Determination of Level of CDBG Environmental Review

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **PART A** | | | | | | |
| Grantee/Applicant Community: | | | | Grant # or Program Year: | | |
| Project Name: | | | | | | |
| Project Location (City, State): | | | | | | |
| Project Description | | | | | | |
|  | | | | | | |
| **PART B** | | | | | | |
| The subject project has been reviewed pursuant to HUD regulations 24 CFR Part 58—*Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities*, and the following determination with respect to the project, and its component activities, is made (more than one level of review may apply, depending on project’s activities): | | | | | | |
|  | | | | | | |
|  | **Exempt** from NEPA review requirements per 24 CFR 58.34(a)(   )(   )(   )(   ) | | | | | |
|  | \*See attached Finding of Exempt Activity | | | | | |
|  |  | | | | | |
|  | **Categorically Excluded NOT Subject** **to §58.5** authorities per 24 CFR 58.35(b) (   )(   )(   ) | | | | | |
|  | \*See attached Finding of Categorical Exclusion Not Subject to §58.5 | | | | | |
|  |  | | | | | |
|  | **Categorically Excluded Subject** **to §58.5** authorities per 24 CFR 58.35(a) (   )(   )(   ) | | | | | |
|  | \*See attached Finding of Categorical Exclusion Subject to §58.5 | | | | | |
|  |  | | | | | |
|  | An **Environmental Assessment** (EA) is required to be performed | | | | | |
|  |  | | | | | |
|  | An **Environmental Impact Statement** (EIS) is required to be performed *(****Contact DCEO ERO to confirm****)* | | | | | |
|  | | | | | | |
| Grantee Environmental Reviewer | | | | | | |
| Completed by (signature): | |  | | | |  |
| Name, Title, Organization: | | |  | | Date: |  |

Finding of Exempt Activity [24 CFR 58.34(a)]

|  |  |
| --- | --- |
|  |  |
|  | 1. Environmental and other studies, resource identification and the development of plans and strategies [58.34(a)(1)] |
|  |  |
|  | 2. Information and financial services [58.34(a)(2)] |
|  |  |
|  | 3. Administrative and management activities [58.34(a)(3)] |
|  |  |
|  | 4. Public services that will not have a physical impact or result in any physical changes, 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 [58.34(a)(4)] |
|  |  |
|  | 5. Inspections and testing of properties for hazards or defects [58.34(a)(5)] |
|  |  |
|  | 6. Purchase of insurance [58.34(a)(6)] |
|  |  |
|  | 7. Purchase of tools [58.34(a)(7)] |
|  |  |
|  | 8. Engineering or design costs [58.34(a)(8)] |
|  |  |
|  | 9. Technical assistance and training [58.34(a)(9)] |
|  |  |
|  | 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 or imminent threats to public safety including those resulting from physical deterioration [58.34(a)(10)] |
|  |  |
|  | 11. Payment of principal and interest on loans made or obligations guaranteed by HUD [58.34(a)(11)] |
|  |  |
|  | 12. Any of the categorical exclusions listed in §58.35(a) provided that there are no circumstances which require compliance with any other Federal laws and authorities cited in §58.5 [58.34(a)(12)] |

**Finding of Categorical Exclusion Not Subject to   
§58.5 [24 CFR 58.35(b)]**

|  |  |
| --- | --- |
|  | 1. Tenant-based rental assistance [58.35(b)(1)] |
|  |  |
|  | 2. Supportive services including, but not limited to, health care, housing services, permanent housing placement, day care, nutritional services, short-term payments for rent/mortgage/utility costs, and assistance in gaining access to local, State, and Federal government benefits and services [58.35(b)(2)] |
|  |  |
|  | 3. Operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment and other incidental costs [58.35(b)(3)] |
|  |  |
|  | 4. Economic development activities, including but not limited to, equipment purchase, inventory financing, interest subsidy, operating expenses and similar costs not associated with construction or expansion of existing operations [58.35(b)(4)] |
|  |  |
|  | 5. Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction, including closing costs and down payment assistance, interest buydowns, and similar activities that result in the transfer of title [58.35(b)(5)] |
|  |  |
|  | 6. Affordable housing pre-development costs including legal, consulting, developer and other costs related to obtaining site options, project financing, administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact [58.35(b)(6)] |
|  |  |
|  | 7. Approval of supplemental assistance (including insurance or guarantee) to a project previously approved under this part, if the approval is made by the same responsible entity that conducted the environmental review of the original project and re-evaluation of the environmental findings in not required under §58.47 [58.35(b)(7)] |

**Finding of Categorical Exclusion Subject to   
§58.5 [24 CFR 58.35(a)]**

|  |  |  |
| --- | --- | --- |
|  |  | |
|  | 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 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets) [58.35(a)(1)] | |
|  |  | |
|  | 2. Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons [58.35(a)(2)] | |
|  |  | |
|  | 3. Rehabilitation of buildings and improvements when the following conditions are met: | |
|  |  | |
|  |  | i. In the case of a building for residential use (with one to four units), the density is not increased beyond four units, the land use is not changed, and the footprint of the building is not increased in a floodplain or in a wetland [58.35(a)(3)(i)] |
|  |  |  |
|  |  | ii. In the case of multifamily 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, and the estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation [58.35(a)(3)(ii)] |
|  |  |  |
|  |  | iii. 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, and the activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial to another [58.35(a)(3)(iii)] |
|  |  | |
|  | 4(i). An individual action on up to four dwelling units where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between [58.35(a)(4)(i)]. [This section does not apply to rehabilitation of a building for residential use (with one to four units)]. | |
|  |  | |
|  | 4(ii). An individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site [58.35(a)(4)(ii)]. [This section does not apply to rehabilitation of a building for residential use (with one to four units)]. | |
|  |  | |
|  | 5. Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use [58.35(a)(5)] | |
|  |  | |
|  | 6. Combinations of the above activities [58.35(a)(6)] | |