

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

**Project Information**

**Project Name:** Yuc-Val-N.Park-const-0173

**HEROS Number:** 900000010167968

**Responsible Entity (RE):** SAN BERNARDINO COUNTY, Community Development and  
Housing - Economic Development Agency San Bernardino CA,  
92415

**RE Preparer:** Tom Ramirez

**State / Local Identifier:** California

**Certifying Officer:** Gary Hallen

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

**Point of Contact:**

**Consultant (if applicable):**

**Point of Contact:**

**Project Location:** 7398 Fairway Dr, Yucca Valley, CA 92284

**Additional Location Information:**  
N/A

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

This project consists of design and construction of a new restroom and parking area at the Town of Yucca Valley's North Park. An environmental has been completed for design only. The environmental covers the construction as well as design and other costs directly related to the creation and construction of this project.

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

This project consists of the design and construction of a restroom(s), a parking area which basically extends the existing two lane road approximately 500 linear feet at the Town of Yucca Valley's existing North Park. With construction of these improvements, more people, than just those that live immediately adjacent to the park can utilize the park. It is a neighborhood type park and would provide additional recreational activities to the citizens of Yucca Valley. Without construction of these improvements there would not be an increase in recreational activities for the citizens of Yucca Valley. Since the Town already owns the land, this proposed project is the most economically advantages for the Town to do construct so as to increase recreational activities for the citizens of Yucca Valley.

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

Without constructions of these improvements, the recreational activities available to the citizens of Yucca Valley will be limited.

**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:**

[Signed Environ Yucca Val North Park 0173.pdf](#)

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

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

**Funding Information**

Grant / Project Identification Number	HUD Program	Program Name
14.218	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)

**Estimated Total HUD Funded, Assisted or Insured Amount:** \$600,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$600,000.00

**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)
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		
<b>Airport Hazards</b> Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.
<b>Coastal Barrier Resources Act</b> 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	This project is located in a County that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.
<b>Flood Insurance</b> Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. 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.

<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b>		
<b>Air Quality</b> Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project's county or air quality management district is in non-attainment status for the following: Carbon monoxide, Lead, Nitrogen dioxide, Sulfur dioxide, Ozone, Particulate Matter, <2.5 microns, Particulate Matter, <10 microns. This project does not exceed de minimis emissions levels or the screening level established by the state or air quality management district for the pollutant(s) identified above. The project is in compliance with the Clean Air Act.
<b>Coastal Zone Management Act</b> Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. There is no Coastal Zone areas in San Bernardino County
<b>Contamination and Toxic Substances</b> 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: None of the above. 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.
<b>Endangered Species Act</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. There are no known endangered species that would be affected by this project
<b>Explosive and Flammable Hazards</b> Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not near a known explosive, flammable hazardous site nor will the construction of this site create an explosive/flammable condition. 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.
<b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Given the extreme weather conditions, difficult terrain and lack of affordable and plentiful water source has made this area less than ideal for agricultural use and as such the area has not been known to be utilized for farming. 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.
<b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The proposed project site is located above (further away from the area on the map that is a flood zone) the red, balloon type, dot on the attached map. This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.
<b>Historic Preservation</b> 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 Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: None. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section 106. Project scope is new construction. No historic buildings are affected by this project and no known historic area is being disturbed by this project.
<b>Noise Abatement and Control</b> Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The proposed project, once completed will not significantly increase noise in the area. During the construction phase of this project, where typical construction noises will produced, construction will only occur between the hours of 7 am to 7 pm and the Town will ensure all equipment used will meet all rules and regulations that govern their use such as mufflers will be in good working order to keep noised down to their bare minimum. 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.
<b>Sole Source Aquifers</b> 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 project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.
<b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. The project is located by a red dot on the attached map which is outside any wetland area.
<b>Wild and Scenic Rivers Act</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.
<b>HUD HOUSING ENVIRONMENTAL STANDARDS</b>		
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b> Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	EPA defines Environmental Justice as "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies". Environmental Justice applies in low-income or minority neighborhoods where the grantee proposes the acquisition of housing, the acquisition of land for development, and new construction. Environmental Justice Issues may include, but are not limited to new, continued or historically disproportionate potential for high and adverse human health and environmental effects on minority or low-income populations. Based on information obtained from EJ Screen and this Categorical Exclusion, this project site and surrounding areas are not identified as sites or neighborhoods that suffer from disproportionate adverse health and environmental effects relative to the community at

		large. This project provides additional recreational activities for people who live in the neighborhood. 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.

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
<b>LAND DEVELOPMENT</b>			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	The project is for construction of a small restroom and parking area enabling people living in the neighborhood the ability to use the Town's North Park which is currently being underutilized.	N/A
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	3	The Restroom and parking area will be designed in a manner to ensure the increase in water runoff will be not adversely affect the neighborhood.	The projects is being designed by experts in the field of water runoff
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	The nature of the project will not add or create hazards and nuisances to the neighborhood	Ensure construction work is only done during the hours of 7 a.m. to 7 p.m
Energy Consumption/Energy Efficiency	2	There is very little lightning associated with this project and there are no heavy machinery associated with the long term use of this project.	Project will be designed and constructed in an energy efficient manner.

<b>SOCIOECONOMIC</b>			
Employment and Income Patterns	2	There are no long term employment opportunities associated with this project and project is not anticipated to generate large sums of revenue.	none- nature of project
Demographic Character Changes / Displacement	2	This project should not change the demographic character of the area and no one is being displaced.	none- nature of project
<b>COMMUNITY FACILITIES AND SERVICES</b>			
Educational and Cultural Facilities (Access and Capacity)	2	This project does not increase educational or cultural facilities opportunities. Project does increase recreational opportunities.	none- nature of project
Commercial Facilities (Access and Proximity)	1	This project might slightly increase the commercial facilities if you consider having access to a public restroom a commercial facility.	none- nature of project.
Health Care / Social Services (Access and Capacity)	2	This project does not have an affect healthcare or social services	none- nature of project
Solid Waste Disposal and Recycling (Feasibility and Capacity)	1	It is anticipated the Town will provide recycling disposal equipment, thereby enabling people to have greater access to the recycling process which will probably increase the amount of items being recycling.	Work with the Town on having the recycling cans be picked up on a regular basis.
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	This project will not increase the ability of the Town to provide waste water and sanitary sewer capacity.	none- nature of project.
Water Supply (Feasibility and Capacity)	2	This project will not increase the ability of the Town to provide water services.	none- nature of project
Public Safety - Police, Fire and Emergency Medical	2	This project will not increase the ability of the Town to provide police, fire or	none- nature of project



Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
		emergency medical services.	
Parks, Open Space and Recreation (Access and Capacity)	1	This project will increase recreational opportunities to local residents.	none
Transportation and Accessibility (Access and Capacity)	1	This project will not increase the ability of the Town to provide transportation services. This project will provide a slight increase in the number of accessible restroom facility.	none
<b>NATURAL FEATURES</b>			
Unique Natural Features /Water Resources	2	This project will be designed in a manner to ensure any possible unique natural features of the area will not be adversely affect nor will this project adversely affect water resources.	none
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	3	This project could possibly have an adversely affect on vegetation and wildlife.	The Town will design and construct facility in a manner to minimize/mitigate adverse affects to vegetation or wildlife.
Other Factors	2	The project will be constructed in a manner to minimize any affects to the natural features of the area while increasing recreational activities for low to moderate income families.	none

### Supporting documentation

#### Additional Studies Performed:

There were no additional performed nor needed.

**Field Inspection [Optional]:** Date and completed by:

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

County of San Bernardino- Land Use Department; County Museum, San Manuel Indian Tribe, Morongo Indian Tribe, Town of Yucca Valley

**List of Permits Obtained:**

The project is located within the jurisdictional authority of the Town of Yucca Valley and the Town of Yucca Valley will issue permits once the design of the project is completed.

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

The Town of Yucca Valley has had Town Council meetings and the County of San Bernardino has held advertised public meetings regarding proposed funding for this project. Once this environmental has been filled out, the County will advertise and request input from the public and then submit a Request for Release of funds from HUD.

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

If this project is constructed, the environmental impact is anticipated to be minimal due to the the size and type of improvements.

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

This site was selected because it would have the least impact on the environment; easier accessibly for the public; and was the most effective location.

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

If no actions are taken there would be fewer recreational opportunities for persons from the low to moderate income area of Yucca Valley.

**Summary of Findings and Conclusions:**

North Park is an existing park that consists primarily of walking paths and with the completion of this proposed project, the parking lot will be paved and a restroom facility will be constructed. With these improvements, it is anticipated more people from the neighborhood will utilize the park. The Town of Yucca Valley is a small town in the desert of San Bernardino County consisting of primarily single family residences with large lots and no sidewalks. Without sidewalks, it is less safe for persons to go for walks then it is in areas with sidewalks. With construct of these improvements there will be increase in safe, recreational opportunities for persons living in the primarily residential, low to mod income area.

**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.

<b>Law, Authority, or Factor</b>	<b>Mitigation Measure or Condition</b>	<b>Comments on Completed Measures</b>	<b>Mitigation Plan</b>	<b>Complete</b>
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	N/A	N/A		
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	The projects is being designed by experts in the field of water runoff	N/A		
Hazards and Nuisances including Site Safety and Site-Generated Noise	Ensure construction work is only done during the hours of 7 a.m. to 7 p.m	N/A		
Energy Consumption/Energy Efficiency	Project will be designed and constructed in an energy efficient manner.	N/A		
Employment and Income Patterns	none- nature of project	N/A		
Demographic Character Changes / Displacement	none- nature of project	N/A		
Educational and Cultural Facilities (Access and Capacity)	none- nature of project	N/A		
Commercial Facilities (Access and Proximity)	none- nature of project.	N/A		
Health Care / Social Services (Access and Capacity)	none- nature of project	N/A		
Solid Waste Disposal and Recycling (Feasibility and Capacity)	Work with the Town on having the recycling cans be picked up on a regular basis.	N/A		

Waste Water and Sanitary Sewers (Feasibility and Capacity)	none- nature of project.	N/A		
Water Supply (Feasibility and Capacity)	none- nature of project	N/A		
Public Safety - Police, Fire and Emergency Medical	none- nature of project	N/A		
Parks, Open Space and Recreation (Access and Capacity)	none	N/A		
Transportation and Accessibility (Access and Capacity)	none	N/A		
Unique Natural Features /Water Resources	none	N/A		
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	The Town will design and construct facility in a manner to minimize/mitigate adverse affects to vegetation or wildlife.	N/A		
Other Factors	none	N/A		

**Project Mitigation Plan**

N/A

**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**

[Airport distance Yucca Valley North Park.JPG](#)

**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)	

**This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.**

**Compliance Determination**

This project is located in a County that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

**Supporting documentation**

[San Bernardino County No Coastal.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.

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 does not require flood insurance or is excepted from flood insurance. 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**

[Flood Map North Park 0173.JPG](#)

**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):

- ✓ Carbon Monoxide
- ✓ Lead
- ✓ Nitrogen dioxide
- ✓ Sulfur dioxide



- ✓ Ozone
- ✓ Particulate Matter, <2.5 microns
- ✓ Particulate Matter, <10 microns

**3. What are the *de minimis* emissions levels (40 CFR 93.153) or screening levels for the non-attainment or maintenance level pollutants indicated above**

Carbon monoxide	119.81	ppm (parts per million)
Lead	72.00	µg/m3 (micrograms per cubic meter of air)
Nitrogen dioxide	1.00	ppb (parts per billion)
Sulfur dioxide	1.00	ppb (parts per billion)
Ozone	90.00	ppb (parts per million)
Particulate Matter, <2.5 microns	0.10	µg/m3 (micrograms per cubic meter of air)
Particulate Matter, <10 microns	0.05	µg/m3 (micrograms per cubic meter of air)

**Provide your source used to determine levels here:**

I obtained this information from TheWeatherChannel.com and usa.yuccavalley.com

**4. Determine the estimated emissions levels of your project. Will your project exceed any of the *de minimis* or threshold emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?**

- ✓ No, the project will not exceed *de minimis* or threshold emissions levels or screening levels.

**Enter the estimate emission levels:**

Carbon monoxide	119.81	ppm (parts per million)
Lead	72.00	µg/m3 (micrograms per cubic meter of air)
Nitrogen dioxide	1.00	ppb (parts per billion)
Sulfur dioxide	1.00	ppb (parts per billion)
Ozone	90.00	ppb (parts per million)
Particulate Matter, <2.5 microns	0.10	µg/m3 (micrograms per cubic meter of air)
Particulate Matter, <10 microns	0.05	µg/m3 (micrograms per cubic meter of air)

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

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

**Screen Summary****Compliance Determination**

The project's county or air quality management district is in non-attainment status for the following: Carbon monoxide, Lead, Nitrogen dioxide, Sulfur dioxide, Ozone, Particulate Matter, <2.5 microns, Particulate Matter, <10 microns. This project does not exceed *de minimis* emissions levels or the screening level established by the state or air quality management district for the pollutant(s) identified above. The project is in compliance with the Clean Air Act.

**Supporting documentation**

[Air Qual Lead levels Yucca Val North park .jpg](#)

[Air qual Yuc Val North Park 0173.jpg](#)

**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**

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. There is no Coastal Zone areas in San Bernardino County

**Supporting documentation**[CBRS NOT in San Bernardino County.png](#)**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:**

There were no nearby known toxic, hazardous or radioactive substances found in the area.

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

Yes

### Screen Summary

#### **Compliance Determination**

Site contamination was evaluated as follows: None of the above. 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**

[EPA assist Yuc Val North Park 0173.jpg](#)

**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 <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

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

Documentation may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.

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

**Screen Summary****Compliance Determination**

This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. There are no known endangered species that would be affected by this project

**Supporting documentation**

[Yuc Val Park 0173 San Bernardino County \(partial\) Critical Habitat.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

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

Yes

**Screen Summary****Compliance Determination**

The project is not near a known explosive, flammable hazardous site nor will the construction of this site create an explosive/flammable condition. 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.)	<a href="#">7 CFR Part 658</a>

**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:

This project consist of the construction of a small building that does not adversely affect the ability of the land to be used for farming. Weather conditions in the area and water being sacare make the location less than idea for agricultural use.

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**

Given the extreme weather conditions, difficult terrain and lack of affordable and plentiful water source has made this area less than ideal for agricultural use and as such the area has not been known to be utilized for farming. 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:**

[Flood Map North Park 0173\(1\).JPG](#)

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**

The proposed project site is located above (further away from the area on the map that is a flood zone) the red, balloon type, dot on the attached map. This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.

**Supporting documentation**

[Flood Map North Park 0173\(2\).JPG](#)

**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" <a href="http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html">http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html</a>

### 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).

### Step 1 – Initiate Consultation

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

- ✓ State Historic Preservation Offer (SHPO) Response Period Elapsed

- ✓ Advisory Council on Historic Preservation Response Period Elapsed

- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

- ✓ San Manuel Tribe Completed

### Other Consulting Parties

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

I contacted the Tribes listed on the assessment tool and San Manuel responded saying the project is in their purview and have no concerns but want to be notified immediately if any artifacts are discovered.

Document and upload all correspondence, notices and notes (including comments and objections received below).

#### ***Step 2 – Identify and Evaluate Historic Properties***

1. **Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**

The end of Fairway Drive, in Yucca Valley CA.

**In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.**

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

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
----------------------------------	-----------------------------	------------------	--------------------------

#### **Additional Notes:**

Project scope is new construction. No historic buildings are affected by this project and no known historic area is being disturbed by this project.

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

Yes

✓ No

***Step 3 –Assess Effects of the Project on Historic Properties***

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

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

No Historic Properties Affected

✓ No Adverse Effect

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

**Document reason for finding:**

Project scope is new construction. No historic buildings are affected by this project and no known historic area is being disturbed by this project. San Manuel Tribe stated they do not have concern and other entities were consulted and time for them to response lapsed.

**Does the No Adverse Effect finding contain conditions?**

Yes (check all that apply)

✓ No

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Adverse Effect

**Screen Summary****Compliance Determination**

Based on Section 106 consultation the project will have No Adverse Effect on historic

properties. Conditions: None. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section 106. Project scope is new construction. No historic buildings are affected by this project and no known historic area is being disturbed by this project.

**Supporting documentation**

[San Manuel email of no concern 10-20-2020.docx](#)  
[Ltr to SHPO North Park 10-28-2020 SIGNED.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**

The proposed project, once completed will not significantly increase noise in the area. During the construction phase of this project, where typical construction noises will be produced, construction will only occur between the hours of 7 am to 7 pm and the Town will ensure all equipment used will meet all rules and regulations that govern their use such as mufflers will be in good working order to keep noise down to their bare minimum. 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 project is in compliance with Sole Source Aquifer requirements.

**Supporting documentation**

[Sole Source Aquifers California Map.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

✓ 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. The project is in compliance with Executive Order 11990. The project is located by a red dot on the attached map which is outside any wetland area.

**Supporting documentation**

[Wetland Map Yucca Val North Pk 0173.jpg](#)

**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**

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.

**Supporting documentation**

[wild and scenic rivers map.jpg](#)

**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**

EPA defines Environmental Justice as "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies". Environmental Justice applies in low-income or minority neighborhoods where the grantee proposes the acquisition of housing, the acquisition of land for development, and new construction. Environmental Justice Issues may include, but are not limited to new, continued or historically disproportionate potential for high and adverse human health and environmental effects on minority or low-income populations. Based on information obtained from EJ Screen and this Categorical Exclusion, this project site and surrounding areas are not identified as sites or neighborhoods that suffer from disproportionate adverse health and environmental effects relative to the community at large. This project provides additional recreational activities for people who live in the neighborhood. 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









U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)  
[espanol.hud.gov](http://espanol.hud.gov)

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

**Project Information**

**Project Name:** Yuc-Val-N.Park-const-0173

**HEROS Number:** 900000010167968

**Project Location:** 7398 Fairway Dr, Yucca Valley, CA 92284

**Additional Location Information:**

N/A

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

This project consists of design and construction of a new restroom and parking area at the Town of Yucca Valley's North Park. An environmental has been completed for design only. The environmental covers the construction as well as design and other costs directly related to the creation and construction of this project.

**Funding Information**

Grant Number	HUD Program	Program Name
14.218	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)

**Estimated Total HUD Funded Amount:** \$600,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$600,000.00

**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
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	N/A



Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	The projects is being designed by experts in the field of water runoff
Hazards and Nuisances including Site Safety and Site-Generated Noise	Ensure construction work is only done during the hours of 7 a.m. to 7 p.m
Energy Consumption/Energy Efficiency	Project will be designed and constructed in an energy efficient manner.
Employment and Income Patterns	none- nature of project
Demographic Character Changes / Displacement	none- nature of project
Educational and Cultural Facilities (Access and Capacity)	none- nature of project
Commercial Facilities (Access and Proximity)	none- nature of project.
Health Care / Social Services (Access and Capacity)	none- nature of project
Solid Waste Disposal and Recycling (Feasibility and Capacity)	Work with the Town on having the recycling cans be picked up on a regular basis.
Waste Water and Sanitary Sewers (Feasibility and Capacity)	none- nature of project.
Water Supply (Feasibility and Capacity)	none- nature of project
Public Safety - Police, Fire and Emergency Medical	none- nature of project
Parks, Open Space and Recreation (Access and Capacity)	none
Transportation and Accessibility (Access and Capacity)	none
Unique Natural Features /Water Resources	none
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	The Town will design and construct facility in a manner to minimize/mitigate adverse affects to vegetation or wildlife.
Other Factors	none
Permits, reviews, and approvals	The project is located within the jurisdictional authority of the Town of Yucca Valley and the Town of Yucca Valley will issue permits once the design of the project is completed.

**Project Mitigation Plan**

N/A

**Determination:**

<input checked="" type="checkbox"/>	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
<input type="checkbox"/>	Finding of Significant Impact

Preparer Signature: Tom Ramirez Date: 9-27-2021

Name / Title/ Organization: Tom Ramirez / / SAN BERNARDINO COUNTY





Certifying Officer Signature:



Date: 9-27-201

Name/ Title: Gary Hallen, Director, Community Development and Housing

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

