

Broad-Level Tiered Environmental Review for Activity/Project for Environmental Assessment

Pursuant to 24 CFR Part 58.36

If a project is not exempt or categorically excluded under 58.34 and 58.35, the responsible entity must prepare an EA in accordance with subpart E of this part.

Project Information

Project Name: Local Voluntary Housing Buyout

Responsible Entity (RE): Michael Hurlbert

State/Local Identifier: DR4451

Preparer: Pinar Turker

Certifying Officer: Michael Hurlbert

Project Location: St. Charles County

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

The County of St. Charles, Missouri intends to undertake the acquisition and demolition of approximately 100 existing buildings that have been impacted by the 2019 flood. St. Charles County intends to dedicate these properties, in perpetuity, for uses compatible with open space, recreation, or wetlands management practices to increase flood protection, improve drainage, and enhance environmental quality through water management strategies consistent with all applicable regulations and/or approved plans pertaining to floodplain management, water resources management, pollution reduction and land use. The proposed buyout zone is in Unincorporated Areas, City of West Alton at North St. Charles County and City of St Charles. The project boundary covers an estimated area of 67,000 acres, including 3,212 parcels (705 single family residential and 246 farm properties). The 97% of the project area is in floodplain. The affected buildings consist mainly of single-family homes and associated accessory structures along with some farm structures. The individual project sites will be determined after the intake process and site specific review will be completed as activities and properties are known. The total cost of the project is \$15,780,460.00.

St Charles County established the Buyout Zone (BZ) based on the 108 residential properties whose owners indicated their interest in LVBOP. Most of the buyout zone is within two census blocks, 3115 and 3101, that cover 289 residential properties with documented major damage from the 2019 Flood (Appendix 2: Buyout Zone Census Tracts). This area has 964 target residential properties (as assessed by County Assessor office in April 2019, with property type “single family residence” and “farm” 1) in the City of Portage Des Sioux, City of West Alton, and Unincorporated County. In addition, the Buyout Zone includes 34 residential properties around Boschert Creek in the City of St. Charles in which 22 participants voiced interest for a buyout program.

HUD funds will be utilized by the County for disaster recovery buyout of applicant properties, and will not be used for construction or any sort of rehabilitation work. Structures or improvements present on properties acquired through this program will be removed. The proposed work may include demolition of structures and associated infrastructure work including decommissioning of existing cesspools or other associated items on the parcels. Parcels and structures will be evaluated on a case-by-case basis as appropriate based on their existing conditions, proximity to wetlands, and established Base Flood Elevations (BFE). The properties will be subsequently retained in perpetuity for a use that is compatible with open space, recreational, or floodplain and wetlands management practices.

Approximate size of the project area: 67,000 acres, including 3,212 parcels (705 single family residential and 246 farm properties)

Level of Environmental Review Determination:

Environmental Assessment is required in accordance with subpart E of 24 CFR 58.36

Estimated Total HUD Funded Amount: \$15,780,460

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6	Was compliance achieved at the broad level of review?	If Yes: Describe compliance determinations made at the broad level. Tier 1. If No: Describe the policy, standard, or process to be followed in the site-specific review. Tier 2.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes	No impact determination: St. Charles County LVBOP project area is not located in designated Runway Protection Zones (RPZ), at civil airports, or Protection Zones (PZ) at military airfields and Accident Potential Zone (APZ) at military airfields. Among the potential 100 demolition sites, 4 parcels, which might be part of the program, are within 2,500 feet of the end of a civil airport runway. However, all structures will be demolished so there will be no impact.
Coastal Barrier Resources	Yes	No coastal zones in MO.

Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]		
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	St. Charles County is participating in the National Insurance Program (Attachment #3).
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes	<p>- Condition of Approval/Mitigation:</p> <ul style="list-style-type: none"> • all residential structures and buildings will be inspected for asbestos; • a demolition notification will be submitted at least 10 days prior to the start date with a copy of the asbestos inspection; • MO registered asbestos abatement contractor will remove asbestos if any is found, prior to demolition activities; • there will be no burning of demolition or trade wastes. • all wastes generated from the demolition of structures will be taken to a permitted sanitary landfill or transfer station for proper disposal; • any ACM identified and determined to be nonfriable will be taken to a permitted landfill or transfer station for disposal; • no waste will be buried onsite except for certified clean fill.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes	No coastal zones in MO.
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)]	No	TIER 2 site visits required to assess and abate the presence of individual wastewater systems, lead based paint (LBP), asbestos, chemicals, solvents, poisons, oil containers, or any other potential sources of

		contamination and toxic substances that may be found on applicant parcels. Any sources of contamination found will be abated and removed in accordance with County building codes and State Department of Health regulations.
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	Yes	<p>Condition of Approval:</p> <p>Avoid degrading stream quality and where possible leave snags standing and preserve mature forest canopy. Do not enter caves known to harbor Indiana bats, especially from September to April. If any trees need to be removed by the project, contact the U.S. Fish and Wildlife Service (Ecological Services) prior to any tree removal.</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	No	<p>TIER 2 Review is required: The project is not itself the development of a hazardous facility, and it does not increase residential densities, does not involve conversion of non-residential land to residential land use, rehabilitation, new housing construction, or vacant buildings made habitable. Additionally, Tier 2 reviews will include assessments and identification of any above ground storage tanks (ASTs) or Isolated and Abandoned vehicles (Liquid reservoirs in cars) present on applicant parcels. Any ASTs or Isolated and Abandoned vehicles found will be abated and removed. The project is in compliance with explosive and flammable hazard requirements.</p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	Yes	<p>No impact determination: The project does not involve new construction, acquisition, or disposition of agricultural land, pasture or forested land. Attachment #9 shows color photographs, aerial photos, farmland information of the project area</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	Yes	<p>No impact determination: The project is strictly acquisition/demolition; there will be no new construction. Future development will be just for uses compatible with open space, recreation, or wetlands management practices and will be subject to the</p>

		floodplain ordinances in effect at that point in time.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	No	TIER 2 Review is required: Section 106 review will be completed for each applicant parcel and TRIBES will be informed about the communication with SHPO.
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 impact determination: Temporary noise will be generated by trucks and the demolition activities in residential areas. The demolition activities will take place during the day hours and will be short term, limited to the length of time the demolition activities take place.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes	No impact determination: There are no sole source aquifers in the project area.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	No	TIER 2 Review is required: No ground disturbance associated with demolition of existing buildings are anticipated within the vicinity of any identified wetlands. However, the Tier 2 review will include further evaluation of wetlands including whether any wetlands are located on applicant parcels that include actions with ground disturbance. If a parcel in the project is proposed for ground disturbance and is found to have a wetland, the US Fish and Wildlife Service will be consulted.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes	No impact determination: National Wild & Scenic Rivers lists Eleven Point River as one federally-recognized wild and scenic river in the state of Missouri. on the information, the project sites are not within 1 mile of the Eleven Point River.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes	No impact determination: Environmental impacts to people of low-income and minority status resulting from the proposed project and mitigation measures is not likely to raise environmental justice issues.

Supporting Documentation

All supporting documentation is located within the project file.

CONDITIONS FOR APPROVAL [24 CFR 58.40(d), 40 CFR 1505.29(c) and 40 CFR 1508.20]

- 1) DNR regulations for asbestos inspection, removal and disposal – prior to demolition, the structures will be inspected by a Missouri certified asbestos inspector to determine if any asbestos containing materials are present. If asbestos inspection determines presence of maximum quantity of Regulated Asbestos Controlled Material (RACM), the removal of RACM will be removed by a MO registered asbestos abatement contractor. MO DNR asbestos requirements for demolition will be fulfilled prior to demolition if RACM found during the inspection. Demolition activities must be conducted in accordance with local, state and federal asbestos regulations.
- 2) DNR safety and regulatory compliance required if any electrical components that contain mercury (switched, thermostats) and polychlorinated biphenyls (usually found in older fluorescent light ballasts or transformers), and structural components that may have lead paint coatings are found on the sites.
- 3) NESHP regulations – emissions from equipment will meet the required emissions standards. If practical, use construction equipment that has been retrofitted with a diesel oxidation catalyst or other air pollution control device.
- 4) To the extent practicable, limit the use of heavy construction equipment on “Orange” or “Red” days of the Air Quality Index (AQI).
- 5) State regulation 10 CSR 10-5.385 restricts heavy duty diesel vehicles with a gross vehicle weight greater than 10,000 pounds that operate in St. Charles County from idling more than five (5) minutes in any sixty (60)-minute period except as otherwise exempted from the rule.
- 6) Efforts must be made to prevent any fugitive dust that may result from demolition activities associated with this project from leaving the property where it originated in accordance with State regulation 10 CSR 10-.170.
- 7) A storm water prevention plan (SWPP) and a storm water permit will be required when construction activity disturbs land and the surface area disturbed is one acre or more.
- 8) Demolition projects should be managed to minimize erosion and sedimentation/runoff to nearby lakes and streams, including adherence to any “Clean Water Permit” conditions. Re-vegetate disturbed areas to minimize erosion using native plant species compatible with the local landscape and wildlife needs. Annual ryegrass may be combined with native perennials for quicker green-up. Avoid the use of aggressive exotic perennials such as crownvetch and sericea lespedeza.
- 9) Streams in the area should be protected from soil erosion, water pollution and in-stream activities that modify or diminish aquatic habitats. Best management recommendations relating to streams and rivers may be found on the MO Dept. of Conservation webpage.

- 10) Obtain a NPDES permit if needed.
- 11) Avoid degrading stream quality and where possible leave snags standing and preserve mature forest canopy. Do not enter caves known to harbor Indiana bats, especially from September to April. If any trees need to be removed by the project, contact the U.S. Fish and Wildlife Service (Ecological Services) prior to any tree removal.
- 12) Check the project site for any karst features and make every effort to protect groundwater in the project area.
- 13) Best management practices to be used for work near streams and rivers.
- 14) Remove any mud, soil, trash, plants or animals from equipment before leaving any water body or work area. Drain water from boats and machinery that have operated in water, checking motor cavities, live-well, bilge and transom wells, tracks, buckets, and any other water reservoirs. When possible, wash and rinse equipment thoroughly with hard spray or HOT water ($\geq 104^{\circ}\text{F}$, typically available at do-it-yourself carwash sites), and dry in the hot sun before using again.
- 15) A land disturbance permit will be obtained from the St. Charles County Development Review Division.
- 16) Erosion control and sedimentation/runoff best management practices will be used.
- 17) If fill is determined to be needed, prior to being obtained from the location of the borrow site, the site will be reviewed and approved by SHPO and reviewed for contamination. A documented site visit to the fill/borrow site to determine whether there is evidence of contamination is required prior to obtaining fill from the borrow site.
- 18) Any water and sewer lines serving the sites will be capped as required by the County Building Division. Any existing wells found on the sites will be properly abandoned by the contractor per County Building Division and DNR well abandonment procedures. Existing septic tanks will be properly demolished and disposed of by the contractor per County Building Division and County Health Department guidelines and regulations.
- 19) Any existing propane tanks on the sites will be drained and disposed of by the contractor per DNR regulations.
- 20) Contractor will be responsible for obtaining the demolition permits from the St. Charles County Building division prior to the commencement of any demolition activities.
- 21) Contractor will be responsible for obtaining floodplain development permits from the St. Charles County Building division prior to the commencement of any demolition activities. All work performed must meet the requirements of St. Charles County's Floodplain Management Ordinance.
- 22) A permit from the USACE is required. All USACE permit requirements will be followed and will be placed within construction contracts.

23) All demolition debris will be classified as solid waste and shall be disposed of in a regulated facility in compliance with 10 CSR 80-3.010 of the Missouri Code of State Regulations.

24) All conditions for approval will be included in construction contract documents.

Determination:

- Finding of No Significant Impact (FONSI)** – The project will not result in a significant impact on the quality of the human environment.
- x **Finding of No Significant Impact (FONSI) with Conditions for Approval** – The project will not result in a significant impact on the quality of the human environment. Mitigation and project modification measures, as listed under “Conditions for Approval” will be adopted by the Responsible Entity to eliminate or minimize adverse environmental impacts.
- Finding of Significant Impact** – The project may significantly affect the quality of the human environment. The project must be rejected unless the Responsible Entity completes an Environmental Impact Statement.