**STEPS FOR DEVELOPING AN**

**Unspecified Site Strategy for Housing Related Activities**

**24 CFR Part 58.35(a)**

**Updated November 2017**



**Project Identification:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Contract Number**

**Preparer:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Typed Name and Title**

**Responsible Entity:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Name of Local Government**

**Month/Year:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**STEPS FOR DEVELOPING AN**

**Unspecified Site Strategy for Housing Related Activities**

**Subject to 24 CFR Part 58.35(a)**

Step 1. Describe the project in writing listing all related housing activities. List all funding sources and the approximate amount of funding. Include maps and other information to define the covered functional or geographic area. Depending on how your community allocates funds, the geographic area may be city-wide or by target areas. Use the consolidated plan (currently covers 2005-2010) to indicate the number of years that you plan to carry out the activities specified. (Refer to 24 CFR Part 58.32 on Project Aggregation and 24 CFR Part 58.38 (a) on the Environmental Review Record (ERR) requirements.)

Step 2. Determine the Level of Review required by reviewing the activities listed in the project description and make a written determination certifying that the project is Categorically Excluded using the form titled “Certification of Categorical Exclusion Subject to 58.5”. Only activities listed at 24 CFR Part 58.35 (a)(3), (4), (5), or (6) should be included. The type of activities may include various “eligible housing activity classifications” under the listed HUD Programs.

Step 3. Conduct the “Broad Review” of environmental impacts on the overall project or service area. A project is a group of related activities (24 CFR Part 58.2(a)(1), which can be functionally (all single family actions) or geographically related (the unincorporated areas of a region). Address as many of the compliance factors and provide documentation on the Laws and Authorities on HUD’s Statutory Worksheet (24 CFR Part 58.5 and 6). Place the Statutory Worksheet and all related documentation supporting your determinations in the ERR (24 CFR Part 58.38(a)(3). Be sure to include all map documentation and use the acceptable floodplain map if applicable. For items that need more specific site information, indicate “see the Written Strategy” in the documentation section of the Statutory Worksheet.

Example: For properties over 50 years old, you would need to contact SHPO and the documentation submitted with the ERR. Once compliance is documented, no further action is required for the compliance factor.

Step 4. Develop a “Written Strategy” for addressing the compliance factors that could not be addressed for the entire functional or geographic area. This document is written so that it explains how each compliance factor will be complied with as each site is identified. (Example strategies provided: The Written Strategy must be modified for local conditions.)

Step 5. Based on the information in the Written Strategy, develop a “Site Specific Review Checklist” which will

be used to evaluate the individual sites and contains only the items that could not be documented in

compliance during the “Broad Review”. Make it very specific and user friendly so that staff without

specific environmental knowledge can observe conditions at the site and provide information to the

individual who will conduct the technical analysis, if required. Please note that when the rehab costs

meet or exceed 50% of the market value of the structure, a Statutory Worksheet (with supporting

documentation) must be completed for each unit.

Step 6. Publish or post the Notice of Intent to Request Release of Funds (NOI/RROF). In the NOI/RROF, indicate that the project is for multiple years, the funding sources with approximate amount if funding, the geographic or functional area and the activities covered. Upon conclusion of the waiting period, sign, date and submit the Request for Release of Funds (RROF) (7015.15) to the Department. Do not commit funds until an Authority to Use Grant Funds (ROF) (7015.16) is issued from the Department. Submit the original documentation in Steps 1-6 to the Department of Economic Opportunity.

Step 7. Proceed with mitigation of the project. If any of the laws and authorities are triggered, those issues must be addressed. Upon receipt or notification of the ROF, implement the Written Strategy by conducting the “Site Specific Review” as sites are identified. Do not commit funds for a site until the site specific review is complete, documentation is attached, and the form is signed and dated.

Step 8. Place the site specific checklist and supporting documentation in the ERR, and submit a copy to the Department. Continue to implement the strategy for all activities that are included in the project description.

Step 9. Repeat these steps at the end of the project period as described or if environmental conditions change (24 CFR Part 58.47).

**Step 1**

**Unspecified Site Strategy**

**The Project Description**

Describe the service area and or geographic area, include maps, if necessary.

List housing related activities.

List funding sources and projected dollar amount for the project period.

List number of years this strategy covers.

**Step 2**

**Determine the “Level of Review”**

**CERTIFICATION OF CATEGORICAL EXCLUSION (subject to 58.5)**

**Per 24 CFR 58.35 (a)**

Contract Number:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Housing Related Activities Unspecified Site Strategy

I hereby certify that the following activities comprising the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Housing Grant have been reviewed and determined Categorical Excluded Activity per 24 CFR 58.35 (a) as follows:

\_\_\_ (1) Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements

(other than buildings) when the facilities and improvements are in place and will be retained in the same use

without change in size or capacity of more than 20% (e.g. replacement of water or sewer lines, reconstruction

of curbs and sidewalks, repaving of streets).

\_\_\_ (2) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and

accessibility to elderly and handicapped persons.

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

1. In the case of a building for residential use (with one to four units) the density is not increased beyond

four units, the land use is not changed, and the footprint of the building is not increased in a floodplain

or in a wetland;

1. In the case of multifamily residential buildings:
   1. Unit density is not changed more than 20%;
   2. The project does not involve changes in land use from residential to non-residential: and
   3. The estimated cost of rehabilitation is less than 75% of the total estimated cost of replacement after rehabilitation.
2. In the case of non-residential structures, including commercial, industrial, and public buildings:
   1. The facilities and improvements are in place and will not be changed in size of capacity by more than

20%: and

* 1. The activity does not involve a change in land use, such as from non-residential to residential,

commercial to industrial, of from one industrial use to another.

\_\_\_ (4) An individual action on a one-to-four family dwelling or an individual action on a project of five or more

units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more

than four units on any one site.

\_\_\_ (5) Acquisition or disposition of an existing structure or acquisition of vacant land provided that the structure

or land acquired or disposed of will be retained on any one site.

\_\_\_ (6) Combination of the above activities.

**Responsible Entity Certifying Official Signature:**

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Title \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Step 3**

**Unspecified Site Strategy Process**

**Conduct the “Broad Review” Using the Statutory Worksheet**

Tiering, or Unspecified Site Strategy, as it is sometimes called, should be used for projects when sites have not been identified. The Tiered review allows the Responsible Entity (RE) to review broad environmental impacts at the early stage of the project and the site-specific impacts when the sites are identified. It also allows the RE to obtain a release of funds for a particular project and timeframe prior to identification of the individual sites. (24 CFR Part 58.15)

To begin the environmental review for a project where the sites are not yet known, the “level of review” must be determined by completing the Statutory Worksheet. Each compliance factor should be evaluated. The compliance factors that can be documented not to occur in the service area or project area should be eliminated when developing the site-specific strategy and checklist. For example, since Coastal Zones do not occur in Macon, Georgia; the Coastal Zone element for Macon, GA can be determined to have “no effect”, and the documentation for that determination submitted with the Environmental Review Record to the Department of Economic Opportunity. Please note: Each community has different physical, environmental and geographic conditions and your documentation may be different from this example. Refer to 24 CFR 58.38 (a) and (b).

The site-specific review checklist (of the now identified sites) must be completed for each site and should contain all elements that were not documented to be in compliance at the broad level of the review (statutory worksheet).

**STATUTORY WORKSHEET**

**24 CFR §58.5 STATUTES, EXECUTIVE ORDERS & REGULATIONS**

**Suggested Format for Categorically Excluded Projects subject to §58.5. NOTE: Compliance with the laws and statutes listed at 24 CFR §58.6 must also be documented.**

**Project Name**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Project Contract Number**:­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Project Description:** Include all contemplated actions that logically are either geographically or functionally part of the project: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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This proposal is determined to be:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

According to: [Cite Section(s)]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DIRECTIONS: Write “**A**” in the Status Column when the proposal, by its scope and nature, does not affect the resources under consideration; or write “**B**” if the project triggers formal compliance consultation procedures with the oversight agency, or requires mitigation (see Statutory Worksheet Instructions). Compliance documentation must contain verifiable source documents and relevant base data.

**Compliance Factors:**

**COMPLIANCE DETERMINATION**

**AND DOCUMENTATION**

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

A/B

|  |  |  |
| --- | --- | --- |
| **HISTORIC PRESERVATION**  36 CFR PART 800 |  |  |
| **FLOODPLAIN MANAGEMENT**  24 CFR §55 & EXECUTIVE ORDER 11988 |  |  |
| **WETLAND PROTECTION**  EXECUTIVE ORDER 11990 |  |  |
| COASTAL ZONE MANAGEMENT ACT SECTIONS 307(c) & (d) |  |  |
| **SOLE SOURCE AQUIFERS**  40 CFR 149 |  |  |
| **ENDANGERED SPECIES ACT**  50 CFR 402 |  |  |
| **WILD AND SCENIC RIVERS ACT**  SECTIONS 7(b) & (c) |  |  |
| **CLEAN AIR ACT**  SECTIONS 176(c)(d) & 40 CFR 6, 51, 93 |  |  |
| **FARMLAND PROTECTION POLICY ACT**  7 CFR 658 |  |  |
| **ENVIRONMENTAL JUSTICE**  EXECUTIVE ORDER 12898 |  |  |
| **NOISE ABATEMENT** & **CONTROL**  24 CFR §51B |  |  |
| EXPLOSIVE & FLAMMABLE OPERATIONS 24 CFR §51C |  |  |
| HAZARDOUS, TOXIC OR RADIOACTIVE MATERIALS & SUBSTANCES  24 CFR 58.5(i)(2) |  |  |
| **AIRPORT CLEAR ZONES**  & **ACCIDENT POTENTIAL ZONES**  24 CFR 51D |  |  |

**Other Factors A/B Source or Documentation**

|  |  |  |
| --- | --- | --- |
| **Flood Disaster Protection Act**  [Flood Insurance - §58.6(a)] |  |  |
| **Coastal Barrier Resources Act**  [Coastal Barrier Improvement Act - §58.6(c)] |  |  |
| **Airport Runway Clear Zone or Clear Zone Disclosure**  [§58.6(d)] |  |  |

**Determination:**

This project converts to Exempt, per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license (Status "A" has been determined in the status column for all authorities); **Funds may be committed and drawn down** for this (now) EXEMPT project; **or**

This project cannot convert to Exempt status because one or more statutes or authorities require formal consultation or mitigation. Complete consultation / mitigation protocol requirements,publish NOI/RROF and obtain Authority to Use Grant Funds (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down funds; **or**

The unusual circumstances of this project may/will result in a significant environmental impact. This project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

PREPARER SIGNATURE

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

PREPARER NAME & TITLE

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DATE

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

RESPONSIBLE ENTITY AGENCY OFFICIAL SIGNATURE

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NAME & TITLE:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DATE

**Step 4**

**Unspecified Site Strategy Process**

**“The Written Strategy”**

**EXAMPLE**

Instructions for Step 4 and Step 5

After you have completed the Statutory Worksheet, which is considered the broad review of the entire jurisdiction, you may find that some of the environmental factors do not apply. (For example, the jurisdiction may not contain any floodplains or wetlands.) If factors are identified that do not apply anywhere in the jurisdiction, your site strategy and site specific checklist will not need to reflect that factor. The site specific review must be used ONLY for activities described in the attached project description.

The Site Specific Review Checklist should only reflect environmental factors that could not be eliminated during the broad review and should be completed for each unit addressed. It is not necessary to complete the Statutory Worksheet for each unit if you conduct an unspecified site review and use the Statutory Worksheet during your broad review.

Please remember that all checklists and other documents related to the environmental review process must be contained in the Environmental Review Record (ERR). The grant manager will monitor the project on-site to ensure that a checklist was prepared for each unit before funds were expended on that unit for rehab costs. The grant manager will also monitor mitigation activities (SHPO coordination, flood insurance, acknowledgement by home owner/occupant that unit is located within a clear zone, etc.). Should the grant manager discover that the process has not been fully carried out, a finding will be made and funds may have to be returned to the Department.

**Step 4**

**Unspecified Site Strategy Process**

**“The Written Strategy”**

**EXAMPLE**

This written strategy describes the method for the phased environmental review of housing related activities as described in the project description. The sites will be evaluated using the site specific review checklist. All documentation for the compliance factors included in the site specific review must be completed prior to committing funds for the individual sites.

1. Flood Plain Management

In response to Executive Order 11988, Floodplain Management as interpreted in HUD regulations at 24 CFR Part 55, and the Flood Disaster Act of 1973. Each site will be reviewed to determine if the site is in the 100 year flood plain. For activities not excluded at 24 CFR Part 55.12 the “Eight Step Decision” making process will be conducted to determine if there is an alternative to funding the project in the flood plain. If there is no alternative to funding the site in the floodplain mitigating measures will be developed to minimize the effect. All actions located in the flood plain require Flood Insurance as a condition to funding.

1. Historic Preservation

The National Historic Preservation Act of 1966, as amended, particularly Section 106 and Section 100, mandate that agencies with jurisdiction over Federal assisted, licensed or approved activities afford the Advisory Council on Historic Preservation and the State Historic Preservation Officer’s reasonable opportunity to comment on the project’s impact to historic properties. All projects that have the potential to effect a historic property will be submitted to the State Historic Preservation Office for comment.

3. Hazardous Operations

Noise and Hazardous Operations

For new construction projects or projects that increase the number of persons exposed to hazards.

The Noise study and the hazard study will be conducted as required at 24 CFR Part 51.

Toxics

Each site will be observed for evidence to contamination to soil or water. Information about prior uses of the site will also be considered as required at 24 CFR Part 58.5(1).

**Site Specific Environmental Review Checklist**

**This checklist is for categorically excluded housing activities as listed in the unspecified site strategy.**

Address of Site: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_

Signature of Person Who Inspected Site: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approving Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_ \_\_

Date of Completed Review: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Grant Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_ \_\_ \_

If there are more than 4 new construction units together, this form cannot be used. Refer to 24 CFR Part 58.35(a)(4).

*Develop the Site Specific Review checklist which contains only the items that could not document compliance on the Broad Review per 24 CFR Part 58.15.* ***Attach the scope of work and pictures related to the project****.*

Estimated cost of the project? (Include all funding sources) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The estimated value of the improvement(s):

­­\_\_\_\_\_ 0 to 39.9% market value of the structure

\_\_\_\_\_ 40 to 49.9% market value of the structure

\_\_\_\_\_ 50 to 74.9% market value of the structure \*

\_\_\_\_\_ 75%+ (and above) market value of the structure \*

***\**** *Note: when rehabilitation and/or replacement costs meet or exceed 50% (substantial improvement) of the structures market value, a Statutory Worksheet (with supporting documentation) must be completed for each unit.*

1. **Historic Preservation:** (36 CFR Part 800)

A. Is the structure located on the project site or structures adjacent to the project more than 50 years old?

\_\_\_\_\_ yes \_\_\_\_\_ no [*Attach a copy of the property appraiser’s report(s)]*

\_\_\_\_\_ age of structure on project site

\_\_\_\_\_ age of structure on adjacent site

\_\_\_\_\_ age of structure on adjacent site

B. Is the project located in a historic district? \_\_\_\_\_ yes \_\_\_\_\_ no

C. Will the project site have the potential to contain archeological properties? \_\_\_\_\_ yes \_\_\_\_\_ no

*If yes to questions (a) through (c), contact the Florida Department of State, State Historic Preservation Office (SHPO). Allow 30 days from receipt of the request for comments. Attach photocopies of all correspondence. Document the review if no response is received.*

D. Will the project require soil to be disturbed? \_\_\_\_\_ yes \_\_\_\_\_ no

*If yes to question (c) and/or (d), contact the appropriate Native American Indian tribe(s) listed in HUD’S Tribal Directory Assessment Tool (*[*https://egis.hud.gov/tdat/*](https://egis.hud.gov/tdat/)*).*

*\*Provide photocopies of all correspondence (includes letters, emails, delivery/read receipts and other relevant information).*

1. **Floodplain Management:** (Executive Order 11989 and 24 CFR Part 55)

A. According to FEMA’s Flood Insurance Rate Map (FIRM), is the project located in a:

100-year floodplain \_\_\_\_ yes \_\_\_\_ no

500-year floodplain \_\_\_\_ yes \_\_\_\_ no (for critical actions)

*\*Attach a photocopy of the most recent FIRM map and include the project location.*

B. *If yes to (A), was the decision making (8-step) process completed during the Unspecified Site Strategy?*

*\_\_\_\_ yes \_\_\_\_ no*

If yes, continue to #3.

*If no, the decision making process is required for individual housing projects of one-to-four family properties or structures involving new construction or substantial improvements [see 24 CFR Part 55.2 (b)(10)].*

*\*The decision making process [24 CFR 55.20] does not apply to one-to-four family properties involving minor repairs or improvements [see 24 CFR 55.12(b)(2)].*

*\*Provide a copy of the flood insurance policy for projects located within the floodplain [see 24 CFR 58.6 (a) and (b)]. For demolition/replacement projects, provide a copy of the flood insurance on the new structure.*

**3. Wetlands:** (Executive Order 11990 and 24 CFR Part 55)

A. Is the project located in a wetland? \_\_\_\_ yes \_\_\_\_ no

\*Refer to the U.S. Fish and Wildlife Service National Wetland Inventory website <https://www.fws.gov/wetlands/>

*\*Attach a photocopy of the Wetland map with the project location.*

*If no to the above, proceed to #4.* If yes, continue below:

B. Will the project meet an exception listed in 24 CFR 55.12(a)(3), 55.12(a)(4), 55.12(c)(3), 55.12(c)(7), or 55.12(c)(10)? \_\_\_\_ yes \_\_\_\_ no

*If yes, the project is excluded from the wetlands review. Provide documentation and proceed to #4.*

*If no, continue:*

C. Will the project involve new construction as defined in Executive Order 11990 or ground disturbance?

\_\_\_\_ yes \_\_\_\_ no

1. If yes, will the project involve impacts to on-site or off-site wetlands? \_\_\_\_ yes \_\_\_\_ no

*\*If yes, complete the decision making process under 24 CFR 55.20*.

\*\*Effective December 2013, the restriction regarding the expansion of a one-to-four family

structure in a floodplain or wetland has been removed.

**4.** **Noise:** (24 CFR Part 51)

*Questions (a) and (b) are for housing Disaster Recovery related projects.*

1. Will the project utilize funds from a Disaster Recovery grant? \_\_\_\_ yes \_\_\_\_ no \_\_\_\_n/a

*If no, proceed to (c) below*. *Noise requirements are not applicable to any action or emergency*

*assistance for actions under Disaster Recovery grants as described in 24 CFR Part 51.101(a)(3).*

1. Will the project involve the use of additional funding sources other than the Disaster Recovery grant?

\_\_\_\_ yes \_\_\_\_ no \_\_\_\_ n/a

*If yes, provide the funding source(s) in the scope of work and continue below*.

1. Will the project involve rehabilitation? \_\_\_\_ yes \_\_\_\_ no

*If yes, noise is to be considered. Continue to (d) below and complete the questions to determine*

*if a noise assessment must be completed.*

Will the project involve new construction? \_\_\_\_ yes \_\_\_\_ no

*If yes, complete the questions in (d) below. Mitigation is required for projects exceeding the*

*average day night level of 65 decibels (dB).*

d. Is a Highway within 1,000 feet of the project? \_\_\_\_ yes \_\_\_\_ no

Is a Railroad within 3,000 feet of the project? \_\_\_\_ yes \_\_\_\_ no

Is a: Civilian airport within 5 miles of the project? \_\_\_\_ yes \_\_\_\_ no

Military airport within 15 miles of the project? \_\_\_\_ yes \_\_\_\_ no

*If yes to any question in (d) above, complete a noise assessment using the Day/Night Noise Level Calculator:* [*https://www.hudexchange.info/resource/2830/day-night-noise-level-assessment-tool/*](https://www.hudexchange.info/resource/2830/day-night-noise-level-assessment-tool/)*.*

*\*Noise assessments may require the following documentation: FDOT daily traffic Map; railroad*

*information; airport noise contour map; airport noise worksheet; and one of the following:*

*\*Rehabilitation: Complete of the Sound Transmission Classification Assessment Tool at*

[*https://www.hudexchange.info/stracat/*](https://www.hudexchange.info/stracat/) for projects in excess of 65 dB*.*

*\* New construction: Complete the Barrier Performance Module at*

[*https://www.hudexchange.info/programs/environmental-review/bpm-calculator/*](https://www.hudexchange.info/programs/environmental-review/bpm-calculator/) for projects

in excess of 65 dB*.*

*For additional information, refer to HUD’s Noise Guidebook or Exchange website at:* [*https://www.hudexchange.info/programs/environmental-review/*](https://www.hudexchange.info/programs/environmental-review/)

**5**. **Explosive & Flammable Operations** (per 24 CFR Part 51, Subpart C)

a. For rehabilitation projects, will the number of individuals increase? \_\_\_\_ yes \_\_\_\_ no

b. Is the project “new” construction? \_\_\_\_ yes \_\_\_\_ no

c. Will the project consist of constructing new sidewalks? \_\_\_\_ yes \_\_\_\_ no

If yes to *questions (a) thru (c), then continue below. If no, continue to #6.*

*d.* Are there stationary above ground storage tanks (AGST) in excess of 100 gallons within a 1 mile radius of the project site that contains explosive or flammable liquids? \_\_\_\_ yes \_\_\_\_ no

*If yes, complete the Acceptable Separation Distance calculation using the ASD Electronic Assessment Tool:* [*https://www.hudexchange.info/resource/2766/acceptable-separation-distance-electronic-assessment-tool/*](https://www.hudexchange.info/resource/2766/acceptable-separation-distance-electronic-assessment-tool/)*. Refer to the Acceptable Separation Distance Guidebook for additional information.*

**\**A******site located less than the Acceptable Separation Distance will require mitigation***

***or it may be rejected.*** *Contact DEO for assistance****.***

\*Provide the following documentation: ASD calculation, *photos, distance and location of each*

*tank.*

**6. Toxics**

a. Observe the site for any evidence that a toxic material could be present on the site such as: distressed vegetation, vent or fill pipes, storage tanks, pits, ponds or lagoons, stained soil or pavement, pungent, foul or noxious odors, or past uses of the site. \_\_\_\_\_ yes \_\_\_\_\_ no

**\*Reject any site that has a presence of Toxics or requires cleanup prior to purchasing the site.**

Use the U.S. EPA NEPAssist website <https://www.epa.gov/nepa/nepassist> to determine:

1. Are there EPA facilities within 3,000 feet of the site? \_\_\_\_ yes \_\_\_\_ no

2. If yes, are there Brownfield or Superfund facilities? \_\_\_\_ yes \_\_\_\_ no

\*If yes, contact the Florida DEP for clearance documentation.

*\*Attach a photocopy of the NEPAssist report and associated ECHO reports for all EPA*

*facilities located within 3,000 feet of the project site.*

b**. Lead-Based Paint** (LBP):

1. Was the structure built prior to 1978? \_\_\_\_ yes \_\_\_\_ no; if no, continue to #7.

*\*For the following questions, refer to the U.S. Department of Housing and Urban*

*Development “Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in*

*Housing” and the “Lead Safe Housing Rule” under 24 CFR Parts 35, Subparts B through M.*

2. Is the structure exempt from lead-based paint (LBP) testing? \_\_\_\_ yes \_\_\_\_ no; if yes, proceed to #7.

3. Is a LBP test required? \_\_\_\_ yes \_\_\_\_ no

4. Are the LPB test results positive? \_\_\_\_ yes \_\_\_\_ no

If yes, was a copy of the LBP report and Notice of Evaluation or Presumption provided to the homeowner *within 15 calendar days*? \_\_\_\_ yes \_\_\_\_ no

5. Is a LBP clearance test required? \_\_\_\_ yes \_\_\_\_ no

\*Attach a copy of all LBP reports, homeowner notifications and inspector certificate(s).

**7.** **Accident Potential Zone (APZ) and Runway Protection Zone/Clear Zone (RPZ/CZ)**

A. Is the project located within 15,000 feet of a military airport (APZ)? \_\_\_\_ yes \_\_\_\_ no

B. Is the project located within 2,500 feet of a civilian airport (RPZ/CZ)? \_\_\_\_ yes \_\_\_\_ no

C. If yes to either question above, is the project located within the Accident Potential Zone (Military airport)

or Runway Protection Zone/Clear Zone (civilian airport)? \_\_\_\_ yes \_\_\_\_ no

*\*If yes, continue below. If no, attach a map of the projects location as it relates to the Accident Potential Zone (APZ) or Runway Protection Zone/Clear Zone (RPZ/CZ).*

For projects located within the Accident Potential Zone (APZ):

1. Will the project involve any of the following: new construction; substantial rehabilitation;

acquisition of undeveloped land; activities that would significantly prolong the physical or

economic life of existing facilities or change the use of the facility to a use that is not consistent

with the recommendations of the Department of Defense (DOD)’s Land Use Compatibility

Guidelines; activities that would significantly increase the density or number of people at the site;

or activities that would introduce explosive, flammable, or toxic materials to the area?

\_\_\_\_ yes \_\_\_\_ no

2. If yes, is the project in conformance with DOD guidelines? \_\_\_\_ yes \_\_\_\_ no

For projects located within the Runway Protection Zone (RPZ/CZ):

1. Will the project involve facilities that will be frequently used or occupied by people?

\_\_\_\_ yes \_\_\_\_ no

*\*If no, include written assurance from the airport operator that there are no plans to*

*purchase the land as part of a RPZ/CZ program and continue to #8.*

\*If yes, was a signed copy of the Notice to Prospective Buyers to inform of potential hazards

from airplane accidents as well as the potential for the property to be purchased as part of an

airport expansion project in accordance with 24 CFR 51.303(a)(3) provided?

\_\_\_\_ yes \_\_\_\_ no

\*If yes, was written documentation obtained from the airport operator assuring the

project site would not be acquired or purchased in the future as part of a clear zone acquisition program? \_\_\_\_ yes \_\_\_\_ no

2. Will the project involve new construction, substantial rehabilitation, acquisition of undeveloped land, or activities that would significantly prolong the physical or economic life of existing facilities that will be frequently used or occupied by people? \_\_\_\_ yes \_\_\_\_ no

*(If yes, the site should be rejected unless it will not be frequented by people and/or is approved by the airport operator).*

**8. Endangered Species Act**

A. The U.S. Fish and Wildlife Service Information for Planning and Consultation (IPac) website (<https://ecos.fws.gov/ipac/>) should be utilized and a copy of the documentation provided.

Was a clearance from FWS received? \_\_\_\_ yes \_\_\_\_ no

For the following questions, use the Florida Fish and Wildlife Conservation Commission (FFWCC) Eagle Nest Locator website (<http://myfwc.com/wildlifehabitats/managed/bald-eagle/>), to check for bald eagles nest within a one mile radius of the project location. Include a copy of the Bald Eagle Nest Data Search Results, clearance documentation and/or permit(s) as required.

B. Was a bald eagle nests located:

1. during a visual inspection within one mile of the project site? \_\_\_\_ yes \_\_\_\_ no

2. on the FFWCC website? \_\_\_\_ yes \_\_\_\_ no

3. within 660 feet of the project location? \_\_\_\_ yes \_\_\_\_ no

\*If yes, will the proposed activity occur during the nesting season (October 1 through May 15)?

\_\_\_\_ yes \_\_\_\_ no

\*If yes, contact the Florida Fish and Wildlife Conservation Commission (FWC) at <http://rnvfwc.com/license/wildlife/protected-wildlife/eagle-permits/>. See Rule Revision

68A-16002, F.A.C. Include clearance documentation and a copy of the federal permit (if required).

**9. Coastal Barrier Resource Act**

Refer to the U.S. Fish and Wildlife Service Coastal Barrier Resources System Map at <https://www.fws.gov/cbra/Maps/Mapper.html>.

A. Is the project located on or near the coast or a barrier island?

\_\_\_\_ yes \_\_\_\_ no

\*If no, provide the projects location and stop.

B. Is the project located within a protected area as indicated on the Coastal Barrier Resource map?

\_\_\_\_ yes \_\_\_\_ no

\*If yes, provide the projects location on the Coastal Barrier Resource System map.

\*Projects located within a protected area should be rejected as assistance cannot be

provided.