



Environmental Name that Tune

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NAME THAT
TUNE

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Come Together – Beatles



Defining Congregating Area

Fall Zone

No buildings, ancillary facilities, structures or common areas may be constructed or located within the easement of any overhead high voltage transmission line, or the engineered fall distance of certain free-standing structures, for example, high voltage utility post and towers; free-standing radio/TV/cell towers; free-standing water towers; wind turbines; and other like free-standing structures.



Defining Congregating Area

Pipelines

- No structures, ancillary facilities or structures, common areas, parking areas or like related property improvements or features may be constructed or located within 10 feet of or on the easement of a pressurized pipeline.
- Driveway/road is not a congregating area.
- Sidewalks with benches, tables, etc, will be considered common areas, and without those features will be considered case-by-case.

Defining Congregating Area

Noise

- New guidelines forthcoming. Dog parks and balconies excluded. There will be an adjustment for amenities not used at night, however, still in approval process.

NAME THAT TUNE



- *COME AND GET YOUR LOVE* by REDBONE

Section 106 & the HUD Delegation Memo

- Section 106 review completed for compliance with the National Historic Preservation Act through consultation with SHPOs (& THPOs as necessary)
- Completed for 223f and d4 transactions
 - Not completed for CENST transactions – 223a7s
 - May not be required for 223fs/refinances in States where a Programmatic Agreement with HUD is in place – States with exceptions for Part 50 projects - SC, CA, MN – However, projects must meet any requirements stipulated in the PA

Section 106 Delegation Memo

- Became effective 3/18/2021
- *“Authorizes MAP- and OHP-approved lenders and their authorized representatives to act on behalf of HUD to consult with SHPOs to initiate the Section 106 review process, identify and evaluate historic properties, and assess effects.”*
- Memo issued in order to streamline process and so lenders/third parties can initiate consultation with SHPOs earlier in the process
- Memo only applies to Part 50 FHA programs identified in the memo: Sections 220, 221(d)(4), 231, 213, 241(a), 232, 242, 207/223(f), 232/223(f), 223(a)(7)

Key Components of Delegation Memo

- Lenders must retain a Qualified Historic Preservation Professional (QHP) if the project will involve:
 - Exterior rehabilitation of a building more than 45 years old;
 - Demolition of a building over 45 years old;
 - New construction in or adjacent to a listed or eligible historic district;
 - Substantial ground disturbance
 - Does not include minor ground disturbance for installing posts for a fence, deck, ramp, handrail, etc.; routine landscaping; or repaving a parking lot or sidewalk

Takeaways

- New Construction = Substantial Ground Disturbance and a QHP should be consulted to evaluate the project – QHP provides their expertise on the level of evaluation that may be necessary
- Repairs for existing projects – 223fs or 221d4 sub rehabs
 - Are any of the buildings over 45 years in age? Is exterior rehab planned based on review of the CNA critical and non-critical repairs or any additional owner-elected repairs?
 - If yes, then a QHP should be consulted to evaluate the project

Takeaways

- Maintenance vs Rehab
 - Refer to “Guidance for Categorizing an Activity as Maintenance for Compliance with HUD Environmental Regulations, 24 CFR Parts 50 and 58”
 - Common exterior repairs triggering the need for a QHP’s involvement for buildings over 45 years of age:
 - Window/door/roof replacement



Additional Notes

- Section 106 may begin once HUD issues an FHA number
- Section 106 consultation should at least be initiated at pre-app for d4s and SHPO response may be pending
- In cases where lender elects not to follow the Section 106 Delegation Memo or the Part 50 FHA program is not listed in the Delegation Memo, HUD will complete Section 106 consultation
- HUD initiates tribal consultations
- Delegation Memo effective from March 18, 2021 to December 31, 2022 – **Will this be extended?**

NAME THAT TUNE



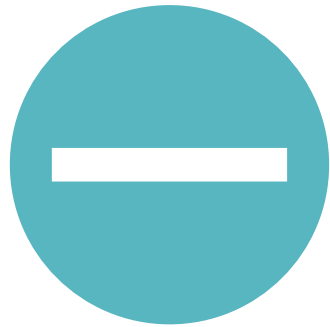
- *It's the End of the World as we know it - REM*

Climate Risk for Environmental Assessments

- Executive Order 14008- Tackling the Climate Crisis at Home
- CEQ NEPA updates- restoration of 'cumulative effects'
- OEE e-guide update and April webinar



Climate EA Factor- Housing Implementation



Not retroactive, transition period expected Dec. 1



Only applies to Environmental Assessments

Climate EA Factor- Housing Implementation

Requires report of current risk from FEMA's National Risk Index

- Address any risks labeled 'Very High' or 'Relatively High'
- Explain why census-tract rating does not apply to project site

Must consider future risk

- Reasoned analysis, reasonably foreseeable
- May use online tools like Risk Factor, Climate Explorer, NOAA Sea Level Rise Viewer
- HUD will also accept equivalent reports from other sources

Climate EA Factor- Housing Implementation

Must consider mitigation measures that may be prudent to implement for reasonably foreseeable climate risks

Examples

For wildfire risk, consider incorporating noncombustible or fire-resistant materials, fire-safe landscaping and/or defensible spaces



For heat risk, consider using multi-pane and/or low-e coated windows, window shading, cool roofs, or enhanced roof and wall insulation

For flood risk, consider additional measures to reduce floodwater such as permeable pavement, green roof, bioswales, dry wells



Climate EA Factor- Housing Implementation



- For energy efficiency, note any benefits like Green MIP, transit oriented development, or electric vehicle charging.
- Multifamily does not have energy benchmarking requirements specific Greenhouse Gas Emissions benchmarks for EAs





National Risk Index

Explore the Map

Learn More

Take Action

Get Help

Risk Index

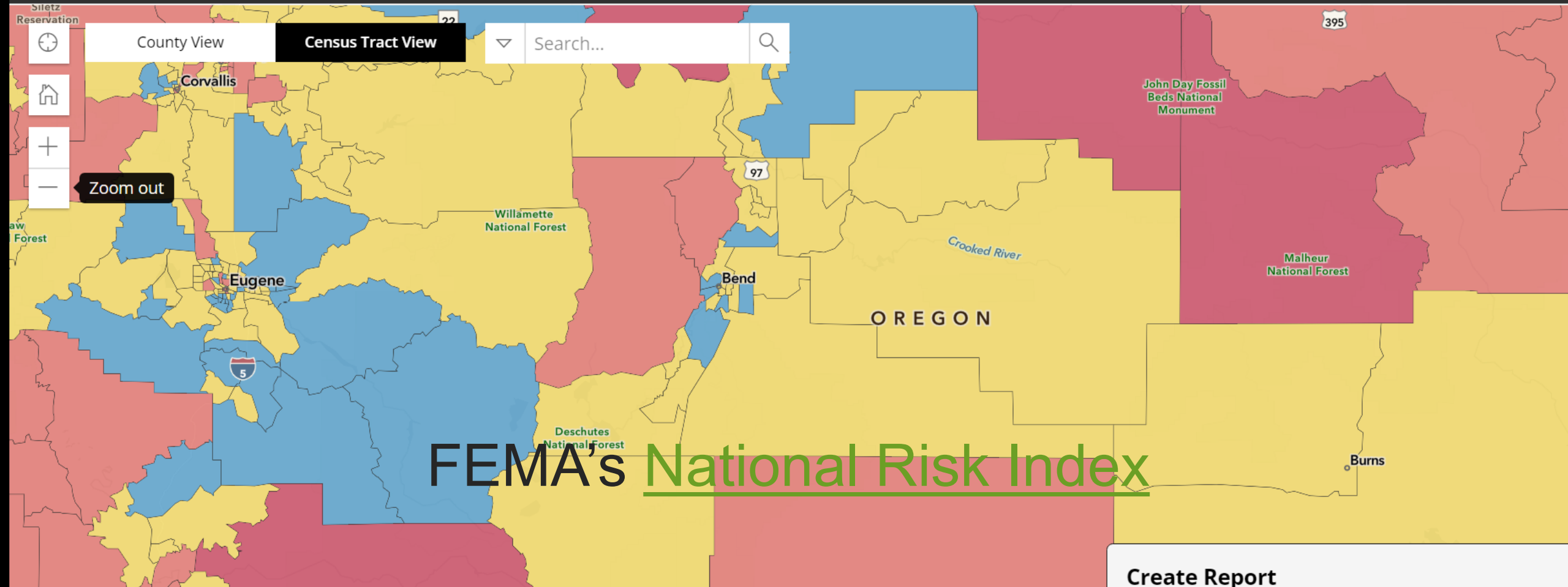
Expected Annual Loss

Social Vulnerability

Community Resilience

County View **Census Tract View** Search...

Zoom out



FEMA's National Risk Index

Create Report

Print Report

Download Data

- Summary
- Risk Index
- Expected Annual Loss
- Social Vulnerability
- Community Resilience
- About the National Risk Index
- How to Take Action

National Risk Index



August 12, 2022

Census tract 41017000600, Deschutes County, Oregon

Summary

Risk Index is **Relatively High**



Expected Annual Loss is **Relatively High**



Social Vulnerability is **Relatively Low**



Print Report

Download Data

- Summary
- Risk Index
- Expected Annual Loss
- Social Vulnerability
- Community Resilience
- About the National Risk Index
- How to Take Action

Drought	Relatively High	24.89	0		100
Earthquake	Very Low	5.41	0		100
Hail	Relatively Moderate	14.68	0		100
Heat Wave	Relatively Moderate	20.36	0		100
Hurricane	Relatively Moderate	27.63	0		100
Ice Storm	Relatively Moderate	23.97	0		100
Landslide	Relatively Moderate	5.46	0		100
Lightning	Relatively Moderate	20.78	0		100
Riverine Flooding	Relatively High	24.63	0		100
Strong Wind	Relatively Moderate	22.36	0		100
Tornado	Relatively Moderate	31.27	0		100
Tsunami	Not Applicable	--			
Volcanic Activity	Not Applicable	--			

33 LAGUNA CIR, PITTSBURG, CA 945  

Flood Factor 1/10

Fire Factor 8/10

33 LAGUNA CIR, PITTSBURG, CA 94565

This property faces risk from wildfire.

A changing environment means warmer temperatures, new weather patterns, and stronger storms. Based on past, present, and future projections, this property's greatest risk over the next 30 years is from wildfire.



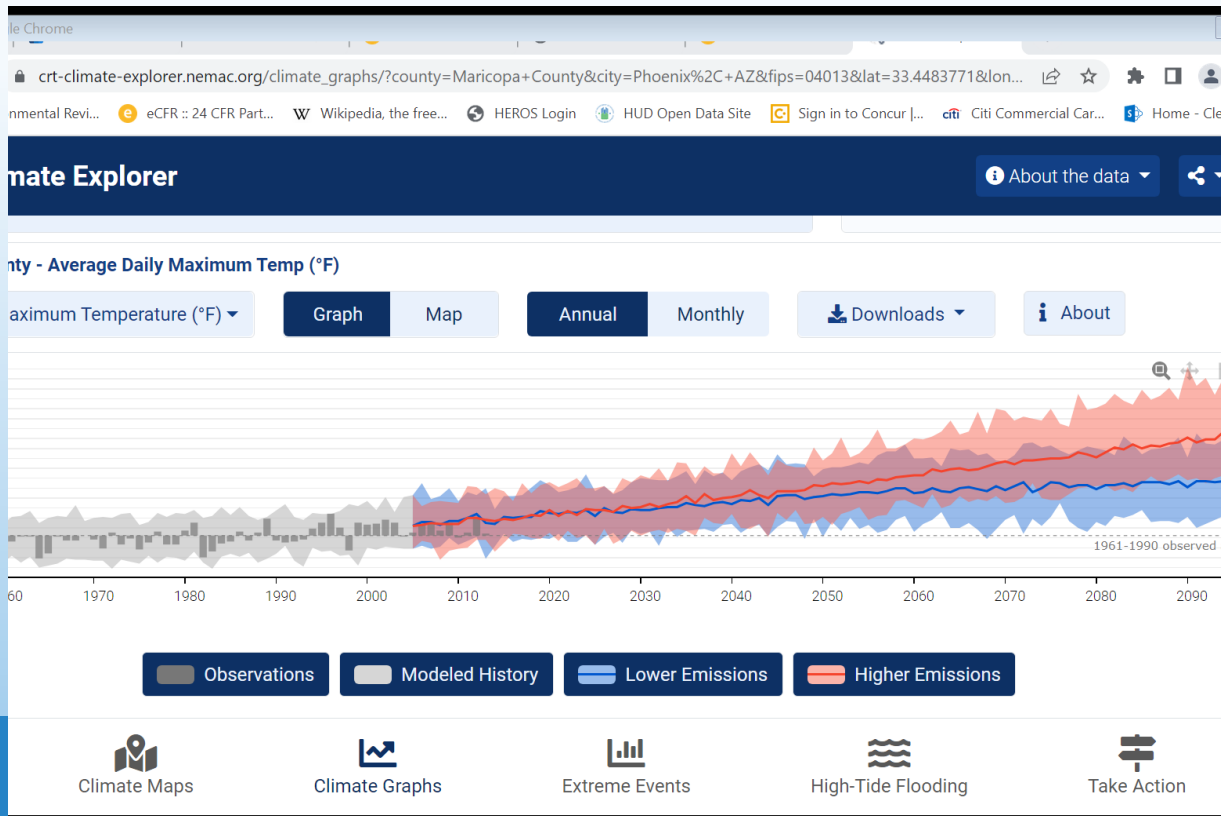
This property is unlikely to flood over the next 30 years.



This property has a **19.69% chance** of being in a wildfire over the next 30 years.



Climate Explorer



The Climate Explorer

Phoenix, AZ

Explore planning tools available from our partners

Top climate concerns

Top regional hazards for Phoenix, AZ, according to the 2018 National Climate Assessment. These statements compare projections for the middle third of this century (2035-2064) with average conditions observed from 1961-1990.

Show full range of projections | Methodology

An average of 1 fewer **dry spell** – a period of consecutive days without precipitation – is projected per year. Historically, Phoenix averaged 15 dry spells per year.

Wildfire risk may change as the length of dry spells

At Risk Neighborhoods

Maricopa County has 250 census tracts where vulnerabilities to climate change exceed the county median.

Wickenburg | Corefree | Fountain Hills | Phoenix | Buckeye | Gilbert

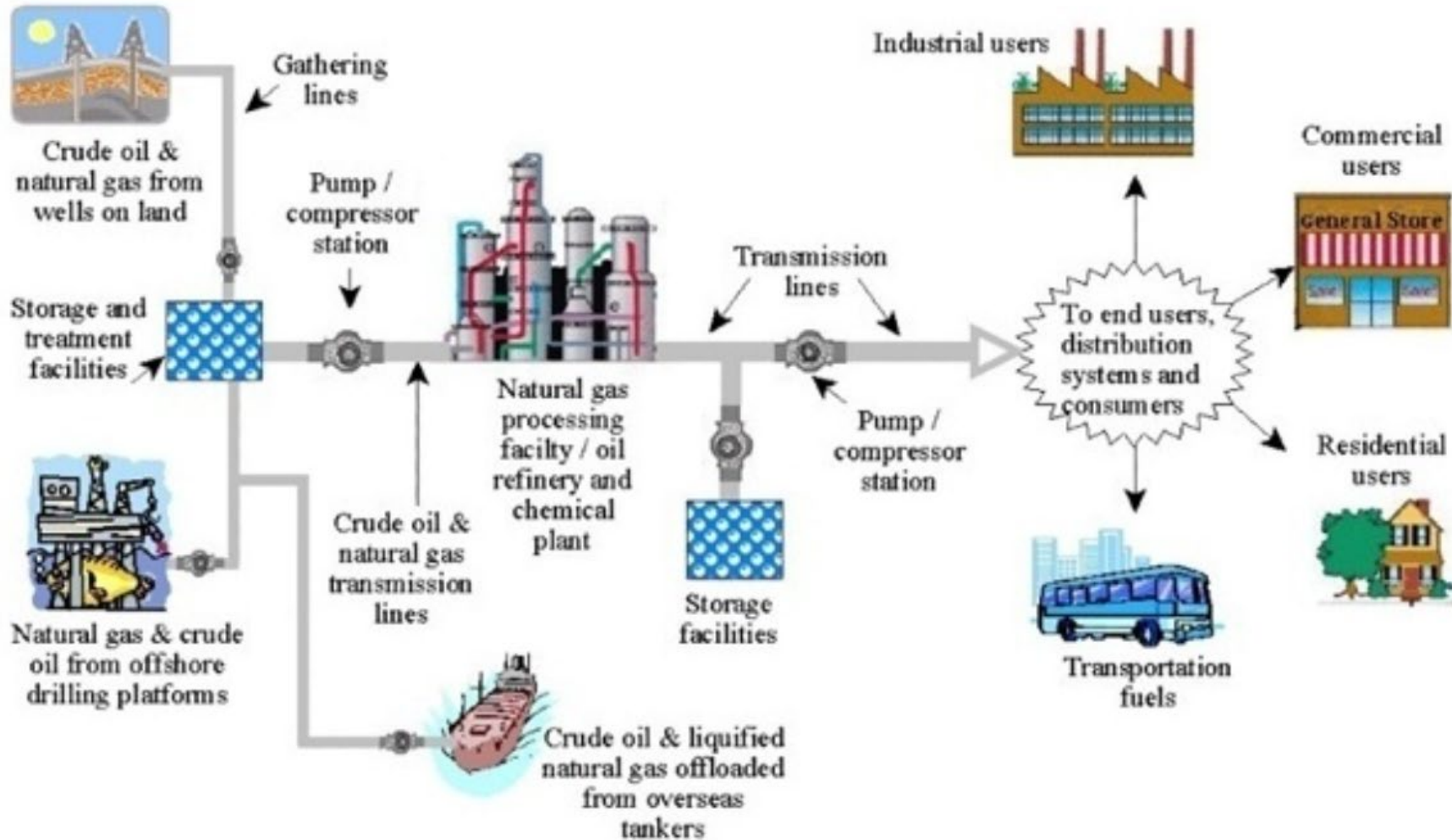
Home | Climate Maps | Climate Graphs | Extreme Events | High-Tide Flooding | Take Action

NAME THAT TUNE



- *Under Pressure – Queen and David Bowie*

Pipelines



Pipeline Policy

9.6.19.A

For **all projects** the easement of a high-pressure pipeline must at least 10 feet away from structures, ancillary facilities, common areas, parking areas or like related improvements. This does not apply to distribution lines supplying only the facility itself.

9.6.19.B

For new **construction projects and rehabilitation projects where residential density is increased**, must also assess the Potential Impact Radius (PIR) of above-ground and below-ground high pressure pipelines within a mile of the property. This includes onsite or immediately adjacent pipelines that exceed 200 psi MAOP.

- To evaluate, requires information on the content, diameter, and MAOP of the pipeline and the use of MAP Guide Appendix 9 Section A.9.1 to determine the Baseline Pipeline Impact

Pipelines – Easement Requirements

- Applicable to onsite or adjoining pipelines that exceed 200 psi – must be the ‘Maximum Allowable Operating Pressure’ (MAOP)
- Must determine the associated easement width – typically verified through ALTA Survey and depicted with the additional 10-foot setback line off the easement
- For 223fs, depicted on ALTA to verify no structures, common areas, parking, etc is located within that 10-ft setback
- For 221d4s, depicted on site plans to show same

Appendix 9 – A.9.1 BPIR Tables

Includes Acceptable Separation Distances (ASDs) for pipelines carrying diesel, gasoline, crude oil, natural gas, hydrogen, ethane (thermal radiation and blast overpressure)

*For any pipeline contents not specifically listed in the tables, HUD will provide assistance

2. High-Pressure Pipelines Transferring Flammable and Combustible Gasses (Thermal Radiation)

Table 1: Natural Gas Pipeline Thermal Radiation ASDs (feet)

Diameter (in)	Pipeline Pressure (psi)															
	60	120	240	360	480	600	720	840	960	1,080	1,200	1,320	1,440	1,560	1,680	1,800
4	71	100	142	173	200	224	245	265	283	300	317	332	347	361	375	388
6	106	150	212	260	300	336	368	397	425	450	475	498	520	541	562	581
8	142	200	283	347	400	448	490	530	566	601	633	664	693	722	749	775
10	177	250	354	433	500	560	613	662	708	751	791	830	867	902	936	969
12	212	300	425	520	601	671	736	794	849	901	950	996	1,040	1,083	1,124	1,163
14	248	350	495	607	701	783	858	927	991	1,051	1,108	1,162	1,214	1,263	1,311	1,357

3. High-Pressure Pipelines Transferring Flammable and Combustible Gasses (Blast Overpressure)


Table 1: Natural Gas Blast Overpressure ASDs (feet)

Diameter (in)	Pipeline Pressure (psi)								
	60	240	600	720	840	960	1,200	1,560	1,800
4	42	87	141	156	168	180	204	234	252
6	96	147	237	261	282	303	342	390	423
8	144	318	525	555	603	645	729	834	906
10	186	429	705	774	840	894	1,005	1,131	1,209
12	237	546	888	981	1,056	1,119	1,239	1,398	1,488
14	288	666	1,080	1,170	1,257	1,338	1,479	1,662	1,767

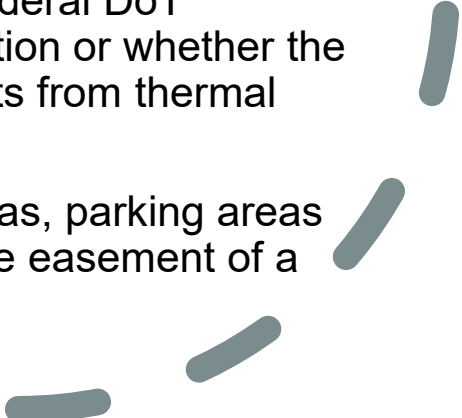


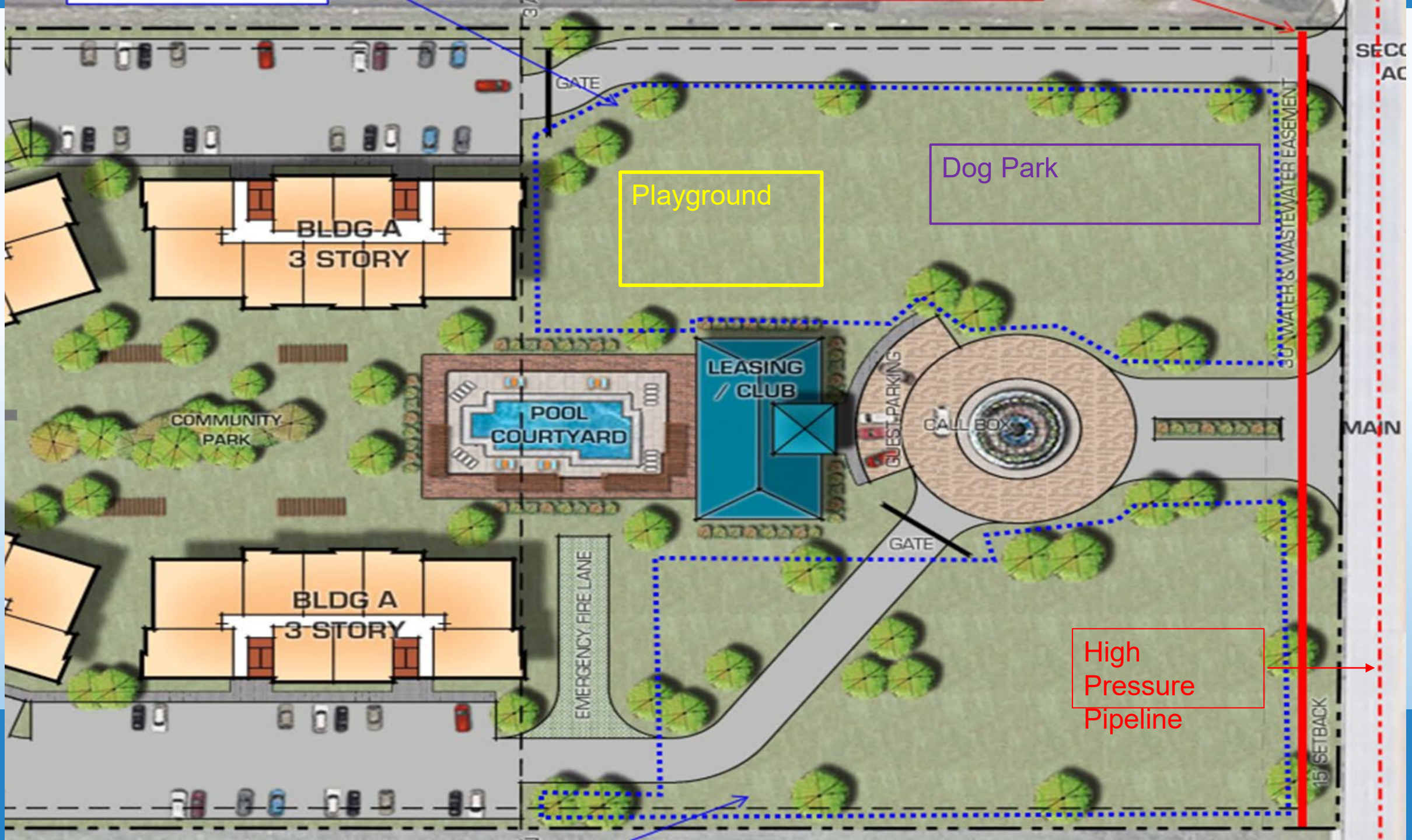
Pipeline Fact Sheet Updates

- <https://files.hudexchange.info/resources/documents/Acceptable-Separation-Distance-Fall-Hazards-and-Pipelines-Fact-Sheet.pdf>
- The engineering report should include:
 - Distance from pipeline to project site.
 - The pipeline's most recent inspection report (see question 12 for how to obtain).
 - Conditions of the specific pipeline segment such as corrosion, damage, defects, deferred maintenance and historical incidents such as leaks or releases.
 - Pipeline depth or pipeline aboveground exposure.
 - Type of soil in soil column from pipeline to project from Geotech survey or USDA soil survey map.



Pipeline Fact Sheet Updates

- For **buildings and structures**, HUD will accept an engineering report that determines:
 - underground pipeline depth of three or more feet
 - soil overburden between the project and pipeline has a high bearing capacity
 - the pipeline segment has passed its most recent inspection report with no unresolved violations.
 - For **outdoor ancillary facilities or common areas**, HUD will accept an engineering report that determines:
 - an underground pipeline depth of six or more feet
 - soil overburden between the project and pipeline has a high bearing capacity
 - the pipeline segment has passed its most recent inspection report with no unresolved violations.
 - If the above conditions do not apply, the engineering report must discuss whether other existing barriers such as roads built to Federal DoT standards, topography, walls or buildings provide mitigation or whether the project must add additional mitigation to protect residents from thermal radiation.
 - No buildings, structures, ancillary facilities, common areas, parking areas or like related improvements may be within 10 feet of the easement of a pressurized pipeline as per 9.6.19.A.
- 



Playground

Dog Park

BLDG A
3 STORY

POOL
COURTYARD

LEASING
/ CLUB

CALL BOX

GUEST PARKING

COMMUNITY
PARK

BLDG A
3 STORY

EMERGENCY FIRE LANE

High
Pressure
Pipeline

15' SETBACK

30' WATER & WASTEWATER EASEMENT

MAIN

SECC
AC

Big Picture – How are we handling?

- First, identifying pipelines – NPMS, Texas RRC or any state-specific pipeline mapping, and through field visits
- Next, obtaining pipeline information – attempting through contact with operator, available online information, possibly 811, and/or assistance provided by regional HUD staff
- Reference to the HUD MAP Guide Appendix BPIR Tables
- Discussion with Professional Engineer to evaluate further as needed



Big Picture – How are we handling?

- Engineer will evaluate mitigation options for the project
 - May include evaluation of pipeline depth, soil overbearance, and any intervening DOT roadways, structures, or other features that may mitigate the hazard

Most recent HUD FAQ just released

QUESTIONS?

