

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

Project Information

Project Name: The-Preserve-at-Gresham-Lake-Apt.-Community

HEROS Number: 900000010235114

Responsible Entity (RE): WAKE COUNTY, PO Box 550 Raleigh NC, 27602

RE Preparer: John Scales

State / Local Identifier:

Certifying Officer: David Ellis

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 3095 Gresham Lake Rd, Raleigh, NC 27615

Additional Location Information:

This site is situated south of the Durant Nature Preserve, north of Gresham Lake Road, east of Interstate-540, and west of Capital Blvd. This location has a mix of residential, commercial, industrial, and recreational land uses. This site is ideally adjacent to the

Durant Nature Preserve, a 241-acre recreational park. This development will have direct access to this park with a walkway and entrance to the park.

Direct Comments to: John Scales
Housing Affordability & Community Revitalization
Wake County Government
PO Box 550
Raleigh, NC 27602-0550
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Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The Preserve at Gresham Lake is a planned multi-family development located in Raleigh, NC, and this proposed community will offer 156 affordable apartments to family and individual households. The unit mix will be 36 one-bedroom, 60 two-bedroom, and 60 three-bedroom apartments housed in five three-story garden-style buildings. The rectangular-style buildings will have adjacent parking lots, and the exterior will have a combination of brick and vinyl siding as part of its architectural design. The rents will be structured to meet HUD income levels at 50%, 60%, and 70% of the area median income (AMI). Of the 156 units available, a total of 124 apartments (80% of available units) will be set aside for those households making 60% or less of AMI. According to the HUD HOME 2021 Adjusted Income Limits, a household of four at 60% AMI could not exceed \$57,420 in total household income. This community will also include a stand-alone community building that will house the property management and leasing office, laundry center, mail center, multi-purpose activities room, furnished fitness center, and computer/office center. Additionally, an array of other on-site amenities will include a playground, a covered grill area with picnic tables, and a swimming pool. Developer: LDG Development Population: Family and Individual Households Number of units: 156 Number of units at or below 50% AMI: 32 Number of units at or below 60% AMI: 92 Number of units at or below 70% AMI: 32 Funds: Federal HOME Program

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

This proposed development is generally well-received by the community and government organizations providing planning support for this development. The zip code for this proposed development is 27615, and according to NCHousingSearch.org, only one income-restricted rental community is available within this area code. According to Real Property Research Group (RPRG), the rental housing capture rates are sufficient for this market area at 1.6 percent. RPRG also indicated that "income-qualified renter households will exist in the Gresham Lake Market Area as of 2023 (lease-up year) to support the 156 units proposed at The Preserve at Gresham Lake", and "we recommend proceeding with the project as planned."

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

This proposed development is in a mixed-use area of rental housing communities and commercial and industrial businesses, along Gresham Lake Road east of I-540 and west of Capital Blvd. Directly north of this site, there is a 240+ acre nature preserve

that will remain undeveloped and is an asset to the future residents of this proposed apartment community. Based on Real Property Research Group (RPRG), "The market is performing well with an aggregate vacancy rate of 0.5 percent among LIHTC communities. The market area is positioned well to address renter households with units at 30, 50, 60, and 70 percent AMI. All capture rates are acceptable indicating sufficient demand to support the project as proposed." RPRG believes the onset of the pandemic has not negatively affected demand for affordable housing, and data shows that LIHTC communities are performing well. Within The Preserve at Gresham Lake's market area, "The total vacancy rate among all communities is 141 units or a 1.5 percent aggregate vacancy rate. LIHTC communities are outperforming the overall market with an aggregate vacancy rate of 0.5 percent based on four or 836 units vacant. All reported vacancies are at one community (Brighton Pointe) with the other six LIHTC community's 100 percent occupied."

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

[Map_The Preserve at Gresham Lake.pdf](#)

[Endangered Species_Axiom Survey Results_The Preserve at Gresham Lake\(1\).pdf](#)

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:

[EA Determinations and Compliance Findings Signature Form_The Preserve at Gresham Lake.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
M-20-DC-37-0213	Community Planning and Development (CPD)	HOME Program

**Estimated Total HUD Funded,
Assisted or Insured Amount:** \$2,330,110.00

**This project anticipates the use of funds or assistance from another federal agency
in addition to HUD in the form of:**

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$36,814,162.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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. The distance between The Carrington and Raleigh-Durham International Airport is 14+ miles, and the distance between Seymour Johnson AFB is 51+ miles. See attached supporting documents.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. Wake County is not a coastal barrier county in NC. See the attachment.
Flood Insurance 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	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. See the attachment.
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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act. Wake County, NC historically has been 1-hour ozone (1979, revoked on June 17, 1984), 8-hour ozone (1997 revoked on December 26, 2007), and carbon monoxide (1971, transportation conformity expired on September 18, 2015). Wake County was entered into a carbon monoxide (CO) Limited Maintenance Plan, as indicated in the attached letter dated August 2, 2012. This letter indicates that Wake County is well below the CO National Ambient Air Quality Standard (NAAQS) and introduced a State Implementation Plan (SIP), which outlined current levels of emissions. Please see the attachments.
Coastal Zone Management Act 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. Wake County is not one of the 20 Coastal Area Management Act counties in North Carolina.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: ASTM Phase I ESA. 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. Conclusions and recommended response actions were provided by the company (Timmons Group) that performed the ASTM Phase I ESA.

		"Timmons Group completed a Phase I ESA of approximately 10.5 acres located at 3095 Gresham Lake Road in the City of Raleigh, North Carolina. Based on the results, RECs were not identified for the Subject Property or adjoining properties as defined by ASTM Standard E 1527-13. Therefore, Timmons Group recommends no further action."
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project has been determined to have No Effect on listed species. This project is in compliance with the Endangered Species Act without mitigation. See Axiom Environmental's survey report attached.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements. The Phase I report did not identify any regulated aboveground storage tanks (ASTs) within 0.25-mile of the project boundary, and any incidents listed for contamination in conjunction with a leaking aboveground storage tank (LAST) within 0.5-mile of the project boundary. Please refer to the Timmons Group's additional comments (Explosive and Flammable_AST Timmons Group Determination_The Preserve at Gresham Lake.pdf) regarding identified tanks within the 0.5-mile and 1.0-mile radius of the project boundary.
Farmlands Protection 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	This project includes activities that could potentially convert agricultural land to non-agricultural use, but an exemption applies. The project is in compliance with the Farmland Protection Policy Act. This project is in compliance with the Farmland Protection Policy Act. The Preserve at Gresham Lake development site is 93.4 percent Urban land (Ur soil

		designation), and the remaining 6.6 percent are soils that contain a mix of prime farmland and farmland of statewide importance. The farmland soils are in compliance with the Farmland Protection Policy Act because the Census Bureau identifies this area as an urbanized area (please see Urban Area Map below).
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106. Please note, a new Programmatic Agreement (PA) with NCSHPO is under a contract between Wake County and NCSHPO. Please see supporting documents.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A Noise Assessment was conducted. The noise level was normally unacceptable: 72.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation with mitigation. Please see the uploaded files below.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. North Carolina has no sole-source aquifers located within the state boundaries. See attachment.
Wetlands Protection 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.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total

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

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

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

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The property identified as Wake County PIN 1727276820 is currently zoned as Commercial Mixed Use-3 with conditions, and a multi-family dwelling is a permitted use on this property. These conditions were approved and implemented by the City Council of Raleigh on May 18, 2021, via Ordinance No. (2021) 235 ZC 820. The following conditions were established: The following uses shall not be permitted as principal uses on the property: single-family living; two-unit living; and cottage court. No more than 200 dwelling units shall be permitted on the property. Rental fees for dwelling units on the property shall be affordable for households earning an average of 60% of the area median income or less for a period of no less than 25 years from the date of issuance of a certificate of occupancy on the property. The rent and income limits will follow the Affordable Housing Standards determined annually by the City of Raleigh Housing & Neighborhoods Department. An Affordable Housing Deed Restriction in a form approved by the City shall be filed	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		<p>and recorded in the property's chain of title by the property owner in the Wake County Register of Deeds prior to the project receiving a certificate of occupancy. The area within 35 feet of the adjoining parcels listed below (the "Adjoining Parcels"), were not comprising part of any Tree Conservation Area on the property, shall contain (1) an opaque fence with a minimum of 6 feet in height displaying information signs averaging no more than 300 feet apart along any individual fence, containing text in letters not less than 5 inches in height stating "NO TRESPASSING", (2) a berm with a minimum height of 2.5 feet, measured perpendicular to the center of the crown, (3) 4 shade trees per 100 lineal feet, (4) 3 understory trees per 100 lineal feet, and (5) 40 shrubs per lineal feet. Additionally, no residential building shall be located within 10 feet of the Adjoining Parcels. PIN Address Book Page 1727271868 2917 Gresham Lake Road 17294 1887 1727275304 3011 Gresham Lake Road 17902 1286 1727370752 3109 Gresham Lake Road 1822 189 A public pedestrian access easement no less than 20 feet in width and having a paved surface no less than 10 feet in width shall be provided on the property and shall connect from Gresham Lake Road, of any public right of way directly or indirectly connecting to Gresham Lake Road, to the northern property line adjacent to the Duran Nature Preserve located on the parcel having PIN 1727399804 and conveyed by deed recorded in Book 5741 Page 364 of the Wake County Registry.</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	To determine the different types of soils at this site, I collected data from the USDA Web Soil Survey website. Most of the soil make-up consists of Urban land (Ur) soil (93.4%). The remaining soil types are Cecil sandy loam, 2 to 6 percent slopes (0.1%), Cecil sandy loam, 6 to 10 percent slopes (6.5%), and Pacolet sandy loam, 10 to 15 percent slopes (0.1%). The latter three soils are prime farmland or farmland of statewide importance soil classifications. However, this site is not in violation of the Farmland Act because this site is an urbanized area, according to the U.S. Census Bureau. The current topography indicates that the surface water drains from south to north (28-foot drop), and the current site plan calls for a wet stormwater control measure pond located at the rear of this site.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	Timmons Group, Inc. conducted a field survey on May 6, 2021, and they concluded that no Recognizable Environmental Concerns (RECs) are present at the subject site as defined by ASTM Standard E 1527-13. Timmons Group recommended no further action is needed. According to the NEPAassist website, there are no known hazards or nuisance (hazardous waste, water dischargers, toxic releases, Superfund or Brownfield sites, and toxic substances) violations identified that would create an unsafe environment for the workers and residents of this development. This development should not contribute to noise levels higher than what adjoining properties contribute.	
Energy Consumption/Energy Efficiency	2	This development is a short-term construction project that will have minimal effects on energy consumption	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		during the construction phase. For the long-term, no impact is anticipated with an excessive increase in energy consumption.	
SOCIOECONOMIC			
Employment and Income Patterns	2	This affordable family housing development is a short-term construction project that will not dramatically alter or impact employment and/or income patterns for this area. According to Real Property Research Group (RPRG), "Wake County's annual average labor force has increased steadily since 2010 with year-to-year gains for nine consecutive years until decreasing by 12,219 people or 2.0 percent in 2020. The overall net increase from 2010 to 2019 was 113,861 workers or 19.1 percent. The employed portion of the labor force increased by 133,675 persons over this period while those classified as unemployed decreased by 19,814 persons. The number of workers classified as unemployed persons nearly doubled in 2020 due to the COVID-19 pandemic. Wake County's annual average unemployment rate has historically been lower than the state of North Carolina and the nation. The county's unemployment rate has declined steadily from its peak of 8.2 percent at the height of the last recession in 2010 in tandem with a decline in unemployment in both the state and the nation. In 2019, the annual average unemployment rate was 3.3 percent in the county, 3.8 percent in the state, and 3.7 percent in the nation. Due to the economic ramifications of the COVID-19 pandemic, unemployment rates increased to 6.4 percent in the	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		county, 7.3 percent in the state, and 8.1 percent in the country."	
Demographic Character Changes / Displacement	2	According to RPRG, "The Gresham Lake Area added 37,855 people (53.7 percent growth) and 13,655 households (49.4 percent growth) from 2000 to 2010: the annual average increase was 3,786 people and 1,366 households. During the same time frame, Wake County grew at slower rates with net growth of 43.5 percent for population and 42.8 percent for households. Annual household growth rates were 4.1 percent in the market area and 3.6 percent in the county. Annual growth rates have slowed over the past 10 years in the Gresham Lake Market Area and Wake County. The Gresham Lake Market Area added 16,204 people and 5,765 households from 2010 to 2020; the annual growth rates were 1.4 percent for the population and 1.3 percent for households. Wake County's annual average growth during this time was 2.2 percent for population and 2.1 percent for households." The household growth for this market area is projected to grow at a rapid pace over the next five years, and Wake County will follow suit. No displacement will occur with this development.	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	Within a drive time of fewer than ten minutes, Wake County Public Schools has seven schools located near this proposed development. The following schools are less than four miles from this proposed development: 1) Abbotts Creek Elementary School, 2) Durant Road Elementary School, 3) Northridge Elementary School, 4) Durant Road Middle School, 5) East Millbrook Middle	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		School, 6) West Millbrook Magnet, and 7) Millbrook High School. Wake Technical Community College (WTCC) can provide opportunities for higher education classes, and WTCC is located 4.8 miles from the site. Poiema Arts, Inc. (professional arts company) is located 0.3 miles from The Preserve at Gresham Lake. The Sertoma Arts Center is 6.6 miles from this proposed development. Additionally, the Triangle Cultural Art Gallery is close by at 1.5 miles away.	
Commercial Facilities (Access and Proximity)	2	The nearest commercial corridors are to the southeast (Capital Blvd/US 1) and northwest (Falls of Neuse Road) of the proposed site. There are numerous retail shopping and entertainment options available within a two-mile radius. The closest grocery store (distance of 1.2 miles) is Food Lion on Litchford Road, and several other regional grocery chain stores are nearby. The Better Life Pharmacy is 2.3 miles from this site, and several other regional and national pharmacy chain stores are nearby. One of the largest regional shopping malls, Triangle Town Center, is a short seven-minute drive from The Preserve at Gresham Lake. This area is a high-density region, and commercial access and proximity are ample.	
Health Care / Social Services (Access and Capacity)	2	Wake County Emergency Services anticipates no impact on the services they provide to the community. The WakeMed North Emergency and Hospital are 2.9 miles or a seven-minute drive from the proposed site, and for urgent care needs, a MinuteClinic(R) is an eight-minute drive from the proposed site. There are several dentist practices and eyecare facilities within a ten-minute drive. Wake County's	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		Northern Regional Center is located 18 minutes from this proposed site. This Regional Center provides a wide variety of services for the community (children and family services, employment assistance, energy assistance, food assistance, Medicaid, public health and medical, senior and adult services, and transportation services).	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	The addition of 156-units will not generate abnormal solid waste, and recycling systems are likely not to be overwhelmed.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The addition of 156-units will not generate abnormal wastewater, and sanitary sewers should not be adversely impacted.	
Water Supply (Feasibility and Capacity)	2	The addition of 156-units will not generate abnormal water consumption, and the public water supply will be provided by the City of Raleigh's Water Department.	
Public Safety - Police, Fire and Emergency Medical	2	The City of Raleigh annexed this site on January 18, 2022, as a condition for this proposed site. With this annexation, the City of Raleigh police department will have the authority to provide police protection/services for this new community. As a result of the explosive growth in this area, government public safety departments may need to request a budget increase to adequately serve this community and the surrounding communities. With that said, public safety will not be diminished.	
Parks, Open Space and Recreation (Access and Capacity)	2	With the added density of this development, the recreational infrastructure should not be adversely impacted. The greatest asset of this new community is the proximity to Durant Nature Preserve which is adjacent to the northern edge of this development site.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		As a condition of this development, the developer must provide pedestrian access to the Preserve. In addition to the Preserve, the Millbrook Exchange Park is three miles away.	
Transportation and Accessibility (Access and Capacity)	1	As for the closest GoRaleigh (part of the GoTriangle transit system) bus stop, this bus stop is at Old Wake Forest Road and Capital Blvd., and this bus stop is approximately 1.8 miles from The Preserve at Gresham Lake. This bus stop is part of the Triangle Town Link service, and the key destinations for this route are Wake Tech Community College - North Campus and WakeMed North Hospital. The distance to this bus stop creates some accessibility difficulties. On the other hand, Capital Blvd. provides many options for public transportation as this highway is a vital gateway to the City of Raleigh.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	According to the NC Natural Heritage Program (NCNHP) website, this site indicates that a Managed Conservation Area is presently on or near the project site. That Managed Conservation Area is the Duran Nature Preserve adjacent to this proposed site. The 2010 Forest Land Assessment (NCDA&CS) rates this parcel on the "Medium" scale for maintaining a viable urban forest. As for drinking water susceptibility, the surface water susceptibility rating is on the "Higher" scale. Since the water supply is from the City of Raleigh municipal water treatment facility, this will help mitigate any water supply concerns. Additionally, there are no public or private scenic areas on or near the project site.	
Vegetation / Wildlife (Introduction,	2	This vacant parcel is covered with some areas of pine and hardwood trees.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Modification, Removal, Disruption, etc.)		According to the NC Natural Heritage Program (NCNHP) website, the Forestry Lands Assessment section indicates that maintaining viable urban forests is a medium priority. As for biodiversity and wildlife habitat assessment, NCNHP's website index has this parcel mostly rated a zero or unrated.	
Other Factors	2	No other factors know that would adversely impact this proposed development. As to the impact of climate change, this development will adhere to current zoning and building code regulations to ensure safe and resilient structures. One measure being implemented is a permanent structure known as a stormwater control measures device (SCM). The proposed SCM is a wet pond designed to improve stormwater quality and control output and will be placed at the northwest corner of the property, where water naturally flows to this area. Additionally, three tree management areas are part of the site plan for cleaner air, lower noise pollution, and less water runoff.	

Supporting documentation

[Endangered Species Axiom Survey Results The Preserve at Gresham Lake\(2\).pdf](#)
[Land Development Zoning COR Confirmation The Preserve at Gresham Lake.pdf](#)
[Noise Abatement and Control Mitigation Plan Preserve at Gresham Lake\(2\).pdf](#)
[CAP HUD Environmental Review RESPONSE The Preserve at Gresham Lake\(1\).doc](#)
[HUD ER Review Catawba Response\(1\).pdf](#)
[Solid Waste HUD ER Response The Preservice at Gresham Lake.pdf](#)
[Parks and Rec HUD ER Response The Preservice at Gresham Lake.pdf](#)
[Public Water and Sewer HUD ER Response The Preservice at Gresham Lake.pdf](#)
[Public Education HUD ER Response The Preservice at Gresham Lake.pdf](#)
[Police HUD ER Response The Preservice at Gresham Lake.pdf](#)
[Health and Human Services HUD ER Response The Preservice at Gresham Lake.pdf](#)
[EMS HUD ER Response The Preservice at Gresham Lake.pdf](#)
[Full Market Study Analysis The Preserve at Gresham Lake.pdf](#)

[Noise Abatement and Control_Noise Assessment Docs all Noise Sources_Preserve at Gresham Lake\(1\).pdf](#)
[Noise Abatement and Control_Mitigation Plan_Preserve at Gresham Lake\(1\).pdf](#)
[Farmland Protection_Web Soil Survey Report_3095 Gresham Lake Rd\(1\).pdf](#)
[Site Plan.pdf](#)
[Land Development_Topo Map_The Preserve at Gresham Lake.pdf](#)
[HUD 4010_EA Factors_Land Development_Evidence of Zoning.pdf](#)

Additional Studies Performed:

Field Inspection [Optional]: Date and completed
by:

Axiom Environmental

5/12/2022 12:00:00 AM

[Endangered Species_Axiom Survey Results_The Preserve at Gresham Lake\(1\).pdf](#)

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

Wake County EMS, Wake New Hope Fire Department, Wake County Health and Human Services, NC Natural Heritage Program, Raleigh Police Department, Raleigh Planning Department, Wake County Public School System, GoTriangle Public Transportation, City of Raleigh Water Department, Raleigh Parks and Recreation, Wake County Soil and Water Conservation District, Raleigh Public Works Department, NC Department of Transportation, U.S. Army Corps of Engineers, U.S. Fish and Wildlife, Catawba Indian Nation, Capital Area Preservation, Wake County Fires Services, U.S. Department of Agriculture, Real Property Research Group, Axiom Environmental Services, Timmons (Civil Engineers)

List of Permits Obtained:

Public Outreach [24 CFR 58.43]:

Wake County will post a Finding of No Significant Impact (FONSI) and a Request for Release of Funds (RROF) for the required period before forwarding to HUD in Greensboro, NC. Wake County will post the FONSI and RROF on the County's website (<http://www.wakegov.com/housing/Pages/plansdocs.aspx>).

Cumulative Impact Analysis [24 CFR 58.32]:

The construction of this affordable multi-family apartment complex is a short-term, single-phase construction activity. This project is not associated with other neighborhood/community construction or infrastructure projects. The likelihood of a cumulative impact that negatively impacts this development is not anticipated.

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

No alternatives or project modifications are not an option at this time. The goal is to provide affordable senior rental housing for this community.

No Action Alternative [24 CFR 58.40(e)]

A no-action alternative means fewer affordable housing options for low-income families, especially in zip code 27615, where affordable housing is scarce.

Summary of Findings and Conclusions:

Overall, no potential adverse impacts are anticipated with this development. The proposed development site is a vacant parcel located in a mixed-use area (commercial, industrial, and residential) of North Raleigh. This lot is located at 3095 Gresham Lake Road, and this site consists of open space with forested areas along the northern, eastern, and southern property boundaries. This site is situated south of the Durant Nature Preserve, north of Gresham Lake Road, east of Interstate-540, and west of Capital Blvd. This site is bordered to the north by a beautiful nature preserve, and to the south are industrial sites (Wall Recycling and Action Landscape & Design). The land use to the east is predominately commercial and industrial. The land use to the west (beyond I-540) is predominately single-family residential. In conclusion, there is a growing need for more affordable housing, and the absence of this project will put more demands on the affordable housing rental community in this 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.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Noise Abatement and Control	LDG Development contracted Geotechnical & Environmental Consultants (GEC) to conduct a noise assessment at 3095 Gresham Lake Road (site location)	N/A	Please refer to the noise mitigation plan prepared by	

	for The Preserves at Gresham Lake). The results from GEC's study indicated that the DNL had a range from 70dB to 73dB from five NAL site locations. The five NAL sites had an average dB of 72. GEC included the following noise generating sources: 1) Road, 2) Airport, 3) Railway, and 4) Adjacent Businesses. Please see the mitigation report uploaded below.		Geotechnical & Environmental Consultants uploaded in the Related Laws and Authorities section of this Environmental Review.	
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Project Mitigation Plan

This mitigation plan will be carried out and monitored through the Development Agreement between Wake County Government and LDG Development. Please refer to the noise mitigation plan prepared by Geotechnical & Environmental Consultants uploaded in the Related Laws and Authorities section of this Environmental Review.

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. The distance between The Carrington and Raleigh-Durham International Airport is 14+ miles, and the distance between Seymour Johnson AFB is 51+ miles. See attached supporting documents.

Supporting documentation

[Airport Hazards Distance from Site to Seymour Johnson AFB The Preserve at Gresham Lake.pdf](#)

[Airport Hazards Distance from Site to RDU The Preserve at Gresham Lake.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. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. Wake County is not a coastal barrier county in NC. See the attachment.

Supporting documentation

[Coastal Barriers Map.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:

[Flood Insurance FEMA Firmette Map The Preserve at Gresham Lake.pdf](#)

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

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

✓ No

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

Yes

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

Yes

✓ No

Screen Summary

Compliance Determination

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. See the attachment.

Supporting documentation

[Flood Insurance_Timmons Group NCHFA Flood Cert_The Preserve at Gresham Lake.pdf](#)

[Flood Insurance_Wake Co iMaps Flood Map_The Preserve at Gresham Lake.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 or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act. Wake County, NC historically has been 1-hour ozone (1979, revoked on June 17, 1984), 8-hour ozone (1997 revoked on December 26, 2007), and carbon monoxide (1971, transportation conformity expired on September 18, 2015). Wake County was entered into a carbon

monoxide (CO) Limited Maintenance Plan, as indicated in the attached letter dated August 2, 2012. This letter indicates that Wake County is well below the CO National Ambient Air Quality Standard (NAAQS) and introduced a State Implementation Plan (SIP), which outlined current levels of emissions. Please see the attachments.

Supporting documentation

[CO Limited Maintenance Plan 2012_08_02_BW.pdf](#)

[Air Quality Wake Co by Each Year.pdf](#)

[Air Quality Sulfur Dioxide 2010.pdf](#)

[Air Quality PM2.5 2012.pdf](#)

[Air Quality Nitrogen Dioxide 1971.pdf](#)

[Air Quality Lead 2008.pdf](#)

[Air Quality Carbon Monoxide 1971.pdf](#)

[Air Quality 8 hour Ozone 2015.pdf](#)

[Air Quality United States Map Designations.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

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

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

Yes

✓ No

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

Screen Summary

Compliance Determination

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. Wake County is not one of the 20 Coastal Area Management Act counties in North Carolina.

Supporting documentation

[Coastal Zone Mgmt_CZM Information Sheet.pdf](#)

[Coastal Zone Mgmt_CAMA Counties Map.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:

Conclusions and recommended response actions were provided by the company (Timmons Group) that performed the ASTM Phase I ESA.
"Timmons Group completed a Phase I ESA of approximately 10.5 acres located at 3095 Gresham Lake Road in the City of Raleigh, North Carolina. Based on the results, RECs were not identified for the Subject Property or adjoining properties as defined by ASTM Standard E 1527-13. Therefore, Timmons Group recommends no further action."

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

Yes

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: ASTM Phase I ESA. 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. Conclusions and recommended response actions were provided by the company (Timmons Group) that performed the ASTM Phase I ESA. "Timmons Group completed a Phase I ESA of approximately 10.5 acres located at 3095 Gresham Lake Road in the City of Raleigh, North Carolina. Based on the results, RECs were not identified for the Subject Property or adjoining properties as defined by ASTM Standard E 1527-13. Therefore, Timmons Group recommends no further action."

Supporting documentation

[Contamination and Toxic Substances Phase I Report Timmons Group.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 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402

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

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

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

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

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

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

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

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

- ✓ No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat. in the action area.

Document and upload all documents used to make your determination below. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate

May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

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

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.

Mitigation as follows will be implemented:

- ✓ No mitigation is necessary.

Explain why mitigation will not be made here:

Axiom Environmental Services conducted a federally protected species survey on May 12, 2022, and found no effect on the following: 1) Red-cockaded woodpecker 2) Neuse River waterdog 3) Carolina madtom 4) Atlantic Pigtoe 5) Dwarf Wedgemussel 6) Tar River spiny mussel 7) Yellow Lance 8) Harparella 9) Michaux's sumac 10) Smooth

coneflower

Screen Summary

Compliance Determination

This project has been determined to have No Effect on listed species. This project is in compliance with the Endangered Species Act without mitigation. See Axiom Environmental's survey report attached.

Supporting documentation

[Endangered Species_Axiom Survey Results_The Preserve at Gresham Lake.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

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

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

☒ No

☐ Yes

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

☐ No

☒ Yes

3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR

- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.

If all containers within the search area fit the above criteria, answer "No." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "Yes."

☒ No

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

Yes

Screen Summary

Compliance Determination

There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements. The Phase I report did not identify any regulated aboveground storage tanks (ASTs) within 0.25-mile of the project boundary, and any incidents listed for contamination in conjunction with a leaking aboveground storage tank (LAST) within 0.5-mile of the project boundary. Please refer to the Timmons Group's additional comments (Explosive and Flammable_AST Timmons Group Determination_The Preserve at Gresham Lake.pdf) regarding identified tanks within the 0.5-mile and 1.0-mile radius of the project boundary.

Supporting documentation

[Explosive and Flammable LAST Report Timmons Group Determination_The Preserve at Gresham Lake.pdf](#)

[Explosive and Flammable_AST Timmons Group Determination_The Preserve at Gresham Lake.pdf](#)

[Explosive and Flammable_Aboveground Storage Tanks_Google Earth Map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Farmlands Protection

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

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

✓ Yes

No

2. Does your project meet one of the following exemptions?

- Construction limited to on-farm structures needed for farm operations.
- Construction limited to new minor secondary (accessory) structures such as a garage or storage shed
- Project on land already in or committed to urban development or used for water storage. (7 CFR 658.2(a))

✓ Yes

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

No

Screen Summary

Compliance Determination

This project includes activities that could potentially convert agricultural land to non-agricultural use, but an exemption applies. The project is in compliance with the Farmland Protection Policy Act. This project is in compliance with the Farmland Protection Policy Act. The Preserve at Gresham Lake development site is 93.4 percent Urban land (Ur soil designation), and the remaining 6.6 percent are soils that contain a mix of prime farmland and farmland of statewide importance. The farmland soils are in compliance with the Farmland Protection Policy Act because the Census Bureau identifies this area as an urbanized area (please see Urban Area Map below).

Supporting documentation

[Farmland Protection_Urban Area Map_3095 Gresham Lake Rd.pdf](#)

[Farmland Protection_Web Soil Survey Report_3095 Gresham Lake Rd.pdf](#)

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 Insurance_FEMA Firmette Map_The Preserve at Gresham Lake.pdf](#)

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

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

[Flood Insurance_Wake Co iMaps Flood Map_The Preserve at Gresham Lake\(2\).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" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Threshold

Is Section 106 review required for your project?

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

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

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

Step 1 – Initiate Consultation

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

- ✓ State Historic Preservation Offer (SHPO) Not Required

- ✓ Advisory Council on Historic Preservation Not Required

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

- ✓ Catawba Indian Nation
THPO

Completed

✓ Other Consulting Parties

✓ Capital Area Preservation

Completed

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

Please see attached determinations from Catawba and Capital Area Preservation below.

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

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

Yes

No

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:**

3095 Gresham Lake Road, Raleigh, NC 27615

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:

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

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

Document reason for finding:

✓ No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106. Please note, a new Programmatic Agreement (PA) with NCSHPO is under a contract between Wake County and NCSHPO. Please see supporting documents.

Supporting documentation

[CAP HUD Environmental Review RESPONSE The Preserve at Gresham Lake.doc](#)

[Request Letter_Historic Review_CAP.docx](#)

[Request Letter_Historic Review_Catawba.docx](#)

[HUD ER Review Catawba Response.pdf](#)

[SHPO and Wake County Signed Agreement_The Preserve at Gresham Lake.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

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

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

4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

There are no noise generators found within the threshold distances above.

- ✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

- ✓ Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Is your project in a largely undeveloped area?

- ✓ No

Indicate noise level here: 72

Document and upload noise analysis, including noise level and data used to complete the analysis below.

Yes

Unacceptable: (Above 75 decibels)

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels.

Check here to affirm that you have considered converting this property to a non-residential use compatible with high noise levels.

Indicate noise level here: 72

Document and upload noise analysis, including noise level and data used to complete the analysis below.

6. **HUD strongly encourages mitigation be used to eliminate adverse noise impacts. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review.**

✓ Mitigation as follows will be implemented:

LDG Development contracted Geotechnical & Environmental Consultants (GEC) to conduct a noise assessment at 3095 Gresham Lake Road (site location for The Preserves at Gresham Lake). The results from GEC's study indicated that the DNL had a range from 70dB to 73dB from five NAL site locations. The five NAL sites had an average dB of 72. GEC included the following noise generating sources: 1) Road, 2) Airport, 3) Railway, and 4) Adjacent Businesses. Please see the mitigation report uploaded below.

Based on the response, the review is in compliance with this section. Document and upload drawings, specifications, and other materials as needed to describe the project's noise mitigation measures below.

No mitigation is necessary.

Screen Summary

Compliance Determination

A Noise Assessment was conducted. The noise level was normally unacceptable: 72.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation with mitigation. Please see the uploaded files below.

Supporting documentation

[Airport Hazards_RDU Noise Contour Map_The Preserve at Gresham Lake.png](#)
[Noise Abatement and Control Mitigation Plan_Preserve at Gresham Lake.pdf](#)
[Noise Abatement and Control Noise Assessment Docs all Noise Sources_Preserve at Gresham Lake.pdf](#)

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. North Carolina has no sole-source aquifers located within the state boundaries. See attachment.

Supporting documentation

[Sole Source Aquifers_3095 Gresham Lake Rd_Region 4 Report.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.

Supporting documentation

[Wetlands Protection_Wetland Mapper_3095 Gresham Lake Rd.pdf](#)

[Wetlands Protection_USACE Determination Email_The Preserve at Gresham Lake.pdf](#)

[Wetlands Protection_NCDWR No Wetlands Letter_The Preserve at Gresham Lake.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

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

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

✓ No

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

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

Screen Summary

Compliance Determination

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 Act_3095 Gresham Lake Rd_The Preserve at Gresham Lake.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