



U.S. Department of Housing and Urban  
Development

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

**Project Information**

**Project Name: Newport Shores Veterans Housing**

**Responsible Entity: County of Orange/OC Community Services**

**Grant Recipient (if different than Responsible Entity):**

**State/Local Identifier:**

**Preparer: Cindy Wolfe**

**Certifying Officer Name and Title: John Viafora, HCD/HP Manager**

**Grant Recipient (if different than Responsible Entity):**

**Consultant (if applicable):**

**Direct Comments to:**

**Project Location: 6001 Newport Shores Dr, Newport Beach, CA 92661**

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

The proposed project will consist of acquisition and rehabilitation of 12-unit apartment complex for veterans and low income persons. The project will assist veterans with rental assistance by providing Veterans Affairs Supportive Housing (VASH) Project-Based Vouchers at 6001 Newport Shores Dr, Newport Beach, CA 92661

**Level of Environmental Review Determination:**

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

**Funding Information**

<b>Grant Number</b>	<b>HUD Program</b>	<b>Funding Amount</b>
N/A	VASH Project Based Vouchers	

**Estimated Total HUD Funded Amount: 6 VASH Project Based Vouchers (\$63,144 annual account)**

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$6,149,968**

**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.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. Project is approximately 8 miles from nearest airport and is in compliance with the HUD’s Airport Hazard regulations without further evaluation.
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is not located in a state with Coastal Barrier Resources.

<p><b>Flood Insurance</b></p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No  <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Project will not be in a special flood hazard area. See attached FEMA map, 06059C0264J, 12/03/2009</p>
<p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</b></p>		
<p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No  <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project does not include new construction or conversion of land use facilitating the development of five or more dwelling units. The project is in compliance with the Clean Air Act without further evaluation.</p>
<p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes No  <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project is in compliance with the Coastal Zone Management Act (see attached map).</p>
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</p>	<p>Yes No  <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project activity is residential rehabilitation with density not increased and land use will not be changed.</p>
<p><b>Endangered Species</b></p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No  <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project does not involve activities that would have the potential to affect species or habitats and is in compliance with the Endangered Species Act without further evaluation.</p>
<p><b>Explosive and Flammable Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No  <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project does not consist of development, construction or rehabilitation that will increase residential densities, or conversion.</p>
<p><b>Farmlands Protection</b></p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No  <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site does not include prime or unique farmland.</p>
<p><b>Floodplain Management</b></p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No  <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Project will not be in a special flood hazard area, See attached FEMA map, 06059C0264J, 12/03/2009</p>
<p><b>Historic Preservation</b></p>	<p>Yes No  <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The property is not identify as a historical properties through SHPO. Therefore, this project is in compliance with Section 106 of</p>

National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800		the National Historic Preservation Act without further obligations.
<b>Noise Abatement and Control</b> Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	This project consists of minor rehabilitation within an existing neighborhood and the activity will include replacement of high performance windows which would assist with any noise attenuation measures. The project is in compliance with HUD's Noise regulation.
<b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	This project consists of acquisition and rehabilitation to an existing complex and is in compliance with the Safe Drinking Water Act without further evaluation.
<b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	This project consists acquisition and rehabilitation of an existing complex without any new construction. Executive Order 11990 and Part 55 wetlands provisions do not apply to projects that do not involve new construction in a wetland.
<b>Wild and Scenic Rivers</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	This project is not in an area with a wild or scenic river and is in compliance with the Wild and Scenic Rivers Act without further evaluation.
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b> Executive Order 12898	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project site is suitable for its proposed use and the project won't be adversely affected by existing environmental conditions.

**Field Inspection** (Date and completed by): 12/9/2013, Partner Engineering and Science, Inc.

**Summary of Findings and Conclusions:** Phase I assessment revealed no evidence of recognized environmental conditions or environmental issues in connection with subject property.

**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

**Determination:**

- This categorically excluded activity/project converts to **EXEMPT** per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR
- This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain "Authority to Use Grant Funds"** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
- This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature:  Date: 3/2/16

Name/Title/Organization: Cindy Wolfe, Staff Specialist, County of Orange/OC Community Services

Responsible Entity Agency Official Signature:  Date: 3/2/16

Name/Title: John Viafora, HCD/HP Manager

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).