

**Environmental Assessment
Determinations and Compliance Findings
for HUD-assisted Projects
24 CFR Part 58**

Project Information

Project Name: 259-University-Ave---Acquisition-and-Demolition

HEROS Number: 900000010514356

Start Date: 01/05/2026

Responsible Entity (RE): ST. PAUL, DEPARTMENT OF PED ST. PAUL MN, 55102

RE Preparer: Stefan Duarte-Breen

State / Local Identifier:

Certifying Officer: Yasmine Robinson

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

- ✓ By checking this box, I attest that as a preparer, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

Project Location: 259 University Ave W, Saint Paul, MN 55103

Additional Location Information:

N/A

Direct Comments to:

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

259 University Ave W is a commercial building located in the Frogtown neighborhood and Ward 1 in the City of Saint Paul. It is located in a mixed-use zoned area, along the University Ave commercial corridor. The City of Saint Paul Housing and Redevelopment Authority is exploring the acquisition and subsequent demolition of the structure located at 259 University Avenue in the Frogtown Neighborhood. Upon the demolition the HRA would plan to sell the site through an Request for Proposal (RFP) process to a qualified development team. Project costs will be determined by sales negotiations but the current building is valued at approximately \$625,000 and staff anticipates needing anywhere from \$30,000-\$100,000 for demolition

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The project will result in purchasing an existing building that will be demolished and then developed part of a larger development in the future through an RFP process with a third-party developer which could include an affordable housing, commercial, or mixed use development. Any future development would address the City of Saint Paul's goal to development additional housing and/or jobs centers in the City along the Metro Transit Green Line LRT route.

Existing Conditions and Trends [24 CFR 58.40(a)]:

Vacant property, commercial to the north, west and east, with housing to the south and southeast. Current zoning at the site is T2 Traditional Neighborhood, a mixed-use zoning district. The area surrounding the University Ave commercial corridor is a mix of residential and traditional neighborhood zoning.

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

Determination:

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

Approval Documents:

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
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B-24-MC-27-0007	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	\$350,000.00
B-25-MC-27-0007	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	\$375,000.00

Estimated Total HUD Funded, Assisted or Insured Amount: \$725,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$725,000.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Using our GIS software, we were able to determine that the project site, 259 University Ave W, is not within 2,500 feet of either civilian airport in the Twin Cities. In addition, there are no military airports within 15,000 feet of the project site. The project is compliant with HUD's Airport Hazards policy.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	We utilized the U.S. Fish and Wildlife Service's "Coastal Barrier Resources System Mapper" GIS application to determine whether the project site falls into a CBRS. According to the USFWS, the only CBRS found in Minnesota is the "John H. Chafee CBRS" in Duluth, Minnesota. Since the proposed HUD project is in the city of Saint Paul, Minnesota, approximately 160 miles south of the "John H. Chafee CBRS", it can be determined that there will be no effect. Therefore, this project is compliant with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	According to the map generated by FEMA's National Flood Hazard Layer (NFHL) GIS application, it was determined that the project site is in

<p>Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>		<p>FEMA FIRMette Map Panel Number: 27123C0103G. This panel has been in effect since 6/4/2010 and is labeled as "Zone X (Unshaded)". Since the proposed HUD-Assisted project occurs in an unshaded "Zone X" area, it can be determined that 259 University Ave is neither in a Special Flood Hazard Area (SFHA) or an area of Moderate Risk. Flood insurance will not be necessary to serve as mitigation. Therefore, the project is compliant with Flood Insurance requirements.</p>
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STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5

<p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. Therefore, the project is compliant with the Clean Air Act.</p>
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<p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>In the state of Minnesota, the only coastal zone that is protected by the Coastal Zone Management Act (CZMA) is along the coast of Lake Superior. The project occurs in the City of Saint Paul and the proposed project site, 259 University Ave, is approximately 130 miles away from coastal areas protected in the Minnesota Department of Natural Resources coastal management plan. Therefore, the project is compliant with the Coastal Zone Management Act.</p>
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<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>To ensure compliance with the Contamination and Toxic Substances Requirements, we visited the EPA's "NEPAssist" and Minnesota Pollution Control Agency's (MPCA) "What's in My Neighborhood" (WIMN) GIS web applications to identify sources of contamination within 1/2 mile of the proposed HUD-assisted project site. On NEPAssist, we found no superfunds within 1/2 mile of 259 University Ave W. We found 2 Brownfield sites within 1/2 mile of the proposed project site. As evidence of due diligence, these sites will be listed below and the NEPAssist</p>
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		<p>Report will be uploaded to HEROS.</p> <p>Site 1: According to EPA CIMC report, 370 University Ave W underwent Brownfield Assessment in 2009 and is currently being used as a multifamily apartment building. The site is located .23 miles away from the project. Site 2: According to EPA CIMC report, Lower Phalen Creek underwent Phase II Environmental Assessment in 2001. It is located .41 miles away from the project. No "On-site" or nearby "Notable" Contamination present within 1/2 mile of the proposed site... While there are points of contamination on the WIMN Report, we found no evidence of on-site or notable nearby sites of contamination. Further analysis is not required. As evidence of due diligence, the WIMN Report will be uploaded to HEROS.</p>
<p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The following species were identified in the IPaC species list generated on January 13, 2026: Northern Long-eared Bat, Tricolored Bat, Whopping Crane, Higgins Eye (pearlymussel), Salamander Mussel, Rusty Patched Bumble Bee, and Monarch Butterfly. Project activities will have no effect on the Northern Long-eared Bat. This determination can be made because project activities do not involve clearing or disturbing suitable habitat, no activity in or near the entrance to cave or mine, nor mining, deep excavation, or underground work within 0.25 miles of a cave or mine, nor construction of wind turbines or demolition or reconstruction of human made structures known to be used by bats. Project activities will have no effect on the Tricolored Bat. This determination can be made because project activities do not involve clearing or disturbing suitable habitat, no activity in or near the entrance to cave or mine, nor mining, deep excavation, or underground work within 0.25 miles of</p>

		<p>a cave or mine, nor construction of wind turbines or demolition or reconstruction of human made structures known to be used by bats. Project activities will have no effect on the Whooping Crane. This determination can be made because the Whooping Crane is designated as a "non-essential" experimental population in Minnesota.</p> <p>Consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. Since proposed project activity will occur on land outside of a National Wildlife Refuge or National Park, we are not required to consult for this species. Project activities will have no effect on the Higgins Eye (pearly mussel). This determination can be made because project activities do not involve habitat loss, degradation, or introduction of exotic species including Zebra mussels, which are the major threats to the survival of the Higgins eye mussel. Project activities will have no effect on the Salamander Mussel. This determination can be made because the species, as of September 1st, 2023, has been proposed for listing as an endangered species under the Endangered Species Act of 1973. As a result, this species is not yet protected by the Act.</p> <p>Proposed Critical Habitat for the Salamander Mussel exists in Chisago and Washington County, Minnesota, specifically in the St. Croix River. The proposed project activity will not impact known habitat. Project activities will have no effect on the Rusty Patched Bumble Bee. This determination can be made because project activities do not involve habitat loss, degradation, or introduction of pathogens or exposure to insecticides or fungicides, which are suspected to be the major</p>
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		<p>threats to the species along with non-native and managed bees, the effects of climate change, and small population biology. The Monarch Butterfly is a candidate species and not yet listed or proposed for listing. There are currently no section 7 requirements for candidate species. Project activities will not impact known habitat. Project activities do not involve construction of Communication Towers (radio, television, cellular, and microwave towers), Transmission Lines (power lines or poles, particularly those with uninsulated or unguarded electrical currents), or Wind Turbines. Therefore, there will be no effect on migratory birds. In addition, there are no critical habitats for the listed species within the project area under the USFWS jurisdiction. The project site is in a fully urbanized area and there is no habitat present in the project site for the species on the IPaC list. The proposed project activities will not jeopardize the continued existence of any listed species. Therefore, the project is compliant with Section 7 requirements.</p>
<p>Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>One active above ground tank was found on the MNPCA What's in my Neighborhood web app. The tank had an acceptable distance calculated at 223 feet for people and 39 feet for buildings using the HUD ASD calculator. The aboveground tank is located 1,857 feet away from the project site. The project is compliant with Explosive and Flammable Hazard requirements.</p>
<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.</p>
<p>Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>According to the FIRMette map, generated using FEMA's GIS web application, the proposed HUD project site was found in FIRMette Map Panel Number: 27123C0103G. This panel has</p>

		been effective since 6/4/2010 and indicates that the address, 259 University Ave is not located on a floodplain. Therefore, the project is compliant with Executive Order 11988 and 13690.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The EPA has an online GIS application called "Sole Source Aquifers" that shows the location of SSA's across the country. The only SSA in the state of Minnesota is encompasses Lake Mille Lacs. The project site, 259 University Ave, is approximately 80 miles away from the southernmost point of the Mille Lacs SSA. Since the proposed project site is not on a SSA, the project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The proposed project does not require additional evaluation under this section. This commercial building is not on land registered in the U.S. Fish and Wildlife Service's geodatabase containing nationally registered wetlands. Therefore, the project is compliant with Executive Order 11990.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	After utilizing our GIS software, we were able to determine that the project site, 259 University Ave, is not located near any NWSRS. Therefore, the project is compliant the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total

		environmental review. The project is in compliance with Executive Order 12898.
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Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Impact Codes: An impact code from the following list has been used to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	<p>he planned project and any future development would conform with the City's adopted comprehensive plan and zoning code. The project site is designated as Mixed-Use in the City of Saint Paul 2040 Comprehensive Plan, and is within the University-Marion neighborhood node. The following policies from the 2040 Plan apply:</p> <p>Policy LU-1. Encourage transit-supportive density and direct the majority of growth to areas with the highest existing or planned transit capacity. Policy LU-4. Invest in measures that minimize displacement in neighborhoods where the proximity to high-frequency transit has increased redevelopment pressure and/or housing costs. Policy LU-30. Focus growth at Neighborhood Nodes using the following principles: 1. Increase density toward the center of the node and transition in scale to surrounding land uses. 2. Prioritize pedestrian-friendly urban design and infrastructure that emphasizes pedestrian safety. 3. Cluster neighborhood amenities to create a vibrant critical mass. 4. Improve access to jobs by prioritizing development with high job density. Policy LU-31. Invest in Neighborhood Nodes to achieve development that enables people to</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>meet their daily needs within walking distance and improves equitable access to amenities, retail and services. Policy LU-33. Promote amenities that support those who live and work in Neighborhood Nodes, including frequent transit service, vibrant business districts, a range of housing choices, and neighborhood-scale civic and institutional uses such as schools, libraries and recreation facilities. Additionally, the addition of a multifamily or mixed-use building supports the intent of the Mixed-Use designation, whose "... main distinguishing characteristic is a balance of jobs and housing within walking distance of one another." The intent of the neighborhood node designation is to provide "... compact, mixed-use areas that provide shops, services, neighborhood-scale civic and institutional uses, recreational facilities and employment close to residences." Adding a mixed-use or multifamily building at the site would support the intent of the Neighborhood Node designation.</p>	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	3	The site will need to undergo a phase 1 environmental assessment to determine level of clean up, if any, is needed on the site.	A Phase I Environmental Site Assessment will be conducted, and should mitigation be needed a mitigation plan will be submitted.
Hazards and Nuisances including Site Safety and Site-Generated Noise	3	Demolition will cause noise that is minor/expected. All demolition projects must comply with the City of Saint Paul ordinances that limit the hours of construction to limit the impact of noise on the surrounding businesses and homes.	The demolition project will comply with City of Saint Paul ordinances that limit the hours of construction.
SOCIOECONOMIC			
Employment and Income Patterns	2	The project site, 259 University Ave, is located in Census Tract 327 in Ramsey County. The median household income in the Census Tract is estimated to be \$55,089 according to the latest American	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		Community Survey Data (2020-2024 5-year estimates). According to the same ACS 5-year estimates, unemployment in the Census Tract is estimated to be 3.2%. The project may create employment opportunities with temporary construction jobs, and permanent jobs from potential retail space in a mixed-use building.	
Demographic Character Changes / Displacement	2	The project site, 259 University Ave, is located in Census Block 271230327001 in Ramsey County. The predominant racial/ethnic group that lives in this Census Block is Asian alone, not Hispanic or Latino comprising about 41.8% of the population in the Block Group. Other top racial/ethnic group include Black or African American alone at 21.8%, White alone, not Hispanic or Latino at 17.1%, and Hispanic or Latino population at 11.6%. The median age in the Block Group is 28.3. Because the project proposes to demolish a commercial property and redevelop the property as multifamily housing or mixed-use, it is not anticipated to have displacement effects.	
Environmental Justice EA Factor	2	No adverse effects were determined when evaluating the related laws and authorities. The project will not negatively impact the surrounding community from an environmental justice perspective.	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	There are three K-12 schools within a 1-mile radius of the project site. Additionally, the site is 3 blocks away from the State Capitol. The Rondo Community Library is a 20 minute walk or a 10 minute train ride away from the project site along University Avenue. The project site is located along the green line, with direct public transit to cultural facilities in both downtown Saint Paul and downtown Minneapolis.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Commercial Facilities (Access and Proximity)	2	The project site is located on University Avenue, a dense commercial corridor that extends from downtown Saint Paul to the West into Minneapolis. The project site is a 5 minute walk to the University Ave - Western Ave Green Line station, which connects the central business districts of downtown Saint Paul and downtown Minneapolis.	
Health Care / Social Services (Access and Capacity)	2	There is ample access to health care and social services from the project site. There are two nursing homes within 4 blocks of the project site. There are four hospitals within one mile of the project site, accessible by the Green Line light rail train. Additionally, many social services provided by the State and County are located in downtown Saint Paul, which is accessible from the project site via public transit.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	Future development would impact the solid waste and recycling system a reasonable amount and would not represent an outsized burden on the system.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	Future development would add strain to the existing waste water and sanitary system. All projects will need to be approved via site plan review which will include an in-depth look at waste water and sanitary system needs as a result of the project. City of Saint Paul issues connection permits to all major infrastructure systems. Any requirements to add additional capacity as the result of a project would need to be addressed as those permits are issued.	
Water Supply (Feasibility and Capacity)	2	Future development would add strain to the existing water system. All projects will need to be approved via site plan review which will include an in-depth look at system needs as a result of the project. City of Saint Paul and Saint Paul Regional Water Services issue connection permits to all major infrastructure systems. Any requirements to add additional capacity	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		as the result of a project would need to be addressed as those permits are issued.	
Public Safety - Police, Fire and Emergency Medical	2	A new project that adds units has the potential to increase public safety needs in the project area. Public safety reviews all site plans before projects are issued permits. This would allow police, fire, and emergency medical systems to address any increased needs as a result of a proposed project.	
Parks, Open Space and Recreation (Access and Capacity)	2	The acquisition, demolition, and potential sale does not impact parks or open space in the area.	
Transportation and Accessibility (Access and Capacity)	1	The purchase of the property will allow for a larger development to happen near the Metro Transit Green Line LRT and several local bus lines making any future development well connected to the transit system that is ready to handle additional frequent commuters.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	The project site is located in a developed, urbanized area that is not located near natural features or water resources.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	The project site is located in a developed, urbanized area. No vegetation or wildlife will be affected by the project.	
Other Factors 1			
Other Factors 2			
CLIMATE AND ENERGY			
Climate Change	3	The demolition of the building may contribute to an increase in the landfill, however a new, energy efficient building would contribute to fighting climate change in the future.	
Energy Efficiency	1	Any future construction that requires City dollars would need to meet the City of Saint Paul's sustainable building ordinance standards making the project energy efficient and in line with the City's adopted climate goals.	

Supporting documentation

[Unemployment by Census Tract_259UniversityAve.pdf](#)

[Predominant Racial/Ethnic Identity by Census Tract_259UniversityAve.pdf](#)

[Median Household Income by Census Tract_259UniversityAve.pdf](#)

[Access to Community Facilities and Services_259UniversityAve.pdf](#)

Additional Studies Performed:

Field Inspection [Optional]: Date and completed by:

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

To date--Saint Paul Port Authority has been consulted. Future development will involve additional consultation with community groups, elected officials, and developers. Other agencies consulted include: Saint Paul Department of Planning and Economic Development Saint Paul Department of Safety and Inspections Saint Paul Department of Public Works Saint Paul Department of Parks and Recreation Saint Paul Fire Department Saint Paul Regional Water Services US Department of Housing and Urban Development

List of Permits Obtained:

Demolition permit - Department of Safety and Inspections Building permit - Department of Safety and Inspections

Public Outreach [24 CFR 58.43]:

The FONSI/FOSI and NOI RROF will be uploaded to the City of Saint Paul Public Notice webpage. Affected departments listed above will be notified, as well as the neighborhood group (Frogtown Neighborhood Association).

Cumulative Impact Analysis [24 CFR 58.32]:

Generally, the parcel acquisition and future development will result in a positive impact for the direct parcel and the surrounding community. Any impacts to existing infrastructure will be analyzed and addressed via the site plan and permitting process to ensure the project is in line with all relevant code and building requirements while also meeting the broader community development goals in the City.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

N/A--there is not alternatives to explore. Any future development will go through standard planning and zoning review and analysis which will ensure any building meets all code requirements while also best addressing other city goals.

No Action Alternative [24 CFR 58.40(e)]

If no action is taken the subject property and adjacent HRA owned property would sit vacant and underutilized.

Summary of Findings and Conclusions:

The proposed parcel acquisition and future development will result in a positive impact for the direct parcel and the surrounding community. Any disruptive impacts to existing infrastructure will be analyzed and addressed via the site plan and permitting process to ensure the project is in line with all relevant code and building requirements while also meeting the broader community development goals in the City. Noise and construction impacts may be felt by adjacent properties during construction however that would be for a relatively limited time duration.

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	A Phase I Environmental Site Assessment will be conducted, and should mitigation be needed a mitigation plan will be submitted.	N/A	A mitigation plan will be submitted should any adverse conditions be identified through a Phase I ESA.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	The demolition project will comply with City of Saint Paul ordinances that limit the hours of construction.	N/A	The demolition project will comply with City of Saint Paul ordinances that limit the hours of construction.	

Project Mitigation Plan

The Phase I ESA will be completed by a consultant hired by the City of Saint Paul Department of Planning and Economic Development. It will be completed before the Request for Proposal process and any subsequent construction, and mitigation will be required as a part of any project contract and/or development agreements.

Supporting documentation on completed measures

DRAFT

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

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

No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary

Compliance Determination

Using our GIS software, we were able to determine that the project site, 259 University Ave W, is not within 2,500 feet of either civilian airport in the Twin Cities. In addition, there are no military airports within 15,000 feet of the project site. The project is compliant with HUD's Airport Hazards policy.

Supporting documentation

[01 259 University Ave W Airport Hazards.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Barrier Resources

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

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Compliance Determination

We utilized the U.S. Fish and Wildlife Service's "Coastal Barrier Resources System Mapper" GIS application to determine whether the project site falls into a CBRS. According to the USFWS, the only CBRS found in Minnesota is the "John H. Chafee CBRS" in Duluth, Minnesota. Since the proposed HUD project is in the city of Saint Paul, Minnesota, approximately 160 miles south of the "John H. Chafee CBRS", it can be determined that there will be no effect. Therefore, this project is compliant with the Coastal Barrier Resources Act.

Supporting documentation

[02 259 University Ave W CBRS.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Flood Insurance

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

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

No. This project does not require flood insurance or is excepted from flood insurance.

Yes

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

[03 10 259 University Ave FEMA FIRMette.pdf](#)

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

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

Yes

4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?

Yes

No

Screen Summary

Compliance Determination

According to the map generated by FEMA's National Flood Hazard Layer (NFHL) GIS application, it was determined that the project site is in FEMA FIRMette Map Panel Number: 27123C0103G. This panel has been in effect since 6/4/2010 and is labeled as "Zone X (Unshaded)". Since the proposed HUD-Assisted project occurs in an unshaded "Zone X" area, it can be determined that 259 University Ave is neither in a Special Flood Hazard Area (SFHA) or an area of Moderate Risk. Flood insurance will not be necessary to serve as mitigation. Therefore, the project is compliant with Flood Insurance requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Air Quality

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

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

Yes

No

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

Screen Summary

Compliance Determination

Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. Therefore, the project is compliant with the Clean Air Act.

Supporting documentation

[04 259 University Ave W Air Quality.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Zone Management Act

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

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

Yes

No

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

Screen Summary

Compliance Determination

In the state of Minnesota, the only coastal zone that is protected by the Coastal Zone Management Act (CZMA) is along the coast of Lake Superior. The project occurs in the City of Saint Paul and the proposed project site, 259 University Ave, is approximately 130 miles away from coastal areas protected in the Minnesota Department of Natural Resources coastal management plan. Therefore, the project is compliant with the Coastal Zone Management Act.

Supporting documentation

[05 259 University Ave W Coastal Zone Management.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Contamination and Toxic Substances

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

1. How was site contamination evaluated?* Select all that apply.

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

None of the above

* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site.

For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

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

Provide a map or other documentation of absence or presence of contamination** and explain evaluation of site contamination in the Screen Summary at the bottom of this screen.

No

Explain:

To ensure compliance with the Contamination and Toxic Substances

Requirements, we visited the EPA's "NEPAssist" and Minnesota Pollution Control Agency's (MPCA) "What's in My Neighborhood" (WIMN) GIS web applications to identify sources of contamination within 1/2 mile of the proposed HUD-assisted project site. On NEPAssist, we found no superfunds within 1/2 mile of 259 University Ave W. We found 2 Brownfield sites within 1/2 mile of the proposed project site. As evidence of due diligence, these sites will be listed below and the NEPAssist Report will be uploaded to HEROS. Site 1: According to EPA CIMC report, 370 University Ave W underwent Brownfield Assessment in 2009 and is currently being used as a multifamily apartment building. The site is located .23 miles away from the project. Site 2: According to EPA CIMC report, Lower Phalen Creek underwent Phase II Environmental Assessment in 2001. It is located .41 miles away from the project. No "On-site" or nearby "Notable" Contamination present within 1/2 mile of the proposed site... While there are points of contamination on the WIMN Report, we found no evidence of on-site or notable nearby sites of contamination. Further analysis is not required. As evidence of due diligence, the WIMN Report will be uploaded to HEROS.

Yes

* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.

** Utilize EPA's Enviromapper, NEPAssist, or 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.

3. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions* from having to consider radon in the contamination analysis listed in CPD Notice [CPD-23-103](#)?

Yes

Explain:

✓ No

* Notes:

- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not

require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.

- Buildings tested within five years of the submission of application for HUD assistance: test results document indoor radon levels are below current the EPA's recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

4. Is the proposed project new construction or substantial rehabilitation where testing will be conducted but cannot yet occur because building construction has not been completed?

Yes

Compliance with this section is conditioned on post-construction testing being conducted, followed by mitigation, if needed. Radon test results, along with any needed mitigation plan, must be uploaded to the mitigation section within this screen.

No

5. Was radon testing or a scientific data review conducted that provided a radon concentration level in pCi/L?

Yes

No

If no testing was conducted and a review of science-based data offered a lack of science-based data for the project site, then document and upload the steps taken to look for documented test results and science-based data as well as the basis for the conclusion that testing would be infeasible or impracticable.

Explain:

File Upload:

Based on the response, the review is in compliance with this section. Continue to the Screen Summary at the bottom of this screen.

Non-radon contamination was found in a previous question.

6. How was radon data collected?

All buildings involved were tested for radon

- ✓ A review of science-based data was conducted

Enter the Radon concentration value, in pCi/L, derived from the review of science-based data:

2.9

Provide the documentation* used to derive this value:

To determine compliance with HUD's Radon policy, we used the alternative strategy of reviewing science-based data. The data we reviewed was provided by the Center for Disease Control and Prevention's (CDC) National Environmental Public Health Tracking Network site. According to the site, the Annual Mean Pre-Mitigation Radon Measurement in Tested Buildings from 2010-2020 in Ramsey County was 2.9 pCi/L. This number is below the 4.0 pCi/L that would require mitigation. Therefore, the project is compliant with HUD's Radon policy and Contamination and Toxic Substances requirements.

File Upload:

Based on the response, the review is in compliance with this section. Continue to the Screen Summary at the bottom of this screen.

Radon concentration value is greater than or equal to 4.0 pCi/L and/or non-radon contamination was found in a previous question. Continue to Mitigation.

* For example, if you conducted radon testing then provide a testing report (such as an ANSI/AARST report or DIY test) if applicable (note: DIY tests are not eligible for use in multifamily buildings), or documentation of the test results. If you conducted a scientific data review, then describe and cite the maps and data used and include copies of all supporting documentation. Ensure that the best available data is utilized, if conducting a scientific data review.

Screen Summary

Compliance Determination

To ensure compliance with the Contamination and Toxic Substances Requirements, we visited the EPA's "NEPAssist" and Minnesota Pollution Control Agency's (MPCA) "What's in My Neighborhood" (WIMN) GIS web applications to identify sources of contamination within 1/2 mile of the proposed HUD-assisted project site. On NEPAssist, we found no superfunds within 1/2 mile of 259 University Ave W. We found 2 Brownfield sites within 1/2 mile of the proposed project site. As evidence of due diligence, these sites will be listed below and the NEPAssist Report will be uploaded to HEROS. Site 1: According to EPA CIMC report, 370 University Ave W underwent Brownfield Assessment in 2009

and is currently being used as a multifamily apartment building. The site is located .23 miles away from the project. Site 2: According to EPA CIMC report, Lower Phalen Creek underwent Phase II Environmental Assessment in 2001. It is located .41 miles away from the project. No "On-site" or nearby "Notable" Contamination present within 1/2 mile of the proposed site... While there are points of contamination on the WIMN Report, we found no evidence of on-site or notable nearby sites of contamination. Further analysis is not required. As evidence of due diligence, the WIMN Report will be uploaded to HEROS.

Supporting documentation

[06 259 University Ave W WIMN Report.png](#)

[06 259 University Ave W NEPAssist Report.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

DRAFT

Endangered Species

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

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

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

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

- ✓ Yes, the activities involved in the project have the potential to affect species and/or habitats.

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

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

- ✓ Yes, there are federally listed species or designated critical habitats present in the action area.

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. in the action area.

Document and upload all documents used to make your determination below. 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.

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

6. 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. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.

Mitigation as follows will be implemented:

- ✓ No mitigation is necessary.

Explain why mitigation will not be made here:

The following species were identified in the IPaC species list generated on January 13, 2026: Northern Long-eared Bat, Tricolored Bat, Whooping Crane, Higgins Eye (pearly mussel), Salamander Mussel, Rusty Patched Bumble Bee, and Monarch Butterfly. Project activities will have no effect on the Northern Long-eared Bat. This determination can be made because project activities do not involve clearing or disturbing suitable habitat, no activity in or near the entrance to cave or mine, nor mining, deep excavation, or underground work within 0.25 miles of a cave or mine, nor construction of wind turbines or demolition or reconstruction of human made structures known to be used by bats. Project activities will have no effect on the Tricolored Bat. This determination can be made because project activities do not involve clearing or disturbing suitable habitat, no activity in or near the entrance to cave or mine, nor mining, deep excavation, or underground work within 0.25 miles of a cave or mine, nor construction of wind turbines or demolition or reconstruction of human made structures known to be used by bats. Project activities will have no effect on the Whooping Crane. This determination can be made because the Whooping Crane is designated as a "non-essential" experimental population in Minnesota. Consultation under Section 7(a)(2) of the

Screen
Compliance

Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. Since proposed project activity will occur on land outside of a National Wildlife Refuge or National Park, we are not required to consult for this species. Project activities will have no effect on the Higgins Eye (pearly mussel). This determination can be made because project activities do not involve habitat loss, degradation, or introduction of exotic species including Zebra mussels, which are the major threats to the survival of the Higgins eye mussel. Project activities will have no effect on the Salamander Mussel. This determination can be made because the species, as of September 1st, 2023, has been proposed for listing as an endangered species under the Endangered Species Act of 1973. As a result, this species is not yet protected by the Act. Proposed Critical Habitat for the Salamander Mussel exists in Chisago and Washington County, Minnesota, specifically in the St. Croix River. The proposed project activity will not impact known habitat. Project activities will have no effect on the Rusty Patched Bumble Bee. This determination can be made because project activities do not involve habitat loss, degradation, or introduction of pathogens or exposure to insecticides or fungicides, which are suspected to be the major threats to the species along with non-native and managed bees, the effects of climate change, and small population biology. The Monarch Butterfly is a candidate species and not yet listed or proposed for listing. There are currently no section 7 requirements for candidate species. Project activities will not impact known habitat. Project activities do not involve construction of Communication Towers (radio, television, cellular, and microwave towers), Transmission Lines (power lines or poles, particularly those with uninsulated or unguarded electrical currents), or Wind Turbines. Therefore, there will be no effect on migratory birds. In addition, there are no critical habitats for the listed species within the project area under the USFWS jurisdiction. The project site is in a fully urbanized area and there is no habitat present in the project site for the species on the IPaC list. The proposed project activities will not jeopardize the continued existence of any listed species. Therefore, the project is compliant with Section 7 requirements.

Summary
Determination

The following species were identified in the IPaC species list generated on January 13, 2026: Northern Long-eared Bat, Tricolored Bat, Whopping Crane, Higgins Eye (pearly mussel), Salamander Mussel, Rusty Patched Bumble Bee, and Monarch Butterfly. Project activities will have no effect on the Northern Long-eared Bat. This determination can be made because project activities do not involve clearing or disturbing suitable habitat, no activity in or near the entrance to cave or mine, nor mining, deep excavation, or underground work within 0.25 miles of a cave or mine, nor construction of wind turbines or demolition or reconstruction of human made structures known to be used by bats. Project activities will have no effect on the Tricolored Bat. This determination can be made because project activities do not involve clearing or disturbing suitable habitat, no activity in or near the entrance to cave or mine, nor mining, deep excavation, or underground work within

0.25 miles of a cave or mine, nor construction of wind turbines or demolition or reconstruction of human made structures known to be used by bats. Project activities will have no effect on the Whooping Crane. This determination can be made because the Whooping Crane is designated as a "non-essential" experimental population in Minnesota. Consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. Since proposed project activity will occur on land outside of a National Wildlife Refuge or National Park, we are not required to consult for this species. Project activities will have no effect on the Higgins Eye (pearly mussel). This determination can be made because project activities do not involve habitat loss, degradation, or introduction of exotic species including Zebra mussels, which are the major threats to the survival of the Higgins eye mussel. Project activities will have no effect on the Salamander Mussel. This determination can be made because the species, as of September 1st, 2023, has been proposed for listing as an endangered species under the Endangered Species Act of 1973. As a result, this species is not yet protected by the Act. Proposed Critical Habitat for the Salamander Mussel exists in Chisago and Washington County, Minnesota, specifically in the St. Croix River. The proposed project activity will not impact known habitat. Project activities will have no effect on the Rusty Patched Bumble Bee. This determination can be made because project activities do not involve habitat loss, degradation, or introduction of pathogens or exposure to insecticides or fungicides, which are suspected to be the major threats to the species along with non-native and managed bees, the effects of climate change, and small population biology. The Monarch Butterfly is a candidate species and not yet listed or proposed for listing. There are currently no section 7 requirements for candidate species. Project activities will not impact known habitat. Project activities do not involve construction of Communication Towers (radio, television, cellular, and microwave towers), Transmission Lines (power lines or poles, particularly those with uninsulated or unguarded electrical currents), or Wind Turbines. Therefore, there will be no effect on migratory birds. In addition, there are no critical habitats for the listed species within the project area under the USFWS jurisdiction. The project site is in a fully urbanized area and there is no habitat present in the project site for the species on the IPaC list. The proposed project activities will not jeopardize the continued existence of any listed species. Therefore, the project is compliant with Section 7 requirements.

Supporting documentation

[07 259 University Ave 20260113 NE TA TRI CLR BAT RW.pdf](#)

[07 259 University Ave 20260113 NE TA MN WI StatesWide.pdf](#)

[07 259 University Ave 20260113 NE TA RPBB rw.pdf](#)

[07 257 University Ave Species List.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

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

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

No

Yes

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

No

Yes

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 or later 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

Yes

4. Based on the analysis, is the proposed HUD-assisted project 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.

No

Screen Summary

Compliance Determination

One active above ground tank was found on the MNPCA What's in my Neighborhood web app. The tank had an acceptable distance calculated at 223 feet for people and 39 feet for buildings using the HUD ASD calculator. The aboveground tank is located 1,857 feet away from the project site. The project is compliant with Explosive and Flammable Hazard requirements.

Supporting documentation

[08 259 University Ave Tank and leak site search - Minnesota Pollution Control Agency.pdf](#)

[08 259 University Ave ASD Map.png](#)

[08 259 University Ave Acceptable Separation Distance \(ASD\) Electronic Assessment Tool - HUD Exchange.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

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

Yes

No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

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

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[09 259 University Ave US Census Bureau Urbanized Area Map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

DRAFT

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

1. Does this project meet an exemption at 24 CFR 55.12 from compliance with HUD's floodplain management regulations in Part 55?

Yes

- (a) HUD-assisted activities described in 24 CFR 58.34 and 58.35(b).
- (b) HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19.
- (c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is place on the property's continued use for flood control, wetland projection, open space, or park land, but only if:
 - (1) The property is cleared of all existing buildings and walled structures; and
 - (2) The property is cleared of related improvements except those which:
 - (i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);
 - (ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and
 - (iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.
- (d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance, or other HUD assistance.
- (e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.
- (f) A minor amendment to a previously approved action with no additional

adverse impact on or from a floodplain or wetland.

(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

No

2. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.

Yes

Describe:

No

3. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information¹ to determine flood elevation. Include documentation and an explanation of why this is the best available information² for the site. Note that newly constructed and substantially improved³ structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

CISA for non-critical actions. If using a local tool, data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

- ✓ FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

¹ Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

² If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary. Contact your [local environmental officer](#) with additional compliance questions.

³ Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units. The full definition can be found at [24 CFR 55.2\(b\)\(12\)](#).

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

Screen Summary

Compliance Determination

According to the FIRMette map, generated using FEMA's GIS web application, the proposed HUD project site was found in FIRMette Map Panel Number: 27123C0103G. This panel has been effective since 6/4/2010 and indicates that the address, 259 University Ave is not located on a floodplain. Therefore, the project is compliant with Executive Order 11988 and 13690.

Supporting documentation

[03 10 259 University Ave FEMA FIRMette\(1\).pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

DRAFT

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Threshold

Is Section 106 review required for your project?

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

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

Yes, because the project includes activities with potential to cause effects (direct or indirect).

Threshold (b). Document and upload the memo or explanation/justification of the other determination below:

The project received a memo from the State Historic Preservation Office with the finding "No Historic Properties Affected".

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

Screen Summary

Compliance Determination

Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106.

Supporting documentation

[2026-0233.pdf](#)

Are formal compliance steps or mitigation required?

Yes

- ✓ No

DRAFT

Noise Abatement and Control

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

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

New construction for residential use

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

None of the above

Screen Summary

Compliance Determination

Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Sole Source Aquifers

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

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

Yes

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

No

Screen Summary

Compliance Determination

The EPA has an online GIS application called "Sole Source Aquifers" that shows the location of SSA's across the country. The only SSA in the state of Minnesota is encompasses Lake Mille Lacs. The project site, 259 University Ave, is approximately 80 miles away from the southernmost point of the Mille Lacs SSA. Since the proposed project site is not on a SSA, the project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

[13 259 University Ave SSA.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Wetlands Protection

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

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

No

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

Yes

Screen Summary

Compliance Determination

The proposed project does not require additional evaluation under this section. This commercial building is not on land registered in the U.S. Fish and Wildlife Service's geodatabase containing nationally registered wetlands. Therefore, the project is compliant with Executive Order 11990.

Supporting documentation

[14 259 University Ave Wetlands Protection.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Wild and Scenic Rivers Act

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

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

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

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

Screen Summary

Compliance Determination

After utilizing our GIS software, we were able to determine that the project site, 259 University Ave, is not located near any NWSRS. Therefore, the project is compliant the Wild and Scenic Rivers Act.

Supporting documentation

[15 259 University Ave Wild Rivers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

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

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

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

Yes

No

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

Screen Summary

Compliance Determination

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No