**Environmental Assessment**

**Determinations and Compliance Findings**

**for HUD-assisted Projects**

**24 CFR Part 58**

# Project Information

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| **Project Name:** | Mercy-Drive-Crosswalk-Improvements |

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| **HEROS Number:** | 900000010098629 |

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| **Responsible Entity (RE):** | ORLANDO, 400 S Orange Ave Orlando FL, 32801 |

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| **RE Preparer:** | Jessica Frye, Planner III |

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| **State / Local Identifier:** |  |

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| **Certifying Officer:** | Buddy Dyer, Mayor |

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

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| **Point of Contact:** |  |

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| **Consultant (if applicable):** |  |

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| **Point of Contact:** |  |

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| **Project Location:** | Mercy Drive , Orlando, FL 32808 |

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| **Additional Location Information:** |
| The project includes four separate locations with three along Mercy Drive and one on W D Judge. Please see attached maps. |

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| **Direct Comments to:** | Jessica Frye, AICP Planner III Housing and Community Development Dept. City of Orlando 400 South Orange Avenue Orlando, FL 32802-4990 p.407.246.3413 jessica.frye@cityoforlando.net |

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| **Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:** |
| This project will use CDBG funding to improve the pedestrian environment and safety in the Mercy Drive neighborhood. Improvements will include additional pedestrian crosswalks, new bus shelter facilities, lighting, landscaping, and other safety and pedestrian investments. These improvements are to help achieve the overall goals and objectives of the Mercy Drive Neighborhood Visioning Plan."The Mercy Drive community is comprised of older established single and multi-family neighborhoods which have been progressively annexed into the City over the last several decades. Historically, a suburban residential area with fringe industrial uses, the area is characterized by its many churches and attractive public amenities such as Lake Lawne, Lake Lawne Park and the Northwest Community Center. The Mercy Medical Center was once a significant employment hub for the area and is now a mental health, non-profit institution. In recent years, the community has declined, lacking a main street or neighborhood center with employment and commercial opportunities, a safe multi-modal transportation system and coordinated neighborhood involvement (Mercy Drive SP TRC Staff Report, 2018)." |

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

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| The Mercy Drive corridor is generally comprised of single-family subdivisions, multi-family residential, institutional, commercial, and institutional uses. The area generates a lot of pedestrian movement and is located between three major roads in the City of Orlando. The two major roads that Mercy Drive sits between is Colonial Drive and Princeton Street and contain a significant amount of industrial and commercial uses. W D Judge is situated between Mercy Drive and another major road called John Young Parkway. The placement of these major roads have generated a lot of thoroughfare traffic within Mercy Drive. Although more appropriate alternatives exist, due to the convenient direct connect many trucks and other commercial vehicles use this mostly residential road for their commuting operations. The City in discussions with local residents have acknowledged that the increase in economic activity has generated an increase in traffic in this area. The City has begun to move forward to find ways to calm and redirect this traffic to more suitable roads and provide a safer more pedestrian friendly environmental for the Mercy Drive community. The City also created the Mercy Drive Neighborhood Visioning Plan in order to set out a plan to effectively tackle this and other issues seen in the community. |

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

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| The current conditions show a fairly high speed corridor with heavy commercial vehicles and trucks with long blocks and infrequent crosswalks creating a dangerous environment for pedestrians trying to cross mid-block versus at lights or crosswalks. One mid-block crosswalk was put in as a demonstration with flashing lights and other accompanying improvements with prominent indicators providing clear visibility of the crosswalks location and use. During the site visit, our team used the crosswalk to see its effectiveness, and although traffic didn't completely stop at first, it was effective in slowing down the traffic and eventually stopping traffic. Providing additional crosswalks to the area will create awareness through the corridor and provide traffic calming to the area. Other long-term measures have been outlined in the plan in hopes of deterring commercial freight operations from using this corridor. This is a more immediate solution to address the issues for the local residents. If this project was not to move forward it would just continue an already unsafe pedestrian environment for the residents in the area. |

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

[Mercy Dr Neighborhood Map.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478575_1570220423213.pdf)

[Loc 4 Aerial Map.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478574_1570220423213.pdf)

[Loc 3 Aerial Map.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478573_1570220423213.pdf)

[Loc 2 Aerial Map.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478572_1570220423213.pdf)

[Loc 1 Aerial Map.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478571_1570220423213.pdf)

[Mercy Drive Improvement Locations.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010447895_1570220423213.pdf)

[Mercy Dr photos.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010447908_1570220423213.pdf)

**Determination:**

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| ✓ | 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:**

[Mercy Drive Crosswalks signed Determination.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010482403_1570220423213.pdf)

[Mercy Drive Crosswalks 18 Day Ad wo aff.docx](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010482402_1570220423213.docx)

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| **7015.15 certified by Certifying Officer on:** |  |

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| **7015.16 certified by Authorizing Officer on:** |  |

**Funding Information**

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| --- | --- | --- |
| **Grant / Project Identification Number** | **HUD Program** | **Program Name** |
| B-19-MC-12-0015 | Community Planning and Development (CPD) | Community Development Block Grants (CDBG) (Entitlement) |

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| **Estimated Total HUD Funded, Assisted or Insured Amount:** | $350,000.00 |

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| **Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** | $900,000.00 |

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

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| **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 | 🞎 Yes 🗹 No | The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. |
| **Coastal Barrier Resources Act**  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | 🞎 Yes 🗹 No | This project is not located in a CBRS Unit. The project will be in Orange County which does not contain any CBRS Units. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. |
| **Flood Insurance** Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] | 🞎 Yes 🗹 No | The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. |
| **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5** | | |
| **Air Quality** Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 | 🞎 Yes 🗹 No | The project's county is in attainment status for all criteria pollutants. The project is for the construction of new crosswalks and other associated improvements such as bus shelters, signage, lights, and landscaping. The project is in compliance with the Clean Air Act. |
| **Coastal Zone Management Act** Coastal Zone Management Act, sections 307(c) & (d) | 🞎 Yes 🗹 No | This project is located in a Coastal Zone, but it has been determined to be consistent with the State Coastal Management Program. The project is in compliance with the Coastal Zone Management Act. |
| **Contamination and Toxic Substances** 24 CFR 50.3(i) & 58.5(i)(2)] | 🞎 Yes 🗹 No | Site contamination was evaluated through the analysis of several key factors including the ASTM Phase I ESA for two large properties that are proposed for redevelopment along the corridor, surrounding land uses, prior plans and work done along the corridor, NEPAssist, etc. The project incorporates improvements to an existing road and within existing improved right-of-way. The purpose of the project is to create four crosswalks with accompanying improvements to enhance the safety of pedestrians along Mercy Drive. Using NEPAssist, four properties were chosen around the proposed locations of the crosswalks. Based on this review, there were no Brownfields or Superfund sites identified within 3,000 ft. of the proposed crosswalk locations. Each of the four locations were investigated for surrounding land uses, each of the four crosswalk locations were comprised of residential or institutional uses including multi-family and single-family residential, schools, neighborhood center, churches, office, and medical uses. The City's traffic operations engineer who managed the demonstration crosswalk project indicated there were no identified issues on or surrounding the work area. Upon site inspection, there were no indications of site-contamination or other hazards. As analyzed, on-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. |
| **Endangered Species Act** Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 | 🞎 Yes 🗹 No | This project will have No Effect on listed species based on a letter of understanding provided by the USFWS. All improvements will be made on existing improved Right-of-way (ROW) with minor impacts to existing sod along the ROW. This project is in compliance with the Endangered Species Act. |
| **Explosive and Flammable Hazards** Above-Ground Tanks)[24 CFR Part 51 Subpart C | 🞎 Yes 🗹 No | Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements. |
| **Farmlands Protection** Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658 | 🞎 Yes 🗹 No | 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. |
| **Floodplain Management** Executive Order 11988, particularly section 2(a); 24 CFR Part 55 | 🞎 Yes 🗹 No | This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. |
| **Historic Preservation** National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800 | 🞎 Yes 🗹 No | Based on the project description the project has No Potential to Cause Effects. All improvements will be conducted within the Right-of-wayl. All proposed alterations are to the existing improvements in order to enhance the safety and aesthetics of the road. There are no structures that will be impacted and any minor ground disturbance is impacting areas already improved such as the road, landscaping, sidewalks, and bus shelters. 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 | 🞎 Yes 🗹 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 | 🞎 Yes 🗹 No | The project is not located on a sole source aquifer area, the existing improvements along Mercy Drive and W D Judge are east of a sole source aquifer area, please see map. The project is in compliance with Sole Source Aquifer requirements. |
| **Wetlands Protection** Executive Order 11990, particularly sections 2 and 5 | 🞎 Yes 🗹 No | The project will not impact on- or off-site wetlands. There will be minor ground disturbance on existing road improvements but all improvements will be outside of a wetland. Please see attached Map. The project is in compliance with Executive Order 11990. |
| **Wild and Scenic Rivers Act** Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c) | 🞎 Yes 🗹 No | This project is in proximity of a NWSRS river study area (not the protection area), but it is not a Water Resources project. The project is in compliance with the Wild and Scenic Rivers Act. |
| **HUD HOUSING ENVIRONMENTAL STANDARDS** | | |
| **ENVIRONMENTAL JUSTICE** | | |
| **Environmental Justice** Executive Order 12898 | 🞎 Yes 🗹 No | No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. |

**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 | During the preliminary discussions with the community in order to build the Mercy Drive Neighborhood Vision Plan, it was emphasized that pedestrian safety was a huge issue in this area and there was a large amount of truck traffic through this corridor. Staff created a demonstration midblock crosswalk in order to provide additional safety to the road. Now using CDBG funding, four more will be added to the neighborhood, matching the demonstration crosswalk already existing in the area. It is the hope of the City that this project will not only slow down traffic providing a more comfortable pedestrian experience but also deter truck traffic from using this road. The project will be consistent with the neighborhood plan and will increase safety and aesthetics with the community. Contacts: Jessica Frye, AICP, Planner III 407-246-3413, Housing & Community Development, City of Orlando, Jessica.frye@cityoforlando.net Marty Hudson, Project Manager, City of Orlando, 407-246-3242, martin.hudson@cityoforlando.net Jason Burton, AICP, CNU-A, LEED-AP, City Planning Assistant Division Manager, City of Orlando, 407-246-3389, jason.burton@cityoforlando.net |  |
| Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff | 2 | The existing right-of-way is currently already improved and graded. There is no expectation of change in grade with the anticipated improvements that will be conducted at each site. Contacts: Marty Hudson, Project Manager, City of Orlando, 407-246-3242, martin.hudson@cityoforlando.net Gustavo Castro, Project Manager, Transportation Department, City of Orlando, 407-246-3385, Gustavo.Castro@cityoforlando.gov |  |
| Hazards and Nuisances including Site Safety and Site-Generated Noise | 1 | The intention of the project is to slow traffic and deter large commercial traffic which in turn helps with the overall noise produced along this corridor. The construction is not expected to generate any hazards or long-term nuisances. Construction will be fairly quick and appropriately coordinated in order to limit disturbances to roadway access in the area. Contacts: Jessica Frye, AICP, Planner III 407-246-3413, Housing & Community Development, City of Orlando, Jessica.frye@cityoforlando.net Marty Hudson, Project Manager, City of Orlando, 407-246-3242, martin.hudson@cityoforlando.net Gustavo Castro, Project Manager, Transportation Department, City of Orlando, 407-246-3385, Gustavo.Castro@cityoforlando.gov Cade Braud, PE, PTOE, AICP, Traffic Operations Engineer, Transportation Engineering, 407-246-3377, cade.braud@cityoforlando.net |  |
| Energy Consumption/Energy Efficiency | 2 | The lighting being added will be energy efficient, but there will be an overall increase in consumption based on the nature of the improvements, there are currently very limited improvements in the area, this will add features that were not previously there. Contact: Jessica Frye, AICP, Planner III 407-246-3413, Housing & Community Development, City of Orlando, Jessica.frye@cityoforlando.net Marty Hudson, Project Manager, City of Orlando, 407-246-3242, martin.hudson@cityoforlando.net Cade Braud, PE, PTOE, AICP, Traffic Operations Engineer, Transportation Engineering, City of Orlando, 407-246-3377, cade.braud@cityoforlando.net |  |
| **SOCIOECONOMIC** | | | |
| Employment and Income Patterns | 2 | The project is not anticipated to create any jobs itself, but the overall improvements made, along with the revitalization and redevelopment in this area should create a more opportunities for the neighborhood residents. One of the major impacts to the area was the removal of several multi-family housing units which impacted the local commercial industries, reintroducing the removed population (and new population) and creating a better commuting and pedestrian environment to the area will be a net benefit to the neighborhood. Contacts: Jessica Frye, AICP, Planner III 407-246-3413, Housing & Community Development, City of Orlando, Jessica.frye@cityoforlando.net Marty Hudson, Project Manager, City of Orlando, 407-246-3242, martin.hudson@cityoforlando.net |  |
| Demographic Character Changes / Displacement | 2 | When Fannie Mae foreclosed on five developments in the Mercy Drive neighborhood, this action removed 302 units, displacing a significant amount of people in the area. The units that were taken off the market were affordable, although substandard. Many of the properties with the loss of units will be redeveloped with affordable housing and these improvements to the road will help integrate and connect the neighborhoods by making it safer to walk and deterring larger vehicle traffic. Contacts: Jessica Frye, AICP, Planner III 407-246-3413, Housing & Community Development, City of Orlando, Jessica.frye@cityoforlando.net Marty Hudson, Project Manager, City of Orlando, 407-246-3242, martin.hudson@cityoforlando.net Jason Burton, AICP, CNU-A, LEED-AP, City Planning Assistant Division Manager, City of Orlando, 407-246-3389, jason.burton@cityoforlando.net |  |
| **COMMUNITY FACILITIES AND SERVICES** | | | |
| Educational and Cultural Facilities (Access and Capacity) | 2 | The addition of the crosswalks will provide safer routes throughout the corridor. Community members will be able to get access to the Northwest Community Center, to the churches and surrounding schools, to bus transit, etc. Jessica Frye, AICP, Planner III 407-246-3413, Housing & Community Development, City of Orlando, Jessica.frye@cityoforlando.net Jason Burton, AICP, CNU-A, LEED-AP, City Planning Assistant Division Manager, 407-246-3389, City of Orlando, jason.burton@cityoforlando.net Marty Hudson, Project Manager, City of Orlando, 407-246-3242, martin.hudson@cityoforlando.net Gustavo Castro, Project Manager, Transportation Department, City of Orlando, 407-246-3385, Gustavo.Castro@cityoforlando.gov Cade Braud, PE, PTOE, AICP, Traffic Operations Engineer, Transportation Engineering, City of Orlando, 407-246-3377, cade.braud@cityoforlando.net |  |
| Commercial Facilities (Access and Proximity) | 2 | The crosswalks will create safer routes to surrounding businesses and transit stops improving the overall access within the Mercy Drive Corridor. Contact: Jessica Frye, AICP, Planner III 407-246-3413, Housing & Community Development, City of Orlando, Jessica.frye@cityoforlando.net Marty Hudson, Project Manager, City of Orlando, 407-246-3242, martin.hudson@cityoforlando.net Cade Braud, PE, PTOE, AICP, Traffic Operations Engineer, Transportation Engineering, City of Orlando, 407-246-3377, cade.braud@cityoforlando.net |  |
| Health Care / Social Services (Access and Capacity) | 2 | Two of the crosswalks will be in close proximity to the Aspire Healthcare campus (http://aspirehealthcare.com/), Aspire is a close partner of the City in providing mental, physical, and rehabilitation services to the community. Both properties are within a mile to the Aspire campus. There are two major hospitals within about 5 miles to the proposed developments, Advent Health (fka Florida Hospital) and Orlando Health. Also, there is another healthcare center opening at the corner of Old Winter Garden Road and Ivey Lane which is accessible through bus transit options. Searching with the google mapping feature, other medical care centers that come up include; Community Health Centers, Advanced Medical Associates, Westside Medical Clinic, Omni-Care Medical Center, Meyer Medical and Chiropractic. The development is close to the following social services; Florida Department of Children and Families, Family Services-Metro Orlando, Central Florida Haven of Hope, Charity & Love, Family & Friends United, etc. Contact: Jessica Frye, AICP, Planner III 407-246-3413, Housing & Community Development, City of Orlando, Jessica.frye@cityoforlando.net |  |
| Solid Waste Disposal and Recycling (Feasibility and Capacity) | 2 | The City owns the road, any waste containers at any of the bus transit structures will be maintained. |  |
| Waste Water and Sanitary Sewers (Feasibility and Capacity) | 2 | The proposal improvements will not impact these services. |  |
| Water Supply (Feasibility and Capacity) | 2 | The proposal improvements will not impact this service. |  |
| Public Safety - Police, Fire and Emergency Medical | 1 | Within a two mile radius there are two fire stations to the north, one looks to reside in the county and one within the jurisdictional boundaries of the City. The project locations would be serviced by the station at 3856 Center Loop. There are several police satellite offices around the subject property, mostly to the south of the 408. There is a Police substation to the north of the subject property on Silver Star Road. As previously noted in the Healthcare section of this review, there are two Hospitals with emergency room services, both are within about 5 miles to the proposed developments, Advent Health (fka Florida Hospital) and Orlando Health. Contacts: Jessica Frye, AICP, Planner III 407-246-3413, Housing & Community Development, City of Orlando, Jessica.frye@cityoforlando.net Marty Hudson, Project Manager, City of Orlando, 407-246-3242, martin.hudson@cityoforlando.net |  |
| Parks, Open Space and Recreation (Access and Capacity) | 1 | The crosswalks being added will provide a safer route to the Northwest Community Center and other surrounding uses. Contacts: Jessica Frye, AICP, Planner III 407-246-3413, Housing & Community Development, City of Orlando, Jessica.frye@cityoforlando.net Marty Hudson, Project Manager, City of Orlando, 407-246-3242, martin.hudson@cityoforlando.net Cade Braud, PE, PTOE, AICP, Traffic Operations Engineer, Transportation Engineering, City of Orlando, 407-246-3377, cade.braud@cityoforlando.net |  |
| Transportation and Accessibility (Access and Capacity) | 1 | Mercy Drive is a two lane road with a posted speed limit of 35 mph. The road sees a steady flow of traffic, peaking at 8am and 6pm according to data provided by the City of OrlandoAcentsA?A?s Transportation Department. During the public meetings for the Mercy Drive Neighborhood Vision Plan, many neighbors brought up concerns of a considerable amount of truck traffic making crossing the street difficult. The City has been working with several departments to try to implement traffic calming measures along the corridor to deter trucks from entering this stretch of road. A mid-block crosswalk with accompanying bus stops and flashing lights was installed recently as a demonstration, utilizing grant funding from various sources. This proposed project will expand the demonstration and create key strategic locations to help move pedestrians through the corridor more efficiently and safely. Jessica Frye, AICP, Planner III 407-246-3413, Housing & Community Development, City of Orlando, Jessica.frye@cityoforlando.net Jason Burton, AICP, CNU-A, LEED-AP, City Planning Assistant Division Manager, 407-246-3389, City of Orlando, jason.burton@cityoforlando.net Marty Hudson, Project Manager, City of Orlando, Planning, 407-246-3242, martin.hudson@cityoforlando.net John Rhoades, Project Manager, City of Orlando Transportation Department, 407-246-2293, John.Rhoades@cityoforlando.net Cade Braud, PE, PTOE, AICP, Traffic Operations Engineer, Transportation Engineering, City of Orlando, 407-246-3377, cade.braud@cityoforlando.net Gustavo Castro, Project Manager, Transportation Department, City of Orlando, 407-246-3385, Gustavo.Castro@cityoforlando.gov Jason Burton, AICP, CNU-A, LEED-AP, City Planning Assistant Division Manager, 407-246-3389, City of Orlando, jason.burton@cityoforlando.net |  |
| **NATURAL FEATURES** | | | |
| Unique Natural Features /Water Resources | 2 | The crosswalks are within the Wekiva Study area but not within the protection area. The project locations do not contain any wetlands, water bodies, or other natural features. The property contains miscellaneous low growing vegetation consisting of mostly grass. The project will only impact areas already improved; Unique Natural Features/Water Resources will not be impacted by this project. Contact: Jessica Frye, AICP, Planner III 407-246-3413, Housing & Community Development, City of Orlando, Jessica.frye@cityoforlando.net |  |
| Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.) | 2 | No substantial vegetation will be removed though this process, all work is being done in already improved locations. Additional landscaping will be provided in the project. Contacts: Jessica Frye, AICP, Planner III 407-246-3413, Housing & Community Development, City of Orlando, Jessica.frye@cityoforlando.net Marty Hudson, Project Manager, City of Orlando, 407-246-3242, martin.hudson@cityoforlando.net Cade Braud, PE, PTOE, AICP, Traffic Operations Engineer, Transportation Engineering, City of Orlando, 407-246-3377, cade.braud@cityoforlando.net |  |
| Other Factors | 2 | N/A |  |

**Supporting documentation**

[Zoning Map Crosswalks Project.png](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479179_1570220423213.png)

[Social Services Fairlawn Proximity Map.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479178_1570220423213.pdf)

[OUC service map.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479177_1570220423213.pdf)

[Mercy Drive Pedestrian Crossing Improvements Demonstration Plans(1).pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479176_1570220423213.pdf)

[Mercy Drive Lynx bus routes.JPG](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479175_1570220423213.JPG)

[Mercy Drive Improvement Locations(2).pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479174_1570220423213.pdf)

[Mercy Drive 3306 C2.2 Demonstration Plans(1).pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479172_1570220423213.pdf)

[Mercy Drive 3306 C1.1 Demonstration Plan(1).pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479171_1570220423213.pdf)

[Mercy Dr Neighborhood Map(1).pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479170_1570220423213.pdf)

[Heath Care Proximity to Major Hospitals Fairlawn.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479169_1570220423213.pdf)

[Health Care Proximity to Aspire Fairlawn.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479168_1570220423213.pdf)

[FLU Map Crosswalks Project.png](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479167_1570220423213.png)

[Fire Station Proximity City Map.png](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479166_1570220423213.png)

[Coastal Zone Map.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479165_1570220423213.pdf)

[Bus transit route\_Full Map.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479164_1570220423213.pdf)

[SUBAREA POLICY S.3.6 Mercy Drive SP TRC Staff Report 3 26 2018(1).pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479155_1570220423213.pdf)

[brochure duratherm.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479154_1570220423213.pdf)

[216024 Mercy Drive Existing Conditions 20170517sm(1).pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010479153_1570220423213.pdf)

**Additional Studies Performed:**

|  |
| --- |
| https://www.orlando.gov/Services/Our-Government/Records-and-Documents/District-Plans-Studies/Mercy-Drive-Neighborhood-Vision-Plan Please follow link to referred Mercy Drive Neighborhood Vision Plan referenced throughout review (cannot upload) |

|  |  |
| --- | --- |
| **Field Inspection [Optional]:** Date and completed by: |  |
| Jessica Frye | 4/29/2019 12:00:00 AM |

[Mercy Dr photos.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010447908_1570220423213.pdf)

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

|  |
| --- |
| Terrence Miller, Planner II, Urban Design Studio, City of Orlando, 407-246-3292, terrence.miller@cityoforlando.net Jason Burton, AICP, CNU-A, LEED-AP, City Planning Assistant Division Manager, City of Orlando, 407-246-3389, jason.burton@cityoforlando.net Marty Hudson, Project Manager, City of Orlando, 407-246-3242, martin.hudson@cityoforlando.net Solid Waste Division, swcustomersvc@orlando.gov, 407-246-2314 David Bass, P.E., Division Manager, Water Reclamation, 407-246-3221, DAVID.BASS@cityoforlando.net John Rhoades, Project Manager, City of Orlando Transportation Department, 407-246-2293, John.Rhoades@cityoforlando.net Cade Braud, PE, PTOE, AICP, Traffic Operations Engineer, Transportation Engineering, City of Orlando, 407-246-3377, cade.braud@cityoforlando.net Chris Stahl, Coordinator, Florida State Clearinghouse, Various federal, state, and local agencies as required for the Related Laws and Authorities (Please refer to sections Including but not limited to: Orange County Property Appraiser, City of Orlando, Environmental Property Audits, Inc. (Fairlawn Villages Phase I ESA), US Fish and Wildlife, Florida State Clearinghouse, LYNX, Orlando Utility Commission, Federal Emergency Management Administration, Environmental Protection Agency, Kimley Horn (Demonstration Plans), National Wild and Scenic Rivers System, Pandion Systems, Department of Housing and Urban Development, Ennis-Flint (DuraTherm Construction Material) |

**List of Permits Obtained:**

|  |
| --- |
|  |

**Public Outreach [24 CFR 58.43]:**

|  |
| --- |
| A hardcopy of the project FONSI/NOI RROF will be posted on the second floor of City Hall and electronically posted on the HUD Exchange here: https://www.hudexchange.info/programs/environmental-review/environmental-review-records/?filter\_status=PT%2CPN&filter\_state=FL&filter\_city=Orlando&program=ERR&group= |

**Cumulative Impact Analysis [24 CFR 58.32]:**

|  |
| --- |
| The improvements will be made on existing already improved right-of-way, the impact to the environmental is minimal. The community will benefit with more pedestrian connectivity and additional traffic calming measure along the corridor. Commuter traffic may be impacted with the additional improvements, alternative and more appropriate routes exist. |

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

|  |
| --- |
| The Mercy Drive Neighborhood Vision Plan incorporates more substantial road changes such as roundabouts and other street improvements. This project is a short term, impactful solution to assist in traffic calming and pedestrian improvements. A demonstration crosswalk was provided prior to enlisting this project to determine the benefit it would have on the corridor, the improvements are a fairly cost-effective solution in comparison to some of the long-term solutions outlined in the plan. |

**No Action Alternative [24 CFR 58.40(e)]**

|  |
| --- |
| Currently, the corridor contains a large amount of truck and vehicle traffic, without the project, the corridor would remain dangerous for pedestrians. |

**Summary of Findings and Conclusions:**

|  |
| --- |
| Based on the considerations of all Environmental Factors, the project should not adversely impact the surrounding community and environment, and provide safety to pedestrians in the area. The combined efforts of developing affordable units along with infrastructure improvements along the road will not only enhance the community aesthetically but will also help rebuild the community. |

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

Summarized below areall 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** | **Complete** |

**Mitigation Plan**

|  |
| --- |
|  |

**Supporting documentation on completed measures**

**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**

|  |
| --- |
| The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. |

**Supporting documentation**

[Mercy Drive Improvement Locations(1).pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449608_1570220423213.pdf)

[Mercy Drive Improvement Airport Proximity Map.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449607_1570220423213.pdf)

[1471 Mercy Dr Airport Circle Search.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449606_1570220423213.pdf)

[1014 Mercy Dr Airport Circle Search.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449605_1570220423213.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**

|  |
| --- |
| This project is not located in a CBRS Unit. The project will be in Orange County which does not contain any CBRS Units. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. |

**Supporting documentation**

[2019 Orange County Proximity to CBRS.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449616_1570220423213.pdf)

[2016 FL Coastal Barrier Resources System.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449612_1570220423213.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:**

|  |
| --- |
| [12095C0245F.png](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449638_1570220423213.png)  [12095C0235F.png](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449637_1570220423213.png) |

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](http://www.msc.fema.gov) 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 |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. |

**Supporting documentation**

[Location Map Mercy Crosswalks.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449647_1570220423213.pdf)

[FIRMETTE\_Mercy Drive Improvements WD Judge Section.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449645_1570220423213.pdf)

[FIRMETTE\_Mercy Drive Improvements Southern Section.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449644_1570220423213.pdf)

[FIRMETTE\_Mercy Drive Improvements Northern Section.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449642_1570220423213.pdf)

**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 |

**Air Quality Attainment Status of Project’s County or Air Quality Management District**

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

|  |  |
| --- | --- |
| ✓ | No, project’s county or air quality management district is in attainment status for all criteria pollutants. |

|  |  |
| --- | --- |
|  | Yes, project’s management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply): |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| The project's county is in attainment status for all criteria pollutants. The project is for the construction of new crosswalks and other associated improvements such as bus shelters, signage, lights, and landscaping. The project is in compliance with the Clean Air Act. |

**Supporting documentation**

[2019 Florida Nonattainment Status.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449649_1570220423213.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 |

1. **Does this project include new construction, conversion, major rehabilitation, or substantial improvement activities?**

|  |  |
| --- | --- |
| ✓ | Yes |
|  | No |

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

|  |  |
| --- | --- |
| ✓ | Yes, without mitigation |

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

|  |  |
| --- | --- |
|  | Yes, with mitigation |
|  | No, project must be canceled. |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| This project is located in a Coastal Zone, but it has been determined to be consistent with the State Coastal Management Program. The project is in compliance with the Coastal Zone Management Act. |

**Supporting documentation**

[FCMP Program Guide 2019.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449841_1570220423213.pdf)

[RE Crosswalk Improvements Consistency Review FCMP CZ.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449840_1570220423213.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) |

**1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.**

|  |  |
| --- | --- |
| ✓ | American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA) |
|  | ASTM Phase II ESA |
|  | Remediation or clean-up plan |
|  | ASTM Vapor Encroachment Screening |
|  | None of the Above |

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

|  |  |
| --- | --- |
| ✓ | No |

**Explain:**

|  |
| --- |
| The ASTM Phase I being used is from two sites being redeveloped adjacent to the proposed improvements. Other analysis was used along with this existing Phase I ESA for the two properties located at 1014 and 1471 Mercy Drive. |

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

|  |  |
| --- | --- |
|  | Yes |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| Site contamination was evaluated through the analysis of several key factors including the ASTM Phase I ESA for two large properties that are proposed for redevelopment along the corridor, surrounding land uses, prior plans and work done along the corridor, NEPAssist, etc. The project incorporates improvements to an existing road and within existing improved right-of-way. The purpose of the project is to create four crosswalks with accompanying improvements to enhance the safety of pedestrians along Mercy Drive. Using NEPAssist, four properties were chosen around the proposed locations of the crosswalks. Based on this review, there were no Brownfields or Superfund sites identified within 3,000 ft. of the proposed crosswalk locations. Each of the four locations were investigated for surrounding land uses, each of the four crosswalk locations were comprised of residential or institutional uses including multi-family and single-family residential, schools, neighborhood center, churches, office, and medical uses. The City's traffic operations engineer who managed the demonstration crosswalk project indicated there were no identified issues on or surrounding the work area. Upon site inspection, there were no indications of site-contamination or other hazards. As analyzed, on-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. |

**Supporting documentation**

[Mercy Drive Pedestrian Crossing Improvements Demonstration Plans.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478658_1570220423213.pdf)

[Mercy Drive 3306 C2.2 Demonstration Plans.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478657_1570220423213.pdf)

[Mercy Drive 3306 C1.1 Demonstration Plan.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478656_1570220423213.pdf)

[SUBAREA POLICY S.3.6 Mercy Drive SP TRC Staff Report 3 26 2018.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478614_1570220423213.pdf)

[Loc 4 NEPAssist.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478613_1570220423213.pdf)

[Loc 3 NEPAssist.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478612_1570220423213.pdf)

[Loc 2 NEPAssist.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478611_1570220423213.pdf)

[Loc 1 NEPAssist.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478610_1570220423213.pdf)

[216024 Mercy Drive Existing Conditions 20170517sm.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478608_1570220423213.pdf)

[Loc 4 Oak Glen Apts.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478607_1570220423213.pdf)

[Loc 4 Courtyard of Orl Retirement Apt..pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478606_1570220423213.pdf)

[Loc 4 Church CPM(1).pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478605_1570220423213.pdf)

[Loc 4 Church CPM w Apt & Offices.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478604_1570220423213.pdf)

[Loc 3 Word of God Church.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478603_1570220423213.pdf)

[Loc 3 Lakeside Place Apts.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478602_1570220423213.pdf)

[Loc 3 Church of Christ WOrl.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478601_1570220423213.pdf)

[Loc 3 Ability New LIHTC Apts.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478600_1570220423213.pdf)

[Loc 2 Palm Grove ONIC.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478599_1570220423213.pdf)

[Loc 2 Northwest Comm Cntr.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478598_1570220423213.pdf)

[Loc 2 Lake Lawn Ave SFR house.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478597_1570220423213.pdf)

[Loc 2 Antioch Manor OHA.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478596_1570220423213.pdf)

[Loc 1 SFR 4132 Brinell Ave.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478595_1570220423213.pdf)

[Loc 1 SFR 1308 Mercy Drive.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478594_1570220423213.pdf)

[Loc 1 SFR 1304 Mercy Drive.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478593_1570220423213.pdf)

[Loc 1 SFR 4123 Brinell Ave.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010478592_1570220423213.pdf)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**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 *et seq*.); particularly section 7 (16 USC 1536). | 50 CFR Part 402 |

**1. Does the project involve any activities that have the potential to affect specifies 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 |

Explain your determination:

|  |
| --- |
| Please see USFWS letter regarding development on existing improvements. |

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

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

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| This project will have No Effect on listed species based on a letter of understanding provided by the USFWS. All improvements will be made on existing improved Right-of-way (ROW) with minor impacts to existing sod along the ROW. This project is in compliance with the Endangered Species Act. |

**Supporting documentation**

[USFWS Clearance Letter Endangered Species.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010457746_1570220423213.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 a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals), i.e. bulk fuel storage facilities, refineries, etc.?**

|  |  |
| --- | --- |
| ✓ | No |
|  | Yes |

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

|  |  |
| --- | --- |
| ✓ | No |

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

|  |  |
| --- | --- |
|  | Yes |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements. |

**Supporting documentation**

**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](http://www.access.gpo.gov/nara/cfr/waisidx_11/7cfr658_11.html) |

**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:

|  |
| --- |
| The project is contained within existing Right of Way(ROW) that is currently improved. The project scope includes only enhancing the existing ROW for safety and aesthetic purposes. |

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**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**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 | 24 CFR 55 |

**1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]**

|  |  |
| --- | --- |
|  | 55.12(c)(3) |
|  | 55.12(c)(4) |
|  | 55.12(c)(5) |
|  | 55.12(c)(6) |
|  | 55.12(c)(7) |
|  | 55.12(c)(8) |
|  | 55.12(c)(9) |
|  | 55.12(c)(10) |
|  | 55.12(c)(11) |
| ✓ | None of the above |

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

[12095C0245F.png](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449638_1570220423213.png)

[12095C0235F.png](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010449637_1570220423213.png)

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.

**Does your project occur in a floodplain?**

|  |  |
| --- | --- |
| ✓ | No |

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

|  |  |
| --- | --- |
|  | Yes |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. |

**Supporting documentation**

[FIRMETTE\_Mercy Drive Improvements WD Judge Section(1).pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010457905_1570220423213.pdf)

[FIRMETTE\_Mercy Drive Improvements Southern Section(1).pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010457904_1570220423213.pdf)

[FIRMETTE\_Mercy Drive Improvements Northern Section(1).pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010457903_1570220423213.pdf)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**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” <http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html> |

***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 includes enhancing safety features and aesthetic features along an existing Right-of-Way. The project will have no impact on any surrounding structures nor over areas that have not been previously improved. |

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. All improvements will be conducted within the Right-of-wayl. All proposed alterations are to the existing improvements in order to enhance the safety and aesthetics of the road. There are no structures that will be impacted and any minor ground disturbance is impacting areas already improved such as the road, landscaping, sidewalks, and bus shelters. The project is in compliance with Section 106. |

**Supporting documentation**

[NEPAssist Historic Places 1 mile from center of Mercy Drive.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010457770_1570220423213.pdf)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**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 |

|  |  |
| --- | --- |
| ✓ | No |

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

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

|  |  |
| --- | --- |
| ✓ | No |

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

|  |  |
| --- | --- |
|  | Yes |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| The project is not located on a sole source aquifer area, the existing improvements along Mercy Drive and W D Judge are east of a sole source aquifer area, please see map. The project is in compliance with Sole Source Aquifer requirements. |

**Supporting documentation**

[Sole Source Aquifer Mercy Drive Improvements.JPG](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010457779_1570220423213.JPG)

**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 |

|  |  |
| --- | --- |
| ✓ | Yes |

**2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.**

**"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."**

|  |  |
| --- | --- |
| ✓ | No, a wetland will not be impacted in terms of E.O. 11990’s definition of new construction. |

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

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

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| The project will not impact on- or off-site wetlands. There will be minor ground disturbance on existing road improvements but all improvements will be outside of a wetland. Please see attached Map. The project is in compliance with Executive Order 11990. |

**Supporting documentation**

[Wetlands Map Mercy Drive Improvements.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010457874_1570220423213.pdf)

[Wetlands Map Crosswalk 4.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010457873_1570220423213.pdf)

[Wetlands Map Crosswalk 3.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010457872_1570220423213.pdf)

[Wetlands Map Crosswalk 2.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010457870_1570220423213.pdf)

[Wetlands Map Crosswalk 1.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010457869_1570220423213.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. |

**2. Is your project a Water Resources project?**

|  |  |
| --- | --- |
| ✓ | No |

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

|  |  |
| --- | --- |
|  | Yes |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| This project is in proximity of a NWSRS river study area (not the protection area), but it is not a Water Resources project. The project is in compliance with the Wild and Scenic Rivers Act. |

**Supporting documentation**

[Wekiva River Systems Map.pdf](https://www.onecpd.info/reports/ESD_900000010098629_10252019_900000010457886_1570220423213.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 |