) from FWS and/or NMFS*
- (3) *Any other documentation of informal consultation*

Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.

- ☐ No, the Service(s) did not concur with the finding. → *Continue to Question 5.*

5. Formal consultation is required

Section 7 of ESA (16 USC 1536) mandates consultation to resolve potential impacts to federally listed endangered and threatened species and critical habitats. If a HUD assisted project may affect any endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

→ Once consultation is complete, the review is in compliance with this section. Continue to Question 6 and provide the following:

- (1) A biological assessment, evaluation, or equivalent document
- (2) Biological opinion(s) issued by FWS and/or NMFS
- (3) Any other documentation of formal consultation

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that will be implemented to mitigate for the impact or effect, including the timeline for implementation.

☐ Mitigation as follows will be implemented:

☐ No mitigation is necessary.

Explain why mitigation will not be made here:

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

This project will have no significant impact on endangered species or their habitats. There is a letter of determination, species list and map of the project locations attached to this worksheet.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No



United States Department of the Interior

FISH AND WILDLIFE SERVICE
South Florida Ecological Services Field Office
1339 20th Street
Vero Beach, FL 32960-3559
Phone: (772) 562-3909 Fax: (772) 562-4288
<http://fws.gov/verobeach>



IPaC Record Locator: 663-101942026

June 08, 2021

Please provide this document to the Federal agency or their designee with your loan/grant application.

Subject: Consistency letter for the project named 'San Carlos Park' for specified threatened and endangered species that may occur in your proposed project location, pursuant to the IPaC determination key titled 'Clearance to Proceed with Federally-Insured Loan and Grant Project Requests'.

To whom it may concern:

On May 20, 2021, Clare Dennehy used the IPaC determination key 'Clearance to Proceed with Federally-Insured Loan and Grant Project Requests'; dated December 29, 2020, in the U.S. Fish and Wildlife Service's online [IPaC tool](#) to evaluate potential impacts to listed species from a project named 'San Carlos Park' in Lee County, Florida (shown below):

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@26.47341505,-81.83015823632701,14z>



The following description was provided for the project 'San Carlos Park':

This project consists of sidewalk repairs and drainage improvements. Proposed repairs in the Lee County right-of-way include driveway pipes and sidewalks, which are important assets for housing access, safety, and value. Drainage system improvements will include Irma-related silt and vegetation removal from canals, ditches, and drainage pipes to eliminate flow constrictions. This work will provide safety and protect home values for these predominantly owner-occupied, workforce, and retiree households. CDBG-DR-Infrastructure funds will allow the County to complete restoration by clearing structural and debris constrictions in the drainage system that, if left, will negatively affect low-mod households during severe weather.

Specific streets where sidewalks will be repaired are San Carlos Blvd, Sanibel Blvd, Iris Road, Constitution Circle, Constitution Blvd, Cypress Point Road, Winged Foot Drive, Pebble Beach Road and Rockefeller Circle.

Based on your answers provided, the proposed project is unlikely to have any detrimental effects to federally-listed species or critical habitat. Therefore, per this guidance, Clare Dennehy has determined that San Carlos Park will have No Effect on the species listed below.

This letter serves as documentation of your consideration of endangered species, bald eagles, and migratory birds. No further coordination with the Service is necessary.

Please be advised that, if later modifications are made to the project that do not meet the criteria described above, if additional information involving potential effects to listed species becomes available, or if a new species is listed, reinitiation of consultation may be necessary.

Birds

- Everglade Snail Kite *Rostrhamus sociabilis plumbeus* Endangered
- Florida Scrub-jay *Aphelocoma coerulescens* Threatened
- Red Knot *Calidris canutus rufa* Threatened
- Wood Stork *Mycteria americana* Threatened

Fishes

- Gulf Sturgeon *Acipenser oxyrinchus (=oxyrhynchus) desotoi* Threatened

Flowering Plants

- Aboriginal Prickly-apple *Harrisia (=Cereus) aboriginum (=gracilis)* Endangered
- Beautiful Pawpaw *Deeringothamnus pulchellus* Endangered

Insects

- Miami Blue Butterfly *Cyclargus (=Hemiargus) thomasi bethunebakeri* Endangered

Mammals

- Florida Bonneted Bat *Eumops floridanus* Endangered
- Florida Panther *Puma (=Felis) concolor coryi* Endangered

- Puma (=mountain Lion) *Puma (=Felis) concolor* (all subsp. except *coryi*) Similarity of Appearance (Threatened)

Reptiles

- American Alligator *Alligator mississippiensis* Similarity of Appearance (Threatened)
- American Crocodile *Crocodylus acutus* Threatened
- Eastern Indigo Snake *Drymarchon corais couperi* Threatened
- Kemp's Ridley Sea Turtle *Lepidochelys kempii* Endangered
- Loggerhead Sea Turtle *Caretta caretta* Threatened

Additional considerations for non-federally listed species

- **Bald Eagle Nest Issues.** If any of the above-referenced activities (rehabilitation, demolition, or rebuilding) are proposed to occur **within 660 feet** of an active or alternate bald eagle (*Haliaeetus leucocephalus*) nest during the nesting season (October 1 through May 15), we recommend the applicant or their designated agent coordinate with the Florida Fish and Wildlife Conservation Commission (FWC) at <http://myfwc.com/license/wildlife/protected-wildlife/eagle-permits/>. Guidance will be provided by the FWC regarding monitoring options or other suggestions regarding construction timing relative to the distance the project is located to the bald eagle's nest and according to any vegetative buffers that may be present between the nest and the construction activities.
- **Migratory Bird Issues.** If any native birds are using the structures for nesting then actions should be taken so as not to disturb the adults, nests, eggs, or chicks as this could lead to a potential violation of the Migratory Bird Treaty Act. If nests are present or any birds are using the structures regularly for roosting purposes, we recommend the applicant or their designated agent coordinate with the appropriate Service office and FWC (<http://myfwc.com/license/wildlife/protected-wildlife/contacts/>) so that impacts can be avoided and minimized.

Clare Dennehy answered the determination key questions for this project as follows:

1. Is the project entirely within the State of Florida, but **not** within Monroe County?
Automatically answered
Yes
2. Is the project exclusively a Federal loan transfer, where the original lending or mortgage institutions for existing project are no longer holding the loan and the property is being transferred via a federally-backed loan?
*No, this is **not** a Federal loan transfer as described above, or includes activities in addition to a Federal loan transfer.*
3. Does the project include a federally-insured loan or federal grant funding?
Yes, the project includes a federally-insured loan or federal grant funding.
4. Is the entire site currently developed/hard-surfaced (i.e., the site consists entirely of existing roads, sidewalks, buildings, driveways, etc., and does not contain any undeveloped and/or vegetated areas)?
No, the site contains some undeveloped and/or vegetated areas.

5. Does the project site overlap designated or proposed critical habitat for any federally listed species?

Automatically answered

No

6. Will completion of this project require clearing of **undisturbed** habitat (*e.g.*, native habitat, agricultural areas, pasture, etc.) beyond the original footprint of the existing project?

*No, this project will **not** require clearing of any undisturbed habitat.*

7. Is the federally-insured loan or federal grant funding being used for demolition, rehabilitation, renovation, and/or rebuilding of one or more existing facilities (*e.g.*, residential, commercial and industrial sites, or utilities)?

Yes, the project includes Federal funding for work on existing facilities.

8. Will the project significantly alter the present capacity of an existing structure?

No, this project will not alter the present capacity of any existing structure.

9. Does your project involve structures that are being used by any federally endangered or threatened species (*e.g.*, roosting bonneted bats, denning indigo snakes, etc.) or are there known reports of species using the site?

*No, the site and/or structure(s) are **not** being used by any federally listed species.*

Attachments:

- Project questionnaire
- Standard manatee construction conditions
- Determination key description: Clearance to Proceed with Federally-Insured Loan and Grant Project Requests
- U.S. Fish & Wildlife Service contact list

Project Informational Questionnaire

As part of completing the determination key, Clare Dennehy provided the following information about their project:

1. Please describe the loan/grant program you are using
CDBG-DR
2. Which Federal Agency is the lead agency providing the funding?
U.S. Department of Housing and Urban development (HUD)
3. Which types of activities you will be conducting:
Infrastructure
Rebuilding
4. Which types of structures this funding will address:
infrastructure
5. Please describe the activity you will be conducting:
Replacing existing sidewalks and clearing canals.
6. How many square feet of facilities will be affected by this project?
2340
7. Are there bald eagles within 660 feet of the site, or migratory birds or bats using structures on the site?
None of the above

Determination Key Description: Clearance To Proceed With Federally-Insured Loan And Grant Project Requests

This key was last updated in IPaC on December 29, 2020. Keys are subject to periodic revision.

This determination key is for all Federally-insured loans, loan transfers, or grant requests for projects that may be completed without requiring additional clearing of undisturbed habitat beyond the original footprint of the existing project. For the purposes of this key, Federal loan transfers are those transfers where the original lending or mortgage institutions for existing projects are no longer holding the loans and the properties are being transferred via federally backed loans. Projects may include demolition, rehabilitation, renovations, and/or rebuilding of existing structures (*e.g.*, commercial buildings, multi-family housing, single-family housing), and various utilities projects such as water and wastewater treatment facilities, sewer or power line repair, etc.

The U.S. Fish and Wildlife Service is the lead Federal agency charged with the protection and conservation of Federal Trust Resources, such as threatened and endangered species and migratory birds, in accordance with section 7 of the [Endangered Species Act of 1973](#), as amended (Act) (87 Stat. 884; 16 U.S.C. 1531 et seq.), the [Bald and Golden Eagle Protection Act](#), (16 U.S.C. 668-668d) (Eagle Act), and the [Migratory Bird Treaty Act](#) (40 Stat. 755; 16 U.S.C. 701 et seq.).

Recently, many Federal agencies have activated programs that have resulted in an increased consumer demand to initiate projects through federally-backed loans and grants, all of which require those same Federal agencies to comply with Section 7 of the Act. Consequently, we have experienced an increase in the number of requests for review of these government-backed loan and grant projects. These include, but are not limited to:

1. U.S. Department of Housing and Urban Development's (HUD) Neighborhood Stabilization and Community Development Block Grant programs, which may be managed by Florida's Department of Economic Opportunity;
2. U.S. Department of Energy's (DOE) Energy Efficiency and Renewable Energy program;
3. U.S. Department of Agriculture's (USDA) Housing Assistance and Rural Development Loan and Grant Assistance programs;
4. U.S. Federal Aviation Administration (FAA) regulatory airport and runway modifications;
5. U.S. Federal Emergency Management Agency's (FEMA) Hazard Mitigation Assistance program; and

6. U.S. Environmental Protection Agency's (EPA) Clean Water State Revolving Fund, managed by Florida Department of Environmental Protection.

In order to fulfill the Act's statutory obligations in a timely and consistent manner, and to assist Federal agencies, State and local governments, and consultants in addressing Section 7 and National Environmental Policy Act (NEPA) environmental impact review requirements, we provide the following guidance and clearance relative to the criteria stated below for Federally-insured loan and grant project requests in all cities and unincorporated areas throughout Florida, with the exception of Monroe County.

This guidance is based on the signed letter [U.S. Fish and Wildlife Service Clearance to Proceed with Federally-Insured Loan and Grant Project Requests](#).

U.S. Fish & Wildlife Service Contact List

Determination key office contact information

South Florida Ecological Services Field Office

1339 20th Street

Vero Beach, FL 32960-3559

(772) 562-3909

Offices with jurisdiction over project area

South Florida Ecological Services Field Office

1339 20th Street

Vero Beach, FL 32960-3559

(772) 562-3909

San Carlos Park

Project location

LOCATION:

AREA: 1.13 mi²

DOWNLOAD SHAPE FILE

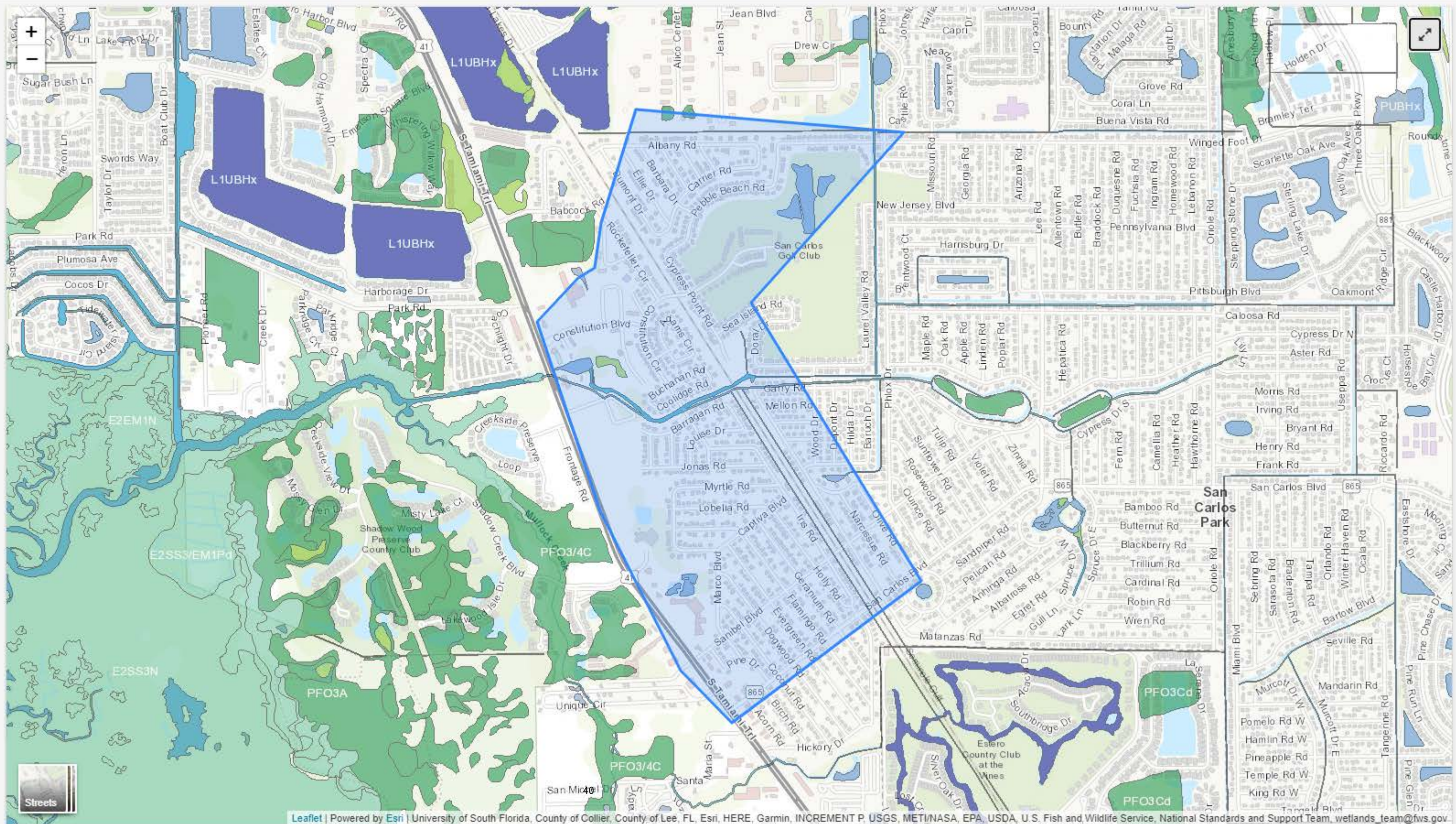
EDIT LOCATION

Layers

ADD

☒ National Wetland Inventory

X





United States Department of the Interior

FISH AND WILDLIFE SERVICE
South Florida Ecological Services Field Office
1339 20th Street
Vero Beach, FL 32960-3559
Phone: (772) 562-3909 Fax: (772) 562-4288
<http://fws.gov/verobeach>



In Reply Refer To:

May 17, 2021

Consultation Code: 04EF2000-2021-SLI-0696

Event Code: 04EF2000-2021-E-01767

Project Name: San Carlos Park

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>;

<http://www.towerkill.com>; and

[http://](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html)

www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

South Florida Ecological Services Field Office

1339 20th Street

Vero Beach, FL 32960-3559

(772) 562-3909

Project Summary

Consultation Code: 04EF2000-2021-SLI-0696

Event Code: 04EF2000-2021-E-01767

Project Name: San Carlos Park

Project Type: VEGETATION MANAGEMENT

Project Description: This project consists of sidewalk repairs and drainage improvements. Proposed repairs in the Lee County right-of-way include driveway pipes and sidewalks, which are important assets for housing access, safety, and value. Drainage system improvements will include Irma-related silt and vegetation removal from canals, ditches, and drainage pipes to eliminate flow constrictions. This work will provide safety and protect home values for these predominantly owner-occupied, workforce, and retiree households. CDBG-DR-Infrastructure funds will allow the County to complete restoration by clearing structural and debris constrictions in the drainage system that, if left, will negatively affect low-mod households during severe weather.

Specific streets where sidewalks will be repaired are San Carlos Blvd, Sanibel Blvd, Iris Road, Constitution Circle, Constitution Blvd, Cypress Point Road, Winged Foot Drive, Pebble Beach Road and Rockefeller Circle.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@26.47341505,-81.83015823632701,14z>



Counties: Lee County, Florida

Endangered Species Act Species

There is a total of 16 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Florida Bonneted Bat <i>Eumops floridanus</i> There is proposed critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/8630	Endangered
Florida Panther <i>Puma (=Felis) concolor coryi</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1763	Endangered
Puma (=mountain Lion) <i>Puma (=Felis) concolor (all subsp. except coryi)</i> Population: FL No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6049	Similarity of Appearance (Threatened)

Birds

NAME	STATUS
Everglade Snail Kite <i>Rostrhamus sociabilis plumbeus</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/7713	Endangered
Florida Scrub-jay <i>Aphelocoma coerulescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6174	Threatened
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Wood Stork <i>Mycteria americana</i> Population: AL, FL, GA, MS, NC, SC No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8477	Threatened

Reptiles

NAME	STATUS
American Alligator <i>Alligator mississippiensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/776	Similarity of Appearance (Threatened)
American Crocodile <i>Crocodylus acutus</i> Population: U.S.A. (FL) There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/6604	Threatened
Eastern Indigo Snake <i>Drymarchon corais couperi</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/646	Threatened
Kemp's Ridley Sea Turtle <i>Lepidochelys kempii</i> There is proposed critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/5523	Endangered
Loggerhead Sea Turtle <i>Caretta caretta</i> Population: Northwest Atlantic Ocean DPS There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/1110	Threatened

Fishes

NAME	STATUS
Gulf Sturgeon <i>Acipenser oxyrinchus (=oxyrhynchus) desotoi</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/651	Threatened

Insects

NAME	STATUS
Miami Blue Butterfly <i>Cyclargus</i> (= <i>Hemiargus</i>) <i>thomasi bethunebakeri</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3797	Endangered

Flowering Plants

NAME	STATUS
Aboriginal Prickly-apple <i>Harrisia</i> (= <i>Cereus</i>) <i>aboriginum</i> (= <i>gracilis</i>) There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/2833	Endangered
Beautiful Pawpaw <i>Deeringothamnus pulchellus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4069	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Explosive and Flammable Hazards (CEST and EA)

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C
Reference		
https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities		

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

→ Continue to Question 2.

☐ Yes

Explain:

→ Go directly to Question 5.

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

☒ No

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

☐ Yes

→ Continue to Question 3.

3. Within 1 mile of the project site, are there any current *or planned* stationary aboveground storage containers 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 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. Continue to the Worksheet Summary below. Provide all documents used to make your determination.

☐ Yes

→ Continue to Question 4.

4. Visit HUD’s website to identify the appropriate tank or tanks to assess and to calculate the required separation distance using the [electronic assessment tool](#). To document this step in the analysis, please attach the following supporting documents to this screen:

- Map identifying the tank selected for assessment, and showing the distance from the tank to the proposed HUD-assisted project site; and
- Electronic assessment tool calculation of the required separation distance.

Based on the analysis, is the proposed HUD-assisted project site located at or beyond the required separation distance from all covered tanks?

☐ Yes

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

☐ No

→ Go directly to Question 6.

5. Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?

Please visit HUD’s website for information on calculating Acceptable Separation Distance.

☐ Yes

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

☐ No

→ Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.
Continue to Question 6.

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Mitigation measures may include both natural and manmade barriers, modification of the project design, burial or removal of the hazard, or other engineered solutions. Describe selected mitigation measures, including the timeline for implementation, and attach an implementation plan. If negative effects cannot be mitigated, cancel the project at this location.

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, provide approval from a licensed professional engineer.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

This project is not the development of a hazardous facility, nor does it include any activities that will increase residential densities, or conversion. All requirements have been met for this compliance factor.

Are formal compliance steps or mitigation required?

- ☐ Yes
☒ No

Farmlands Protection (CEST and EA)

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658
Reference		
https://www.hudexchange.info/environmental-review/farmlands-protection		

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

☐ Yes → Continue to Question 2.

☒ No

Explain how you determined that agricultural land would not be converted:

There is no agricultural or undeveloped land being used in this project. The project is an exact replacement of existing infrastructure.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting your determination.

2. Does “important farmland,” including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site?

You may use the links below to determine important farmland occurs on the project site:

- Utilize USDA Natural Resources Conservation Service’s (NRCS) Web Soil Survey <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>
- Check with your city or county’s planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non-agricultural does not exempt it from FPPA requirements)
- Contact NRCS at the local USDA service center <http://offices.sc.egov.usda.gov/locator/app?agency=nrcs> or your NRCS state soil scientist http://soils.usda.gov/contact/state_offices/ for assistance

☐ No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

☐ Yes → Continue to Question 3.

3. Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.

- Complete form **AD-1006**, "Farmland Conversion Impact Rating" http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf and contact the state soil scientist before sending it to the local NRCS District Conservationist.
(NOTE: for corridor type projects, use instead form **NRCS-CPA-106**, "Farmland Conversion Impact Rating for Corridor Type Projects: http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045395.pdf.)
- Work with NRCS to minimize the impact of the project on the protected farmland. When you have finished with your analysis, return a copy of form AD-1006 (or form NRCS-CPA-106 if applicable) to the USDA-NRCS State Soil Scientist or his/her designee informing them of your determination.

Document your conclusion:

- ☐ Project will proceed with mitigation.

Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

- ☐ Project will proceed without mitigation.

Explain why mitigation will not be made here:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

There is no agricultural or undeveloped land being used in this project. The project is an exact replacement of existing infrastructure. The attached map indicates the projects will not utilize prime farmland, unique farmland or farmland of statewide importance. No additional requirements or consultations are necessary.

Are formal compliance steps or mitigation required?

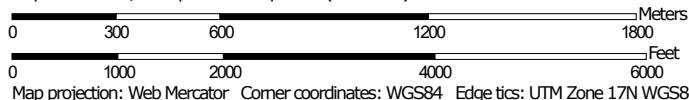
☐ Yes

☒ No

81° 48' 26" W




81° 50' 28" W











MAP LEGEND








Area of Interest (AOI)






 Area of Interest (AOI)








Soils



Soil Rating Polygons

-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season









-  Prime farmland if subsoiled, completely removing the root inhibiting soil layer
-  Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
-  Prime farmland if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance
-  Farmland of statewide importance, if drained
-  Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if irrigated

-  Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if irrigated and drained
-  Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
-  Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60

-  Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if warm enough
-  Farmland of statewide importance, if thawed
-  Farmland of local importance
-  Farmland of local importance, if irrigated

-  Farmland of unique importance
-  Not rated or not available

Soil Rating Lines

-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season

Farmland Classification—Lee County, Florida

	Prime farmland if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium		Farmland of unique importance		Prime farmland if subsoiled, completely removing the root inhibiting soil layer
	Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of statewide importance, if irrigated and drained		Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season	Soil Rating Points			Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
	Prime farmland if irrigated and reclaimed of excess salts and sodium		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season		Not prime farmland		Prime farmland if irrigated and reclaimed of excess salts and sodium
	Farmland of statewide importance		Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if thawed		Prime farmland if protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance
	Farmland of statewide importance, if drained		Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of local importance		Prime farmland if irrigated		Farmland of statewide importance, if drained
	Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season				Farmland of local importance, if irrigated		Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
	Farmland of statewide importance, if irrigated						Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated

Farmland Classification—Lee County, Florida

<p> Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season</p> <p> Farmland of statewide importance, if irrigated and drained</p> <p> Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season</p> <p> Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer</p> <p> Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60</p>	<p> Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium</p> <p> Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season</p> <p> Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season</p> <p> Farmland of statewide importance, if warm enough</p> <p> Farmland of statewide importance, if thawed</p> <p> Farmland of local importance</p> <p> Farmland of local importance, if irrigated</p>	<p> Farmland of unique importance</p> <p> Not rated or not available</p> <p>Water Features</p> <p> Streams and Canals</p> <p>Transportation</p> <p> Rails</p> <p> Interstate Highways</p> <p> US Routes</p> <p> Major Roads</p> <p> Local Roads</p> <p>Background</p> <p> Aerial Photography</p>	<p>The soil surveys that comprise your AOI were mapped at 1:20,000.</p> <p>Please rely on the bar scale on each map sheet for map measurements.</p> <p>Source of Map: Natural Resources Conservation Service Web Soil Survey URL: Coordinate System: Web Mercator (EPSG:3857)</p> <p>Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.</p> <p>This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.</p> <p>Soil Survey Area: Lee County, Florida Survey Area Data: Version 18, Jun 9, 2020</p> <p>Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.</p> <p>Date(s) aerial images were photographed: Feb 1, 2020—Mar 20, 2020</p> <p>The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.</p>
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Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
1lsnw	Water	Not prime farmland	33.1	1.4%
2s3ll	Immokalee sand, 0 to 2 percent slopes	Farmland of unique importance	33.1	1.4%
2sm5f	Pompano fine sand, frequently ponded, 0 to 1 percent slopes	Not prime farmland	25.0	1.1%
2svyp	Pineda-Pineda, wet, fine sand, 0 to 2 percent slopes	Farmland of unique importance	3.8	0.2%
2x9c1	Immokalee sand-Urban land complex, 0 to 2 percent slopes	Not prime farmland	710.2	30.8%
2x9c3	Boca fine sand-Urban land complex, 0 to 2 percent slopes	Not prime farmland	51.1	2.2%
2x9c4	Hallandale fine sand, wet-Urban land complex, 0 to 2 percent slopes	Not prime farmland	18.8	0.8%
2x9c7	Valkaria fine sand-Urban land complex, 0 to 2 percent slopes	Not prime farmland	64.5	2.8%
2x9c9	Pompano fine sand-Urban land complex, 0 to 2 percent slopes	Not prime farmland	539.3	23.4%
2x9cd	Malabar fine sand-Urban land complex, 0 to 2 percent slopes	Not prime farmland	89.9	3.9%
2x9ch	Myakka fine sand-Urban land complex, 0 to 2 percent slopes	Not prime farmland	6.3	0.3%
2x9db	Matlacha gravelly fine sand, 0 to 2 percent slopes	Not prime farmland	5.9	0.3%
2x9dc	Matlacha gravelly fine sand-Urban land complex, 0 to 2 percent slopes	Not prime farmland	239.7	10.4%
2x9dh	Cocoa fine sand-Urban land complex, 0 to 2 percent slopes	Not prime farmland	195.8	8.5%
2x9dj	Copeland fine sandy loam, frequently ponded, 0 to 1 percent slopes	Not prime farmland	25.2	1.1%

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
2x9dk	Copeland fine sandy loam, ponded-Urban land complex, 0 to 1 percent slopes	Not prime farmland	6.6	0.3%
2x9dl	Daytona sand, 0 to 5 percent slopes	Not prime farmland	24.5	1.1%
2x9dm	Daytona sand-Urban land complex, 0 to 5 percent slopes	Not prime farmland	9.9	0.4%
2x9f1	Myakka fine sand, ponded-Urban land complex, 0 to 1 percent slopes	Not prime farmland	9.2	0.4%
2x9f6	Pompano fine sand, ponded-Urban land complex, 0 to 1 percent slopes	Not prime farmland	213.8	9.3%
Totals for Area of Interest			2,305.8	100.0%

Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

Aggregation Method: No Aggregation Necessary

Aggregation is the process by which a set of component attribute values is reduced to a single value that represents the map unit as a whole.

A map unit is typically composed of one or more "components". A component is either some type of soil or some nonsoil entity, e.g., rock outcrop. For the attribute being aggregated, the first step of the aggregation process is to derive one attribute value for each of a map unit's components. From this set of component attributes, the next step of the aggregation process derives a single value that represents the map unit as a whole. Once a single value for each map unit is derived, a thematic map for soil map units can be rendered. Aggregation must be done because, on any soil map, map units are delineated but components are not.

For each of a map unit's components, a corresponding percent composition is recorded. A percent composition of 60 indicates that the corresponding component typically makes up approximately 60% of the map unit. Percent composition is a critical factor in some, but not all, aggregation methods.

The majority of soil attributes are associated with a component of a map unit, and such an attribute has to be aggregated to the map unit level before a thematic map can be rendered. Map units, however, also have their own attributes. An attribute of a map unit does not have to be aggregated in order to render a corresponding thematic map. Therefore, the "aggregation method" for any attribute of a map unit is referred to as "No Aggregation Necessary".

Tie-break Rule: Lower

The tie-break rule indicates which value should be selected from a set of multiple candidate values, or which value should be selected in the event of a percent composition tie.

Floodplain Management (CEST and EA)

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

1. Does [24 CFR 55.12\(c\)](#) exempt this project from compliance with HUD's floodplain management regulations in Part 55?

☐ Yes

Provide the applicable citation at 24 CFR 55.12(c) here. If project is exempt under 55.12(c)(7) or (8), provide supporting documentation.

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

☒ No → Continue to Question 2.

2. Provide a FEMA/FIRM or ABFE map showing the site.

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

Does your project occur in a floodplain?

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

☒ Yes

Select the applicable floodplain using the FEMA map or the best available information:

☒ Floodway → Continue to Question 3, Floodways

☐ Coastal High Hazard Area (V Zone) → Continue to Question 4, Coastal High Hazard Areas

☐ 500-year floodplain (B Zone or shaded X Zone) → *Continue to Question 5, 500-year Floodplains*

☐ 100-year floodplain (A Zone) → *The 8-Step Process is required. Continue to Question 6, 8-Step Process*

3. **Floodways**

Is this a functionally dependent use?

☒ Yes

The 8-Step Process is required. Work with your HUD FEO to determine a way to satisfactorily continue with this project. Provide a completed 8-Step Process, including the early public notice and the final notice.

→ *Continue to Question 6, 8-Step Process*

☐ No

Federal assistance may not be used at this location *unless a 55.12(c) exception applies.*
You must either choose an alternate site or cancel the project at this location.

4. **Coastal High Hazard Area**

Is this a critical action?

☐ Yes

Critical actions are prohibited in coastal high hazard areas. Federal assistance may not be used at this location. Unless the action is excepted at 24 CFR 55.12(c), you must either choose an alternate site or cancel the project.

☐ No

Does this action include construction that is not a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster?

☐ Yes, there is new construction.

New construction is prohibited in V Zones ((24 CFR 55.1(c)(3)).

☐ No, this action concerns only a functionally dependent use, existing construction(including improvements), or reconstruction following destruction caused by a disaster.

This construction must have met FEMA elevation and construction standards for a coastal high hazard area or other standards applicable at the time of construction.

→ *Continue to Question 6, 8-Step Process*

5. **500-year Floodplain**

Is this a critical action?

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

☐ Yes → *Continue to Question 6, 8-Step Process*

6. 8-Step Process.

Does the 8-Step Process apply? Select one of the following options:

☒ 8-Step Process applies.

Provide a completed 8-Step Process, including the early public notice and the final notice.

→ *Continue to Question 7, Mitigation*

☐ 5-Step Process is applicable per 55.12(a)(1-3).

Provide documentation of 5-Step Process.

Select the applicable citation:

☐ 55.12(a)(1) HUD actions involving the disposition of HUD-acquired multifamily housing projects or “bulk sales” of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).

☐ 55.12(a)(2) HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.

☐ 55.12(a)(3) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.

☐ 55.12(a)(4) HUD's (or the recipient's) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10) and that the footprint of the structure and paved areas is not significantly increased.

→ *Continue to Question 7, Mitigation*

☐ 8-Step Process is inapplicable per 55.12(b)(1-4).

Select the applicable citation:

☐ 55.12(b)(1) HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging or refinancing of existing one- to four-family properties in communities that are in the Regular Program of the National Flood

Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway or coastal high hazard area.

- ☐ 55.12(b)(2) Financial assistance for minor repairs or improvements on one- to four-family properties that do not meet the thresholds for “substantial improvement” under § 55.2(b)(10)
- ☐ 55.12(b)(3) HUD actions involving the disposition of individual HUD-acquired, one- to four-family properties.
- ☐ 55.12(b)(4) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573) of loans that refinance existing loans and mortgages, where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance.
- ☐ 55.12(b)(5) The approval of financial assistance to lease an existing structure located within the floodplain, but only if—
 - (i) The structure is located outside the floodway or Coastal High Hazard Area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24);
 - (ii) The project is not a critical action; and
 - (iii) The entire structure is or will be fully insured or insured to the maximum under the NFIP for at least the term of the lease.

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

7. **Mitigation**

For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

No adverse impacts will result from this project. Dredging and clearing the canals of debris, silt and vegetation will increase the intended flow of water through the canals. No mitigation efforts are necessary.

Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.

- ☐ Permeable surfaces
- ☐ Natural landscape enhancements that maintain or restore natural hydrology
- ☐ Planting or restoring native plant species
- ☐ Bioswales
- ☐ Evapotranspiration
- ☐ Stormwater capture and reuse
- ☐ Green or vegetative roofs with drainage provisions
- ☐ Natural Resources Conservation Service conservation easements or similar easements
- ☐ Floodproofing of structures
- ☐ Elevating structures including freeboarding above the required base flood elevations
- ☒ Other

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

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

This project is in a floodplain area. The 8 step process has been completed and has resulted in finding no potentially adverse impacts. There is no need for formal compliance or mitigation steps. See maps and supporting floodplain mitigation documents below.

Are formal compliance steps or mitigation required?

- ☐ Yes
- ☒ No

FEMA Flood Map Service Center: Search By Address

Navigation

Search

Languages

Enter an address, place, or coordinates: 

San Carlos Park

Search

Whether you are in a high risk zone or not, you may need [flood insurance](https://www.fema.gov/national-flood-insurance-program) (<https://www.fema.gov/national-flood-insurance-program>) because most homeowners insurance doesn't cover flood damage. If you live in an area with low or moderate flood risk, you are 5 times more likely to experience flood than a fire in your home over the next 30 years. For many, a National Flood Insurance Program's flood insurance policy could cost less than \$400 per year. Call your insurance agent today and protect what you've built.

Learn more about [steps you can take](https://www.fema.gov/what-mitigation) (<https://www.fema.gov/what-mitigation>) to reduce flood risk damage.

Search Results—Products for LEE COUNTY UNINCORPORATED AREAS

Show ALL Products » (<https://msc.fema.gov/portal/availabilitySearch?addcommunity=125124&communityName=LEE COUNTY UNINCORPORATED AREAS#searchresultsanchor>)

The flood map for the selected area is number **12071C0581F**, effective on **08/28/2008** 

DYNAMIC MAP



PRINT MAP / FIRMette

MAP IMAGE



[https://msc.fema.gov/portal/downloadProduct?](https://msc.fema.gov/portal/downloadProduct?productTypeID=FINAL_PRODUCT&productSubTypeID=FIRM_PANEL&productID=12071C0581F)

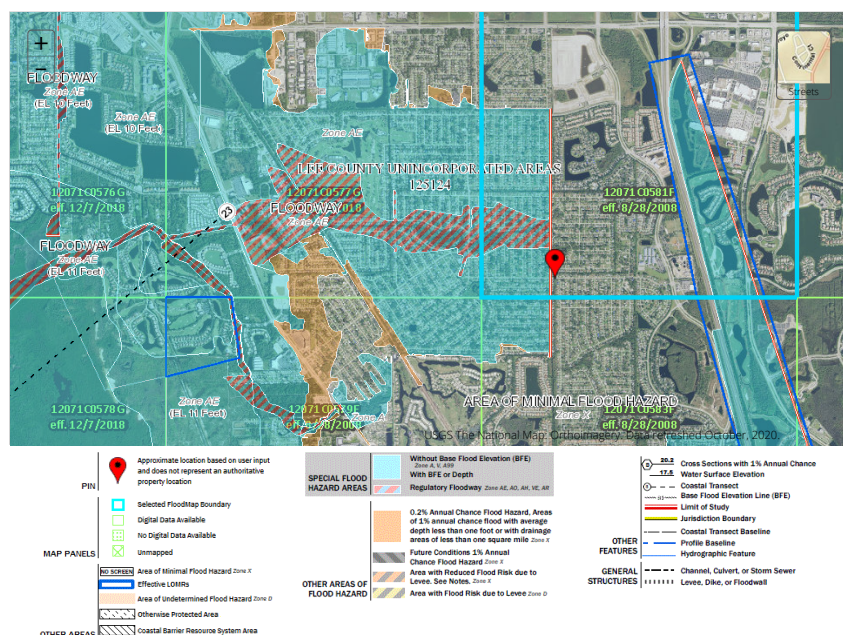
[productTypeID=FINAL_PRODUCT&productSubTypeID=FIRM_PANEL&productID=12071C0581F](https://msc.fema.gov/portal/downloadProduct?productTypeID=FINAL_PRODUCT&productSubTypeID=FIRM_PANEL&productID=12071C0581F)


Changes to this FIRM

- Revisions (1)
- Amendments (112)
- Revalidations (1)

You can choose a new flood map or move the location pin by selecting a different location on the locator map below or by entering a new location in the search field above. It may take a minute or more during peak hours to generate a dynamic FIRMette. If you are a person with a disability, are blind, or have low vision, and need assistance, please contact a map specialist (<https://msc.fema.gov/portal/resources/contact>).

Go To NFHL Viewer » (<https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-81.82603102661186,26.460815959555816,-81.78448>)



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

 Official website of the Department of Homeland Security

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT:

8-STEP PROCESS

Case Study San Carlos Park, Florida

--San Carlos Park CDBG-DR Project (Grant No. IR014)

--Decision Process Provided by 24 CFR §55.20

Step 1: Determine whether the action is located in a 100-year floodplain (or a 500-year floodplain for critical actions) or wetland.

This action is located in a 100-year floodplain. Two of the proposed project sites are located within AE Zone (area of special flood hazard with water surface elevations determined) and the other project site is located in an X Zone (area outside of the special flood hazard area and not in the 500-year floodplain zone), as indicated on Flood Insurance Rate Map (FIRM) Floodplain layers on the project maps. The FIRM maps are attached to this document. The project site locations are not considered to be a wetland, as shown on the Fish and Wildlife Service- National Wetlands Inventory (NWI) map.

This project is (a) replacement of damaged sidewalks, (b) drainage system improvements, and (c) vegetation removal from canals. This project is in a floodway and therefore requires an 8-step analysis of the direct and indirect impacts associated with the construction and modification of the floodplain and wetland.

The proposed project in San Carlos Park, FL includes sidewalk repairs and drainage system improvements. The project will provide for safety and value add to housing units, as well as improved drainage flow to protect blockages that could affect low and moderate households during severe weather. The project area is in a floodplain. Therefore, this analysis will consider impacts to the floodway along with concerns for loss of life and property.

Step 2: Notify the public for early review of the proposal and involve the affected and interested public in the decision making process.

A public notice describing the project was published in the News-Press, a local and regional paper of general daily circulation, on July 3rd, 2021. The ad targeted local residents, including those in the floodplain and floodway project area. A list of specific agencies and individuals and a copy of the published notification is kept in the project's environmental review record and attached to this document. A copy was also posted on the Lee County Department of Human and Veteran Services website. The required 15 calendar days were allowed for public comment. As required by regulation, the notice also included the name, proposed location and description of the activity, total number of floodplain and wetland acres involved, and the responsible entity contact for information, Clare Dennehy, as well as a website and the location and hours of the office at which a full description of the proposed action can be viewed.

Public comments received will be reviewed and considered when evaluating the potential project impacts and remaining steps in the 8-step process.

FEMA and city engineers were contacted concerning mitigation requirements of the National Flood Insurance Program (NFIP) as well as local ordinances that must be implemented as part of NFIP.

Step 3: *Identify and evaluate practicable alternatives.*

Lee County selected the current project locations based on a number of criteria set from the funding source. The Florida Department of Economic Opportunity funded projects with Community Development Block Grant – Disaster Recovery funding for projects related to the long term recovery from Hurricane Irma. Projects had to have a direct tie to Hurricane Irma and benefit low to moderate income individuals. Based on this criteria, the sidewalks and canals in San Carlos Park were selected. Sidewalk damage as a result of utility vehicles parking and driving on them to restore power quickly to the neighborhood. The canals selected for this project have remaining debris and storm sediment deposited from Irma.

Lee County considered alternative sites and actions to meet the funding criteria above.

A. Locate the Project Within the Floodplain and/or Wetland

Alternative sites were considered outside of the floodplain area for sidewalk replacement and repair. However, alternative location sidewalk repairs could not be directly tied to hurricane Irma. Because the locations are within the floodplain, additional actions are being taken to ensure the floodplain is being managed. The extensive environmental review completed critically analyzes the impact from this project on the site location.

B. Locate the Project Outside of the Floodplain and Wetland

For this project to be effective, the work needs to be completed within a floodplain area. Floodplain management will increase efficacy with clear, well-flowing canals.

C. No Action or Alternative Actions that Serve the Same Purpose

A “no action” alternative was considered and rejected because this project will improve the effectiveness of the floodway. Vegetation, debris and silt removal from canals in the site location will positively impact the low to moderate income families in this area and result in more efficient water relocation in the future.

Based on these factors, the San Carlos Park project locations met the ideal criteria for this funding.

Step 4: *Identify Potential Direct and Indirect Impacts of Associated with Floodplain Development.*

The project location in San Carlos Park consist of sidewalk repairs and drainage improvements. Proposed repairs in the Lee County right-of-way include driveway pipes and sidewalks, which are important assets for housing access, safety, and value. Drainage system improvements will include Irma-related silt and vegetation removal from canals, ditches, and drainage pipes to eliminate flow constrictions. This work will provide safety and protect home values for these predominantly owner-

occupied, workforce, and retiree households. The County to complete restoration by clearing structural and debris constrictions and blockages in the drainage system that if left will negatively affect low-mod households during severe weather.

The highest priority of this review is to prevent the loss of life. Clearing debris from canals, ditches and drainage pipes will allow water ways to flow more efficiently in order to protect life from potential flash floods. Repairing and replacing damaged sidewalks will ensure safety of residents in an emergency situation.

Structures located in the flood zone must comply with the local flood ordinances. HUD requires projects located in the floodplain to maintain flood insurance for the life of the property. The county will maintain flood insurance in order to mitigate any effects of flooding.

In addition to concerns for life and property, the county considered the natural and beneficial values of the floodplain. The natural resources of the floodplain include water, biological, and societal resources. By clearing and cleaning the associated project locations, the floodplain will be further preserved and operate more effectively.

The Fish and Wildlife Service has determined that repairing infrastructure and drainage system improvements will have no quantifiable impact on plant and animal life. The local wetlands will not be disturbed.

Societal resources were also considered during the design process. Repairing and replacing of sidewalks throughout the community will allow residents to have safer access.

Step 5: *Where practicable, design or modify the proposed action to minimize the potential adverse impacts to lives, property, and natural values within the floodplain and to restore, and preserve the values of the floodplain.*

- (a) Preserving Lives: Canal clearing will decrease future flooding in the project locations. Sidewalk repairs will allow local individuals to travel safely in the community.
- (b) Preserving Property: In order to preserve property, flood insurance will also be acquired and maintained in order to mitigate possible flood damage. Replaced infrastructure will be completed to the highest code to best reduce the need for further intervention.
- (c) Preserving Natural Values and Minimizing Impacts: The project is designed to improve the current drainage system by clearing overgrown vegetation and foreign debris. The construction for sidewalk replacement will be undertaken using minimally invasive techniques.

Step 6: *Reevaluate the Alternatives.*

Although the San Carlos Park project site is in a floodplain, the project has been adapted in order to minimize effects on floodplain values. Additionally, steps were taken in order to minimize risks to

human life and property via evacuation plans, construction methods, flood insurance, etc. This project is aimed to mitigate future flooding and assist with existing functional flood plain management.

Rejecting the San Carlos Park Project could result in increased flood damage in future severe weather occurrences. If the current flood plain management structure is constricted and not running efficiently, it will be less effective in times of heavy rainfall.

A “no action” alternative is impracticable because it will not satisfy the need to provide assistance to repair and improve this area.

Step 7: *Determination of No Practicable Alternative*

It is Lee County’s determination that there are no practicable alternative sites for partially locating the project in a flood zone. Lee County evaluated practicable alternative sites, however Community Development Block Grant – Disaster Recovery funding must benefit low to moderate income individuals or communities. While there were other alternative sites that would benefit from sidewalk repairs and vegetation removal, this project takes place in a services area location comprised low to moderate individuals. Broken down into specific low-mod categories, 18% of the homes are in areas where the concentration of low-mod households is 70%. The remaining 82% of the project is areas where the low-mod density is 50-69.99%. These are primarily owner-occupied, single-family residences. This neighborhood is in high-demand by workforce families and retirees on fixed incomes. In addition, most of these houses are Pre-FIRM and may not meet current base flood elevations set by FEMA. Infrastructure restoration will help control/reduce flooding more cost effectively than attempting to elevate a large number of relatively low-value houses.

A final notice was published and posted consistent with the prior notice. This notice explains the reasons why the project must be located in the floodway and describes all mitigation measures taken to minimize adverse impacts and enhances beneficial floodplain values. The notice is attached to this document. No concerns were expressed by the public concerning this notice.

Step 8: *Implement the Proposed Action*

The county will assure that this plan, as modified and described above, is executed and necessary language will be included in all agreements with participating parties. The county will also take an active role in monitoring the construction process to ensure no unnecessary impacts occur nor unnecessary risks are taken. The flood insurance requirement for the life of the property will be monitored and maintained by Lee County.



Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Floodway



To: All interested Agencies FEMA, DEO, Lee County, and Groups and Individuals

This is to give notice that Lee County under Part 58 has determined that the following proposed action under the San Carlos Park Sidewalk and Canal Project, grant number IR014 is located in the 100-Year Floodplain and Floodway and Lee County will be identifying and evaluating practicable alternatives to locating the action in the floodplain and the potential impacts on the floodplain from the proposed action, as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands. This project consists of sidewalk repairs and drainage improvements. Proposed repairs in the Lee County right-of-way include driveway pipes and sidewalks, which are important assets for housing access, safety, and value. Drainage system improvements will include Irma-related silt and vegetation removal from canals, ditches, and drainage pipes to eliminate flow constrictions. This project will allow the County to complete restoration by clearing structural and debris constrictions in the drainage system that, if left, will negatively affect low-mod households during severe weather. It will also allow Lee County to devote more funding to improvements to control additional siltation in the Mulloch Creek basin and address resiliency planning and improvements. The project area will be approximately 3.08 miles. The proposed project(s) is located at Cypress Point Road, Winged Foot Drive, Pebble Beach Road, Rockefeller Circle, San Carlos Blvd, Sanibel Blvd, Iris Road, Constitution Circle, Constitution Blvd in Fort Myers, Lee County.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Commenters are encouraged to offer alternative sites outside of the floodplain, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplain can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplain, it must inform those who may be put at greater or continued risk.

Written comments must be received by Lee County Human and Veteran Services at the following address on or before July 18, 2021: Lee County Human and Veteran Services, 2440 Thompson Street, Fort Myers, FL 33901 and 239-533-7905. Attention: Clare Dennehy, Grants Compliance Analyst. A full description of the project may also be reviewed by appointment at the address above and leegov.com/dhs/about/contracts Comments may also be submitted via email at CDennehy@leegov.com.

In accordance with the Americans with Disabilities Act, Lee County will not discriminate against individuals with disabilities in its services, programs, or activities. To request an auxiliary aid or service for effective communication or a reasonable modification to participate, contact Joan LaGuardia, (239) 533-2314, Florida Relay Service 711, or jlaguardia@leegov.com.

De acuerdo con el Acto de Americanos Discapacitados, el Condado de Lee no discriminará contra individuos con discapacidades en sus servicios, programas o actividades. Para solicitar una ayuda auxiliar o servicio para la comunicación efectiva o una modificación razonable para participar, póngase en contacto

con Joan LaGuardia por teléfono al 239-533-2314; a través del Servicio de Retransmision de Florida, llamando al 711; o jlguardia@leegov.com.

Timestamp

7/2/2021 12:46:20

Email Address

nherbertz@localiq.com

Final Publication Date

7/3/2021

Ad Number

GCI0683690

Publication

News Press

Market

Ft Myers

Delivery Method

Email

Number of Affidavits Needed

1

Customer Name

Lcbc-Dept Of Human Service - G

Customer Phone Number

(239) 533-7900

Customer Address

Po Box 2238

Fort Myers, FL 33902-2238

United States

Account Number (If Known)

586656

Customer Email

JAdams4@leegov.com

Your Name

Natalie Herbertz

The News-Press
media group
news-press.com A GANNETT COMPANY

LCBC DEPT OF HUMAN SERVICE
PO BOX 2238
FORT MYERS, FL 33902

STATE OF WISCONSIN COUNTY OF BROWN:

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

PUBLIC NOTICE

In the Twentieth Judicial Circuit Court was published in said newspaper in the issues of:

7/3/2021

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 3rd day of July, 2021.

Legal Clerk

Notary Public State of Wisconsin County of Brown

My commission expires

Publication Cost: \$315.20
Ad No: GCI0683690
Customer No: 586656
PO#: PUBLIC NOTICE

NANCY HEYRMAN
Notary Public
State of Wisconsin

Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Floodway



To: All interested Agencies FEMA, DEO, Lee County, and Groups and Individuals

This is to give notice that Lee County under Part 58 has determined that the following proposed action under the San Carlos Park Sidewalk and Canal Project, grant number IR014 is located in the 100-Year Floodplain and Floodway and Lee County will be identifying and evaluating practicable alternatives to locating the action in the floodplain and the potential impacts on the floodplain from the proposed action, as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands. This project consists of sidewalk repairs and drainage improvements. Proposed repairs in the Lee County right-of-way include driveway pipes and sidewalks, which are important assets for housing access, safety, and value. Drainage system improvements will include Irma-related silt and vegetation removal from canals, ditches, and drainage pipes to eliminate flow constrictions. This project will allow the County to complete restoration by clearing structural and debris constrictions in the drainage system that, if left, will negatively affect low-mod households during severe weather. It will also allow Lee County to devote more funding to improvements to control additional sitation in the Mulloch Creek basin and address resiliency planning and improvements. The project area will be approximately 3.08 miles. The proposed project(s) is located at Cypress Point Road, Winged Foot Drive, Pebble Beach Road, Rockefeller Circle, San Carlos Blvd, Sanibel Blvd, Iris Road, Constitution Circle, Constitution Blvd in Fort Myers, Lee County.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Commenters are encouraged to offer alternative sites outside of the floodplain, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplain can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplain, it must inform those who may be put at greater or continued risk.

Written comments must be received by Lee County Human and Veteran Services at the following address on or before July 18, 2021: Lee County Human and Veteran Services, 2440 Thompson Street, Fort Myers, FL 33901 and 239-533-7905. Attention: Clare Dennehy, Grants Compliance Analyst. A full description of the project may also be reviewed by appointment at the address above and leegov.com/dhs/about/contracts Comments may also be submitted via email at CDennehy@leegov.com.

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Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain and Floodway



To: All interested Agencies FEMA, DEO, Lee County, and Groups and Individuals

This is to give notice that Lee County under Part 58 has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded under San Carlos Park Sidewalk and Canal Project, grant number IR014. The proposed project(s) is located at Cypress Point Road, Winged Foot Drive, Pebble Beach Road, Rockefeller Circle, San Carlos Blvd, Sanibel Blvd, Iris Road, Constitution Circle, Constitution Blvd in Fort Myers, Lee County. This project consists of sidewalk repairs and drainage improvements. Proposed repairs in the Lee County right-of-way include driveway pipes and sidewalks, which are important assets for housing access, safety, and value. Drainage system improvements will include Irma-related silt and vegetation removal from canals, ditches, and drainage pipes to eliminate flow constrictions. This project will allow the County to complete restoration by clearing structural and debris constrictions in the drainage system that, if left, will negatively affect low-mod households during severe weather. It will also allow Lee County to devote more funding to improvements to control additional siltation in the Mulloch Creek basin and address resiliency planning and improvements. The project area will be approximately 3.08 miles.

Lee County has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: (i) For this project to be effective, the work needs to be completed within a floodplain area. Floodplain management will increase efficacy with clear, well-flowing canals. Clearing debris from canals, ditches and drainage pipes will allow water ways to flow more efficiently in order to protect life from potential flash floods. (ii) Alternative sites were considered outside of the floodplain area for sidewalk replacement and repair. However, alternative location sidewalk repairs could not be directly tied to hurricane Irma. Because the locations are within the floodplain, additional actions are being taken to ensure the floodplain is being managed. The extensive environmental review completed critically analyzes the impact from this project on the site location. (iii) Proposed repairs in the Lee County right-of-way include driveway pipes and sidewalks, which are important assets for housing access, safety, and value. Drainage system improvements will include Irma-related silt and vegetation removal from canals, ditches, and drainage pipes to eliminate flow constrictions. This project is in compliance with state and local floodplain protection procedures.

Lee County has reevaluated the alternatives to building in the floodplain and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in the floodplain and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

Written comments must be received by Lee County Human and Veteran Services at the following address on or before July 27, 2021: Lee County Human and Veteran Services, 2440 Thompson Street, Fort Myers, FL 33901 and 239-533-7905. Attention: Clare Dennehy, Grants Compliance Analyst. A full description of the project may also be reviewed by appointment at the address above and leegov.com/dhs/about/contracts Comments may also be submitted via email at CDennehy@leegov.com.

July 19, 2021

In accordance with the Americans with Disabilities Act, Lee County will not discriminate against individuals with disabilities in its services, programs, or activities. To request an auxiliary aid or service for effective communication or a reasonable modification to participate, contact Joan LaGuardia, (239) 533-2314, Florida Relay Service 711, or jlaguardia@leegov.com.

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Historic Preservation (CEST and EA)

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties"
References		
https://www.hudexchange.info/environmental-review/historic-preservation		

Threshold

Is Section 106 review required for your project?

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

Either provide the PA itself or a link to it here. Mark the applicable exemptions or include the text here:

→ Continue to the Worksheet Summary.

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

Either provide the memo itself or a link to it here. Explain and justify the other determination here:

(1) No potential to cause effects. If the undertaking is a type of activity that does not have the potential to cause effects on historic properties, assuming such historic properties were present, the agency official has no further obligations under section 106 or this part

→ Continue to the Worksheet Summary.

☐ Yes, because the project includes activities with potential to cause effects (direct or indirect). → *Continue to Step 1.*

The Section 106 Process

After determining the need to do a Section 106 review, initiate consultation with regulatory and other interested parties, identify and evaluate historic properties, assess effects of the project on properties listed on or eligible for the National Register of Historic Places, and resolve any adverse effects through project design modifications or mitigation.

Note that consultation continues through all phases of the review.

Step 1: Initiate consultation

Step 2: Identify and evaluate historic properties

Step 3: Assess effects of the project on historic properties

Step 4: Resolve any adverse effects

Step 1 - Initiate Consultation

The following parties are entitled to participate in Section 106 reviews: Advisory Council on Historic Preservation; State Historic Preservation Officers (SHPOs); federally recognized Indian tribes/Tribal Historic Preservation Officers (THPOs); Native Hawaiian Organizations (NHOs); local governments; and project grantees. The general public and individuals and organizations with a demonstrated interest in a project may participate as consulting parties at the discretion of the RE or HUD official. Participation varies with the nature and scope of a project. Refer to HUD's website for guidance on consultation, including the required timeframes for response. Consultation should begin early to enable full consideration of preservation options.

Use the [When To Consult With Tribes checklist](#) within [Notice CPD-12-006: Process for Tribal Consultation](#) to determine if you should invite tribes to consult on a particular project. Use the [Tribal Directory Assessment Tool \(TDAT\)](#) to identify tribes that may have an interest in the area where the project is located. Note that consultants may not initiate consultation with Tribes.

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

- ☒ State Historic Preservation Officer (SHPO)
- ☐ Advisory Council on Historic Preservation
- ☒ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native
- ☐ Hawaiian Organizations (NHOs)

List all tribes that were consulted here and their status of consultation:

--

☐ Other Consulting Parties

List all consulting parties that were consulted here and their status of consultation:

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

Provide all correspondence, notices, and notes (including comments and objections received) and continue to Step 2.

Step 2 - Identify and Evaluate Historic Properties

Define the Area of Potential Effect (APE), either by entering the address(es) or providing a map depicting the APE. Attach an additional page if necessary.

Gather information about known historic properties in the APE. Historic buildings, districts and archeological sites may have been identified in local, state, and national surveys and registers, local historic districts, municipal plans, town and county histories, and local history websites. If not already listed on the National Register of Historic Places, identified properties are then evaluated to see if they are eligible for the National Register.

Refer to HUD's website for guidance on identifying and evaluating historic properties.

In the space below, list historic properties identified and evaluated in the APE.

Every historic property that may be affected by the project should be listed. For each historic property or district, include the National Register status, whether the SHPO has concurred with the finding, and whether information on the site is sensitive. Attach an additional page if necessary.

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

Was a survey of historic buildings and/or archeological sites done as part of the project?

If the APE contains previously unsurveyed buildings or structures over 50 years old, or there is a likely presence of previously unsurveyed archeological sites, a survey may be necessary. For Archeological surveys, refer to HP Fact Sheet #6, [Guidance on Archeological Investigations in HUD Projects](#).

- ☐ Yes → *Provide survey(s) and report(s) and continue to Step 3.*

Additional notes:

- ☐ No → *Continue to Step 3.*

Step 3 - Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. ([36 CFR 800.5](#)) Consider direct and indirect effects as applicable as per HUD guidance.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

- ☐ No Historic Properties Affected

Document reason for finding:

- ☐ No historic properties present. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*
- ☐ Historic properties present, but project will have no effect upon them. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to ([36 CFR 800.4\(d\)\(1\)](#)) and consult further to try to resolve objection(s).

☐ No Adverse Effect

Document reason for finding:

Does the No Adverse Effect finding contain conditions?

☐ Yes

Check all that apply: (check all that apply)

- ☐ Avoidance
- ☐ Modification of project
- ☐ Other

Describe conditions here:

→ Monitor satisfactory implementation of conditions. Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.

☐ No → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to ([36 CFR 800.5\(c\)\(2\)](#)) and consult further to try to resolve objection(s).

☐ Adverse Effect

Document reason for finding:

Copy and paste applicable Criteria into text box with summary and justification.

Criteria of Adverse Effect: [36 CFR 800.5](#)]

Notify the Advisory Council on Historic Preservation of the Adverse Effect and provide the documentation outlined in [36 CFR 800.11\(e\)](#). The Council has 15 days to decide whether to enter the consultation (Not required for projects covered by a Programmatic Agreement).

→ *Continue to Step 4.*

Step 4 - Resolve Adverse Effects

Work with consulting parties to try to avoid, minimize or mitigate adverse effects. Refer to HUD guidance and [36 CFR 800.6 and 800.7](#).

Were the Adverse Effects resolved?

☐ Yes

Describe the resolution of Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation:

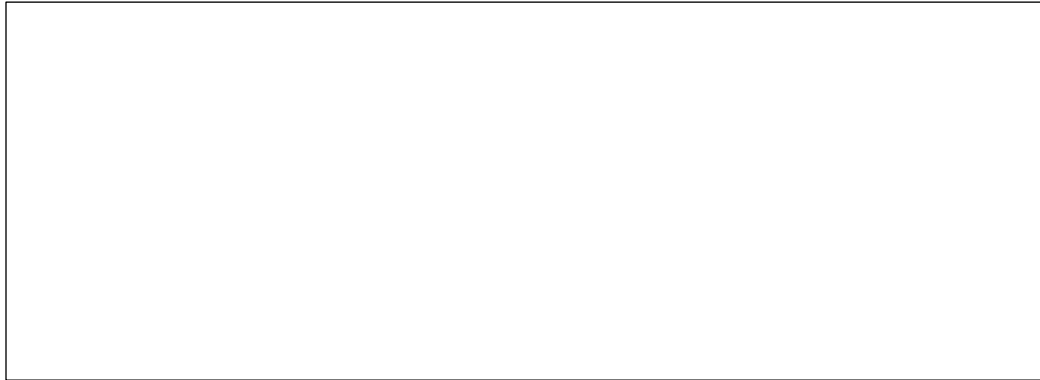
For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

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

☐ No

The project must be cancelled unless the “Head of Agency” approves it. Either provide approval from the “Head of Agency” or cancel the project at this location.

Describe the failure to resolve Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation and “Head of the Agency”:



Explain in detail the exact conditions or measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.



→ *Provide correspondence, comments, documentation of decision, and “Head of Agency” approval. Continue to the Worksheet Summary.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

This project will be maintaining existing, non-historical infrastructure and canals. The footprint of the existing infrastructure will not be significantly altered. Letters of approval from the State historic Preservation Office of Florida and The Muscogee Nation Tribe have been received for this project.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Ms. Clare Dennehy
Grants Compliance Analyst
Lee County Human and Veteran Service
2440 Thompson Street
Fort Myers, Florida 33901

June 3, 2021

RE: DHR Project File No.: 2021-3901
Department of Housing and Urban Development - Community Development Block Grant
San Carlos Park Project - Sidewalk Repairs and Drainage Improvements Along San Carlos Boulevard, Sanibel Boulevard, and Iris Road, Constitution Circle, Constitution Boulevard, Cypress Point Road, Winged Foot Drive, Pebble Beach Road, and Rockefeller Circle
Fort Myers, Lee County

Ms. Dennehy:

The Florida State Historic Preservation Officer reviewed the additional information for the referenced project in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended, and its implementing regulations in *36 CFR Part 800: Protection of Historic Properties*.

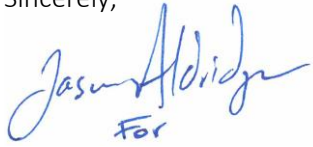
Based on the information provided, it is the opinion of this office that the proposed project is unlikely to affect historic properties. However, the project should include the following special condition regarding unexpected discoveries:

- *If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.*

Ms. Dennehy
DHR No.: 2021-3901
June 3, 2021
Page 2 of 2

If you have any questions, please contact Scott Edwards, Historic Preservationist, by electronic mail scott.edwards@dos.myflorida.com, or at 850.245.6333 or 800.847.7278.

Sincerely,



Timothy A. Parsons, Ph.D.
Director, Division of Historical Resources
and State Historic Preservation Officer

Dennehy, Clare

From: Section106 <Section106@muscogeenation.com>
Sent: Monday, June 28, 2021 12:30 PM
To: Dennehy, Clare
Subject: [EXTERNAL] Re: THPO Review of San Carlos Park Sidewalk Project

Good morning Ms. Dennehy,

Thank you for sending the correspondence regarding the proposed San Carlos Park Sidewalk project located within 9 residential neighborhoods in Lee County, Florida. Lee County is located within the Muscogee (Creek) Nation's historic area of interest and is of importance to us. After review, the Muscogee Nation is unaware of any Muscogee sacred sites, burial grounds, or significant cultural resources located within the immediate project areas. It looks like much of the work will be conducted within existing rights-of-way so the Muscogee Nation concurs that there should be **no effects to any known historic properties** and that work should continue as planned. However, due to the historic presence of Muscogee people in the project area, inadvertent discoveries of cultural resources, human remains and related NAGPRA items may occur, even in areas of existing or prior development. Should this occur, the Muscogee (Creek) Nation requests that all work cease and our office as well as other appropriate agencies be notified immediately. Please feel free to contact me if there are any questions or concerns.

Thank you,

Robin Soweka, Jr.
Cultural Resource Specialist, Historic and Cultural Preservation Department
The Muscogee Nation
P.O. Box 580 | Okmulgee, OK 74447
T 918.732.7726 | F 918.758.0649
rosoweka@MuscogeeNation.com
MuscogeeNation.com



From: Dennehy, Clare <CDennehy@leegov.com>
Sent: Tuesday, May 25, 2021 2:37 PM
To: bradleymueller@semtribe.com <bradleymueller@semtribe.com>; David J. Proctor <djproctor@mcn-nsn.gov>; HopeL@miccosukeetribes.com <HopeL@miccosukeetribes.com>; Section106 <Section106@muscogeenation.com>
Subject: THPO Review of San Carlos Park Sidewalk Project

Good morning,

Please review attached project from Lee County for potential tribal impacts.

Thank You,



Clare Dennehy | Grants Compliance Analyst

Lee County Human and Veteran Services

2440 Thompson St., Fort Myers, FL 33901

office: (239) 533-7905

email: CDennehy@leegov.com

web: www.leegov.com

Connect With Us On Social Media



Receive updates from Lee County Government by [subscribing to our newsletter](#)

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Noise (CEST Level Reviews)

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B
References		
https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control		

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

- ☐ New construction for residential use

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

→ *Continue to Question 4.*

- ☐ Rehabilitation of an existing residential property

NOTE: For modernization projects in all noise zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details.

→ *Continue to Question 2.*

- ☐ A research demonstration project which does not result in new construction or reconstruction, interstate, land sales registration, or any timely emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

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

- ☒ None of the above

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

2. Do you have standardized noise attenuation measures that apply to all modernization and/or minor rehabilitation projects, such as the use of double glazed windows or extra insulation?

☐ Yes

Indicate the type of measures that will apply (check all that apply):

- ☐ Improved building envelope components (better windows and doors, strengthened sheathing, insulation, sealed gaps, etc.)
- ☐ Redesigned building envelope (more durable or substantial materials, increased air gap, resilient channels, staggered wall studs, etc.)
- ☐ Other

Explain:

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below and provide any supporting documentation.

☐ No

→ Continue to Question 3.

3. 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). Describe findings of the Preliminary Screening:

→ Continue to Question 6.

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.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing the location of the project relative to any noise generators.

☐ Noise generators were found within the threshold distances.

→ Continue to Question 5.

5. Complete the Noise Assessment Guidelines to quantify the noise exposure. Indicate the findings of the Noise Assessment below:

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

Indicate noise level here:

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide noise analysis, including noise level and data used to complete the analysis.

☐ Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in 24 CFR 51.105(a))

Indicate noise level here:

Is the project in a largely undeveloped area¹?

☐ No

→ Your project requires completion of an Environmental Assessment (EA) pursuant to 51.104(b)(1)(i). Elevate this review to an EA-level review.

Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

☐ Yes

→ Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). Elevate this review to an EIS-level review.

Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

¹ A largely undeveloped area means the area within 2 miles of the project site is less than 50 percent developed with urban uses or does not have water and sewer capacity to serve the project.

☐ Unacceptable: (Above 75 decibels)

Indicate noise level here:

Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). You may either complete an EIS or provide a waiver signed by the appropriate authority. Indicate your choice:

☐ Convert to an EIS

→ Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

☐ Provide waiver

→ Provide an Environmental Impact Statement waiver from the Certifying Officer or the Assistant Secretary for Community Planning and Development per 24 CFR 51.104(b)(2) and noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

- 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:

→ Provide drawings, specifications, and other materials as needed to describe the project's noise mitigation measures.

Continue to the Worksheet Summary.

☐ No mitigation is necessary.

Explain why mitigation will not be made here:

→ Continue to the Worksheet Summary.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

This project will not result in any residential units. Efforts will be made to mitigate construction noises, such as only working during daylight hours and encouraging the use of quieter construction equipment and methods.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Sole Source Aquifers (CEST and EA)

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149
Reference		
https://www.hudexchange.info/environmental-review/sole-source-aquifers		

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

- ☐ Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*
- ☒ No → *Continue to Question 2.*

2. Is the project located on a sole source aquifer (SSA)¹?

- ☒ No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area.*
- ☐ Yes → *Continue to Question 3.*

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

Contact your Field or Regional Environmental Officer or visit the HUD webpage at the link above to determine if an MOU or agreement exists in your area.

- ☐ Yes → *Provide the MOU or agreement as part of your supporting documentation. Continue to Question 4.*
- ☐ No → *Continue to Question 5.*

4. Does your MOU or working agreement exclude your project from further review?

- ☐ Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination and document where your project fits within the MOU or agreement.*

¹ A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

☐ No → *Continue to Question 5.*

5. Will the proposed project contaminate the aquifer and create a significant hazard to public health?

Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, storm water and waste water at the proposed project. Follow your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.

☐ No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide your correspondence with the EPA and all documents used to make your determination.*

☐ Yes → *Work with EPA to develop mitigation measures. If mitigation measures are approved, attach correspondence with EPA and include the mitigation measures in your environmental review documents and project contracts. If EPA determines that the project continues to pose a significant risk to the aquifer, federal financial assistance must be denied. Continue to Question 6.*

6. In order to continue with the project, any threat must be mitigated, and all mitigation must be approved by the EPA. Explain in detail the proposed measures that can be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

This project is not within the boundaries of a designated Sole Source Aquifer. See attached map.

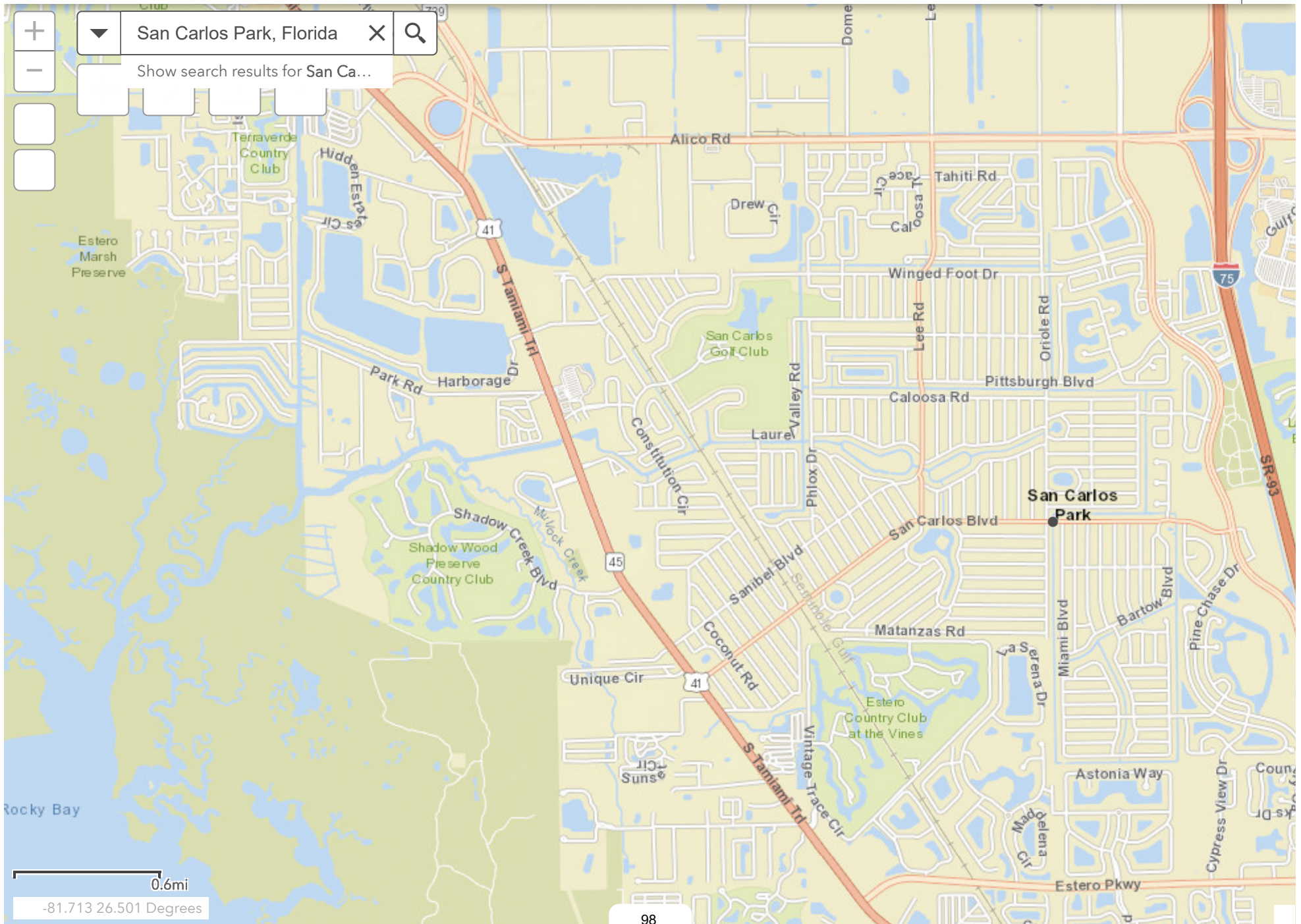
Are formal compliance steps or mitigation required?

☐ Yes

☒ No



Sole Source Aquifers



Wetlands (CEST and EA)

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

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance?

The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order.

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

☒ Yes → *Continue to Question 2.*

2. Will the new construction or other ground disturbance impact an on- or off-site wetland?

The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands.

☒ No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.*

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

→ You must determine that there are no practicable alternatives to wetlands development by completing the 8-Step Process.

Provide a completed 8-Step Process as well as all documents used to make your determination, including a map. Be sure to include the early public notice and the final notice with your documentation.

Continue to Question 3.

- 3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Which of the following mitigation actions have been or will be taken? Select all that apply:

- ☐ Permeable surfaces
- ☐ Natural landscape enhancements that maintain or restore natural hydrology through infiltration
- ☐ Native plant species
- ☐ Bioswales
- ☐ Evapotranspiration
- ☐ Stormwater capture and reuse
- ☐ Green or vegetative roofs with drainage provisions
- ☐ Natural Resources Conservation Service conservation easements
- ☐ Compensatory mitigation

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

The canal areas being cleared for this project are not considered to be wetlands. See attached map.

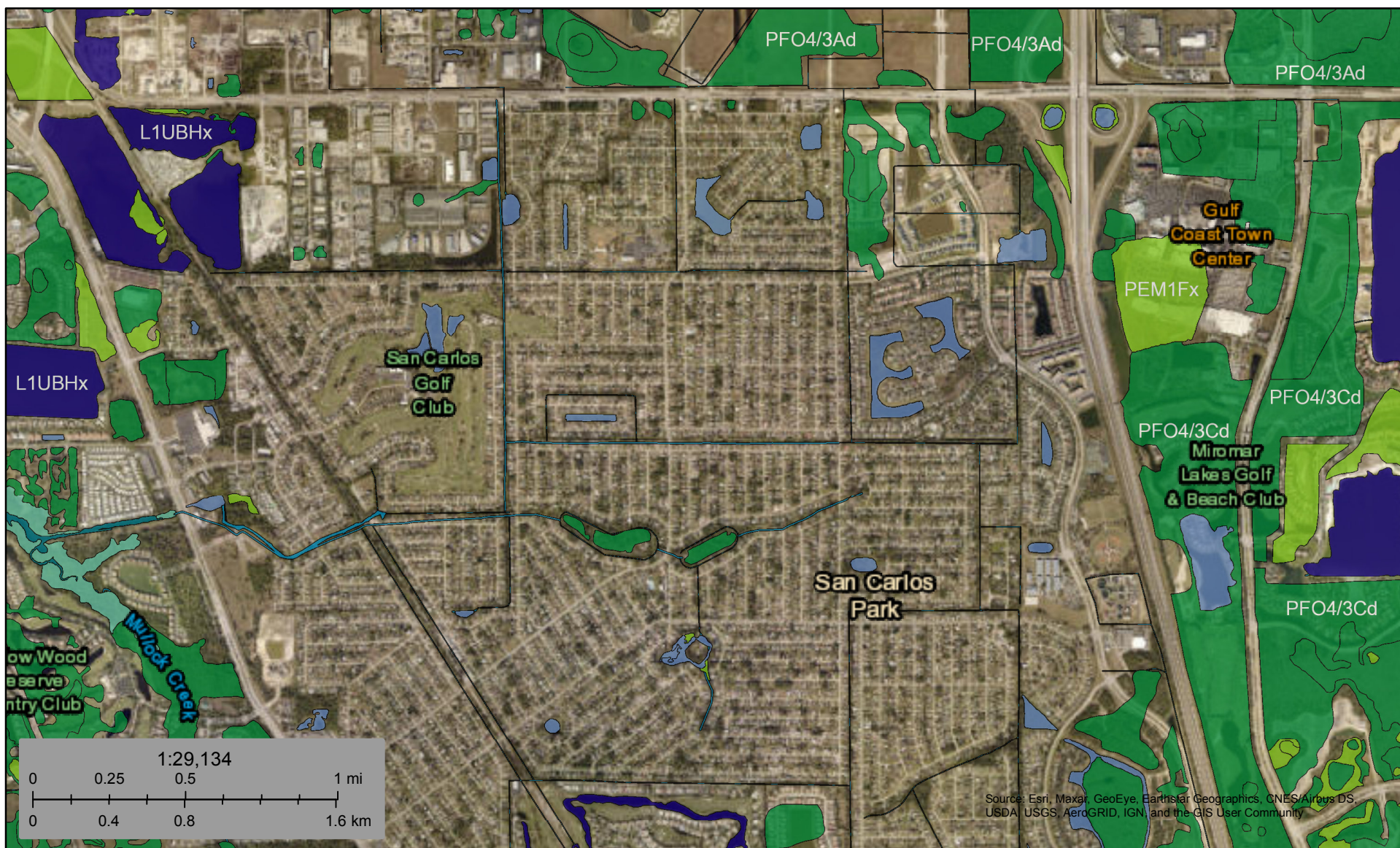
Are formal compliance steps or mitigation required?

☐ Yes

☒ No



Wetlands Map



September 29, 2020

Wetlands

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

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Wild and Scenic Rivers (CEST and EA)

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

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

Wild & Scenic Rivers: These rivers or river segments have been designated by Congress or by states (with the concurrence of the Secretary of the Interior) as wild, scenic, or recreational

Study Rivers: These rivers or river segments are being studied as a potential component of the Wild & Scenic River system.

Nationwide Rivers Inventory (NRI): The National Park Service has compiled and maintains the NRI, a register of river segments that potentially qualify as national wild, scenic, or recreational river areas

☒ No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map identifying the project site and its surrounding area or a list of rivers in your region in the Screen Summary at the conclusion of this screen.

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

→ Continue to Question 2.

2. Could the project do *any* of the following?

- Have a direct and adverse effect within Wild and Scenic River Boundaries,
- Invade the area or unreasonably diminish the river outside Wild and Scenic River Boundaries, or
- Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment.

Consultation with the appropriate federal/state/local/tribal Managing Agency(s) is required, pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse effect on a Wild & Scenic River or a Study River and, if so, to determine the appropriate avoidance or mitigation measures.

Note: Concurrence may be assumed if the Managing Agency does not respond within 30 days; however, you are still obligated to avoid or mitigate adverse effects on the rivers identified in the NWSRS

- ☐ No, the Managing Agency has concurred that the proposed project will not alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

- ☐ Yes, the Managing Agency was consulted and the proposed project may alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Continue to Question 3.*

- 3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

--

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

The project does not impact any rivers or river segments that have been designated as wild, scenic or recreational. There are maps attached from Wild and Scenic Rivers and Nationwide Rivers Inventory List. See attached map.

Are formal compliance steps or mitigation required?

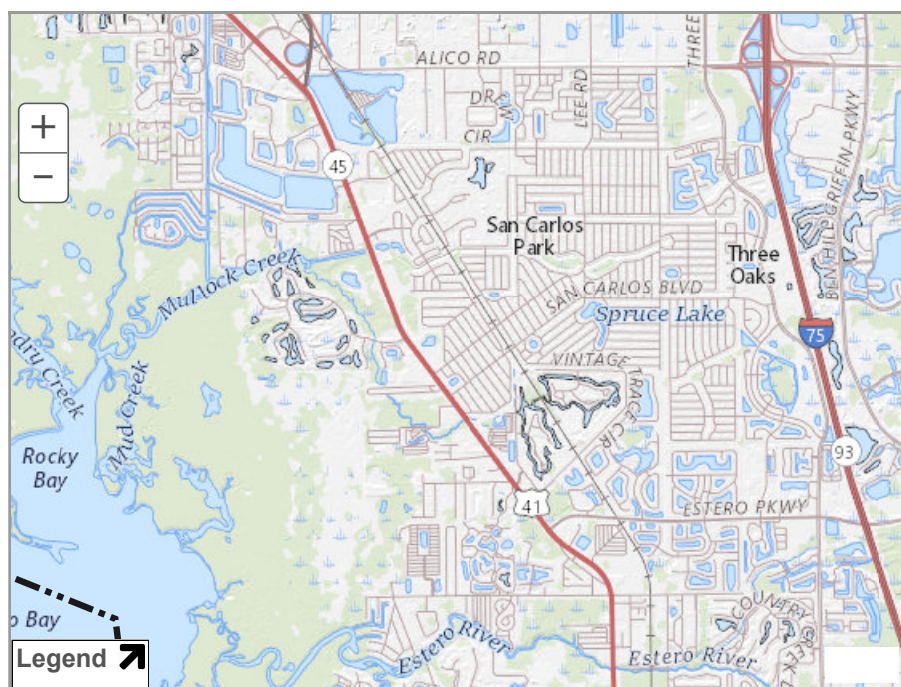
☐ Yes

☒ No



FLORIDA

Florida has approximately 25,949 miles of river, of which 49.2 miles are designated as wild & scenic—approximately 1/5th of 1% of the state's river miles.



Choose A State

Choose A River

Rivers of the Southeast define diversity, from bayous and rivers pushed by the tides to clear mountain streams with world-class whitewater.

[+ View larger map](#)

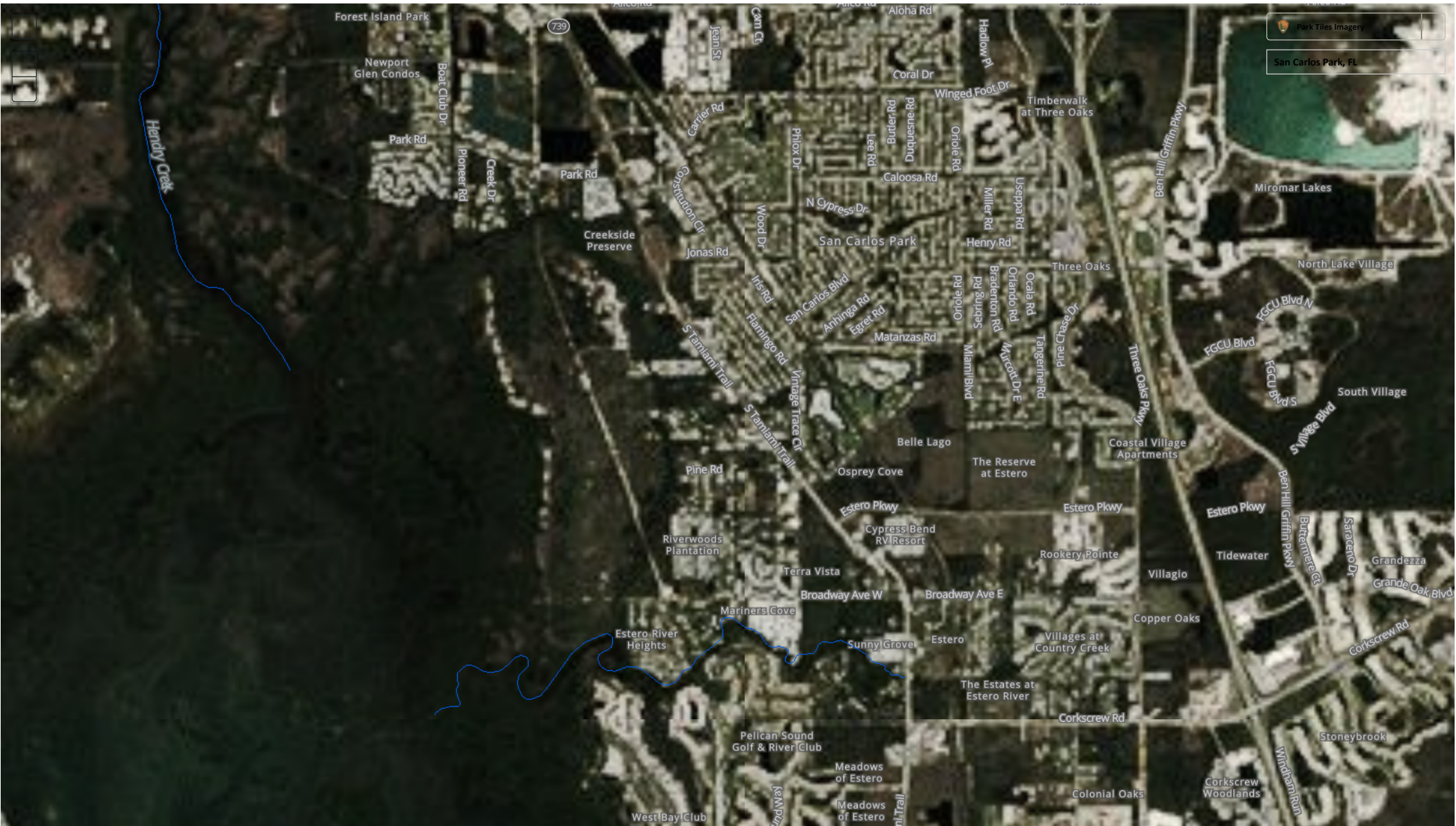
Loxahatchee River

Wekiva River

Nationwide Rivers Inventory

National Park Service
U.S. Department of the Interior

This is a listing of more than 3,200 free-flowing river segments in the U.S. that are believed to possess one or more "outstandingly remarkable" values.



Environmental Justice (CEST and EA)

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

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

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

☐ Yes → *Continue to Question 2.*

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

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

☐ Yes

Explain:

→ *Continue to Question 3. Provide any supporting documentation.*

☐ No

Explain:

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

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

☐ Mitigation as follows will be implemented:

→ Continue to Question 4.

☐ No mitigation is necessary.

Explain why mitigation will not be made here:

→ Continue to Question 4.

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

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

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

No adverse environmental impacts were identified in the environmental review process.

Are formal compliance steps or mitigation required?

☐ Yes

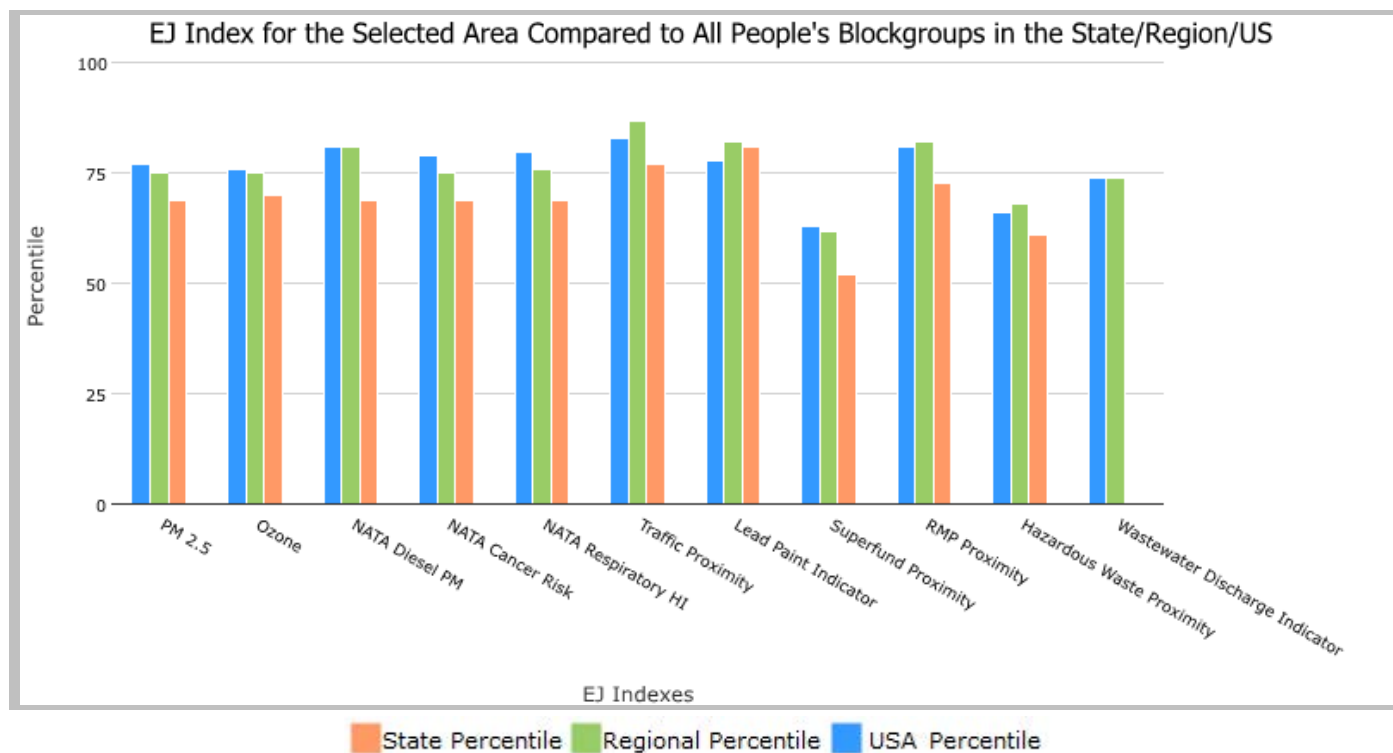
☒ No

Blockgroup: 120710502092, FLORIDA, EPA Region 4

Approximate Population: 1,320

Input Area (sq. miles): 0.31

Selected Variables	State Percentile	EPA Region Percentile	USA Percentile
EJ Indexes			
EJ Index for PM2.5	69	75	77
EJ Index for Ozone	70	75	76
EJ Index for NATA* Diesel PM	69	81	81
EJ Index for NATA* Air Toxics Cancer Risk	69	75	79
EJ Index for NATA* Respiratory Hazard Index	69	76	80
EJ Index for Traffic Proximity and Volume	77	87	83
EJ Index for Lead Paint Indicator	81	82	78
EJ Index for Superfund Proximity	52	62	63
EJ Index for RMP Proximity	73	82	81
EJ Index for Hazardous Waste Proximity	61	68	66
EJ Index for Wastewater Discharge Indicator	N/A	74	74

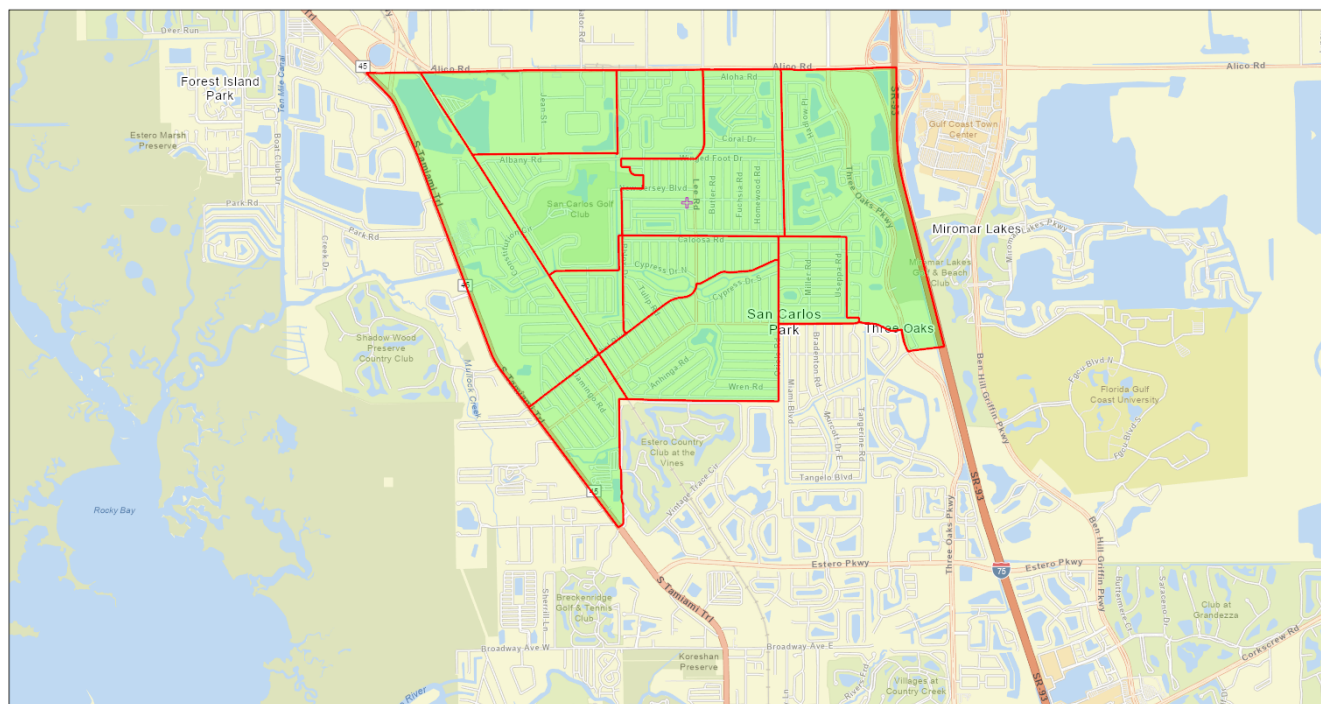


This report shows the values for environmental and demographic indicators and EJSCREEN indexes. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports.

Blockgroup: 120710502092, FLORIDA, EPA Region 4

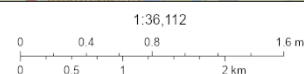
Approximate Population: 1,320

Input Area (sq. miles): 0.31



October 6, 2020

- Project 11 Project 8 Project 5 Project 2
- Project 10 Project 7 Project 4 Project 1
- Project 9 Project 6 Project 3



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, OpenStreetMap contributors, and the GIS User Community

Sites reporting to EPA		
Superfund NPL		0
Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF)		0

EJSCREEN Report (Version 2019)

Blockgroup: 120710502092, FLORIDA, EPA Region 4

Approximate Population: 1,320

Input Area (sq. miles): 0.31

Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
Environmental Indicators							
Particulate Matter (PM 2.5 in $\mu\text{g}/\text{m}^3$)	6.84	7.43	21	8.59	8	8.3	17
Ozone (ppb)	31.6	33.7	35	40	11	43	5
NATA* Diesel PM ($\mu\text{g}/\text{m}^3$)	0.516	0.557	53	0.417	70-80th	0.479	60-70th
NATA* Cancer Risk (lifetime risk per million)	30	33	30	36	<50th	32	<50th
NATA* Respiratory Hazard Index	0.46	0.49	38	0.52	<50th	0.44	50-60th
Traffic Proximity and Volume (daily traffic count/distance to road)	560	550	70	350	83	750	70
Lead Paint Indicator (% Pre-1960 Housing)	0.12	0.11	72	0.15	61	0.28	42
Superfund Proximity (site count/km distance)	0.0069	0.13	0	0.083	0	0.13	1
RMP Proximity (facility count/km distance)	0.56	0.79	56	0.6	69	0.74	63
Hazardous Waste Proximity (facility count/km distance)	0.08	0.47	18	0.52	21	4	14
Wastewater Discharge Indicator (toxicity-weighted concentration/m distance)	0	0.48	N/A	0.45	42	14	37
Demographic Indicators							
Demographic Index	64%	41%	81	38%	84	36%	85
Minority Population	54%	45%	63	38%	71	39%	69
Low Income Population	74%	36%	95	37%	95	33%	95
Linguistically Isolated Population	0%	7%	29	3%	51	4%	45
Population With Less Than High School Education	33%	12%	94	13%	94	13%	91
Population Under 5 years of age	6%	5%	54	6%	49	6%	47
Population over 64 years of age	8%	19%	17	16%	19	15%	24

* The National-Scale Air Toxics Assessment (NATA) is EPA's ongoing, comprehensive evaluation of air toxics in the United States. EPA developed the NATA to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that NATA provides broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. More information on the NATA analysis can be found at: <https://www.epa.gov/national-air-toxics-assessment>.

For additional information, see: www.epa.gov/environmentaljustice

EJSCREEN is a screening tool for pre-decisional use only. It can help identify areas that may warrant additional consideration, analysis, or outreach. It does not provide a basis for decision-making, but it may help identify potential areas of EJ concern. Users should keep in mind that screening tools are subject to substantial uncertainty in their demographic and environmental data, particularly when looking at small geographic areas. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports. This screening tool does not provide data on every environmental impact and demographic factor that may be relevant to a particular location. EJSCREEN outputs should be supplemented with additional information and local knowledge before taking any action to address potential EJ concerns.

Lee County, San Carlos Park – Service Area Map

