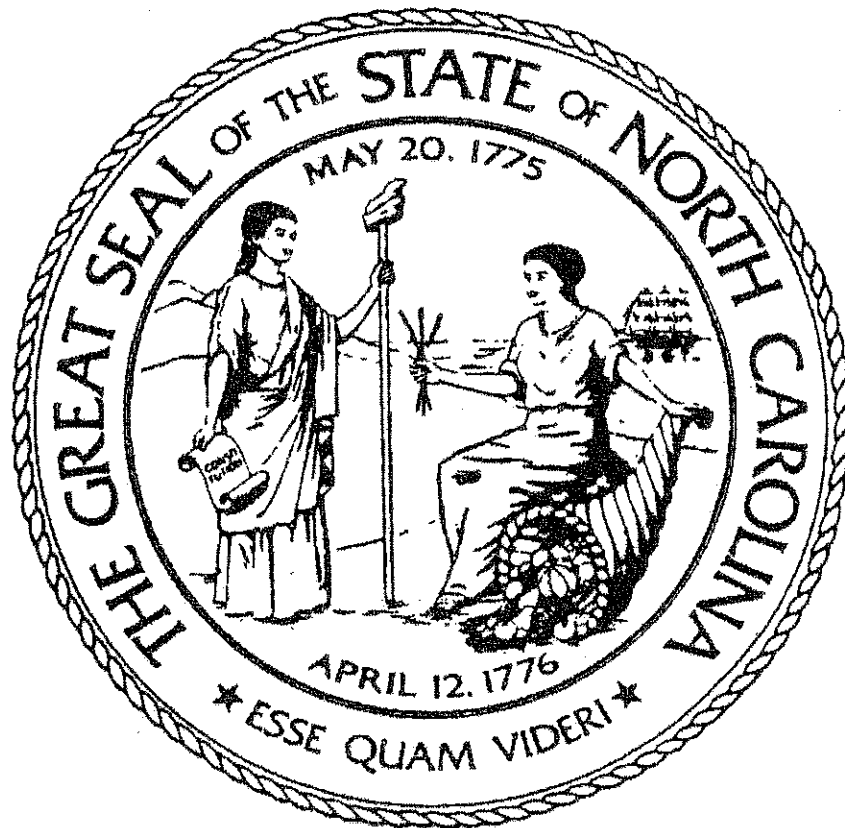


**APPENDIX A**

**ENVIRONMENTAL REVIEW AT THE COMMUNITY LEVEL  
NC DEPT OF COMMERCE  
NEIGHBORHOOD STABILIZATION PROGRAM  
(STATE-FUNDED NSP PROGRAM GUIDANCE)**

# Environmental Review at the Community Level



**North Carolina Department of Commerce**  
**Neighborhood Stabilization Program**

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## INTRODUCTION

Environmental review of Neighborhood Stabilization Program (NSP) projects is a requirement of the National Environmental Policy Act (NEPA) of 1969. The material contained in this packet is modeled after 24 CFR Part 58 "Environmental Review Procedures for Community Development Block Grant Programs," as amended. Part 58 is the primary reference that describes the procedures to be followed. It should be used for questions of a regulatory nature. No guidebook can replace direct reference to the regulations. These regulations fulfill HUD's responsibility under NEPA and its own implementing regulations.

The information contained herein is designed to enable a NSP recipient to comply with applicable environmental regulations and to successfully complete the process of contract negotiations in a timely manner.

Grantees are required to complete all applicable review procedures in this guidebook and publish all notices required by NEPA. The results of the project review, using the forms in this guidebook, should be compiled into a document called the grantee environmental review record (ERR).

## Determining the Level of Review Required

EXEMPT Activities include:

- Administrative costs
- Environmental studies or assessments
- Public services that will not have a physical impact
- Technical assistance and training
- Payment of reasonable engineering and design costs, as eligible
- Purchase of insurance or tools
- Title I loan payments

CATEGORICALLY EXCLUDED activities: (provided that there are no circumstances which require compliance with any of the other Federal laws and authorities)

Categorically Excluded activities include:

- Acquisition, construction, reconstruction, rehabilitation or installation of public facilities and improvements eligible under 24 CFR 570.201(c) the State program, subject to the following limitations:
  - the facilities and improvements acquired for continued use are in place and will be retained for the same use.
  - the facilities or improvements replace or upgrade existing facilities or improvements with only minimal change in use, size, capacity or location.
  - the facilities and improvements are consistent with the use of the site and will not change the use, size, capacity or character of the site.
- Special projects directed to the removal of material and architectural barriers that restrict the mobility and accessibility of elderly and handicapped persons as authorized by Section 105(a)(5) of Title I and 24 CFR 570.201(k).
- Public service grants which:
  - Are for eligible public services not exempt under Section 58.34(a)(9)
  - Are provided for a new or increased level of service not previously supported by Title I provided by the recipient in accordance with Section 105(a) of Title I and 24 CFR 570.201(e)(1).
  - Affect only the social or economic environment and will not result in the development of service facilities or physical improvements regardless of source of funds.
  - Are part of community development or housing projects funded in part or in whole under Title I and consisting solely of activities categorically excluded under this Section or exempt under Section 58.34.
- Rehabilitation of buildings or improvements, subject to the following limitations:
  - In the case of multi family residential buildings:

- Unit density is not changed more than 20 percent
- The project does not involve changes in land use from residential to non-residential
- The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation.
- In the case of non-residential structures, including commercial, industrial and public buildings:
  - The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent
  - The activity does not involve a change in land use such as from non-residential to residential, commercial to industrial or from one industrial use to another
- 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.
- 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 for the same use.
- Combinations of the above activities.

ENVIRONMENTAL ASSESSMENT projects are those that are neither exempt nor categorically excluded.

ENVIRONMENTAL IMPACT STATEMENT- If the project is found to be a Major Federal Action; the locality must prepare an Environmental Impact Statement (EIS). This is a technical task and requires the assistance of a trained technician and careful attention to the regulations at 24 CFR Part 58 and 40 CFR Parts 1500-1508. Certain types of projects always require an EIS. These are included in the Federal Regulations at 24 CFR Part 58.37. Activities that would remove the habitat of any endangered animal or plant life may also be classified as a Major Federal Action and would therefore require an EIS. If your project requires an EIS, contact your Community Representative immediately.

Most NSP projects do not require an EIS. The Assessment Finding on these projects is such that the activity is Not a Major Federal Action that will not "significantly affect the quality of the human environment." Subsequently, a Finding of No Significant Impact (FONSI) will be made.

**Steps to Completing the Environmental Review Record – Exempt Projects**

- o Complete questions 1-9 on the cover page of the Environmental Review Record and the Determination of Exemption form (see page 13). Submit one original to DCA (or for ED projects one original to CFC)

- 1) List the project name and location
  - o Example – City of Carterville Capacity Building Project – Carterville, NC
- 2) Provide the grantee’s name and mailing address
  - o Example – City of Carterville, P.O. Box 456, Carterville, NC 27563
- 3) Check the type of grant
  - o Example –  Administration
- 4) Select the level of review required
  - o Example -  Exempt
- 5) Signature of Chief Elected Official
- 6) Provide a brief project description
  - o Example – *The City of Carterville will use \$25,000 in CDBG funds to work with the Helping Hands CDC develop their capacity to administration a future CDBG project. The CDC will develop their capacity through hiring an additional staff person who will receive the appropriate CDBG training necessary to apply and administration a successful CDBG project.*
- 7) List all project actives and the budgeted amounts.
  - o Example –

7.Project Activities:	CDBG Funds Budgeted	Other Funds Budgeted
Administration	\$25,000	
Total	\$25,000	

- 8) Provide preparers contact information.
  - o Example – Joe Appleman, P.O. 489, Blankville, NC 28956, 828-593-5626, joe.appleman@aol.com
- 9) Signature of Preparer

**Steps to Completing the Environmental Review Record – Categorically Excluded**

- Complete questions 1-9 on the cover page, 12-25 on the Environmental Review Questionnaire, Part A and Part C, and the appropriate Categorical Exclusion form. *Provide a project map with site(s) identified and appropriate photos. Submit one double-sided original to DCA (or for ED Projects one to CFC).*

1) List the project name and location

- Example – Grapeview Road Hook-Up Infrastructure Project, Raisins, NC

2) Provide the grantee's name and mailing address

- Example – City of Raisins, P.O. Box 456, Raisins, NC 27563

3) Check the type of grant

- Example –  Infrastructure Hook-Up

4) Select the level of review required

- Example -  Categorical Excluded

5) Signature of Chief Elected Official

6) Provide a brief project description

- Example – *The City of Raisins will use \$75,000 in CDBG funds, to hook-up five households on Grapeview Road to the public water system. This project will eliminate severe conditions associated with contaminated wells. Well test performed on two homes in this area revealed that sic wells tested positive with bacteria, and three tested positive for fecal E-Coli. .*

7) List all project actives and the budgeted amounts.

- Example –

7. Project Activities:	CDBG Funds Budgeted	Other Funds Budgeted
Water	\$70,000	
Administration	\$5,000	
Total	\$75,000	

8) Provide preparers contact information.

- Example – Joe Appleman, P.O. 489, Raisins, NC 28956, 910-593-5626, joe.appleman@aol.com

9) Signature of Preparer

- For questions 12- 25 on the Environmental Review Questionnaire. Answer all questions and provide source documentation as to how the answer was derived.

- Example –

Is the project within 3,000 feet from the end of a runway at a civil airport?

Yes  No

Source Documentation: See attached project map – See Appendix 10. Airport location is highlighted in green and project site is highlighted in blue. The project is more than 15 miles from the civil airport.

- Complete Parts A and C.



**Steps to Completing the Environmental Review Record – Environmental Assessment**

- Complete questions 1-9 on the cover page, 12-46 on the Environmental Review Questionnaire and, Parts A, B and C. *Provide a project map with site(s) identified and appropriate photos. Submit one double-sided original EA and 16 double-sided duplicates to DCA (or for ED Projects submit directly to the Department of Administration’s State Clearinghouse).*

1) List the project name and location

- Example – Que Street Road Infrastructure Project, Baber County, NC

2) Provide the grantee’s name and mailing address

- Example – Baber County, P.O. Box 5966, Ollieville, NC 27563

3) Check the type of grant

- Example –  Infrastructure

4) Select the level of review required

- Example -  Environmental Assessment

5) Signature of Chief Elected Official

6) Provide a brief project description

- Example – *Baber County will use \$750,000 in CDBG funds, to provide sanitary water and sewer access to the Que Street community. This project will eliminate severe conditions associated with contaminated wells and deteriorated septic tanks for 15 households.. Well test performed in this area revealed that sic wells tested positive with bacteria and fecal E-Coli. This project will also use \$250,00 of County money.*

7) List all project actives and the budgeted amounts.

- Example –

7.Project Activities:	CDBG Funds Budgeted	Other Funds Budgeted
Water	\$350,000	\$125,000
sewer	\$350,000	\$125,000
Administration	\$50,000	
Total	\$750,000	

8) Provide preparers contact information.

- Example – Jane Stewart, P.O. 7796, Mooreville, NC 28789 919-282-5626, jstewart@yahoo.com

9) Signature of Preparer

- For questions 12- 47 on the Environmental Review Questionnaire. Answer all questions and provide source documentation as to how the answer was derived.

- Example –

Is the project within 3,000 feet from the end of a runway at a civil airport?

Yes  No

Source Documentation: See attached project map – See Appendix 10. Airport location is highlighted in green and project site is highlighted in blue. The project is more than 15 miles from the civil airport.

- Complete Parts A-C.

## Environmental Review Contacts

<p><b>UD NC Community Planning &amp; Development Division</b>          Lenwood E. Smith, II, PWS, CTM,          Environmental Protection Specialist          U.S. HUD          1500 Pincroft Road, Suite 401          Greensboro, NC, 27407-3838          E-Mail: <a href="mailto:lenwood.e.smith@hud.gov">lenwood.e.smith@hud.gov</a>          Tel. (336) 547-4000 ext. 2054          FAX (336) 547-4138  <a href="http://www.hud.gov/offices/cpd/energyenviron/environment/index.cfm">http://www.hud.gov/offices/cpd/energyenviron/environment/index.cfm</a></p>	<p><b>Advisory Council on Historic Preservation</b>          Don Klima, Director          Office of Federal Agency Programs          1100 Pennsylvania Avenue NW, Suite 809          Old Post Office Building          Washington, DC 20004          Tel. (202) 606-8503          FAX (202) 606-5072  <a href="http://www.achp.gov">www.achp.gov</a></p>
<p><b>Keeper of the National Register</b>          USDI National Park Service          National Register History &amp; ED.          1849 C Street, N.W. Rm. NC 200          Washington DC, 20240          Tel. (202) 354-2065          FAX (202) 343-9522  <a href="http://www.cr.nps.gov/">http://www.cr.nps.gov/</a></p>	<p><b>State Historic Preservation Officers</b>          Dr. Jeffery Crow          North Carolina SHPO          Department of Cultural Resources          Office of Archives and History          109 East Jones St.          Raleigh, North Carolina 27601-2807          Tel. (919) 807-7280          Fax: (919) 733-8807,  <a href="http://www.hpo.dcr.state.nc.us/">http://www.hpo.dcr.state.nc.us/</a></p>
<p><b>U.S. Environmental Protection Agency (EPA)</b>          EPA Headquarters          Environmental Protection Agency          Ariel Rios Building, 1200 Pennsylvania Avenue, N.W.          Washington, DC 20460          Tel. (202) 272-0167/ TTY (speech- and hearing-impaired)          (202) 272-0165, General Information          (202) 260-5075          Library: <a href="http://www.epa.gov/natlibra/">http://www.epa.gov/natlibra/</a></p>	<p>Peter Sandbeck          Administrator and Deputy State Historic Preservation Officer          507 N. Blount St.          Raleigh, NC 27699-4617          Tel. (919) 733-4763          Fax: (919) 733-8653</p>
<p><b>Region 4 (AL, FL, GA, KY, MS, NC, SC, TN)</b>          EPA, Atlanta Federal Center          61 Forsyth Street SW          Atlanta, GA 30303-3104          Tel. (404) 562-9900          Fax: (404) 562-8174          Toll free: (800) 241-1754,  <a href="http://www.epa.gov/region04/">http://www.epa.gov/region04/</a></p>	<p>Renee Gledhill-Earley          Environmental Review Coordinator          Tel. (919) 733-4763          Fax: (919) 733-8653</p> <p>Melinda Coleman          Grants Administrator and Certified Local Governments Coordinator          Tel. (919) 733-4763          Fax: (919) 733-8653</p>
<p><b>Air and Toxics Division:</b> Unified Air Toxics Website:  <a href="http://www.epa.gov/ttn/atw/index.html">http://www.epa.gov/ttn/atw/index.html</a></p>	
<p><b>Underground Storage Tanks:</b> <a href="http://www.epa.gov/oust">http://www.epa.gov/oust</a></p>	
<p><b>Safe Drinking Water Hotline:</b> Tel. (800) 426-4791</p>	
<p><a href="http://www.epa.gov/safewater/dwinfo.htm">http://www.epa.gov/safewater/dwinfo.htm</a></p>	
<p><b>Environmental Justice:</b> <a href="http://www.epa.gov/enviro/ej/">http://www.epa.gov/enviro/ej/</a></p>	
<p><b>EPA Permits assistance:</b> <a href="http://www.cicacenter.org/">http://www.cicacenter.org/</a> (Construction Ind. Asst.)</p>	
<p><b>Superfund Program, ROD's -</b> <a href="http://www.epa.gov/superfund">http://www.epa.gov/superfund</a></p>	
<p><b>Other helpful sites:</b>          CERCLIS &amp; TRI, <a href="http://www.rtk.net/">http://www.rtk.net/</a>, <a href="http://www.epa.gov/enviro/">http://www.epa.gov/enviro/</a>          Agency for Toxic Substance &amp; Disease Registry (ATSDR):          Tel. (888) 422-8737;  <a href="http://www.atsdr.cdc.gov">http://www.atsdr.cdc.gov</a></p>	<p>Mitch Wilds          Supervisor, Restoration Branch          Tel. (919) 733-6547          FAX: (919) 715-4801</p>
<p><b>North Carolina Division of Air Quality,</b> 1641 Mail Service Center, Raleigh, North Carolina 27699-1641/ Tel. (919) 733-3340, <a href="http://daq.state.nc.us/toxics/">http://daq.state.nc.us/toxics/</a></p>	<p>Steve Claggert          State Archeologist          421 North Blount St., Raleigh, North Carolina 27699          Mailing Address: 4619 Mail Service Center, Raleigh, North Carolina, 27699-4619  <a href="http://www.arch.dcr.state.nc.us/fosa.htm">http://www.arch.dcr.state.nc.us/fosa.htm</a></p>
<p><b>Air Quality Maps:</b> <a href="http://www.airnow.gov/index.cfm?action=airnow">www.airnow.gov/index.cfm?action=airnow</a>.</p> <ul style="list-style-type: none"> <li>• Current conditions  <a href="http://www.epa.gov/air/data/index.html">http://www.epa.gov/air/data/index.html</a></li> </ul>	<p><b>Non-Attainment Areas Website:</b>  <a href="http://www.epa.gov/oar/oaqps/greenbk/index.html">http://www.epa.gov/oar/oaqps/greenbk/index.html</a></p>

<p><b>North Carolina Department of Environment and Natural Resources</b>, 1601 Mail Service Center, Raleigh, North Carolina 27699-1601, Tel. (919) 733-4984/ FAX: (919) 715-3060</p> <p><b>Tech. Assist. :</b> <a href="http://www.enr.state.nc.us/html/technicalassist.html">http://www.enr.state.nc.us/html/technicalassist.html</a></p>	<p><b>Water Management</b>, Sole Source Aquifers: None are located in North Carolina.</p> <p><b>For further information see:</b>  <a href="http://www.epa.gov/safewater/swp/ssa/req4.html">http://www.epa.gov/safewater/swp/ssa/req4.html</a></p>
<p><b>Water Quality:</b> <b>North Carolina Division of Water Quality</b>, (NCDWQ) Regional Office, <a href="http://www.enr.state.nc.us/html/regionaloffices.html">http://www.enr.state.nc.us/html/regionaloffices.html</a></p>	<p><b>Public Water Supply Section:</b> 1630 Mail Service Section, Raleigh, North Carolina 27609 Tel. (919) 733-2870,  <a href="http://www.deh.enr.state.nc.us/pws/srf/index.htm">http://www.deh.enr.state.nc.us/pws/srf/index.htm</a></p>
<p><b>U.S. Fish and Wildlife Service (FWS)</b> <a href="http://www.fws.gov">http://www.fws.gov</a>  <b>Southeast Region-4 N.C.</b> <a href="http://www.fws.gov/southeast/maps/nc.html">http://www.fws.gov/southeast/maps/nc.html</a>  <a href="http://www.ncwildlife.org/fs_index_07_conservation.htm">http://www.ncwildlife.org/fs_index_07_conservation.htm</a></p>	<p><b>North Carolina Natural Heritage Program:</b> <a href="http://www.ncnhp.org/">http://www.ncnhp.org/</a></p>
<p><b>N. C. Endangered and Threatened Species:</b>  <a href="http://nc-es.fws.gov/es/es.html">http://nc-es.fws.gov/es/es.html</a>  Is the project site located in a downtown area? If the answer is no, a US Fish and Wildlife Service representative should be contacted to determine the presence/absence of endangered or threatened species or their habitat.</p> <ul style="list-style-type: none"> <li>• For projects east of the Guilford/Forsyth, Rockingham/Stokes, Randolph/Davidson, Montgomery/Stanly, and Richmond/Anson County Lines please contact: USFWS – Raleigh Field Office, ATTN: Dale Suiter, P.O. Box 33726, Raleigh, NC 27636, Tel. (919) 856-4520).</li> <li>• For project west of the aforementioned County Lines please contact: USFWS – Asheville Field Office, ATTN: Allen Ratzlaff, 160 Zillicoa Street, Asheville, NC 28801, Tel. (828)-258-3939.</li> </ul>	<p><b>Protection of Wetlands (E.O. 11988):</b> <a href="http://wetlands.fws.gov/">http://wetlands.fws.gov/</a>, <b>US Army Corps of Engineers (USACE)</b> You may contact the appropriate local Regulatory Field Offices of the USACE –</p> <ul style="list-style-type: none"> <li>• Wilmington District: <a href="http://www.saw.usace.army.mil/">http://www.saw.usace.army.mil/</a>, In addition to acquiring authorization from the USACE, authorization may also be required from the NC Division of Water Quality (NCDWQ).</li> <li>• Contact the appropriate NCDWQ regional field office: <a href="http://www.enr.state.nc.us/html/regionaloffices.html">http://www.enr.state.nc.us/html/regionaloffices.html</a>, for guidance.</li> <li>• For projects requiring USACE or NCDWQ authorization, authorization must be obtained prior to completing the environmental review.</li> </ul>
<p><b>Federal Emergency Management Agency (FEMA)</b>, <a href="http://www.fema.gov">http://www.fema.gov</a></p>	<p><b>Floodplain Management (24 CFR Part 55):</b>  <a href="http://www.ncfloodmaps.com">http://www.ncfloodmaps.com</a></p> <ul style="list-style-type: none"> <li>• To determine the effective FIRMs contact the Federal Emergency Management Agency (FEMA) at Tel. (800) 358-9616, Phil Letsinger National Floodplain Insurance Program NC Branch Manager at (919) 715-8000 ext 273</li> <li>• <a href="http://www.ncem.org/mitigation/NFIP_home.htm">http://www.ncem.org/mitigation/NFIP_home.htm</a> for a list of local floodplain administrators.</li> </ul>
<p><b>Ecosystems:</b> <a href="http://www.epa.gov/ehtpages/ecosystems.html">http://www.epa.gov/ehtpages/ecosystems.html</a></p>	<p><b>USDA Natural Resources Conservation Service (NRCS)</b> 4405 Bland Rd., Suite 205  Raleigh, NC 27609, Tel. (919) 873-2100 / Fax: 919-873-2156  <a href="http://www.nrcs.usda.gov">Http://www.nrcs.usda.gov</a></p>
<p><b>Solid Waste Management:</b> <b>North Carolina Department of Environment and Natural Resources</b>, 1601 Mail Service Center, Raleigh, North Carolina 27699-1601, Tel. (919) 733-4984/ FAX: (919) 715-3060, See Regional Offices Website: <a href="http://www.enr.state.nc.us/html/regionaloffices.html">http://www.enr.state.nc.us/html/regionaloffices.html</a></p>	<p><b>National Oceanic &amp; Atmospheric Administration, Coastal Zone Management:</b>  <a href="http://www.noaa.gov/coasts.html">http://www.noaa.gov/coasts.html</a>  <b>North Carolina Contacts:</b> <a href="http://dcm2.enr.state.nc.us/contact_dcm.htm">http://dcm2.enr.state.nc.us/contact_dcm.htm</a>  <b>North Carolina Coastal Management Program:</b>  <a href="http://www.ocrm.nos.noaa.gov/czm/czmnorthcarolina.html">http://www.ocrm.nos.noaa.gov/czm/czmnorthcarolina.html</a></p>
<p><b>Energy Conservation Resources:</b>  <a href="http://www.hud.gov/offices/cpd/energyenviro/energy/">http://www.hud.gov/offices/cpd/energyenviro/energy/</a>  <b>North Carolina State Energy Office:</b> 1830-A Tillery Place, Raleigh, NC 27604-1376, 1340 Mail Service Center Raleigh, NC 27699-1340, Tel. (919) 733-2230 or (800) 662-7131 (NC only), Fax: (919) 733-2953, Map <a href="http://www.energync.net/">http://www.energync.net/</a></p>	<p><b>North Carolina Radiation Protection:</b> NC DNER, N.C. Radiation Protection: 3825 Barrett Drive, Raleigh, North Carolina 27609, Tel. (919) 571-4141 / Fax: (919) 571-4148</p> <ul style="list-style-type: none"> <li>• <b>Branches:</b> Mammography, Environmental Radiation, Radon, Radon in Water, Radioactive Materials, Tanning (and other Non-ionizing radiation) and X-Ray.</li> <li>• <a href="http://www.drp.enr.state.nc.us/">http://www.drp.enr.state.nc.us/</a></li> <li>•</li> </ul>

<p><b>Lead-based Paint:</b> HUD, Office of Healthy Homes &amp; Lead Hazard Control- Tel. (202) 755-1785  <a href="http://www.hud.gov/offices/lead">http://www.hud.gov/offices/lead</a></p> <ul style="list-style-type: none"> <li>N.C. Lead-Based Paint Hazard Management Program,  <a href="http://www.epi.state.nc.us/epi/lead/lhmp.html">http://www.epi.state.nc.us/epi/lead/lhmp.html</a></li> </ul> <p><b>National Lead Information Clearinghouse:</b> (publication and information) Tel. (800) 424-LEAD (5323), <a href="http://www.epa.gov/lead/">http://www.epa.gov/lead/</a></p>	<p><b>Noise Abatement: (24 CFR Part 51 Subpart B):</b>  This refers to sources of noise that may affect the project. Determine if there are there any major highways (Interstates, US Highways, NC Routes, State Routes designated 100x, 4 lane curb-and-gutter roads) within 1,000 feet, or railroads within 3,000 feet of the project site. Determine if there is civilian airport within 5 miles, or military airport within 15 miles of the project site. If any of the aforementioned conditions exist a noise study must be conducted in accordance with "The Noise Guidebook."  If the project may be impacted by noise from a major highway please contact: <i>Mike Bruff, P.E., NC Dept. of Transportation, Statewide Planning Branch, 1554 Mail Service Center, Raleigh, NC 27699, 1 South Wilmington Street (Delivery) Raleigh NC 27601, Tel. (919) 733-4705 / FAX: (919) 733-2417, to request projected traffic volumes, if available. See <a href="http://www.doh.state.nc.us/operations/">http://www.doh.state.nc.us/operations/</a> to obtain information on Division boundaries and contacts. <a href="http://www.fhwa.dot.gov/">http://www.fhwa.dot.gov/</a> Other factors: <a href="http://environment.fhwa.dot.gov/strming/es6stateprac.asp">http://environment.fhwa.dot.gov/strming/es6stateprac.asp</a></i></p>
<p><b>Wild and Scenic Rivers:</b> <a href="http://www.nps.gov/rivers/wildriverslist.html">http://www.nps.gov/rivers/wildriverslist.html</a></p>	<p><b>Intergovernmental Review of Federal Programs:</b>  Grants Coordinator, North Carolina State Clearinghouse, Ms. Chrys Baggett, State Clearinghouse, 1301 Mail Service Center, Raleigh, N.C. 27699-1301, Tel. (919) 807-2425 / FAX: (919) 733-9571 - <b>E-mail:</b> <a href="mailto:chrys.baggett@ncmail.net">Chrys Baggett- chrys.baggett@ncmail.net</a> - Publishes the <i>North Carolina Environmental Bulletin</i> (a bi-weekly summary of environmental documents currently being circulated for review and comment).</p>
<p><b>U.S. Geographic Survey (USGS):</b> maps:  <a href="http://terraserver.homeadvisor.msn.com/">http://terraserver.homeadvisor.msn.com/</a></p>	<p><b>TO ORDER HUD documents, handbooks or forms-</b> Tel. (800) 767-7468 or (202) 708-2313  <b>HUD USER Information:</b> (800) 245-2691 or <a href="http://www.huduser.org">http://www.huduser.org</a>  <b>Community Connections:</b> <a href="http://www.common.org">http://www.common.org</a>  <b>GOVERNMENT PRINTING OFFICE:</b>  <a href="http://www.gpoaccess.gov/index.html">http://www.gpoaccess.gov/index.html</a></p>
<p><b>Toxic Sites and Hazardous Materials:</b> <a href="http://www.hud.gov/emaps">http://www.hud.gov/emaps</a></p>	<p><b>EPA:</b> <a href="http://www.epa.gov/enviro/html/em/index.html">http://www.epa.gov/enviro/html/em/index.html</a>, Toxic Release Inventory Program: North Carolina contact: Felicia Pyle, Interim EPCRA Coordinator, North Carolina Emergency Management, 4714 Mail Service Center, Raleigh, NC 27699-4714, Tel. (919) 715-4406 (919) 733-1361 Hotline, (800) 451-1403 (NC Only), Fax: (919) 733-2860 E-Mail: <a href="mailto:fpyle@ncem.org">fpyle@ncem.org</a>  <a href="http://www.epa.gov/tri/programs/state_programs.htm">http://www.epa.gov/tri/programs/state_programs.htm</a></p>
<p><b>Information on local governments and departments may be found on the following sites:</b></p> <ul style="list-style-type: none"> <li><a href="http://ncinfo.iog.unc.edu/library/counties.html">http://ncinfo.iog.unc.edu/library/counties.html</a> - Links to North Carolina County websites.</li> <li><a href="http://ncinfo.iog.unc.edu/library/cities.html">http://ncinfo.iog.unc.edu/library/cities.html</a> - Links to North Carolina City websites.</li> <li><a href="http://www.govengine.com/localgov/northcarolina.html">http://www.govengine.com/localgov/northcarolina.html</a> - Links to North Carolina State Governmental Departments, and North Carolina County and City websites.</li> <li><a href="http://www.ncim.org/">http://www.ncim.org/</a> - North Carolina League of Municipalities.</li> </ul>	
<p><b>American Society for Testing Materials (ASTM)</b> Tel. (610) 832-9500 / FAX: (610) 832-9555  Standards for Phase I Environmental Site Assessment, <a href="http://www.astm.org">http://www.astm.org</a></p> <p><b>Toxic Sites and Hazardous Materials:</b> <a href="http://www.hud.gov/emaps">http://www.hud.gov/emaps</a></p>	
<p><b>Department of Commerce - Commerce Finance Center</b>  4318 Mail Service Center  Raleigh, NC 27699-4318  Tel. (919) 733-5297  Fax. (919) 715-5297  <a href="http://www.nccommerce.com/finance/incentives/cdbg/">http://www.nccommerce.com/finance/incentives/cdbg/</a></p>	
<p><b>Department of Commerce - Division of Community Assistance</b>  4313 Mail Service Center  Raleigh, NC 27699-4313  Tel. (919) 733-5280  Fax. (919)-733-5262  <a href="http://www.ncdca.org">www.ncdca.org</a></p>	



## Environmental Review Questionnaire

### Planning

- o Is the project in compliance or conformance with local zoning?  
 Yes  No  Not Applicable  
If no or not applicable, explain:

Source Documentation:

- o Is the project located within a coastal zone management (CZM)? **NOTE:** This regulation does not apply to actions involving existing single family homes where additional construction will not occur. The CZM authority applies only for new construction, conversion, major rehabilitation, and substantial improvement activities.  
 Yes  No  Not Applicable (explain in Comments below)
- o **If your answer is YES, please provide an analysis to the Division of Coastal Management of how the proposed financial assistance would result in a project (when constructed) that would be consistent with the State's coastal management program.**

Comments:

Source Documentation:

- o Is the project in compliance with the North Carolina Air Quality Implementation Plan (SIP)?  
 Yes  No  Not Applicable

Comments:

Source Documentation:

- o Are there any unresolved conflicts concerning the use of the site?  
 Yes  No  
**If your answer is YES, briefly explain,**

### 13. Coastal Barrier Resources

- o Is the project located within a coastal barrier designated on a current FEMA flood map or Department of Interior coastal barrier resources map?  
 Yes  No
- o **If your answer is YES, the law prohibits Federal funding of project in designated coastal barriers.**

Comments:

Source Documentation:

### 14. Flood Management (24 CFR Part 55) (see Compliance Factors 3 and 4 of HUD Handbook 1390.2)

- o Is the project located within a floodplain designated on a current FEMA flood map?  
 Yes  No
  - o Identify FEMA flood map used to make this finding:
    - Community Name and Number:
    - Map Panel Number and Date of Map Panel:
- o If the site is within a Special Flood Hazard Area (SFHA) and the rehabilitation costs are less 50% of the market value before rehabilitation, the floodplain decision making process does not apply. If the site is within a SFHA and the project is either an individual action (demo/reconstruction) or rehabilitation with costs that are equal to or exceed 50% of the market value before rehabilitation, the documentation must show compliance with 24 CFR § 55.20, which requires two public notices, study of alternatives and mitigation - use § 55.12 and the 8-step floodplain management decision making process (§ 55.20) to comply with 24 CFR Part 55.

Comments:

Source Documentation (attach § 55.20 analysis):

**15. Historic Preservation (see Compliance Factors 2 of Handbook 1390.2)**

- o Have you notified the State Historic Preservation Office (SHPO) of the project and requested their comments?  
 Yes  No  
If no, please explain why comments are not necessary?
  
- o Is the property listed on or eligible for listing on the National Register of Historic Places?  
 Yes  No
- o Is the property located within or directly adjacent to an historic district?  
 Yes  No
- o Does the property's area of potential effects include an historic district or property?  
 Yes  No
  
- o **If your answer is YES to any of the above questions, you must submit a State Historic Evaluation Form directly to SHPO. Please attach copies with your ERR.**  
**NOTE:** For projects with adverse effects (36 CFR § 800.6), the documentation must include a memorandum of agreement with the SHPO and, where applicable, Advisory Council on Historic Preservation.
  
- o Have you notified the Catawba Indian Nation Tribal Historic Preservation Officer of the project and requested their comments (for any project involving ground disturbance)?  
 Yes  No
- o **If yes, please attach copies of your findings and their response.**  
If no, please explain why comments are not necessary?
  
- o Have you notified the Eastern Band of Cherokee Indians Tribal Historic Preservation Officer of the project and requested their comments (for any project in the 27 western counties involving disturbance of soil not classified as urban soil)?  
 Yes  No
- o **If yes, please attach copies of your findings and their response.**  
If no, please explain why comments are not necessary?
  
- o What kind, if any, site preparation has already been conducted on the site:
  
- o Has the area been previously surveyed by an archaeologist?  Yes  No  
If so, give name of principal investigator and date of survey:
  
- o What buildings/structures on site now? Please give the structures' age (abandoned barns, farmhouse, tobacco sheds, bridges etc.)
  
- o Will any of these structures be demolished? (Indicate which)
  
- o Will any of these structures be rehabilitated or renovated? (Indicate which)
  
- o Please include photographs of all structures if project activities include rehabilitation, acquisition, clearance or demolition.  
Comments:

Source Documentation:

**16. Noise Abatement (See Compliance Factor 1 of Handbook 1390.2)**

- o Is the project located near a major noise source, e.g., civil airports (within 5 miles), military airfields (15 miles), major highway or busy roads (within 1,000 feet), or railroads (within 3,000 feet)? NOTE: The documentation must include a map that shows whether the site is within 3,000 feet of a railroad, 1,000 feet of a major highway, or 15 miles of an airport. Use the calculator at: <http://www.hud.gov/offices/cpd/environment/dnicalculator.cfm>  
 Yes  No
  
- o **If your answer is YES, comply with 24 CFR 51, Subpart B, which requires a noise assessment for proposed new construction. Use adopted DNL contours if the noise source is an airport.** Use the calculator at: <http://www.hud.gov/offices/cpd/environment/dnicalculator.cfm>.  
Comments:

Source Documentation (attach Noise Assessment Guidelines worksheets):

**17. Hazardous Industrial Operations (See Compliance Factor 5 of Handbook 1390.2)**

- o Are industrial facilities handling explosive or fire-prone materials such as liquid propane, gasoline or other storage tanks adjacent to or visible from the project site?  
 Yes  No
- o **If your answer is YES, use HUD Hazards Guide and comply with 24 CFR Part 51, Subpart C.** NOTE: This regulation does not apply to actions involving existing single family homes if the project is not increasing the number of families occupying the house – the documentation should state there is no potential increase in occupancy so compliance with this part is not required (24 CFR § 51.200).  
Comments:
  - o Source Documentation (attach Acceptable Separation Distance worksheets):

**18. Airport Hazards (See Compliance Factor 5 of Handbook 1390.2)**

- o Is the project within 3,000 feet from the end of a runway at a civil airport?  
 Yes  No
- o Is the project within 2 ½ miles from the end of a runway at a military airfield?  
 Yes  No
- o **If your answer is YES to either of the above questions, comply with 24 CFR Part 51, Subpart D.** NOTE: If the site is within an airport clear zone or accident potential zone funding is discouraged for major rehab. The Part 58 Certifying Official may allow the acquisition and minor rehabilitation project (24 CFR § 51.304) but the occupant must sign the special notification form that advises the occupant of the risk involved in living in an airport clear zone or accident potential zone (24 CFR § 51.303[a][3]).  
Comments:

Source Documentation:

**19. Protection of Wetlands (E.O. 11990) (See Compliance Factors 3 and 4 of Handbook 1390.2)**

- o Are there drainage ways, streams, rivers, or coastlines on or near the site?  
 Yes  No
- o Are there ponds, marshes, bogs, swamps, or other wetlands on or near the site?  
 Yes  No
- o For projects proposing new construction and/or filling, the following applies:
  - o Is the project located within a wetland designated on a National Wetland Inventory Map of the Department of Interior?  
 Yes  No
- o **If your answer is YES, E.O. 11990, Protection of Wetlands, discourages Federal funding of new construction or filling in wetlands and compliance is required with the wetlands decision-making process (§ 55.20 of 24 CFR Part 55).** Use proposed Part 55 published in the Federal Register on January 1, 1990 for wetlands procedures). NOTE: This regulation does not apply to actions involving existing single family homes for acquisition, rehabilitation or resale without soil disturbance. If the foot print of the building is not expanded and the project involves no other activities that involve soil disturbance – the documentation should state there is no soil disturbance so there is no potential for impact to a wetland. If the footprint is expanded, the documentation must include a determination if the site could impact a wetland. If wetlands are present compliance with the EO is required.  
Comments:

Source Documentation (attach § 55.20 analysis for new construction and/or filling) :

**20. Toxic Chemicals and Radioactive Materials (See Compliance Factor 5 of Handbook 1390.2)**

- o Is the project near an industry disposing of chemicals or hazardous wastes?  
 Yes  No
- o Is the site listed on an EPA Superfund National Priorities or CERCLA or equivalent State list?  
 Yes  No
- o Is the site located within 3,000 feet of a toxic or solid waste landfill site?  
 Yes  No
- o Does the site have an underground storage tank?  
 Yes  No
- o **If your answer is YES to any of the above questions, use current techniques by qualified professionals to undertake investigations determined necessary and comply with § 50.3 (i).**  
Comments:

Source Documentation:



**21. Endangered Species (See Environmental Factor 3.4 of Handbook 1390.2)**

- o Has the Department of Interior list of Endangered Species and Critical Habitats been reviewed?  
 Yes  No
- o Is the project likely to affect any listed or proposed endangered or threatened species or critical habitats? **NOTE:** If the foot print of the building is not expanded and the project involves no other activities that involve soil disturbance, vegetation removal, or unusually loud noise, the documentation should state that a finding of no effect is being made (50 CFR § 402.13[a]) because there is no potential for impact from single family rehabilitation.  
 Yes  No
- o **If your answer is YES, compliance is required with Section 7 of the Endangered Species Act, which mandates consultation with the Fish and Wildlife Service in order to preserve the species.**  
Comments:

Source Documentation:

**22. Sole Source Aquifers:**

- o Will the proposed project affect a sole source aquifer?  
 Yes  No  
Comments: There are no sole source aquifers in North Carolina.

Source Documentation: <http://www.epa.gov/region4/water/groundwater/r4ssa.html>

**23. Farmlands Protections (See Environmental Factor 3.3 of Handbook 1390.2)**

- o If the site or area is presently being farmed, does the project conform with the Farmland Protection Policy Act and HUD policy memo? **NOTE:** This regulation does not apply to actions involving existing single family homes because it does not involve a conversion of land use.  
 Yes  No  NA (area not presently being farmed)
- o **If your answer is YES, compliance is required with 7 CFR Part 658, Department of Agriculture regulations implementing the Act.**  
Comments:

Source Documentation:

**24. Flood Insurance**

- o Is the building located or to be located within a Special Flood Hazard Area identified on a current Flood Insurance Rate Map (FIRM)?  
 Yes  No
- o **If your answer is YES, flood insurance protection is required for buildings located or to be located within a Special Flood Hazard Area as a condition of approval of the project.** In addition, compliance with § 55.12 and the floodplain management decision making process (§ 55.20) is required (refer to the Flood Management item above).
  - o Identify FEMA flood map used to make this finding:
    - Community Name and Number:
    - Map Panel Number and Date of Map Panel:

Comments:

Source Documentation:

**25. Environmental Justice**

- o Is the project located in a predominantly minority and low-income neighborhood?  
 Yes  No
- o Does this project site or neighborhood suffer from disproportionately adverse environmental effects on minority and low-income populations relative to the community-at-large?  
 Yes  No
- o **If the answer is YES, compliance is required with E.O. 12898, Federal Actions to Address Environmental Justice.**  
Comments:

Source Documentation:

**26. Unique Natural Features and Areas (See Environmental Factor 3.2 of Handbook 1390.2)**

- Is the site near natural features (e.g., bluffs or cliffs) or near public or private scenic areas?  
 Yes  No
  - Are other natural resources visible on site or in the vicinity? Will any such resources be adversely affected or will they adversely affect the project?  
 Yes  No
- Comments:

Source Documentation:

**27. Site Suitability, Access, and Compatibility with Surrounding Development (See Environmental Factors 1.1 and 1.3 of Handbook 1390.2)**

- Has the site been used as a dump, sanitary landfill or mine waste disposal area?  
 Yes  No
- Is there paved access to the site?  
 Yes  No
- Are there other unusual conditions on the site?  
 Yes  No
- Is there indication of:
  - Distressed vegetation  Yes  No
  - Waste materials/containers  Yes  No
  - Soil staining, pools of liquid  Yes  No
  - Loose/empty drums, barrels  Yes  No
  - Oil/chemical spills  Yes  No
  - Abandoned machinery, cars, refrigerators, etc.  Yes  No
  - Transformers, fill/vent pipes, Pipelines, drainage structures  Yes  No
- Is the project compatible with the surrounding area in terms of:
  - Land use  Yes  No
  - Building type (low/high rise)  Yes  No
  - Height Bulk  Yes  No
  - Building density  Yes  No
- Will the project be unduly influenced by:
  - Building deterioration  Yes  No
  - Postponed maintenance  Yes  No
  - Obsolete public facilities  Yes  No
  - Transition of land uses  Yes  No
  - Incompatible land uses  Yes  No
  - Inadequate off-street parking  Yes  No
- Are there air pollution generators nearby which would adversely affect the site:
  - Heavy industry  Yes  No
  - Incinerators  Yes  No
  - Power generating plants  Yes  No
  - Oil refineries  Yes  No
  - Cement Plants  Yes  No
  - Large parking facilities (1,000 or more cars)  Yes  No
  - Heavy traveled highway (6 or more lanes)  Yes  No
  - Other  Yes  No

Comments:

Source Documentation:

**28. Soil Stability, Erosion, and Drainage** (See Environmental Factor 1.2 of Handbook 1390.2)

- Slopes:  Not Applicable  Steep  Moderate  Slight
  - Is there evidence of slope erosion or unstable slope conditions on or near the site?  
 Yes  No
  - Is there evidence of ground subsidence, high water table, or other unusual conditions on the site?  
 Yes  No
  - Is there any visible evidence of soil problems (foundations cracking or settling, basement flooding etc.) in the neighborhood of the site?  
 Yes  No
  - Have soil studies or borings been made for the project site of the area?  
 Yes  No  Unknown
  - Do the soil studies or borings indicate marginal or unsatisfactory soil conditions?  
 Yes  No  No known soil studies or borings done
  - Is there indication of cross-lot runoff, swales, drainage flows on the property?  
 Yes  No
  - Are there visual indications of filled ground?  
 Yes  No
  - If your answer is YES, was a 79 (g) report/analysis submitted?**  
 Yes  No
  - Are there active rills and gullies on site?  
 Yes  No
  - If the site is not to be served by a municipal waste water disposal system, has a report of the soil conditions suitable for on-site septic systems been submitted?  
 Yes  No  Not Applicable
  - Is a soils report (other than structural) needed?  
 Yes  No
  - Are structural borings or a dynamic soil analysis/geological study needed?  
 Yes  No
- Comments:

Source Documentation:

**29. Nuisances and Hazards** (See Environmental Factors 1.3 and 1.4 of Handbook 1390.2)

- Will the project be affected by natural hazards:
  - Faults, fractures  Yes  No
  - Cliffs, bluffs, crevices  Yes  No
  - Slope-failures from rain  Yes  No
  - Unprotected water bodies  Yes  No
  - Fire hazards materials  Yes  No
  - Wind/sand storm concerns  Yes  No
  - Poisonous plants, insects, animals  Yes  No
  - Hazardous terrain features  Yes  No
- Will the project be affected by built hazards and nuisances:
  - Hazardous street  Yes  No
  - Dangerous intersection  Yes  No
  - Through traffic  Yes  No
  - Inadequate separation of pedestrian/vehicle traffic  Yes  No
  - Children's play areas located next to freeway or other high traffic way  Yes  No
  - Inadequate screened drainage catchments  Yes  No
  - Hazards in vacant lots  Yes  No
  - Chemical tank-car terminals  Yes  No
  - Other hazardous chemical storage  Yes  No
  - High-pressure gas or liquid petroleum transmission lines on site  Yes  No

- Inadequate street lighting  Yes  No
- Quarries or other excavations  Yes  No
- Dumps/sanitary landfills or mining  Yes  No
- Railroad crossing  Yes  No
- Overhead transmission lines  Yes  No
- Hazardous cargo transportation routes  Yes  No
- Oil or gas wells  Yes  No
- Industrial operations  Yes  No
- Will the project be affected by nuisances:
  - Gas, smoke, fumes  Yes  No
  - Odors  Yes  No
  - Vibration  Yes  No
  - Glare from parking area  Yes  No
  - Vacant/boarded-up buildings  Yes  No
  - Unsightly land uses  Yes  No
  - Front-lawn parking  Yes  No
  - Abandoned vehicle  Yes  No
  - Vermin infestation  Yes  No
  - Industrial nuisances  Yes  No
  - Other  Yes  No

Comments:

Source Documentation:

**30. Water, Supply Sanitary Sewers, and Solid Waste Disposal** (See Environmental Factors 2.1, 2.2, and 2.4 of Handbook 1390.2)

- Is the site served by an adequate and acceptable water supply:
  - Water supply  Yes  No
  - If yes, is the supply:
    - Municipal or  Private
  - If the water supply is non-municipal, has an acceptable system been approved by appropriate authorities and agencies?  Yes  No
  - Sanitary sewers and waste water disposal systems  Yes  No
    - If yes, is the system:
      - Municipal or  Private
  - If the sanitary sewers and waster water disposal systems are non-municipal, has an acceptable system been approved by appropriate authorities and agencies?  Yes  No
  - Trash collection and solid waste disposal  Yes  No
    - If yes, is the service:
      - Municipal or  Private

Comments:

Source Documentation:

**31. Schools, Parks, Recreation, and Social Services** (See Underwriting/Environmental Factors 4, 5, and 6 of Handbook 1390.2)

- Will the local school system have the capability to service the potential school age children from the project?  Yes  No
- Are parks and play spaces available on site or nearby?  Yes  No
- Will social services be available on site or nearby for residents of the project?  Yes  No

Comments:

Source Documentation:

**32. Emergency Health Care, Fire, and Police Services** (See Underwriting/Environmental Factors 7, 8, and 9 of Handbook 1390.2)

- Are emergency health care providers located within reasonable proximity to the project?  
 Yes  No Approximate response time:
- Are police services located within reasonable proximity to the project?  
 Yes  No Approximate response time:
- Is fire fighting protection  municipal or  volunteer adequate and equipped to service the project?  
 Yes  No Approximate response time:  
 Comments:

Source Documentation:

**33. Commercial/Retail and Transportation** (See Underwriting/Environmental Factors 10 and 11 of Handbook 1390.2)

- Are commercial/retail shopping services nearby?  
 Yes  No
- Is the project accessible to employment, shopping services by:  
 public transportation or  private vehicle?
- Is adequate public transportation available from the project to these facilities?  
 Yes  No
- Are the approaches to the project convenient, safe and attractive?  
 Yes  No  
 Comments:

Source Documentation:

**34. Utilities**

Utilities to serve project	Projected demand per day	Length of lines to be constructed	Capacity of lines (inches diameter)	Environmentally Sensitive Areas to be Cut (for utility acres)
Electric				
Potable Water				
Sewage				
Solid Waste Disposal				
Natural Gas				
Water				

**35. Land Alterations**

Alteration (planned use)	Present Use (before changes)	Previous Use (historical)	Acres	Percent of Project Area
To Be Acquired				
To Be Developed				
To Be Originally Cleared				
To Be Landscaped				
To Be Covered by Impermeable Surface (Square Feet)				
To Be Cut (Cubic Yards)				
To Be Filled (Cubic Yards)				

36. Topography				Types of Vegetation					
Slope	Acres	% of Area	Soil Types (use USDA and SCS classification)	Forested		Non-Forested			
				Pine	Hardwood	Mixed	Brush	Grassland	Other

**37. Streams that surface runoff from project area drains into** (attach a map with a illustration of the relative position)

Site includes/borders classified trout waters <input type="checkbox"/> Yes <input type="checkbox"/> No	Site includes/borders on estuarine waters <input type="checkbox"/> Yes <input type="checkbox"/> No	Site includes/borders on drinking water sources <input type="checkbox"/> Yes <input type="checkbox"/> No
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The project will involve impoundment or withdrawal of water.  Yes  No  
 If yes, please provide an illustrated map. If impoundment is planned, the amount of water to be impounded is approximately \_\_\_\_\_ acre/feet and surface acres/feet.

**38. Note classes of wildlife known to exist in the general area:**

- Bears
- Deer
- Turkey
- Waterfowl
- Small Game (squirrel, quail, rabbit, raccoon, dove, etc.)
- Endangered/Threatened Species (osprey eagle, alligator, red cockaded woodpecker, etc.)

Will proposed forestry practices such as burning, clear-cutting, or thinning have adverse effects on any of the above species?  Yes  No  
 If yes, explain:

Are proposed pesticides or herbicides known to have adverse effects on humans or any of the above species?  Yes  No  
 If yes, which ones?

**39. Conditions and Requirements:**

- o Are mitigation measures required?  
 Yes  No
- o If your answer is YES, list and describe:

**40. Summary of Findings and Conclusions:**

**41. Summary of Environmental Conditions:**

**42. Project Modifications and Alternatives Considered:**

NSP Grant Number:   
 State Clearinghouse Number:

43. Summary of additional studies performed, if any (attach study):

44. List all North Carolina State permits, authorizations and licenses that must be acquired to initiate and complete the project activities:

<u>Permit</u>	<u>NC General Statute</u>	<u>Application Date</u>	<u>Approval Date</u>
Stationary Air Contaminant Source	143.215.108		
Air Quality Complex Source	143.215-109		
Construction of Wastewater Pretreatment Facilities	143.215.1		
Wastewater Discharge (to surface water)	143.215		
Approval to Construct Public Water Systems	130A-315 NCAC T15A. 18C		
Dredge and Fill	113.229		
Withdrawal of Water from "Capacity Use Area"	143.215.15		
Erosion Control Plan	113A.61		
Zoning Change or Variance			
Coastal Resource Commission	113A.118		
Noise Control Regulations	153A.113		
Other:			
Other:			

45. Please include a project map. If the project is occurring in multiple places, identify all sites and provide addresses.

46. Please provide labeled photos of all project sites.

**Part A. Compliance Findings for § 50.4 Related Laws and Authorities**

§ 50.4 Laws and Authorities	Project is in Compliance		Source Documentation (Required)
	Yes	No	
Coastal Barrier Resources	<input type="checkbox"/>	<input type="checkbox"/>	
Floodplain Management (24 CFR Part 55)	<input type="checkbox"/>	<input type="checkbox"/>	
Historic Preservation (36 CFR Part 800)	<input type="checkbox"/>	<input type="checkbox"/>	
Noise Abatement (24 CFR Part 51 Subpart B)	<input type="checkbox"/>	<input type="checkbox"/>	
Hazardous Operations (24 CFR Part 51 Subpart C)	<input type="checkbox"/>	<input type="checkbox"/>	
Airport Hazards (24 CFR Part 51 Subpart D)	<input type="checkbox"/>	<input type="checkbox"/>	
Protection of Wetlands (E.O. 11990)	<input type="checkbox"/>	<input type="checkbox"/>	
Toxic Chemicals & Radioactive Materials (§ 50.3(i))	<input type="checkbox"/>	<input type="checkbox"/>	
Other § 50.4 authorities (e.g., endangered species, sole source acquires, farmlands protection, floodplain insurance, environmental justice)	<input type="checkbox"/>	<input type="checkbox"/>	

**Part B. Environmental/Program Factors**

Factors	Anticipated Impact/Deficiencies			Source Documentation (Required)
	None	Minor	Major	
Unique Natural Features and Areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Site Suitability, Access, and Compatibility with surrounding development	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Soil Stability, Erosion, and Drainage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Nuisances and Hazards (natural and built)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Water Supply/ Sanitary Sewers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Solid Waste Disposal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Schools, Parks, Recreation, and Social Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Emergency Health Care, Fire and Police Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Commercial/Retail and Transportation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**Part C.**

Is project in compliance with applicable laws and regulations?  
 Yes  No



**DETERMINATION OF EXEMPTION**  
(24 CFR 58.34)

I hereby certify that the following activities comprising the \_\_\_\_\_ Program have been reviewed and determined exempt per 24 CFR 58.34(a) as follows:

- (1) Environmental and other studies, resource identification and the development of plans and strategies;
- (2) Information and financial services;
- (3) Administrative and management activities;
- (4) Public services that will not have a physical impact or result in any physical change, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs;
- (5) Inspections and testing of properties for hazard or defects;
- (6) Purchase of Insurance;
- (7) Purchase of tools;
- (8) Engineering or design cost;
- (9) Technical assistance and training;
- (10) Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair or restoration activities necessary only to control or arrest the effects from disasters, imminent threats or physical deterioration;
- (11) Payment of principal and interest on loans made or obligations guaranteed by HUD;
- (12) Any of the categorical exclusions listed in 58.35(a) provided that there are not circumstances which require compliance with any other federal laws and authorities cited in 58.5.

In accordance with 24 CFR 58.34 (b), no further approval form from HUD or the State is necessary for the drawdown of funds to implement this program.

However, the responsible entity must still document in writing its compliance with and/or applicability of the "other requirements" listed at 58.6 .

\_\_\_\_\_  
Signature of Mayor or Chairman

\_\_\_\_\_  
Date

**Categorical Exclusion (Not Subject to 58.5)**  
**24 CFR 58.35 (b)**

I hereby certify that the following activities comprising \_\_\_\_\_ Program has been reviewed and determined to be categorically excluded per 24 CFR 58.35 (b) as follows.

(1) Tenant-based rental assistance

(2) Supportive services including, but not limited to, health care, housing services, permanent housing placement, daycare, nutritional services, short term payments for rent/mortgage/utility cost and assistance in gaining access to local, state, federal government benefits and services

(3) Operation cost, including but not limited to equipment purchase inventory financing, interest subsidy, operation expenses and similar cost not associated with construction or expansion of existing operations

(4) Economic development activities including but not limited to equipment purchases, inventory financing, interest subsidy, operating expenses and similar cost not associated with construction or expansion of existing operations

(5) Activities to assist home ownership of existing "or new dwelling units not assisted with federal" including closing cost and down payment assistance to homebuyers interest buy downs and similar activities that result in the transfer of title to a property

(6) Affordable housing predevelopment construction including legal, consulting, developer and other cost related to obtaining site options project financing administrative cost and fees for loan commitments, zoning approvals, and other related activities, which do not have a physical impact. Documentation indicating compliance with 24 CFR Part 58.6 attached (when applicable)

\_\_\_\_\_  
Signature of Mayor of Chairman

\_\_\_\_\_  
Date

**Categorical Exclusion (Subject to 58.5)**  
**24 CFR 58.35 (a)**

I hereby certify that the following activities comprising \_\_\_\_\_ Program has been reviewed and determined to be categorically excluded 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 sidewalk, 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:
  - (i) In the case of multifamily residential buildings:
    - (A) Unit density is not changed more than 20%:
    - (B) The estimated cost of rehabilitation is less than 75% of the total Estimated cost of replacement after rehabilitation.
    - (C) The project does not involve changes in land use from residential to Non-residential: and
  - (ii) In the case of non-residential structures, including commercial, industrial, and public buildings:
    - (A) The facilities and improvements are in place and will not be changed In size or capacity by more than 20% : and
    - (B) The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or 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 for the same use.
- (6) Combination of the above activities.

\_\_\_\_\_  
Signature of Mayor or Chairman

\_\_\_\_\_  
Date

**Compliance Documentation Checklist**  
**24 CFR Part 58.6**  
**“Other requirements”**

For “**Exempt**” and “**Categorically Excluded not subject to**” projects/activities, compliance with the related laws and authorities listed in 58.5 is not required. However, recipients remain responsible for addressing and carrying out any applicable compliance measures for the requirement listed in 58.6. These requirements include:

(1) The Flood Disaster Protection Act of 1973 – Federal financial assistance for acquisition or construction purposes (including rehab) may not be used in a special flood hazard area as identified by FEMA unless:

- (i) The community in which the area is situated is participating in the National flood Insurance program and;
- (ii) Flood insurance protection is to be obtained as a condition of the approval of financial assistance to the property owner.

Is the project located within a special flood hazard area a designated on a current FEMA flood map?  
Yes      No

Identify FEMA map used to make your finding.

If the project is located in a special flood hazard area, has flood insurance been obtained?  
Yes      No

(2) The Coastal Barrier Resources Act - HUD assistance may not be used for most activities proposed in the Coastal Barrier resources System.

Is the project located within a coastal barrier designated on a current FEMA flood map?  
Yes      No

If yes, Identify FEMA map used to make your finding.

***NOTE: If your answer is yes, the law prohibits federal funding of Projects in designated coastal barriers unless it is a functionally dependent use.***

(3) Runway Clear Zones and Clear Zones – In all cases involving HUD assistance, subsidy, or insurance for the purchase or sale of an existing property in a runway Clear Zone or Clear Zone the responsible entity shall advise the buyer that the property is in a runway clear zone or clear zone, what the implication of such a location are, and that there is a possibility that the property may, at later date, be acquired by the airport. The buyer must sign a statement acknowledge receipt of this information.

Is the project located in a Runway Clear Zone/Clear Zone?  
Yes      No

If so, has the buyer signed a statement of acknowledgment?  
Yes      No