



U.S. Department of Housing and Urban
Development

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

**Broad-Level Tiered Environmental Review
for Activity/Project that is
Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR Part 58.35(a)**

Project Information

Project Name: Santee-Lynches Owner Occupied Tiered Review

Responsible Entity (RE): Sumter County, South Carolina

State/Local Identifier: M-22-DC-45-0206

RE Preparer: Peter Neiger, Civitas LLC (Consultant)

Certifying Officer: Gary Mixon, County Administrator

Grant Recipient (if different than Responsible Entity): N/A

Point of Contact:

Sylvia K. Frierson
Grants Manager
2525 Corporate Way, Suite 200
Sumter, SC 29154
803-774-1988
sfrierson@slcog.org

Consultant (if applicable):

Peter J. Neiger, ER Specialist
Civitas, LLC

Project Location: See below

Additional Location Information: There are no geographic restrictions for application to this program. Decisions are made based on the eligibility of the applicant and unit.

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

The proposed project covers rehabilitation and improvements to private homes in Santee-Lynches Council of Governments service area (Clarendon, Kershaw, Lee, and Sumter Counties). The estimated cost per unit is \$50,000 with a total initial funding of \$500,000. Households earning 80% AMI and below are eligible.

Approximate size of the project area: Varies

Length of time covered by this review: 5-Years

Maximum number of dwelling units or lots addressed by this tiered review: 50

Level of Environmental Review Determination:

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

24 CFR 58.35(a)(3)(i)

(3) Rehabilitation of buildings and improvements when the following conditions are met:

(i) In the case of a building for residential use (with one to four units), the density is not increased beyond four units, and the land use is not changed;

(ii) In the case of multifamily residential buildings:

(A) Unit density is not changed more than 20 percent;

(B) The project does not involve changes in land use from residential to non-residential; and

(C) The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation.

Funding Information

Grant Number	HUD Program	Funding Amount
M-22-DC-45-0206	HOME	\$100,000
M-23-DC-45-0206	HOME	\$100,000
M-24-DC-45-0206	HOME	\$100,000
M-25-DC-45-0206	HOME	\$100,000
M-26-DC-45-0206	HOME	\$100,000

Estimated Total HUD Funded Amount: \$500,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$500,000

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6	Was compliance achieved at the broad level of review?	If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review.
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STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6

Airport Hazards 24 CFR Part 51 Subpart D	No	Due to the location of this project, compliance cannot be determined for this factor. The proposed service area includes several airports and compliance will need to be determined during the site-specific review. Prior to approval, proposed sites will show the distance between the project site and civilian airports and military airfields to ensure safe distances.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes	Due to the location of this project, it is in compliance with this factor. Clarendon County is located nearest to the state coastal area but is over 45 miles from the nearest coastal barrier resource unit. See: CBRS Map
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	No	Due to the location of this project, compliance cannot be determined for this factor. Prior to approval, proposed sites will be mapped using FEMA Firmette. If the property is within a 100-year floodplain proof of flood insurance will be required.

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.5

Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes	Due to the location of this project, it is in compliance with this factor. The counties included in the project area are not in nonattainment or maintenance status. See: EPA Greenbook Map
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes	Due to the location of this project, it is in compliance with this factor. The proposed project area does not include any counties identified as statewide coastal zones. See: CZM Map
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)]	No	Prior to approval, proposed sites will undergo an assessment of potential contaminants on site. Potential contaminants include hazardous waste, superfund locations, brownfields, and underground storage tanks.

Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes	Due to the nature of this project it is in compliance with this factor. Activities are limited to rehabilitation of residential structures in developed areas. Sites will not have any species or habitats of concern.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes	Due to the nature of this project it is in compliance with this factor. Activities are limited to rehabilitation of residential structures and does not include activities applicable to this factor.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes	Due to the nature of this project it is in compliance with this factor. Activities are limited to rehabilitation of residential structures in developed areas without farmlands.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes	Due to the completion of a 5-Step Decision Making Process this project is in compliance with this factor.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	No	Prior to approval, the State Historic Preservation Office will be consulted to ensure compatibility with this factor. Tribal consultation is not required due to HUD Guidance in CPD-12-006.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	No	Prior to approval, the day night average sound level will be determined for each site. Only sites where the day night average sound level is in acceptable levels (65 decibels or less) are eligible for this project.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes	Due to the location of this project, it is in compliance with this factor. The State of South Carolina does not include any Sole Source Aquifers. See: Sole Source Aquifer Map
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes	Due to the nature of this project it is in compliance with this factor. Activities are limited to rehabilitation of residential structures in developed areas and does not

		include new construction as defined by Executive Order 11990.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	No	Due to the location of this project, compliance cannot be determined. The project area does not include wild and scenic rivers or study rivers. However, the project area includes rivers on the National Rivers Inventory. The Site-Specific review must show the site location and any rivers in the project area. See Study Rivers List and Wild and Scenic Rivers Map
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	No	Due to the nature of this project it is in compliance with this factor could not be determined. An analysis of any environmental justice components will be completed during the Site-Specific reviews.

Attach supporting documentation as necessary, including a site-specific checklist.

Determination:

- ☐ Extraordinary circumstances exist and this project may result in significant environmental impact. This project requires preparation of an Environmental Assessment (EA); OR
- ☒ There are no extraordinary circumstances which would require completion of an EA, and this project may remain CEST.

Preparer Signature:

Date:

Name/Title/Organization: Peter J. Neiger, Civitas LLC

Responsible Entity Agency Official Signature:

Date:

Name/Title: Gary Mixon, County Administrator

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

This document represents the Tier 1 or Broad-Level review *only*. As individual sites are selected, this review must be supplemented by individual Tier 2 or Site-Specific reviews for each site. All laws and authorities requiring site-specific analysis will be addressed in these individual reviews.

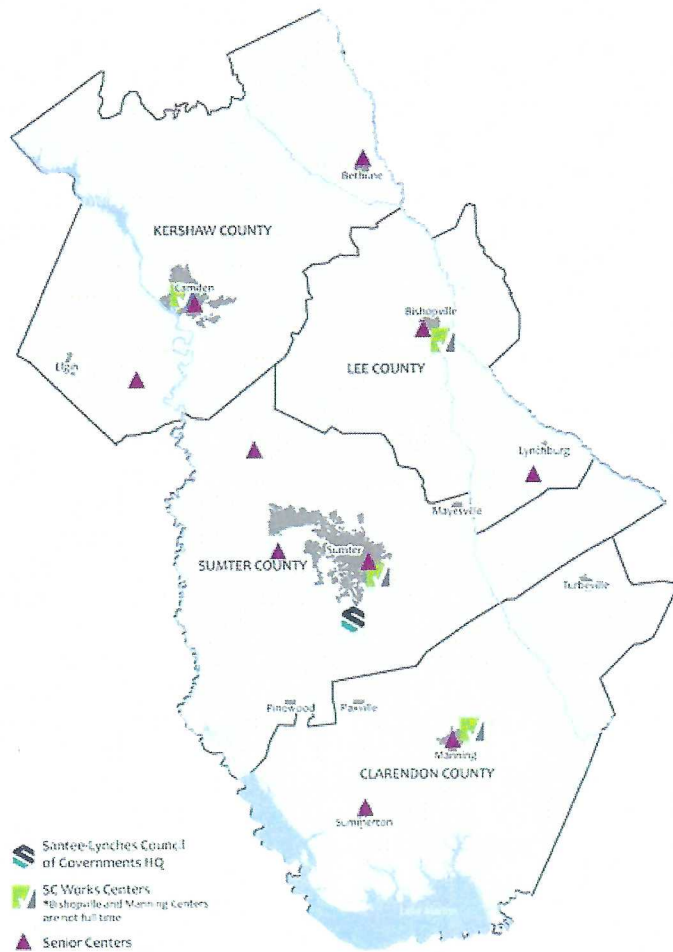
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APPENDIX: Site-Specific or Tier 2 Reviews

Update this document as site-specific reviews are completed. Complete each site-specific review according to the written strategies outlined in the broad-level review and attach it in the environmental review record.

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Service Area



CLARENDON COUNTY

- [City of Manning](#)
- [Town of Paxville](#)
- [Town of Summerton](#)
- [Town of Turbeville](#)

KERSHAW COUNTY

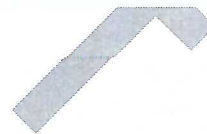
- [Town of Bethune](#)
- [City of Camden](#)
- [Town of Elgin](#)

LEE COUNTY

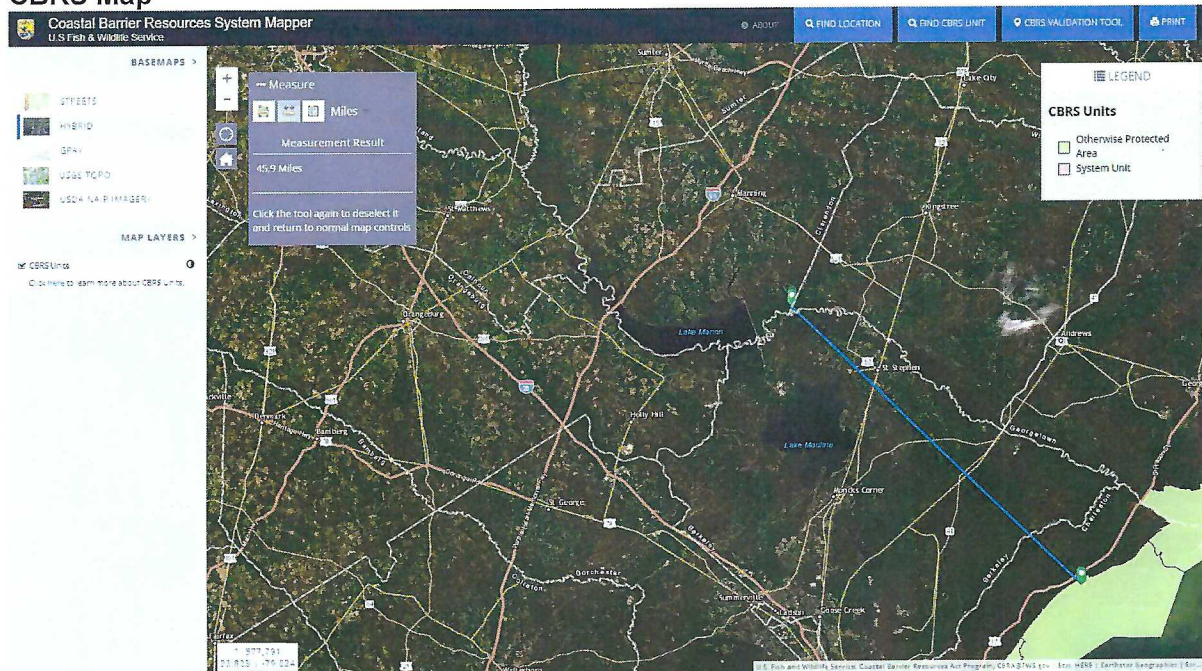
- [City of Bishopville](#)
- [Town of Lynchburg](#)

SUMTER COUNTY

- [Town of Mayesville](#)
- [Town of Pinewood](#)
- [City of Sumter](#)

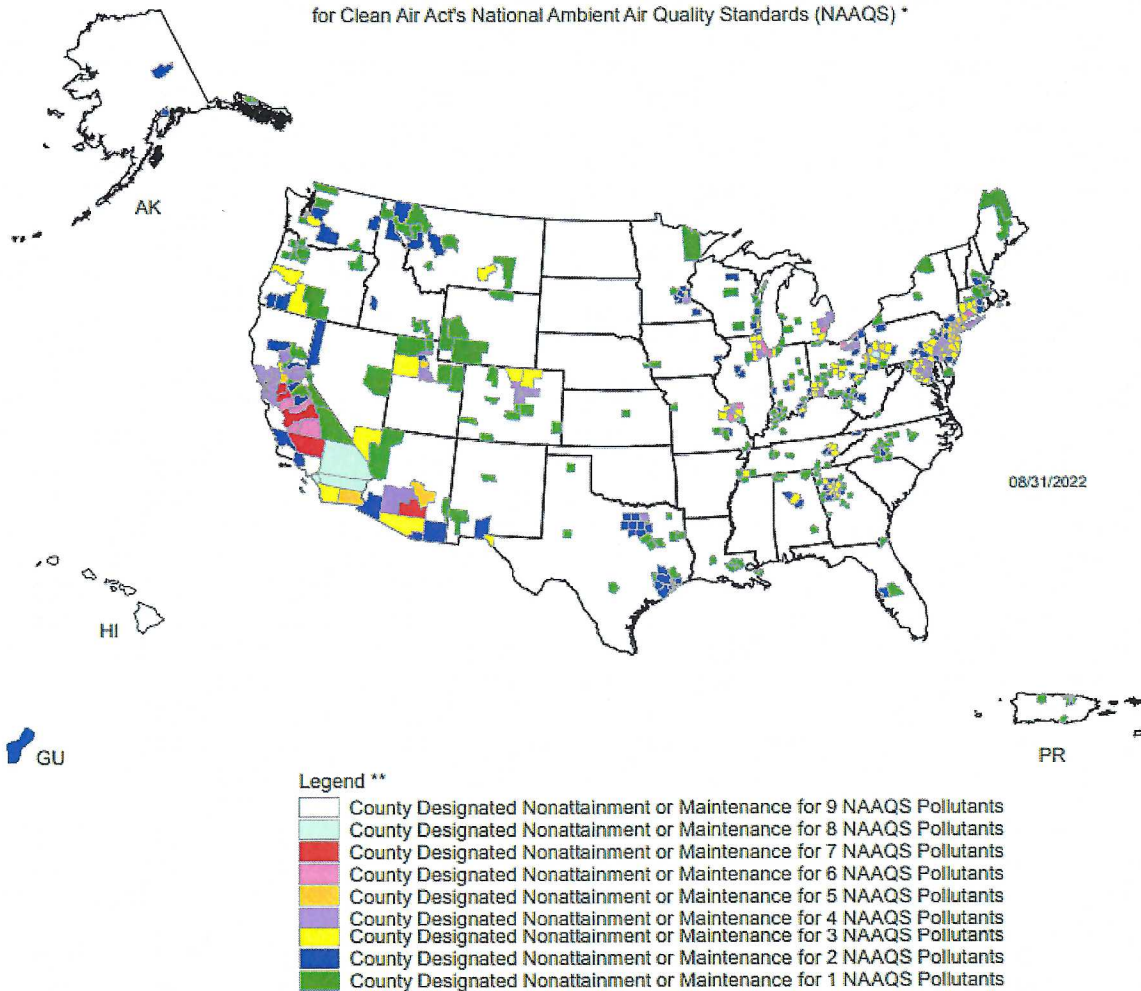


CBRS Map



Counties Designated "Nonattainment" or "Maintenance"

for Clean Air Act's National Ambient Air Quality Standards (NAAQS) *



CZM Map



5-Step Decision Making Process

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT:

Sumter, South Carolina

- Santee-Lynches Owner Occupied Tiered Review
- Decision Process for E.O. 11988 as Provided by 24 CFR §55.20

Step 1: *Determine whether the action is located in a 100-year floodplain (or a 500-year floodplain for critical actions) or wetland.*

The proposed project may include activities at locations that include a 100-year floodplain. Activities for this project are limited to rehabilitation and private homes in the Santee-Lynches Council of Governments service area and meets the exception stated in 24 CFR 55.12(a)(3). Therefore, compliance only requires a 5-step decision making process and 24 CFR 55.12(b), (c), and (g) do not apply.

Step 2: *Notify the public for early review of the proposal and involve the affected and interested public in the decision making process.*

This step is inapplicable due to this project due to actions covered under 24 CFR 55.12(a)(3):

(a) The decision making steps in § 55.20(b), (c), and (g) (steps 2, 3, and 7) do not apply to the following categories of proposed actions:

(3) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for "substantial improvement" under § 55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.

Step 3: *Identify and evaluate practicable alternatives.*

This step is inapplicable due to this project due to actions covered under 24 CFR 55.12(a)(3):

(a) The decision making steps in § 55.20(b), (c), and (g) (steps 2, 3, and 7) do not apply to the following categories of proposed actions:

(3) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for "substantial improvement" under § 55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.

Step 4: *Identify Potential Direct and Indirect Impacts of Associated with Floodplain Development.*

Due to the nature of the project, there is no potential to impact floodplains. The project activities are limited to rehabilitation that does not meet the definition of “substantial improvement” under 24 CFR 55.2(b)(10). While there are some Special Flood Hazard Areas in the project service area, these areas are uncommon in residential areas.

Step 5: *Where practicable, design or modify the proposed action to minimize the potential adverse impacts to lives, property, and natural values within the floodplain and to restore, and preserve the values of the floodplain.*

Evaluation factor: Impacts to the floodplain.

The project area includes a 100-year floodplain. However, activities will not have an impact on the floodplain and the floodplain will be taken into account throughout the process. Work is limited in scope and does not include activities that have a potential to impact the floodplain.

Step 6: *Reevaluate the Alternatives.*

The proposed project continues to be the best use of funds to serve the needs of the community. The area is in need of a rehabilitation program for owner-occupied units. Using the Consolidated Planning process, alternative uses for grant funds were considered and secure housing was considered a high priority. A complete copy of the Consolidated Plan, including outreach efforts, can be obtained by contacting the jurisdiction staff.

Step 7: *Determination of No Practicable Alternative*

This step is inapplicable due to this project due to actions covered under 24 CFR 55.12(a)(3):

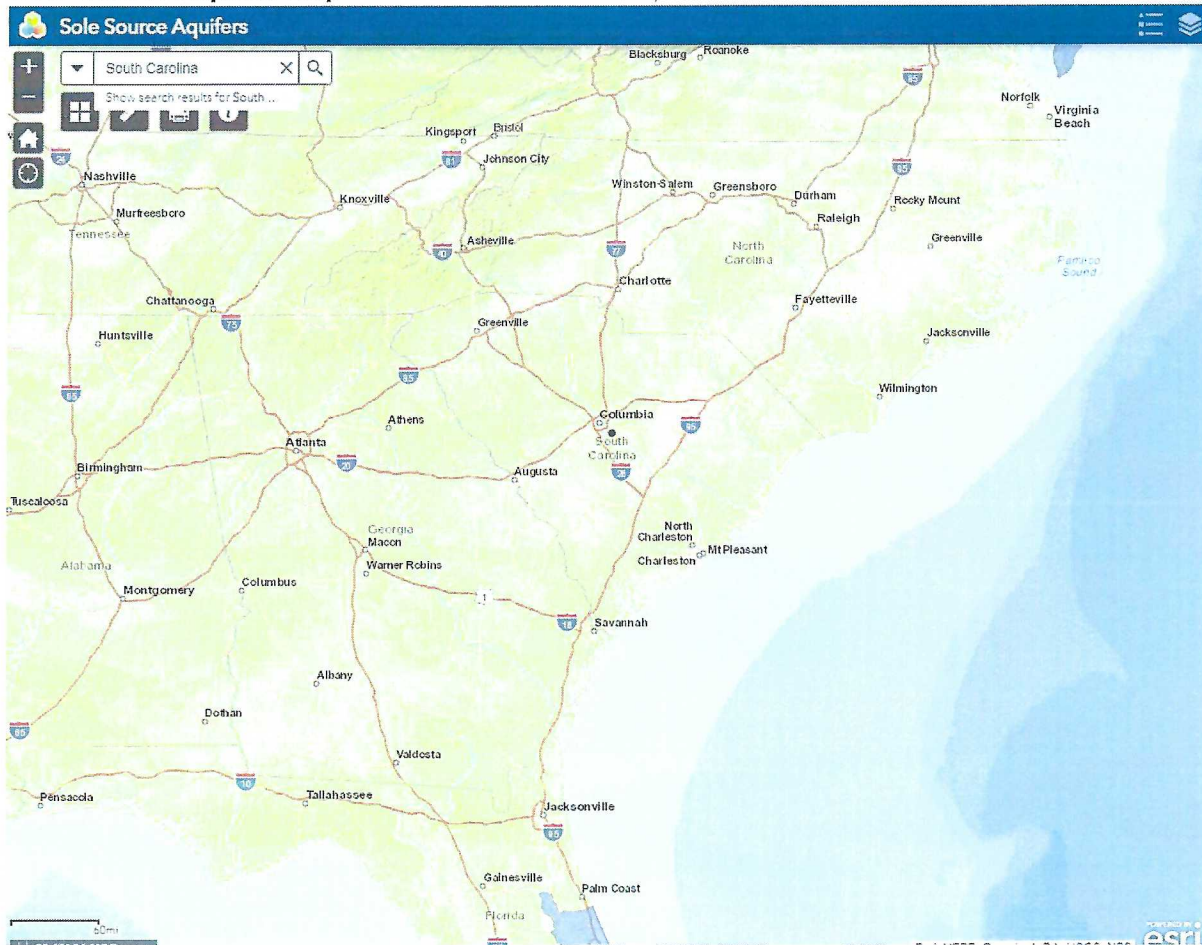
(a) The decision making steps in § 55.20(b), (c), and (g) (steps 2, 3, and 7) do not apply to the following categories of proposed actions:

(3) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.

Step 8: *Implement the Proposed Action*

The responsible entity will continue to take an active role during the project activities to ensure the floodplains are protected and considered during the process.

Sole Source Aquifer Map



Study Rivers List

Wild & Scenic River Studies

There are two study provisions in the Act — Section 5(a), through which Congress directs the study of select rivers, and Section 5(d)(1), which directs federal agencies to identify potential additions to the National Wild and Scenic Rivers System (National System) through federal agency plans. A brief explanation is provided in the following respective sections.



Current Active Studies

Currently, there are three rivers or river systems under "authorized" study—two under Section 5(a) of the Wild & Scenic Rivers Act and one under Section 2(a)(ii). This does not include those that might be under assessment as part of normal agency land-planning processes.

– Rivers Currently Under Study

- **Cave, Lake, No Name and Panther Creeks, Oregon** (Public Law 113-291, December 19, 2014) – Under study by the National Park Service.
- **Housatonic River, Connecticut** (Governor Malloy Request for Section 2(a)(ii) Designation, November 16, 2016) – Under study by the National Park Service.
- **York River and associated tributaries, Maine** (Public Law 113-291, December 19, 2014) – Under study by the National Park Service.

Wild and Scenic Rivers List

