

FY2008 CDBG ADMINISTRATIVE MANUAL



Community Development Block Grant Program

Harry S Truman Building

301 West High Street, Room 770

PO Box 118

Jefferson City, Missouri 65102

Telephone: (573) 751-3600

Fax: (573) 526-4157

TDD: (573) 526-3459

DEPARTMENT OF ECONOMIC DEVELOPMENT

Gregory A. Steinhoff, Director

Sallie Hemenway, Interim Deputy Director

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Andy Papen, Compliance Manager

James Robnett, Housing/Acquisition

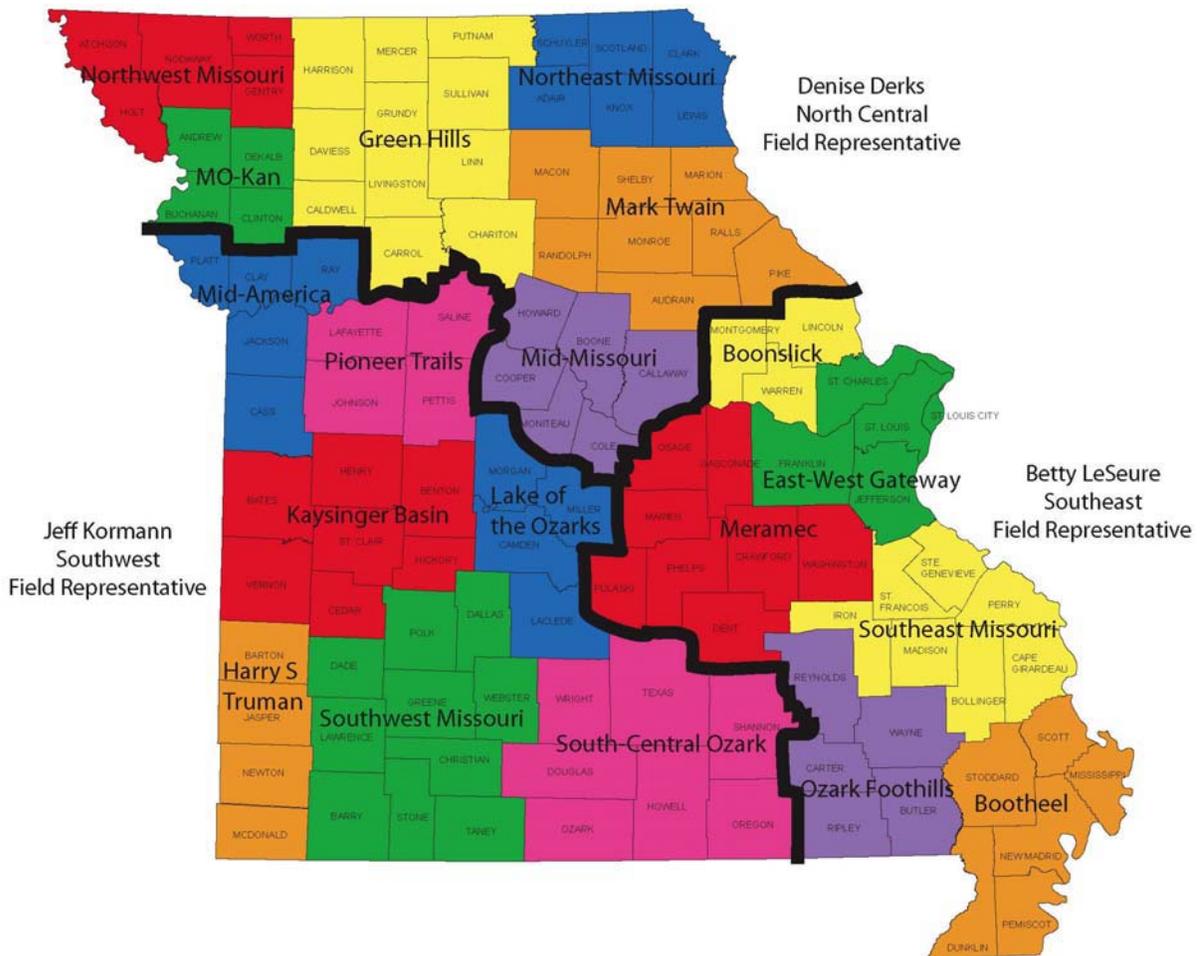
Marcy Mealy, Support Staff

Julie Backers, Financial Management

Elizabeth Roberts, Project Development

Jo Ann Dent, Environmental Review

FIELD STAFF



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CHAPTER IV

ENVIRONMENTAL REVIEW

INTRODUCTION

All projects and all project activities undertaken by CDBG Responsible Entities (RE) (grantees or applicants) are subject to the provisions of the *National Environmental Policy Act of 1969*, as amended (NEPA), which established national policies, goals, and procedures for protecting, restoring and enhancing environmental quality. In addition to NEPA requirements, CDBG-assisted projects are also subject to other related laws and Federal, State, and local authorities addressed in this chapter.

The NEPA created the *Council for Environmental Quality* (CEQ). The CEQ ensures that Federal agencies implement regulations so that environmental values are given appropriate consideration and decision-making in Federally-assisted or permitted actions. The CEQ analyzes and interprets environmental trends and are conscious of and responsive to economic, social, aesthetic, and cultural needs and interests of the Nation and formulate and recommend national policies to promote the improvement of the quality of the environment. ***Procedures within Federal Government programs must ensure that environmental information is available before decisions are made and before actions are taken.***

CDBG recipients, also known as *Responsible Entities (RE)* under HUD regulation, are required to follow specific procedures for carrying out Federal environmental review responsibilities as specified in **24 CFR Part 58**. A determined effort should be made to become familiar with all aspects of 24 CFR Part 58. A copy of this regulation is contained in the MO CDBG Environmental Resource Manual and may also be accessed on the Internet at the following link:

http://www.access.gpo.gov/nara/cfr/waisidx_04/24cfr58_04.html.

EVERY project requires some level of environmental review. As a recipient of CDBG funds, the RE is responsible for evaluating how the project effects the environment and what impacts the environment may have on the project, including short term, cumulative, and long term impacts. The environmental review is a means by which we can improve the quality of projects, protect the environment, and aid the lives of people who will benefit. **The environmental review, especially when started EARLY, will save time and money in the long run.**

**PLEASE BE
AWARE!**

The Responsible Entity/grantee cannot obligate CDBG funds or expend funds from any source, private or otherwise, for use in a CDBG-assisted project; no new construction, excavation, demolition, rehabilitation, repair, modification, or acquisition of property can commence, nor commitment made to undertake such activities, until the environmental review is complete and the MO Department of Economic Development has issued a formal release of funds.

***FAILURE TO COMPLY WITH THESE REQUIREMENTS WILL
JEOPARDIZE CDBG FUNDS FOR USE IN YOUR PROJECT***

HUD/CDBG ENVIRONMENTAL LANGUAGE

Below are commonly used HUD/CDBG environmental terms. Knowledge and use of the terms and adopted language of governing Federal environmental regulation 24 CFR Part 58 will aid in learning HUD/CDBG environmental requirements; ensuring communication is clear among all parties involved and compliance is achieved.

Activity – Action by an applicant, grantee, or sub-recipient in a CDBG-assisted project regardless if the activity is paid with CDBG or Non-CDBG funds.

Certifying Officer – Chief elected official authorized to execute the Request For Release of Funds & Certification, assumes role of *Responsible Federal Official* under NEPA and related Federal laws and authorities, and accepts jurisdiction of the Federal Courts on behalf of the Responsible Entity in environmental matters.

Cumulative Impacts – Resulting when effects of an action are added to or interact with other effects in a particular place, within a particular time. Cumulative impacts accumulate over time, from one or more sources, and can result in degradation of valuable resources. Cumulative impact analysis should focus on the combined effects and resulting environmental damage. As federal projects cause or are affected by cumulative impacts, they must be assessed in documents prepared under the National Environmental Policy Act (NEPA).

Environmental Review Record (ERR) – Concise public record containing original documentation related to the environmental review, decision-making and activities. ERR must be available at the RE location; County Courthouse or City/Village Hall.

Environmental Assessment (EA) – Concise public document providing evidence and analysis of a more complex review resulting in a determination of a Finding of No Significant Impact (FONSI) or a Finding of Significant Impact (FOSI), and exhibits proof of compliance with NEPA.

Human Environment – Natural and physical environment and its relationship with people.

Mitigation – Measures to reduce potential impacts such as avoiding certain actions, limiting the degree or magnitude of an action and its implementation, and rectifying the impact through repair, rehabilitation, and/or restoration of the affected environment.

Project – Activity or group of activities designed to accomplish, in whole or in part, a specific objective.

Project Aggregation – Grouping together and evaluating all individual activities related on a geographical or functional basis or that are logical parts of a contemplated action, regardless of funding source.

Release of Funds – Official CDBG issuance of environmental review approval for a project. The release of funds is the State's response to an RE's submission of the Request For Release of Funds & Certification form.

Responsible Entity (RE) – Always a unit of general local government assuming environmental responsibility for a CDBG funded project via an executed grant agreement with the State and/or certification of the RROF/C, ensuring any conditions, procedures, and requirements resulting from the environmental review are incorporated in project plans and successfully implemented.

Statutory Checklist – On its own, a document used for a lower level of review to address environmental compliance required by other Federal laws implementing regulations, Executive Orders, and for other HUD compliance requirements.

Sub-recipient/applicant – In the State CDBG program, a State-recognized non-profit entity, public water or sewer district, fire or ambulance district, or for-profit business or developer responsible for notifying the RE immediately if changes or alternatives are proposed in the project.

COMMONLY USED ENVIRONMENTAL ACRONYMS

- ACHP** – Advisory Council on Historic Preservation
- ACM** – Asbestos Containing Material
- ADT** – Average Daily Traffic
- APCP** – Air Protection Control Program
- APE** – Area of Potential Effects
- APZ** – Accident Potential Zones
- ASD** – Acceptable Separation Distance
- AST** – Aboveground Storage Tanks
- ASTM** – American Society for Testing and Materials
- CDBG** – Community Development Block Grant
- CENST** – Categorically Excluded Not Subject To
- CEST** – Categorically Excluded Subject To
- CERCLA** – Comprehensive Environmental Response, Compensation and Liability Act
- CFR** – Code of Federal Regulations
- CLG** – Certified Local Government
- COG** – Council of Government
- CEQ** – Council on Environmental Quality
- DED** – MO Department of Economic Development
- DNL** – Day Night (average sound) Level
- DNR** – MO Department of Natural Resources
- DOC** – MO Department of Conservation
- DOE** – United States Department of Energy
- EA** – Environmental Assessment
- EIS** – Environmental Impact Statement
- EJ** – Environmental Justice
- EPA** – United States Environmental Protection Agency
- ESA** – Endangered Species Act
- ERR** – Environmental Review Record
- FEMA** – Federal Emergency Management Agency
- FIRM** – Flood Insurance Rate Map
- FONSI** – Finding of No Significant Impact
- FOSI** – Finding of Significant Impact
- HAP** – Hazardous Air Pollutants
- HUD** – United States Department of Housing and Urban Development

LBP – Lead Based Paint
MOA – Memorandum of Agreement
MODOT – MO Department of Transportation
NAAQS – National Ambient Air Quality Standards
NAL – Noise Assessment Location
NEPA – National Environmental Policy Act
NESHAP – National Emission Standards for Hazardous Air Pollutants
NFIP – National Flood Insurance Program
NHPA – National Historic Preservation Act
NOI/RROF – Notice of Intent to Request Release of Funds
NPDES – National Pollutant Discharge Elimination System
NPS – National Park Service
NRCS – National Resources Conservation Service, USDA
NWI – National Wetlands Inventory
OSHA – Occupational Safety and Health Act
PA – Programmatic Agreement
RAP – Remedial Action Plan
RCRA – Resource Conservation and Recovery Act
RE – Responsible Entity (CDBG applicant or grantee)
RPC – Regional Planning Commission
RROF/C – Request For Release of Funds and Certification
SEMA – MO State Emergency Management Agency
SFHA – Special Flood Hazard Area
SHPO – MO State Historic Preservation Office
SWD – Storm Water Discharge
UST – Underground Storage Tanks
URA – Uniform Relocation Act
USACE – United States Army Corps of Engineers
USDA – United States Department of Agriculture
USDA RD – United States Department of Agriculture Rural Development
USFWS – United States Fish and Wildlife Service
USGS – United States Geological Survey
VCP – Voluntary Cleanup Program
WSR – Wild and Scenic River

STEPS IN THE CDBG ENVIRONMENTAL REVIEW PROCESS

STEP 1: DESIGNATE THE PERSON(S) RESPONSIBLE FOR CARRYING OUT THE ENVIRONMENTAL REVIEW

The Responsible Entity (RE) is ALWAYS a unit of general local government (also known as a CDBG applicant, grantee, or recipient) who assumes the responsibilities for the environment review, environmental decision-making, and all environmental action. The RE must determine who is knowledgeable, qualified and experienced in assisting the RE in preparing documents that carry out the important environmental review responsibilities. ***Remember, the RE is solely accountable should issues arise – choose wisely!***

What makes a person qualified to carry out the environmental review process successfully?

1. **Knowledge** of the HUD/CDBG program and NEPA compliance requirements through previous grants management and regular participation at HUD/CDBG trainings, awareness of local environmental issues, knowledge of rural community and regional needs, and familiarity of various resources available.
2. **Time** to conduct site visits, contact and consult with environmental regulatory agencies, analyze data and information, complete required forms and paperwork, maintain a complete ERR, communicate regularly with the RE, keep the review process moving, and ensure minimal mistakes are made
3. **Positive Partnerships** with the RE, CDBG staff, community resource agencies, and Federal and State environmental regulatory and funding agencies.
4. **Resources** available such as current CDBG forms, manuals, and training materials; varied communication methods such as e-mail, fax, telephone, cell phone; and reliable means of transportation.
5. **Flexibility** to be available to the RE at times that fit their schedules and needs.
6. **Innovativeness** to recognize and address the unique needs of each rural community and the ability to make the most of limited resources available.
7. **Desire** to ensure projects do not adversely impact the environment while ensuring the environment is compatible with the proposed project and all related activities, and to ensure compliance with Part 58 requirements.

Commonly Used Options for Environmental Preparer:

1. Use of existing RE staff persons (city engineer, planner, city administrator, economic or community developer, city/county clerk, etc.)
2. Local Regional Planning Commissions/Councils of Governments
3. Private Grant Consultants/Administrators
4. Other Federal or State Environmental and/or Funding Agencies
5. Licensed or certified Engineers, Planners and Architects
6. Private Environmental Consultants/Agencies

PLEASE BE AWARE!

If CDBG funds are proposed to pay for any contract - including environmental studies and services - the RE must follow CDBG procurement methods. If CDBG funds are not proposed, then RE procurement methods apply.

STEP 2: CREATE THE ENVIRONMENTAL REVIEW RECORD (ERR) (24 CFR 58.38)

The RE must maintain a written record of the environmental review undertaken for each project and make it available for public review at the RE address. The ERR must provide a clear description of the proposed project and environmental review process from start to finish including, but not limited to, the following:

1. Complete, detailed project description including all activities proposed, by all funding sources
2. Pre-existing environmental conditions of the project site and surrounding area
3. Completed CDBG approved environmental forms – use the most current forms.
4. Acceptable support documentation; maps (U.S.G.S, aerial, zoning, FEMA floodplain, soil survey, etc.), web-based material, color photographs, documented site visits and agency consultations, site plans, architectural/engineering reports, previous environmental studies, agency comments and clearances, etc.
5. Proof of compliance with NEPA and related laws and authorities
6. Conditions of environmental approval and proof of required implementation
7. All environmental studies required and completed
8. Mitigation measures required, completed, and the outcomes of each
9. Project and activity alternatives considered and explanation of determination of chosen alternatives
10. Evidence of public involvement and published environmental notices
11. Environmental determination (Finding) signed by the RE Certifying Officer
12. CDBG Request For Release of Funds/Certification
13. CDBG formal release of funds/environmental approval
14. Other information as requested by CDBG and Federal and State environmental regulatory agencies

The ERR is a legal document. It is the best and sometimes only defense to prove compliance was achieved with applicable laws and regulations. It should result in a complete record supporting each step of the environmental process ending in the final determination of the level of impact.

STEP 3: DEVELOP THE PROJECT DESCRIPTION

The project description is critical in determining the level of environmental review required. A cold reader should clearly understand the scope, scale, nature and extent of the proposed project from the description. **The project description should remain identical on all forms and correspondence.** At a minimum, the project description should contain the following:

1. ALL proposed project activities in detail, regardless of funding source
2. Entire project scope and all phases of the project from beginning to end
3. Exact project location, supported by a locational map
4. Color photographs, site plans, project plans, renderings and maps (e.g., topographic, aerial)
5. Total project costs by all funding sources including in-kind activities
6. Existing environment on and around project site and how it is expected to change as a result of the project
7. Temporary impacts anticipated by construction activities and a timeline for construction

8. Other information as recommended by CDBG

STEP 4: DETERMINE THE LEVEL OF ENVIRONMENTAL REVIEW

24 CFR Part 58 provides instructions and guidance to the RE to conduct the required environmental review process. Every CDBG project requires some level of environmental review. There are five levels of environmental review to consider:

1. Exempt
2. Categorically Excluded, Not Subject To 58.5 (CENST)
3. Categorically Excluded, Subject To 58.5 (CEST)
4. Environmental Assessment (EA)
5. Environmental Impact Statement (EIS)

Exempt Activities (24 CFR 58.34)

Exempt activities are those having no physical impact or result in no physical change on the environment. Other than documenting the level of review as Exempt, the RE does not have to comply with actions under NEPA and other provisions of laws or authorities cited in §58.5. Funds from any source may be used for these purposes after the RE executes the CDBG funding contract known as the Funding Approval, and the Finding of Exemption form is completed and submitted to CDBG. The following activities are Exempt under §58.34:

1. Environmental and other studies, resource identification and 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 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;
5. Inspections and testing of properties for hazards or defects;
6. Purchase of insurance;
7. Purchase of tools;
8. Engineering or design costs;
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 or imminent threats to public safety including those resulting from 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 there are no circumstances which require compliance with any other Federal laws and authorities cited in §58.5.

Categorically Excluded Activities (24 CFR 58.35)

If an activity is determined not Exempt, the RE must determine if it is Categorically Excluded. Categorically Excluded activities are those *excluded from NEPA requirements, but may be subject to review under other Federal laws and authorities listed in 24 CFR 58.5*. There two classifications of Categorically Excluded activities, those listed under **§58.35 (a)** and those listed under **§58.35(b)**.

(a) 58.35(a) Categorically Excluded Activities SUBJECT TO §58.5 (CEST):

The following activities may be subject to review under authorities listed in §58.5:

- (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).
- (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 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;
 - (ii) In the case of multifamily residential buildings:
 - (A) Unit density is not changed more than 20 percent;
 - (B) The project does not involve changes in land use from residential to non-residential; and
 - (C) The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation.
 - (iii) 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 percent; 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)
 - (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 combination in between; or
 - (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.
 - (iii) Paragraphs (a)(4)(i) and (ii) of this section do not apply to rehabilitation of a building for residential use (with one to four units) (see paragraph (a)(3)(i) of this section).
- (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.
- (6) Combinations of the above activities.

(b) 58.35(b) Categorically Excluded Activities NOT SUBJECT TO §58.5 (CENST):

HUD has determined the following activities do not alter any conditions requiring a review of compliance determination under Federal laws and authorities cited in §58.5

- (1) Tenant-based rental assistance;
- (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;
- (3) Operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment and other incidental costs;
- (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;
- (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.
- (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.
- (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 on the original project and re-evaluation of the environmental findings is not required under §58.47.

Environmental Assessment (EA) (24 CFR 58.36)

If a project is not Exempt or Categorically Excluded, or does not meet the threshold of an Environmental Impact Statement (EIS - the highest level of review), an *Environmental Assessment* is required. The purpose of the EA is to determine the significance of the environmental effects and to look at alternative means to achieve the RE's objectives. Once actual and potential impacts as a result of project activities and all alternatives are identified, the RE must then assess if adequate and reasonable mitigation measures are feasible to undertake the project. It is at this point that the RE is then capable of choosing the best project alternative and related activities to meet the needs of the RE and its beneficiaries, while maintaining compatibility with the environment.

Environmental Impact Statements (EIS) (24 CFR 58.37)

An Environmental Impact Statement, the highest level of review, is required when, after completion of an EA, the project is determined to have a potentially significant impact on the human environment. If a Finding of Significant Impact (FOSI) is made, contact CDBG for consultation and guidance.

**KEEP IN
MIND!**

The project is the aggregation of all geographically and functionally related activities that comprise the project as a whole, becoming the basis for the environmental review. A project is never parsed out into individual activities to enable separate, small-scale reviews. Rather, it is the project as a whole that dictates the level of review required.

Once the level of environmental review is determined for your project, continue to **STEP 5** - completing the review procedures that are applicable to the level of review required for your project and related activities. Document the finding of level of review by means of the 'Determination of Level of Review' form.

STEP 5 – PROCEDURES FOR APPLICABLE LEVELS OF ENVIRONMENTAL REVIEW

Exempt Projects and/or Activities (§58.34)

A project may be determined Exempt when consisting of an exempt activity *only*, such as planning. Additionally, a project may be comprised of both exempt and non-exempt activities. In this case, and only in this case, the exempt activities can be assessed separately in order to advance project development and/or payments for Exempt activities.

Example: A CDBG project commonly includes both construction and grant administration activities. Construction is a physical activity that impacts the environment to some degree, requiring an environmental review encompassing the project as a whole – such as in an Environmental Assessment level of review. However, grant administration is an Exempt activity having no impact on the environment; therefore, funds may be expended for the grant administration activity only and the grant administration may begin prior to completion of the Environmental Assessment that will examine the environmental impacts of the construction-related activities proposed.

When, as indicated in the example above, a project is separated into Exempt activities as well as those activities that require a higher level of review, more than one procedural step will apply to document compliance. An Exempt determination is required in addition to the steps required to complete the environmental assessment. **Remember that all Exempt activities included in your project must be documented in order to inform DED that compliance has been met and that project funds may be expended and are allowable for those Exempt activities.**

Document Exempt only projects and activities as follows:

1. Complete the 'Determination of Level of Review' form if the project as a whole is Exempt.
2. Complete the CDBG '**Finding of Exemption**' form identifying only all Exempt activities in your project as cited in §58.34. File both forms in the ERR and submit copies to CDBG. It is acceptable to fax or e-mail clear, signed copies; however, mail originals to CDBG. If your project includes *only* Exempt activities, no further action is required. However, if there are any changes in the scope of the project, they are subject to environmental review requirements.

Document projects that include Exempt and Non-Exempt activities as follows:

If your project includes Exempt activities and non-Exempt activities, determine the level of review required for the project as a whole and continue on to complete the procedures required for that level of review.

REMEMBER!

Completion of the 'Finding of Exemption' form is required if the project consists solely of an exempt activity(ies), or if the project requires that some exempt activity(ies) be undertaken in advance of the project as a whole. File the form in the ERR and submit a copy to CDBG.

Categorically Excluded Levels of Review

1. For activities that are Categorically Excluded SUBJECT TO (CEST) other related Federal laws and authorities [§58.35(a)], the following procedures are required:
 - a. Complete the ‘Determination of Level of Review’ form.
 - b. Complete and submit the Section 106 Project Information Form to SHPO for review and recommendation. The SHPO has a minimum 30-day review period upon receipt of your information. If all required information is not submitted and a request for more information by the SHPO is needed, the SHPO will have an additional 30-day review of the information. In some instances, this review period may be longer. It is wise to plan for a longer review.
 - c. Complete the ‘Statutory Checklist’ and attach the ‘Determination of Level of Review’ form. If the project lies in a floodplain or wetland, the HUD 8-Step Decision Making Process applies. Refer to the Statutory Checklist Floodplain Management Section for steps in this process. If applicable, follow and document all steps in the process. Publish the ‘Early Public Notice’, (the initial floodplain/wetland notice), in a non-legal section of the newspaper of widest circulation, and observe the 15-day comment period, beginning the day after publication.
 - d. Once all environmental clearances applicable to the project are received, submit the Statutory Checklist and all supporting documentation to the CDBG Environmental Review Officer. Once reviewed by CDBG, publish the ‘Notice of Intent To Request Release of Funds’ (NOI) (and ‘Notice of Explanation’ floodplain/wetland notice, if applicable) in a non-legal section of the newspaper of widest circulation. The NOI requires a 7-day local comment period beginning the day after publication. Floodplain/wetland notices require separate comment periods – see HUD 8-Step Decisions Making Process in the Statutory Checklist. If any comments are received in writing, respond in writing, resolve any issues, and provide copies of all correspondence to CDBG.
 - e. Once the 7-day local comment period expires for the NOI and if applicable, for the Notice of Explanation, submit a copy of the publication(s) and affidavit(s) of publication along with the Request For Release of Funds and Certification (RROF&C) form to CDBG. It is acceptable to fax or e-mail clear, signed copies to expedite the comment period; however, originals must also be mailed to CDBG. The day after receipt of this information, CDBG will begin a 15-day State comment period reviewing the entire process for compliance.
 - f. On the 16th day, pending resolution of any conditions by other environmental agencies or concerned individuals and groups, CDBG will release funds by means of a ‘Pre-Grant Award Environmental Approval Letter’ for proposed projects not yet funded, and by means of the ‘Authority to Use Grant Funds/Completion of Environmental Review Requirements’ for CDBG-funded projects.
2. For activities Categorically Excluded NOT SUBJECT TO (CENST) other related Federal laws and authorities [§58.35(b)], the following procedure is required:
 - a. Complete the ‘Determination of Level of Review’ form.
 - b. Complete the ‘Categorical Exclusion Not Subject To Related Statutory Authorities’ form attach the ‘Determination of Level of Review’ form, and submit both to the CDBG Environmental Review Officer for review. It is acceptable to fax or e-mail clear, signed copies; however, mail originals to CDBG.
 - c. Upon receipt and review by CDBG, the environmental review process is complete.

Environmental Assessment Level of Review (§58.36)

If a project is not Exempt or Categorically Excluded, it **requires** completion of an **Environmental Assessment** along with applicable environmental notices and comment periods described below.

1. Complete the 'Determination of Level of Environmental Review' form.
2. Complete the Section 106 Project Information Form and submit to the SHPO for review and recommendation. The SHPO has a minimum 30-day review period upon receipt of your information. If the SHPO requests more information, an additional 30-days is added for review of the information. In some instances, this review period may be longer. *It is wise to plan for a longer review.*
3. Complete the Environmental Assessment, document the finding of level of impact and submit the assessment and all supporting documentation to the CDBG Environmental Review Officer for review. After review, publish the applicable environmental public notices.

Note: If USDA Rural Development (RD), MO Department of Natural Resources (DNR), MO Department of Transportation (MODOT), US Environmental Protection Agency (EPA), or other agency is involved in the project, REs may adopt their environmental assessments as long as **all project activities, regardless of the funding source, are addressed and ALL CDBG environmental impact areas are addressed.** The RE Certifying Officer must sign and certify the assessment. If other Federal or State Agency Environmental Assessments are considered, contact CDBG first. Use of the 'CDBG Environmental Impacts Checklist', located in this chapter, may be helpful in determining if all CDBG requirements are met.

4. If a project lies within a floodplain or wetland, the HUD 8-Step Decision Making Process (see Environmental Assessment Floodplain Management section) applies including publication of the 'Early Public Notice' one time in a non-legal section of the newspaper of widest circulation. A 15-day comment period begins the day after publication. If comments are received in writing, the RE must respond in writing, resolve issues, and provide copies of all correspondence to CDBG.
5. If the project is in a floodplain/wetland, publish the Notice of Explanation one time in a non-legal section of the newspaper of widest circulation, and observe the 7-day comment period. This notice must not be published until the 15-day comment period expires for the Early Public Notice. This notice must be published and the 7-day comment period expired before publishing the Combined Notice.
6. Publish the 'Combined Notice' (Notice of Finding of No Significant Impact/Notice of Intent to Request Release of Funds), one time in a non-legal section of the newspaper of widest circulation. Submit notices to the agencies listed further in this chapter. Observe the 15-day local comment period that begins the day after publication. If comments are received in writing, respond in writing, resolve issues, and provide copies of all correspondence to CDBG.
7. Once the 15-day local comment period expires, submit a copy of the publication(s) and affidavit(s) of publication along with the 'Request For Release of Funds and Certification' form (RROF&C) to CDBG. It is acceptable to fax or e-mail clear, signed copies to expedite the comment period; however, originals must also be mailed to CDBG.
8. One day after receipt of the above information, CDBG begins a 15-day State comment period where the entire review process is assessed for compliance. On the 16th day, pending any conditions by environmental agencies, CDBG will release funds via a '**Pre-Grant Award Environmental Approval Letter**' for proposed projects, and via the '**Authority to Use Grant Funds/Completion of Environmental Review Requirements**' for projects awarded CDBG funds.

Note: If at anytime the project scope changes, if new circumstances and/or environmental conditions arise, or if alternatives not considered originally are selected, the impacts of the changed project/activities must be reassessed, and the original finding reviewed for validity. If a new finding is made, new environmental notices must be published and a new Request For Release of Funds and Certification process is required.

DED OBJECTIONS TO RELEASE OF FUNDS

DED will not approve the Request for Release of Funds before 15 calendar days have elapsed from the time of receipt of the Request for Release of Funds & Certification (RROF&C). All objections must be received by DED within the 15-day period. DED will consider objections of a grantee's noncompliance with environmental requirements based on any of the grounds listed below. These are the only bases upon which DED will not approve the Request for Release of Funds and Certification.

- The certification was not in fact executed by the RE/grantee Certifying Officer.
- The RE/grantee has failed to make one of the two findings pursuant to §58.40 or to make the written determination as required, either a Finding of Significant Impact (FOSI) or Finding of No Significant Impact to the environment.
- The RE/grantee has omitted one or more of the steps for the preparation and completion of an environmental review including publishing applicable notices and observing required comment periods, and completion of an EA.
- Another Federal agency has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.
- The RE/grantee has omitted one or more of the steps for the preparation and completion of an Environmental Impact Statement.
- The RE/grantee or other participants in the development process have committed funds, incurred costs, or undertaken activities not authorized by 24 CFR Part 58.75 before the release of funds and approval of the environmental certification by DED/CDBG.
- No opportunity was given to the Advisory Council on Historic Preservation or its Executive Director to review the effect of the project on a property listed on the National Register of Historic Places or found to be eligible for such listing by the Secretary of the Interior.
- With respect to a project where environmental circumstances cause a reevaluation of assessment findings, the use of prior environmental impact statements, or the use of supplemental impact statement, the grantee has failed to include in the Environmental Review Record (ERR) the written decision required, or its decision is not supported by facts specified by the objecting party.

If no objections are received, DED/CDBG will issue a 'Pre-Grant Award Environmental Approval' letter or the notice of 'Authority to Use Grant Funds/Completion of Environmental Review Requirements', depending upon when the environmental review process is completed.

CONDITIONS FOR APPROVAL

When reviewing project activities for potential adverse environmental impacts, it may be determined that certain conditions be met during the course or at the end of a project to alleviate or minimize the effects.

Example: If a project has the potential to adversely impact a floodplain, it may be necessary for engineering design plans to include measures to control storm water runoff through planting vegetation, grading, or using other water diversion tactics to preserve the floodplain. This would be explained under “Conditions of Approval” on the Statutory Checklist or Environmental Assessment document, whichever document is applicable to the level of review required.

Once the environmental review process is complete, including any environmental conditions determined and how they will be implemented, DED may issue environmental approval (release of funds) with the condition that certain measures or controls be included in design plans and construction contract documents. Evidence that conditions were met will be reviewed during the project or at the project close out monitoring. Authorized environmental agencies, local zoning and codes, and project engineers are resources to consult when determining if a project requires conditions be met after DED issues environmental approval, as well as how to address conditions so that compliance is achieved. It may be helpful to contact the CDBG Environmental Officer to discuss whether conditions may exist. Other common examples of projects with conditions for environmental approval:

- For residential and commercial demolition projects, asbestos compliance requirements are completed and documentation is submitted to CDBG prior to conducting demolition activities or drawing down funds for those activities.
- A project may require implementation of an environmental agency’s best practice recommendations such as in the case of potential adverse effects to endangered species where US Fish & Wildlife and the MO Department of Conservation offer specific recommendations to minimize or avoid impacts to critical habitat through design and construction activities over the course of a project.
- Certain types of permitting may be required for the purpose of avoiding or reducing violations of various environmental laws. Permits may include requirements for implementing operational controls, or specific instructions for modeling, monitoring, and testing after completion of a project. This is often the case in Economic Development projects involving companies whose operations have the potential to pollute the air or water or cause adverse impacts to any aspect of the human and natural environments.

TIERING (24 CFR §58.15)

Tiering is a means to environmentally assess a project in the early stages of development or when site-specific analysis is not currently feasible resulting in a more focused evaluation once additional information is known. If tiering is considered, it is recommended that CDBG be contacted for guidance.

Tier I: Broad Review. Address all laws and authorities for known sites and activities via the Environmental Assessment or Statutory Checklist, whichever is applicable to the level of review required, and establish a plan (narrative) for the site specific or subsequent review for future sites and activities. Publish the applicable public notice (NOI or NOI/RROF) and submit the Request For Release of Funds and Certification (RROF&C) to DED.

Tier II: Site-Specific Review. No public notice or RROF&C is required unless unanticipated impacts are determined or impacts in the Tier I review were not adequately addressed in the Tier I review.

TIERING COMPLIANCE AND DOCUMENTATION:

Tiering commonly occurs in projects such as demolition only projects in which some structures proposed for demolition may be known at the time of the review; however, additional structures may be considered later in the project. Other commonly seen projects that may use tiering include Downtown Revitalization and Micro-enterprise Loan projects. Consult with CDBG if tiering may be an option. Following are guidelines when using the tiered approach in a review:

- The review should address those impacts that may occur on a typical site and/or an explanation provided of those impacts that would definitely vary by site.
- There should be a geographic designation of the area where unspecified sites are located.
- During the first tier review, public notices must be disseminated and published and comment periods observed. *Public notices must clearly state that as activities and/or properties become known, they will be assessed for relevant environmental impacts and any mitigation measures required to alleviate or minimize adverse impacts will be implemented.*
- The Request For Release of Funds & Certification must be submitted to CDBG to obtain environmental approval for the project as a whole. Decisions may be made on broad issues, but written documentation of compliance is required before funds are committed for *specific* sites and/or activities.
- If there are significant changes or unrelated activities added to the project, the review requires re-assessment of all environmental impacts and identification of alternatives prior to committing the activity to the project. Based on re-evaluation, determine if the finding made as a result of the initial review remains valid, if new environmental notices should be published and a new Request For Release of Funds & Certification process completed.

MULTI-YEAR/PHASED PROJECTS [24 CFR §58.32(D)]

The following are guidelines for preparing a useful multi-year environmental assessment for projects proposed to evolve over several years, as commonly used for large-scale water and wastewater projects or downtown revitalization projects. The RE's environmental review should consider the relationship among all components of the multi-year/phased project regardless of the source of funds, addressing and evaluating their cumulative environmental effects.

- The ERR shall contain a clear description of all activities proposed throughout the course of the project and a timetable or schedule of activities, and whether the environmental review is intended to encompass the project over time, in phases. Each phase must be explained in as much detail as possible at the time of the initial review. The estimated *total* project cost shall also be listed.
- Address cumulative effects of all proposed activities occurring over several years including local and regional trends such as projected growth, and any future goals for the area such as new housing development and/or development of commercial areas that could not be accomplished without the CDBG-assisted project. Comprehensive plans are especially helpful in ensuring all related project activities are included and usually explain the future goals and trends planned for the area or community.
- Monitor the project to ensure it is progressing as planned in order to continue verifying the validity of the environmental review and finding.

OTHER FEDERAL/STATE AGENCY ENVIRONMENTAL ASSESSMENTS

When USDA Rural Development, MO Department of Natural Resources (DNR), MO Housing Development Commission (MHDC), HUD, U.S. Department of Commerce, Economic Development Administration (EDA), MO Department of Transportation (MODOT), US Environmental Protection Agency (EPA), or other State or Federal agencies, are partnering with CDBG in a project, the RE/grantee may adopt their respective agency environmental assessment in place of the CDBG Environmental Assessment, provided the following are met:

- Environmental assessment and reports must be current and all project activities, regardless of funding source, addressed, as well as all HUD/CDBG environmental impact areas and compliance requirements. The RE/grantee may attach additional documentation to another agency's assessment if necessary to meet HUD/CDBG requirements. To ensure all requirements are met, it may be helpful to use the '**CDBG Environmental Impact Checklist**', located in this chapter. The adopted environmental assessment must be reader friendly and easy to follow and understand. The RE's Certifying office must sign the environmental assessment, certifying he/she has independently evaluated the document remaining responsible for its accuracy and validity.
- A copy of the entire environmental assessment/report and all supporting documentation must be submitted to CDBG, as is customary, for review and comment. After the CDBG review, publish the required HUD/CDBG public notices.
- **Please be aware, you must publish only HUD/CDBG Environmental Notices**
- (Combined Notice, Notice of Intent, Floodplain Notices, etc.) and comply with applicable CDBG comment periods. Other agency notices and comment periods do not meet HUD/CDBG requirements.

RE-EVALUATION OF ENVIRONMENTAL ASSESSMENTS AND OTHER ENVIRONMENTAL FINDINGS [24 CFR §58.47]

The re-evaluation of a project is required when new activities are added, unexpected conditions arise, or substantial changes are made to nature, to the magnitude or extent of a project. The RE must re-evaluate the Environmental Review Record with respect to any changes in project scope to determine if the original finding [Finding of No Significant Impact (FONSI) or Finding of Significant Impact (FOSI)] remains valid. If the RE determines the FONSI remains valid and the FONSI notice has already been published, no further publication of a FONSI notice is required.

If the RE determines the original finding is no longer valid, it must prepare an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) if its evaluation indicates potentially significant environmental impacts.

Contact the CDBG Environmental Officer for guidance if an RE is re-evaluating its ERR.

CDBG ENVIRONMENTAL RESOURCE MANUAL

The CDBG Environmental Resource Manual was developed to assist RE's/grantee's and anyone preparing an environmental review in understanding environmental impact areas required for review in HUD/CDBG-assisted projects, as well as laws, regulations, statutes, and authorities governing each environmental impact area, and the various agencies responsible for regulating compliance.

The manual also contains contact information for authorized environmental regulating agencies. Information in the manual includes website addresses, helpful web based materials, HUD and other agency requirements, HUD regulations and guidebook information, and where to access acceptable support documentation for HUD/CDBG environmental reviews. As new and additional information becomes available during environmental reviews, insert the information in the manual as reference for future use. Please be aware that some information may become outdated, so ensure use of the most current data available. **When possible and appropriate, consult this manual, and recommended sources therein, before contacting CDBG for assistance.**

ECONOMIC DEVELOPMENT PROJECTS

Timing is of the essence in most circumstances involving Economic Development (ED) projects. Most companies are anxious to begin expending funds and commencing construction activities once the project is known. It is critical the environmental review be initiated as soon as possible to minimize and/or avoid delays and prevent actions from occurring that could jeopardize CDBG funding for use in a project. All parties in the project (e.g., CDBG applicants, key company personnel, economic developers, RPCs/RCOGs, private grant consultants, etc.) should be alerted to HUD's environmental review compliance requirements as soon as possible. Applicants (Responsible Entities) and companies should access or be provided the most current environmental review information available. They should be afforded the opportunity to make thoughtful decisions about designing the project in the early stages of development.

As is the case in all CDBG projects, some level of environmental review is required for ED projects and all activities proposed by all funding sources must be included in the review. All geographically and functionally related activities make up a project. For example, a "project" is not a road proposed with CDBG funds; the road is simply one activity in the project. The project may be expansion of a company's operations and activities for this expansion could include new construction of a facility AND the public road needed to support the facility's operations. Individual activities must not be parsed out separately in an attempt to avoid completing environmental requirements. A project may

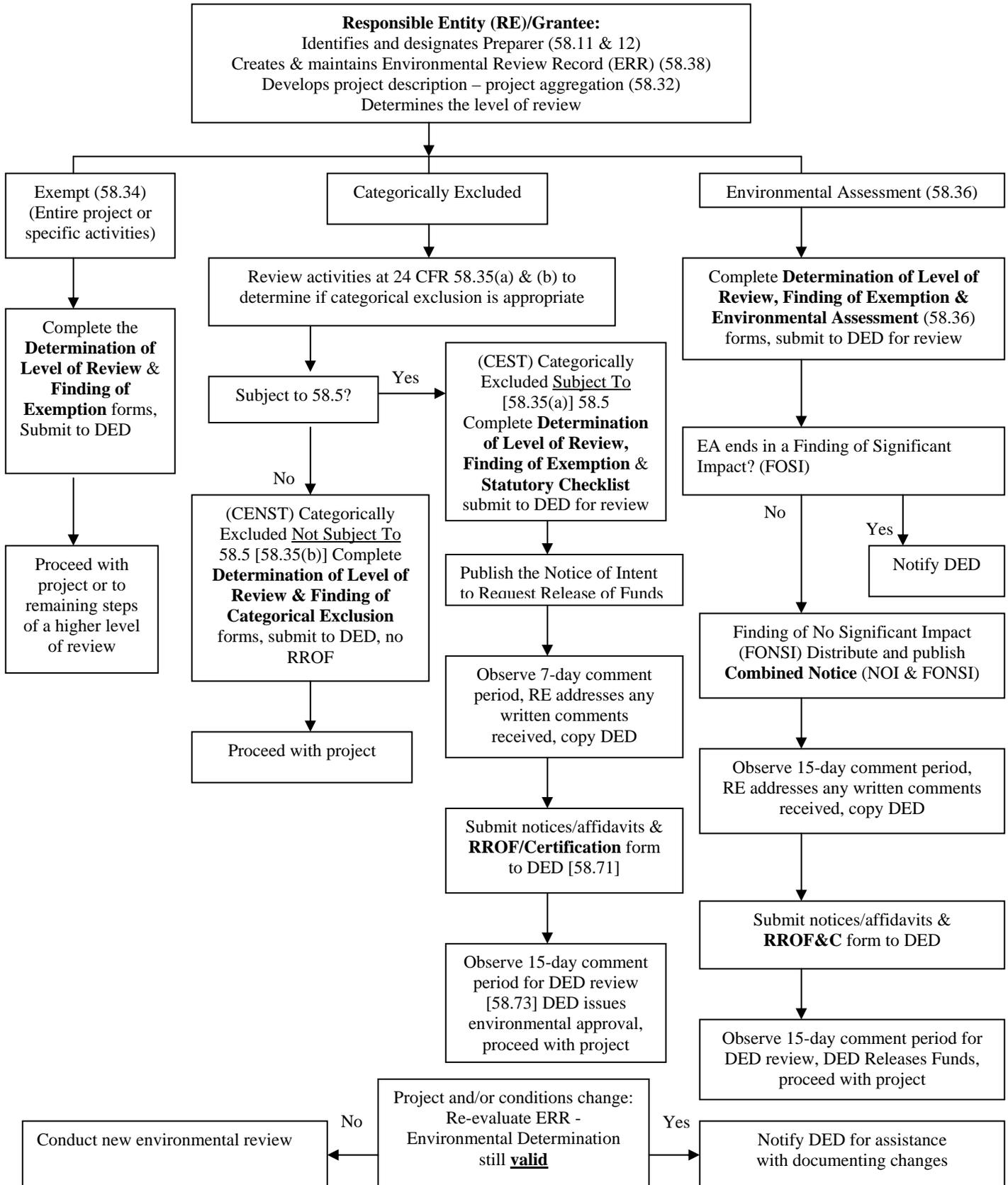
involve more than one activity funded by several sources including other federal and state agencies, cities or counties, banks and other lending institutions, private individuals, companies, etc.

Below are key points to consider when proposing CDBG funds for an ED project:

- All activities proposed by all funding sources must be included in the environmental review. Reviews are not conducted solely on activities proposed for CDBG funds.
- No construction, acquisition, rehabilitation, modifications, and excavation and no expenditures for working capital and no expenditures or installation of machinery and equipment proposed in the project must occur prior to the completion of the environmental review. Doing so will jeopardize CDBG funds for use in the project.
- The environmental review should be initiated as soon as the project is substantially known. If there is intent to apply for CDBG funds, the environmental review should be considered as early as possible in the development process.
- Once the required CDBG application public hearing notice is published, HUD/CDBG environmental review requirements go into effect.
- The environmental review cannot be waived. Once the level of environmental review is determined for a project, all steps in that process are required for completion prior to beginning the project.
- Environmental review is authorized and regulated by Federal law, not DED policy.
- Environmental reports, assessments, reviews, etc., completed by other agencies, may not fulfill all CDBG requirements. However, this information may be adopted by a Responsible Entity for use in the CDBG environmental review.

**** CONTACT THE CDBG ENVIRONMENTAL OFFICER AS SOON AS POSSIBLE IF CDBG FUNDS ARE PROPOSED FOR YOUR ED PROJECT.**

MISSOURI CDBG ENVIRONMENTAL REVIEW PROCESS GENERAL FLOW OF REVIEW PROCEDURES 24 CFR PART 58





DEPARTMENT OF ECONOMIC DEVELOPMENT

**COMMUNITY DEVELOPMENT BLOCK GRANT
DETERMINATION OF LEVEL OF ENVIRONMENTAL REVIEW**

RESPONSIBLE ENTITY (RE)	
PROJECT NAME	
CDBG PROJECT # (IF FUNDED)	DETAILED PROJECT LOCATION/ADDRESS
DETAILED PROJECT DESCRIPTION, <u>all</u> activities by <u>all</u> funding sources (attach additional pages as necessary)	
<p>The subject project has been reviewed by the RE pursuant to HUD regulation 24 CFR Part 58 and the following Determination of Level of Environmental Review is made: Check the box for the appropriate level and insert full citation in the blank space provided.</p> <p><input type="checkbox"/> <u>Exempt</u> from NEPA review requirements per 24 CFR 58.34(a)(___)</p> <p><input type="checkbox"/> <u>Categorically Excluded NOT Subject To</u> (CENST) §58.5 authorities per 24 CFR 58.35(b)(___)</p> <p><input type="checkbox"/> <u>Categorically Excluded SUBJECT To</u> (CEST) §58.5 authorities per 24 CFR 58.35(a)(___) (The Statutory Checklist is required.)</p> <p><input type="checkbox"/> <u>Environmental Assessment</u> (EA) is required in accordance with subpart E of 24 CFR Part 58.36</p> <p><input type="checkbox"/> <u>Environmental Impact Statement</u> (EIS) is required.</p>	
<p>The Environmental Review Record (ERR), as described at §58.38, contains all environmental documents, public notices and written determinations or findings required by Part 58 as evidence of the review, decision making, and actions pertaining to a particular project. Additional information, e.g., checklists, studies, analyses, and other documentation, are included as appropriate in the ERR.</p>	
PREPARED BY	
PRINT NAME	SIGNATURE
TITLE	DATE
RESPONSIBLE ENTITY CERTIFYING OFFICER	
PRINT NAME	SIGNATURE
TITLE	DATE



DEPARTMENT OF ECONOMIC DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT

**FINDING OF EXEMPTION
FOR SPECIFIC EXEMPT PROJECT ACTIVITIES OR EXEMPT ONLY
PROJECT (24 CFR §58.34)**

RESPONSIBLE ENTITY (RE)	
RE ADDRESS	
PROJECT NAME	
CDBG PROJECT # (IF FUNDED)	TOTAL AMOUNT OF FUNDS FOR EXEMPT ACTIVITIES
The following activities have been determined Exempt per 24 CFR 58.34.	
LIST EXEMPT PROJECT ACTIVITIES ONLY, by all funding sources:	
An Environmental Review Record (ERR) has been established supporting the above determination and is available for HUD/CDBG staff and general public review at the Responsible Entity's address.	
PREPARER SIGNATURE	DATE
PREPARER NAME & TITLE	
PREPARER'S AGENCY (IF DIFFERENT FROM RE)	
As RE Certifying Officer, I consent to the above finding of exemption for the specific above-listed project and/or activities. I understand the above are exempt from NEPA review requirements per 24 CFR 58.34; therefore, do not require a CDBG release of funds. I understand the RE may proceed with the above activities once the State CDBG program has issued a formal funding award and a CDBG Funding Approval/Grant Agreement is fully executed.	
RE CERTIFYING OFFICER SIGNATURE	DATE
RE CERTIFYING OFFICER NAME & TITLE	



**FINDING OF CATEGORICAL EXCLUSION,
NOT SUBJECT TO RELATED STATUTORY AUTHORITIES [24 CFR §58.35(b)]**

Responsible Entity/Grantee: _____

Project Name: _____

Project Number (*if funded*): _____

Certain CDBG funded activities that do not impose a physical impact require a Responsible Entity/grantee, as defined at 24 CFR §58.2, to determine whether the proposed activity is Categorically Excluded from the National Environmental Policy Act of 1969 (NEPA), as amended, and not subject to the environmentally-related statutory authorities listed at 24 CFR §58.5.

This form provides a Responsible Entity/grantee with a format to make this determination. A detailed description of the project should be attached to this form, as well as other applicable documentation proving compliance, and submitted to the CDBG Environmental Officer for review. Maintain all documentation in the Environmental Review Record (24 CFR §58.38). HUD's environmental regulation (24 CFR Part 58) should also be consulted as necessary. Check a **single box** that best describes or fits the proposed project.

- Tenant-based rental assistance [58.35(b)(1)].
- Supportive services [58.35(b)(2)], including, but not limited to, health care, housing services, permanent housing placement, day care, nutritional services, and short-term payments for rent/mortgage/utility costs.
- Operating costs [58.35(b)(3)], including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment, and other incidental costs.
- Economic development activities [58.35(b)(4)], 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.
- Activities to assist homeownership of existing or new dwelling units not assisted with Federal funds [58.35(b)(5)], including closing costs and down payment assistance to home buyers, interest buy-downs, and similar activities that result in the transfer of title to a property.
- Affordable housing predevelopment costs [58.35(b)(6)], 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.

§58.6 Requirements: Additionally, the Responsible Entity/grantee must ensure compliance with §58.6 requirements; Flood Disaster Protection Act of 1973/Flood Insurance, Coastal Barriers Resources Act, and Airport Runway Clear Zones/Clear Zone Disclosures. Completion of the remainder of this form, along with attached documentation, will serve as evidence of compliance with these requirements.

Does the project involve acquisition, construction, or rehabilitation of structures, buildings, or mobile homes by any funding sources? (Attach FEMA/FIRM Map, Panel Number and Date as documentation) YES NO

If Yes, does the community participate in the National Flood Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)? (Attach page listing from FEMA Community Status Book <http://www.fema.gov/fema/csb.shtm>) YES NO

FY2008 CDBG Administrative Manual
Environmental Review

If Yes, and the project lies in a FEMA-identified Special Flood Hazard Area and HUD/CDBG assistance is provided as a grant, flood insurance must be maintained for the economic life of the project, in the amount of total project costs, or up to the maximum allowable coverage, whichever is less. If HUD/CDBG assistance is provided as a loan, insurance must be maintained for the term of the loan, in the amount of the loan, or up to the maximum allowable coverage, whichever is less. A copy of the flood insurance policy declaration must be in the Environmental Review Record.

If No, Federal assistance may not be used in the Special Flood Hazard Area.

Is the project located in a Coastal Barrier Resource Area? There are no CBRA's in MO YES NO
(print and attach - <http://coastalmanagement.noaa.gov/mystate/welcome.html>)

Does the proposed activity entail the sale or acquisition of existing property within a Civil Airport's Runway Protection Zone, Approach Protection Zone, or a Military Installation's Protection Zone? YES NO

If Yes, the Responsible Entity/grantee shall provide notification to the prospective buyer in accordance with the procedures at 24 CFR §58.6(c) and a copy of the signed disclosure statement (provided in the CDBG Environmental Resource Manual under Airport Hazards) must be attached to this form and submitted to CDBG, and maintained in the Environmental Review Record.

Provide a detailed description of all project activities by all funding sources: (Attach additional pages as necessary.)

In accordance with the provisions of 24 CFR §58.35(b), the Responsible Entity/grantee cited below has determined the subject CDBG-assisted activity (or project) explained above is Categorically Excluded from the National Environmental Policy Act of 1969 (NEPA), as amended, and Not Subject to the Related Part 58.5 Statutory Authorities.

RESPONSIBLE ENTITY (RE) LOCATION (CITY/COUNTY)	DATE

DETERMINATION BY (PREPARER)	
PRINT NAME	SIGNATURE

RE/GRANTEE CERTIFYING OFFICER
SIGNATURE

**SAMPLE COVER LETTER TO ENVIRONMENTAL AGENCIES
REQUEST FOR PROJECT REVIEW & COMMENT/CLEARANCE**

(Date)

Mr./Ms. _____

Agency Name _____

Address _____

Address _____

RE: *Grantee/applicant & Name of project*

Dear _____,

The *City/County/Village* of _____ is preparing a NEPA review regarding a project proposed with Missouri Community Development Block Grant Program (CDBG) assistance. The City requests your review of this proposed project to determine the potential for any adverse environmental impacts (*list specific environmental impacts as appropriate*).

The proposed project is located at (*Address, coordinates, boundaries, city, county, etc.*) and will consist of (*Detailed description of project – refer to the engineering/architectural report and funding application – all project descriptions should remain the same in all project documents*).

Enclosed you will find a topographic map with the project site clearly identified, and color photographs of the site and surrounding area (*and forms or other information as required by agencies*). Please provide written comments and/or recommendations for any mitigation measures by _____, (*Insert date – allow sufficient time, 30 days from receipt of the information is encouraged, longer if project is complex*) to the following:

Your Name
Agency/Address
City, State, Zip

Please contact me at (*Telephone Number*) or by e-mail at (*E-mail Address*) if you have any questions or require additional information. Thank you for you assistance.

Sincerely,

Your Name/Title/Agency

cc: Jo Ann Dent, Environmental Officer, MO DED/CDBG

CDBG ENVIRONMENTAL IMPACT CHECKLIST

(For Use With Other Agency Environmental Assessments/Reports & Reviews)

Date Environmental Report Completed: _____

Name of other Entity/Agency: _____

Preparer Name/Agency: _____

Applicant/Grantee: _____ **CDBG Project # (if funded):** _____

<input type="checkbox"/> Project Location	<input type="checkbox"/> Estimated Project Costs
<input type="checkbox"/> Conditions of Environmental Approval	<input type="checkbox"/> Finding: <input type="checkbox"/> FONSI or <input type="checkbox"/> FOSI
<input type="checkbox"/> Signature of Certifying Officer (Mayor, Chairperson, Presiding Commissioner)	<input type="checkbox"/> Signature of Environmental Preparer
<input type="checkbox"/> Purpose and Need of Project	<input type="checkbox"/> Description of Project
<input type="checkbox"/> Existing Conditions & Trends	<input type="checkbox"/> Citizen Participation
<input type="checkbox"/> Historic Properties	<input type="checkbox"/> Water Quality
<input type="checkbox"/> Floodplain Management	<input type="checkbox"/> Air Quality
<input type="checkbox"/> HUD 8- Step Decision Making Process For Floodplains/Wetlands	<input type="checkbox"/> Contamination & Toxic Substances
<input type="checkbox"/> Flood Insurance (NFIP)	<input type="checkbox"/> Environmental Justice
<input type="checkbox"/> Wetlands Protection	<input type="checkbox"/> Socioeconomic
<input type="checkbox"/> Coastal Zones	<input type="checkbox"/> Community Facilities & Services
<input type="checkbox"/> Airport Hazards	<input type="checkbox"/> Wastewater
<input type="checkbox"/> Endangered Species <input type="checkbox"/> Federal <input type="checkbox"/> State	<input type="checkbox"/> Solid Waste
<input type="checkbox"/> Wild & Scenic Rivers <input type="checkbox"/> Federal <input type="checkbox"/> State	<input type="checkbox"/> Storm Water Drainage
<input type="checkbox"/> Farmland Protection	<input type="checkbox"/> Lead Based Paint
<input type="checkbox"/> Noise Control	<input type="checkbox"/> Asbestos
<input type="checkbox"/> Explosives & Flammable Operations	<input type="checkbox"/> Permitting
<input type="checkbox"/> Energy	<input type="checkbox"/> Radon
<input type="checkbox"/> Modifications & Alternatives	<input type="checkbox"/> Other:
<input type="checkbox"/> Other:	<input type="checkbox"/> Determination of Level of Environmental Review Form
<input type="checkbox"/> List Agencies Consulted	<input type="checkbox"/> Finding of Exemption Form

Type of Project: _____

Comments/Notes:



DEPARTMENT OF ECONOMIC DEVELOPMENT
Community Development Block Grant

301 W. High Street, Room 770

PO Box 118

Jefferson City, MO 65102

STATUTORY CHECKLIST
FINDING OF CATEGORICAL EXCLUSION [58.35(a)]
For State of Missouri CDBG-funded Projects

PROJECT NAME	CDBG PROJECT # (IF FUNDED)
RESPONSIBLE ENTITY/GRANTEE LOCATION [24 CFR 58.2(A)(7)(II)]	RE TELEPHONE NUMBER
CERTIFYING OFFICER NAME & TITLE [24 CFR 58.2(A)(2)]	

MO 419-2875 (05-07)

<u>CDBG STATUTORY CHECKLIST</u>	
PROJECT LOCATION/ADDRESS	
ESTIMATED TOTAL PROJECT COST, LIST ALL SOURCES & AMOUNTS	AMOUNT OF CDBG ASSISTANCE PROPOSED
RESPONSIBLE ENTITY <u>PROJECT CONTACT</u> NAME, ADDRESS, PHONE	
NAME OF GRANT <u>SUB-RECIPIENT</u>, IF APPLICABLE <input type="checkbox"/> N/A	
SUB-RECIPIENT <u>CONTACT PERSON</u> NAME, ADDRESS, PHONE <input type="checkbox"/> N/A	
<u>CONDITIONS FOR APPROVAL</u> [24 CFR 58.40(d), 40 CFR 1505.2(c)] - <i>As appropriate:</i> (List all mitigation and project modification measures adopted by the Responsible Entity to eliminate or minimize adverse environmental impacts. These conditions must be included in project contracts and all relevant agreement documents.) <u>Attach additional pages as necessary.</u>	

CDBG STATUTORY CHECKLIST

In my capacity as *Preparer* of the Statutory Checklist, as designated by the Responsible Entity, I hereby attest that the Statutory Checklist document is true and complete to the best of my knowledge.

PREPARER SIGNATURE

DATE

PREPARER NAME & TITLE

PREPARER'S AGENCY (IF DIFFERENT FROM RE)

In my capacity as *Certifying Officer* on behalf of the *Responsible Entity* and in conformance with 24 CFR Part 58, I have reviewed the attached CDBG Statutory Checklist prepared by the above-designated individual. I have independently evaluated the information contained within the Statutory Checklist, supplemented the information where appropriate, and, on behalf of the Responsible Entity, remain responsible for the accuracy of the information contained therein. I hereby approve of the Statutory Checklist document:

RE APPROVING OFFICIAL SIGNATURE

DATE

RE APPROVING OFFICIAL NAME & TITLE

CDBG STATUTORY CHECKLIST

Purpose and Need of the Project: [“Statement of Purpose and Need of the Proposal” – 40 CFR 1508.9(b)] (Attach additional pages as necessary.) Indicate the objective of the project and why it is needed.

Description of the Project: [24 CFR 58.32, 40 CFR 1508.25] Include all contemplated actions proposed by all funding sources as part of the project. Attach additional descriptive information, including scaled location map, U.S.G.S. topographic map, aerial photograph, site plans, renderings, photographs, budgets, etc. (Attach additional pages as necessary.)

Existing Conditions and Trends: [24 CFR 58.40(a)] Describe existing conditions of the project area and its surroundings, and the trends likely to continue in absence of the project.

STATUTORY CHECKLIST

SUMMARY OF ENVIRONMENTAL REVIEW

Impact Codes: 1=No impact anticipated 2=Potentially beneficial 3=Potentially adverse 4=Requires Mitigation 5=Requires project modification

Environmental Impact	Code	Documentation	Name/Address of Agency/Individual Contacted	Telephone Number	Date of Contact	Date of Response
Historic Properties						
Floodplain Management						
Flood Insurance						
Wetlands Protection						
Airport Hazards						
Endangered Species						
Wild & Scenic Rivers						
Farmland Protection						
Noise Control						
Explosive/Flammable Operations						
Water Quality						
Air Quality						
Contamination/Toxic Materials						
Environmental Justice						
Other:						

STATUTORY CHECKLIST

HISTORIC PROPERTIES

(Historic Preservation Act 16 U.S.C. 470 & 36 CFR Part 800)

1. Is any property in the project listed or eligible for listing on the National Register of Historic Places? YES NO
2. Is any property in the project located within or directly adjacent to a historic property? YES NO
3. Are all activities, regardless of funding source, included for the review? YES NO
If no, submit information on remaining activities, or if tiered review, as activities/properties are known.
4. Could the project or undertaking have religious or cultural significance to an Indian tribe? YES NO
5. Has a reasonable good-faith effort been made to identify any Federally-recognized Indian tribes that may have an interest in the project or undertaking? YES NO
6. Is a cultural resource survey required as part of the Section 106 Review? YES NO
If yes, indicate the type required and date accepted below:
 Architectural Survey Completed – Date of SHPO acceptance letter: _____
 Archaeological Survey Completed – Date of SHPO acceptance letter: _____
7. SHPO Project Number Assigned: _____
8. **Result of Section 106 Review:**
 No Historic Properties Affected - Date of SHPO Letter(s): _____
 No Adverse Affect – Date of SHPO Letter(s): _____
 No Adverse Effect With Conditions – List conditions: _____
 Date of SHPO acceptance letter: _____
 Adverse Affect - Project is either rejected or requires Memorandum of Agreement (MOA) with SHPO
9. MOA - Do terms of the MOA require that: N/A – MOA Not Required
Amend this section and attach documentation once SHPO acceptance received.
 All stipulations to be complete and approved by SHPO prior to beginning any physical project activities
 Physical activities may begin, but all stipulations must be approved by SHPO prior to project close out
 MOA Stipulations Accepted by the SHPO – Date of SHPO letter: _____
10. **Has compliance with SHPO been met?** YES NO
If no, explain why:

<http://www.dnr.mo.gov/shpo/sectionrev.htm> - Section 106 Review – MO SHPO
11. Check all source documentation applicable to this project and attach:
 SHPO Section 106 Project Information Form & Attachments
 Consultation correspondence (letters, e-mails, faxes, recorded phone calls)
 Cultural Resource Survey documentation
 MOA documentation completed and accepted by the SHPO
 SHPO Review letter(s) completed and accepted by the SHPO
 Other: _____

Additional Information/Explanations:

STATUTORY CHECKLIST

FLOODPLAIN MANAGEMENT

(E.O. 11988, 24 CFR Part 55)

1. Floodplain Management applies to projects involving ANY of the following - check all that apply:
- Acquisition of land or buildings
 - New Construction
 - Substantial Rehabilitation (i.e., modifications & improvements to buildings where rehabilitation costs exceed 50% of pre-rehabilitation value of building or where residential density increases more than 20%)
 - Expanding the footprint of buildings or structures
 - Infrastructure Improvements – Water, Sewer, Drainage, Roads, and Ditches
 - Other activities affecting land use _____

2. **Is the project located in a 100-year floodplain or designated floodway? Mark YES NO**
the project area clearly on the map.

<http://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1&userType=G> – FEMA Map Service Center

If Yes, skip to #4. If No, go on to #3.

3. You have determined the project is not located in a floodplain. Document the determination by completing the following:

Source Documentation: Attach FEMA Firmette Map or Flood Insurance Rate Map and mark the site of the project location on the map.

Community Name/Number: _____

Map Panel and Date of Map Panel: _____

If the area *has not been mapped*, obtain the best information possible from one or more of the following qualified sources: (Check all sources used and attach all documentation received)

- Community Flood Administrator
- US Army Corps of Engineers
- US Geological Survey Maps
- USDA Natural Resources Conservation Service
- Regional Planning Commission/Regional Council of Government Mapping
- Local flood control or levee district
- Other _____

4. You have determined your project is located in a floodplain/wetland. The HUD 8-Step Decision Making Process is required. Complete and attach the following 8-Step Decision Making form and all supporting documentation.

* Refer to the Preliminary Engineering/Architectural Report and/or consult with the engineer/architect for assistance. Consultation with environmental professionals may be appropriate.

STATUTORY CHECKLIST

HUD 8-STEP DECISION MAKING PROCESS

(Decision Making Process Under E.O. 11988 and 24 CFR 55.20)
(Attach additional pages as necessary for any step in the process.)

STEP 1 – Determine if the proposed action/project is located in a 100-year floodplain/wetland, or 500-year floodplain for a critical action.

Attach the FEMA Firmette Map or Flood Insurance Rate Map, mark the project site clearly on the map, and complete the following:

Community Name/Number: _____

Map Panel and Date of Map Panel: _____

(Continue to Step 2 if the area has been mapped)

Check here if the area has not been mapped by FEMA, and continue below.

If the area has not been mapped by FEMA, obtain and attach the best information available from one or more of the following accepted sources (check all sources used):

- Community Flood Administrator
- US Army Corps of Engineers
- US Geological Survey Maps
- USDA Natural Resources Conservation Service Soils Map
- Regional Planning Commission/Regional Council of Governments Mapping
- Local flood control or levee district
- Other _____

STEP 2 – Involve the public in the decision-making process.

Publish the Early Public Notice

The Early Public Notice is a notice of the proposal to consider an action in a floodplain/wetland. The notice must be published in a non-legal section of the newspaper of widest circulation. *A minimum 15-day comment period begins the day after publication.* Indicate if comments were received. If the RE receives any written comments, the RE must respond in writing, resolve any issues and provide copies to CDBG. Attach a copy of the notice and affidavit of publication to this form.

Name of Newspaper: _____

Date of publication: _____

Where adverse comments in writing received: YES NO
(If Yes, attach all correspondence.)

STATUTORY CHECKLIST

STEP 4 – Identify indirect and direct impacts associated with occupying or modifying the floodplain/wetland.

If the RE determines the only practicable alternative for the project/action is occupying or modifying the floodplain/wetland, then impacts to lives and properties and impacts to floodplains and/or wetlands, must be identified. If the RE determines an alternative site for the project exists out of the floodplain/wetland, project activities may still have an impact on the nearby floodplain/wetland and must also be identified to determine ways to minimize harm.

Explain in detail how the project/activity will affect the floodplain/wetland regarding the following types of impacts:

Positive or beneficial impacts to the floodplain/wetland, both direct and indirect:

Negative or harmful impacts to the floodplain/wetland, both direct and indirect:

Concentrated impacts – those occurring at or near the floodplain/wetland:

Dispersed or remote impacts occurring distant from the floodplain/wetland:

Short-term impacts to the floodplain/wetland (temporary impacts occurring immediately after an action lasting a short while):

Long-term impacts to floodplain/wetland (impacts occurring during or after an action that persist for considerable time or indefinitely):

Explain if the project encourages development in the floodplain/wetland:

STATUTORY CHECKLIST

STEP 7 – If re-evaluation results in no practicable alternative to relocate the project out of the floodplain/wetland, the decision must be made public.

Publish the Notice of Explanation

The Notice of Explanation must include reasons for locating the project/activity in the floodplain/wetland, all alternatives considered, and all mitigations measures planned.

The notice must be published in a non-legal section of the newspaper of widest circulation. *A 7-day comment period begins the day after publication.* If the RE receives written comments, the RE must respond in writing, resolve issues and provide copies to CDBG. Attach a copy of the notice and affidavit of publication to this form. This notice may be published concurrently with the Notice Of Intent To Request Release of Funds (NOI) notice.

Name of Newspaper: _____

Date of publication: _____

Where adverse comments in writing received: YES NO
(If Yes, attach all correspondence.)

STEP 8 – Implement the Project.

Project implementation can only proceed provided compliance has been demonstrated with respect to all of the prior steps and provided the project has been approved by the State in accordance with HUD regulation 24 CFR Part 58.

The Responsible Entity has a continuing responsibility to ensure that the mitigating measures identified in Step 7 are implemented. Mitigation measures must be incorporated, as appropriate, in project contracts and all related agreement documents.

Additional Information/Explanations:

STATUTORY CHECKLIST

FLOOD INSURANCE

(The Flood Disaster Protection Act of 1973, 24 CFR 58.6)

The threshold for flood insurance requirements is included in *The Flood Disaster Protection Act of 1973*, as amended, requiring property owners purchase flood insurance for buildings located within *Special Flood Hazard Areas (SFHA)* when Federal financial assistance is used to acquire, repair, improve, or construct a building. Owners of HUD-assisted properties located within Special Flood Hazard Areas (SFHA) must purchase and maintain flood insurance protection as a condition of approval of any HUD financial assistance for proposed property acquisition, rehabilitation, conversion, repair or construction. *Compliance with mandatory flood insurance purchase does not constitute compliance with floodplain management requirements discussed under Floodplain Management of this document.*

Information on the location of SFHA's is available on Flood Insurance Rate Maps (FIRM) published by the Federal Emergency Management Agency (FEMA).

1. Is any portion of the project in a SFHA as determined by a FEMA Flood Insurance Rate Map? YES NO

2. Does the Responsible Entity participate in the National Flood Insurance Program (NFIP)? YES NO
Access the following website & print the appropriate page to show if the community is listed or not listed in the NFIP. Attach page for proof of compliance.
<http://www.fema.gov/cis/MO.pdf> -MO communities participating in the NFIP

3. Is the Responsible Entity in good standing with the National Flood Insurance Program? YES NO

4. If the Responsible Entity is not in good standing with the NFIP or does not participate in the NFIP, and any portion of the project lies within a SFHA, flood insurance must be acquired and/or project modifications and/or alternatives required prior to the completion of any work, regardless of funding source, in order to comply with HUD and FEMA regulations and CDBG program requirements. Contact CDBG for consultation.
CDBG Grant - Owners of buildings included in the project and located in a floodplain must maintain flood insurance for the life of the building regardless of transfer of ownership.
CDBG Loan – Owners of buildings included in the project and located in floodplain must maintain flood insurance for the term of the loan, in the amount of the loan.
A copy of the owner's flood insurance policy must be attached as documentation if one or both of the above apply.

5. Is the Responsible Entity in compliance with National Floodplain Insurance requirements? YES NO

MO State Emergency Management Agency (SEMA)

2302 Militia Drive, PO Box 116

Jefferson City, MO 65102

573/526-9135 – Dale Schmutzler, Floodplain Management Officer, NFIP

Dale.schmutzler@sema.dps.mo.gov

<http://www.hud.gov/offices/cpd/environment/review/floodinsurance.cfm> -HUD Flood Insurance Information

<http://www.hud.gov/offices/cpd/environment/review/qa/floodinsurance.cfm>-Flood Insurance Q&A

http://www.fema.gov/plan/prevent/floodplain/about_the_nfip.shtm - FEMA NFIP

<http://sema.dps.mo.gov/NFIPContactList.pdf> - MO List of Floodplain Managers (Subject to change)

<http://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1&userType=G> – FEMA Map Service Center

Additional Information/Explanations:

STATUTORY CHECKLIST

WETLANDS PROTECTION
(E.O. 11990, 24 CFR Part 55)

Executive Order 11990 requires all Federal agencies avoid impacts to wetlands, direct or indirect, by discouraging construction in wetlands whenever there is a practicable alternative.

1. Compliance with Wetlands Protection applies to Land Acquisition and/or Construction related to any of the following. Check all that apply to the project:

- Buildings and structures
- Roads
- Sewer and water systems
- Storm drains and ditches
- Flood control systems
- Dredging, filling, excavation (includes rehabilitation to existing buildings and structures)
- Expansion or altering the footprint of buildings or structures

2. If the project involves any of the above, attach a color wetland map with the project site clearly marked. Acceptable maps are listed below. **Maps listed are for preliminary screening purposes only.** If a question still exists to potential wetland presence or the project area is not mapped for wetlands, contact USFWS for a wetlands determination. The USACE or NRCS may also assist.
<http://wetlandsfws.er.usgs.gov/wtlnds/launch.html> - FWS Wetlands Mapper (National Wetlands Inventory)
<http://www.topozone.com/states/Missouri.asp> - TopoZone webpage
<http://ims.missouri.edu/moims/step1.aoi/countylist.asp> - UMC CARES GIS and Internet Mapping

Submit cover letter with detailed project description, project location including township, range and section, clear and detailed map, and preferably color photographs of the area to:

U.S. Fish & Wildlife Service
Columbia Ecological Services Field
Charlie Scott, Field Supervisor or Rick Hanson
101 Park DeVille Drive, Suite A
Columbia, MO 65203-0057
Phone-573/234-2132

U.S. Army Corps of Engineers
District Office for your region
Refer to Environmental Resource Manual for contact information

NRCS Wetlands Delineation Contacts:
http://www.mo.nrcs.usda.gov/contact/images/wetland_delineation108.pdf

3. **Is the project in a designated wetland, as indicated by qualified sources?** YES NO

** If the project lies in a wetland/floodplain, you must comply with the HUD 8-Step Decision Making Process – Refer to the Floodplain Management section of this document for the required format.

Is the HUD 8-Step Decision Making Process applicable? If yes, attach all documentation. YES NO

4. **Permitting Requirements:** The project may require a Section 404 Permit from the USACE prior to construction activities. If applicable, obtain the permit and attach all related documentation.

Does the project require a Section 404 Permit? If yes, attach all documentation. YES NO

Check all source documentation applicable and attach: Maps must be in color.

- Color FWS Map(s)
- Color maps from other qualified agencies. Specify: _____
- Consultation correspondence (letters, e-mails, faxes, documented phone calls)
- HUD 8-Step Decision Making Process and documentation
- US Fish & Wildlife Service Clearance
- US Army Corps of Engineers Clearance
- Other qualified agency clearance(s): _____
- 404 Permitting Information
- Other sources of documentation: _____

Additional Information/Explanations:

STATUTORY CHECKLIST

COASTAL ZONE MANAGEMENT

There are no Coastal Zones in Missouri.

Compliance Documentation:

Print documentation from website or obtain from Environmental Resource Manual and attach.

<http://coastalmanagement.noaa.gov/mystate/welcome.html>

STATUTORY CHECKLIST

AIRPORT HAZARDS

(Runway Protection Zones, Protection Zones, and Accident Potential Zones)

24 CFR Part 51 Subpart D

HUD funds may not be used for assistance, subsidy, or insurance for construction, land development, community development, or redevelopment designed to make land available for construction, or rehabilitation that significantly prolongs the life of existing facilities in designated Runway Protection Zones (RPZ) at civil airports or Protection Zones (PZ) at military airfields and Accident Potential Zone (APZ) at military airfields, except where written assurances are made that the project proposed for development will not be frequently used by people, and where written assurances are provided by the airport operator indicating no plans exist to purchase the property as part of a RPZ, PZ, or APZ acquisition program.

If CDBG funds are proposed for development in proximity to these areas, documentation must be provided that the program will comply with requirements referenced above.

1. Do project activities, regardless of funding source, involve new construction, major rehabilitation, change of land use, increase in residential density, or acquisition of real property? YES NO
2. Is the project site located within 2,500 feet of the end of a civil airport runway or within 2 ½ miles from the end of a military airfield? YES NO
3. If the answer to either question is NO, compliance has been attained provided support documentation is attached.
4. If the answer to both questions is YES, documentation must be attached indicating compliance with 24 CFR Part 51 Sub-part D. Contact the applicable airport operator for dimensions of the affected zones and provide documentation that the project is located outside the affected zones.

List attached compliance documentation:

Acceptable Compliance Documentation: Clearly indicate the project area on maps. Maps must be in color. Print lists of major airports.

1. <http://www.airnav.com/airports/> - AirNav.com – Interactive listing of airports by state and name or city
2. <http://ims.missouri.edu/moims/step1.aoi/countylist.asp> CARES Interactive Maps, select ‘Transportation’ map layer
3. <http://www.aircraft-charter-world.com/airports/northamerica/missouri.htm> - Civil/military airports listed by state.
4. HUD Memo and list of Primary/Commercial Services Airports provided in Environmental Resource Manual.

24 CFR Part 51 Sub-part D is contained under this section in the Environmental Review Resource Manual.

Additional Information/Explanations:

STATUTORY CHECKLIST

ENDANGERED SPECIES

(Endangered Species Act (ESA), Section 7 - 50 CFR Part 402)

The ESA mandates that Federally-assisted activities not jeopardize the existence of plants and animals listed or proposed for listing on the endangered species list. Activities proposed for areas harboring such species must avoid adversely modifying or destroying their habitat.

<http://www.fws.gov/endangered/ESA/content.html> - Endangered Species Act of 1973

If the project involves acquisition, new construction, site clearance, or public infrastructure improvements contact the following agencies. Attach all related documentation.

U.S. Fish & Wildlife Service
Columbia Ecological Services Field
Charlie Scott, Field Supervisor or Rick Hanson
101 Park DeVillie Drive, Suite A
Columbia, MO 65203-0057
Phone: 573-234-2132
FWS Website:
<http://www.fws.gov/endangered/listing/index.html>

MO Department of Conservation (MODOC)
Shannon Cave
2901 W. Truman Blvd., PO Box 180
Jefferson City, MO 65102
573/522-4115, ext. 3250
MODOC Website: <http://mdcgis.mdc.mo.gov/heritage/>

Compliance:

Are conditions/mitigation measures required by any agency? YES NO

If Yes, 1) Explain agency requirements **2) Explain** if they are feasible in relation to project goals **3) Describe** the mitigation plan to address requirements and if mitigation measures are required for completion *prior* to beginning any physical activity, etc: (Attach additional pages as needed.)

Check all source documentation applicable and attach:

- FWS clearance
- MODOC clearance
- Consultation correspondence (letters, e-mails, faxes, documented phone calls)
- Permitting Information
- Other sources of documentation: _____

Compliance has been met.

STATUTORY CHECKLIST

WILD AND SCENIC RIVERS

(Wild and Scenic Rivers Act of 1968, 36 CFR Part 297)

The National Wild and Scenic River System was created to conserve scenic, recreational, and fish and wildlife values of certain rivers. Wild and Scenic Rivers Act applies to rivers and segments designated by Congress or States. Information is found in the CDBG Environmental Resource Manual and websites below.

http://www.nature.nps.gov/water/Wild_Scenic_Rivers/index.cfm - Wild & Scenic Rivers Act

http://www.access.gpo.gov/nara/cfr/waisidx_00/36cfr297_00.html -Wild & Scenic Rivers Act, 36 CFR Part 297

Compliance: Assess if any proposed actions will occur within one mile of a Wild or Scenic River.

1. **Federally Recognized Wild and Scenic Rivers:** Missouri has one Federally-recognized wild and scenic river, the *Eleven Point River*. Print website information and attach:
<http://www.rivers.gov/wildriverslist.html#mo> - Click on MO

Is the project site within 1 mile of the Eleven Point River? YES NO

- a. **If No**, attach website information and check the box at the bottom of the page indicating compliance.
- b. **If Yes**, and has potential for adverse impacts, contact the following and attach all related documentation:

U.S. Fish & Wildlife Service

Columbia Ecological Services Field

Charlie Scott, Field Supervisor, Rick Hanson, or Heidi Kufka

101 Park DeVille Drive, Suite A

Columbia, MO 65203-0057

Phone: 573-234-2132

Are mitigation measures required by FWS? YES NO

If Yes, explain requirements, if feasible for project goals, description of mitigation plan, if mitigation measures are to be complete before starting any physical activity, etc: (attach additional pages as necessary)

Compliance has been met for FEDERALLY recognized wild and scenic rivers.

2. **State Recognized Wild and Scenic Rivers:**

Nationwide Rivers Inventory (NRI) is a list of river segments in the U.S. with one or more "outstandingly remarkable" natural or cultural values of more than local or regional significance. All federal agencies must avoid or mitigate actions adversely affecting one or more NRI segments.

<http://www.nps.gov/nrcr/programs/rtca/nri/states/mo.html> - National River Inventory, MO segments

Is the project site within 1 mile of a State designated wild or scenic river? YES NO

- a. **If No**, attach website information and check the box at the bottom of the page indicating that compliance.
- b. **If Yes**, and have potential for adverse impacts, contact the following and attach all related documentation:

National Park Service

Environmental Compliance

Midwest Regional Office

601 Riverside Drive

Omaha, Nebraska 68102 Phone: 402/661-1848

Are mitigation measures required by the National Park Service? YES NO

If Yes, explain requirements, if feasible for project goals, description of mitigation plan, if mitigation measures are to be complete before starting any physical activity, etc: (attach additional pages as necessary)

Compliance has been met for STATE recognized wild and scenic rivers.

STATUTORY CHECKLIST

FARMLAND PROTECTION

(Farmland Protection Policy Act, 7 CFR 658)

Purpose of the Farmland Protection Policy Act is to minimize unnecessary and irreversible conversion of farmland to non-agricultural uses.

This is NOT applicable to lands already in or committed to urban development or water storage, already zoned non-agricultural, or containing over 40 structures per square mile.

This IS applicable to land designated as *Prime* or *Unique* agricultural lands by USDA Natural Resources Conservation Services, including forestland, pastureland and cropland, and farmland of statewide or local importance.

Compliance:

Does the project involve new construction, acquisition or disposition of agricultural land, pasture or forested land that would result in development or conversion for non-agricultural use?

No **Indicate current zoning classification and/or land use of proposed project site:**

Describe current land use of the project site and surrounding/adjacent parcels of the project site. Explain compatibility of proposed project activities with current land use. Attach support documentation for current zoning classification and/or land use such as ordinances, and color photos and maps. Attach additional pages as necessary:

Yes **Complete the *Farmland Conversion Impact Rating Form AD 1006*** according to steps outlined in the Environmental Resource Manual. The form is contained in the manual or at the following: http://www.nrcs.usda.gov/programs/fppa/pdf_files/AD1006.PDF. Submit the form to the USDA NRCS office *in your region*. Contact information for NRCS offices at the following website or in the Environmental Resource Manual.
http://www.mo.nrcs.usda.gov/technical/soils/tss/out/nrcs_tss2.jpg.

Describe the outcome of the NRCS rating, any conditions or mitigation measures required, and the feasibility of these requirements in relation to project goals. Attach all related documentation:

Related Website: If using a map for support documentation, print in color.
<http://ims.missouri.edu/moims/step1.aoi/countylist.asp> - UMC Cares Map Room

The map site listed above is for preliminary screening purposes only.

STATUTORY CHECKLIST

NOISE CONTROL

(24 CFR Part 51, Sub-part B)

Purpose of this regulation is to encourage suitable separation between noise sensitive land uses and major noise sources. The HUD Noise Regulation establishes standards, requirements, and guidelines regarding noise control and abatement for HUD assisted projects. If other funding sources are assisting the project and also require noise control, comply with the strictest noise standards.

1. Explain potential noise associated with a) construction and b) completed project. Attach additional pages as needed:

2. Is the proposed project a noise sensitive land use (residential, school, day care center, community center, library, hospital, nursing home, auditorium, health clinic, shelter, etc) YES NO

3. Is the proposed project located within proximity of any of the following major noise sources? YES NO
If yes, check all that apply:
 - Within 1,000 feet of a major roadway (high volume traffic, heavy truck traffic, etc.)
 - Within 3,000 feet of a railroad
 - Within 15 miles of an airport
 - Other significant noise sources (industrial/manufacturing facilities, power generating stations, etc.)

4. Is the project a major noise source within proximity of a noise sensitive use? YES NO

5. If Yes to both #2 and #3, or Yes to #4, a Noise Assessment is **required**. Refer to the 'HUD Noise Guidebook' at the website below. Contact CDBG if assistance is needed. Attach all related documentation.
<http://www.hud.gov/offices/cpd/energyenviron/environment/resources/guidebooks/noise/index.cfm>

6. **If a Noise Assessment was required and completed, attach the assessment and indicate the outcome:** N/A
Exterior Noise is determined: (DNL = Day Night Average Sound Level)
 - ACCEPTABLE - Noise is determined 65 DNL or less
 - NORMALLY UNACCEPTABLE - Noise exceeds 65 DNL up to 75 DNL
 - UNACCEPTABLE – Noise exceeds 75 DNL**Interior Noise is determined:**
 - ACCEPTABLE – Noise is determined 45 DNL of less
 - UNACCEPTABLE – Noise exceeds 45 DNL

7. If noise levels were determined NORMALLY UNACCEPTABLE:
 - Noise attenuation activities are feasible to meet acceptable internal and external noise levels. Attach analysis of mitigation measures, including construction specifications.
 - An alternative project site will be used.
 - Noise attenuation activities are NOT feasible to meet acceptable internal and external noise levels and there are no alternative sites - the project is rejected.

8. If noise levels were determined UNACCEPTABLE:
 - Noise attenuation activities are feasible to meet acceptable internal and external noise levels. Attach analysis of mitigation measures, including construction specifications.
 - An alternative project site will be used.
 - No alternative project site is available. The project is rejected.

STATUTORY CHECKLIST

EXPLOSIVE AND FLAMMABLE OPERATIONS

(24 CFR Part 51 Sub-part C)

HUD-assisted projects must be assessed for the presence of facilities presenting an explosive or flammable hazard to project sites in an effort to prevent injury to occupants and damage to buildings from industrial accidents. **A site visit is required to assess the area for hazards and must be documented.** The Field Visit Checklist located in this chapter and the Environmental Resource Manual, may be helpful to document site visits. Consultation with a qualified person such as those listed at the bottom of the page may also be required. Attach all correspondence and related documentation.

1. Does the proposed project involve any of the following *residential* activities: YES NO
conversion of non-residential land to residential land use, rehabilitation where unit density is increased, new housing construction, or vacant buildings made habitable?

2. Does the proposed project entail institutional, recreational, commercial, or industrial use, including open spaces, where people may congregate? YES NO

If no to #1 and #2, document that no Explosive or Hazardous Operations are relevant to the project by attaching acceptable source documentation as indicated below.

3. **If yes to #1 or #2** Is the project within sight of or within one (1) mile of stationary hazardous facilities that store, handle, or process chemicals or petrochemicals of an explosive or flammable nature, such as liquid propane, gasoline or other above-ground storage tanks, particularly when there are no intervening topography, existing structures or barriers, are unsuitable for new development or substantial rehab projects. YES NO

Mobile tanks (including railroad cars), buried tanks, and tanks with less than 100-gallon capacity and having common fuels are excluded.

If yes, Acceptable Separation Distance (ASD) must be determined. Refer to the 'Siting of HUD-Assisted Projects Near Hazardous Facilities Guidebook' at the website below. Contact CDBG if assistance is needed. Attach all related documentation.

<http://www.hud.gov/offices/cpd/energyenviron/environment/resources/guidebooks/hazfacilities/index.cfm>

Acceptable Sources of Information:

- Local fire marshal, fire department, or fire prevention agencies
- City, county, or project engineer
- Documented interviews with property owners and/or companies operating aboveground tanks
- Documented visits of site and surrounding area, accompanied by color photographs
- Current aboveground tank inspection reports
- Current aerial photographic map
- Current U.S.G.S topographic map
- Survey land use maps

Additional Information/Explanations:

STATUTORY CHECKLIST

WATER QUALITY

Water Supply and Ground Water

(Safe Drinking Water Act of 1974, Clean Water Act)

The Safe Drinking Water Act (SDWA) protects public health by regulating the nation's public drinking water supply. The law requires many actions to protect drinking water and its sources: rivers, lakes, reservoirs, springs, and ground water wells. SDWA applies to every public water system in the U.S, but does not regulate private wells serving fewer than 25 people.

<http://www.epa.gov/safewater/sdwa/index.html> -Safe Drinking Water Act of 1974

<http://www.epa.gov/watertrain/cwa/> -Clean Water Act

1. a. Is there an existing municipal or public water supply adequate to serve the project? YES NO
 b. Is the water supply safe and free of contamination? YES NO
Explain. Attach inspection reports preferably, and/or letters, or documented telephone calls from Public Water Supply District or comparable source.

2. Will any waterways be affected by the project? YES NO
Explain, and identify on a color map, any rivers, lakes, streams, or other water bodies that may receive effluent discharges from the project site that could impact potable water. Attach other documentation from qualified sources.

3. Does the project entail acquisition of undeveloped land, changes in land use, or new construction? YES NO
If Yes, will the project draw water from a Sole Source Aquifer? YES NO
 Print and attach supporting documentation. EPA-designated sole source aquifers are listed at:
http://www.epa.gov/safewater/sourcewater/pubs/qrg_ssamap_reg7.pdf

4. Will the project involve drilling a well? YES NO
If yes, is the location subject to rapid water withdrawal problems that will change depth of the water table? YES NO
 Attach county health department inspection reports, letters and/or documented telephone calls.

5. Will the project use a private well for its water supply? YES NO
If yes, has the source been tested and free of contamination? YES NO
 Are there septic systems present on or around the project site and have they been properly installed and maintained? YES NO Explain.

Contact the DNR Public Drinking Water Program before construction begins on any public water supply well to determine if it is a non-community or community supply, and if an engineer is required to evaluate the supply.

Documentation: Attach: Documented site visits and/or interviews with property owners, county health department, etc.

For Further Information:

<http://www.dnr.mo.gov/env/wpp/permits/index.html> - DNR - Water Permitting

http://www.dnr.mo.gov/DWW/Maps/Map_Template.jsp - DNR - County Interactive Water Systems Data – Click on County

<http://www.dnr.mo.gov/env/wrc/surfh2o.htm> - DNR- Surface Water

<http://www.dnr.mo.gov/env/wrc/groundwater/gwnetwork.htm> - DNR - Ground Water

<http://www.dnr.mo.gov/env/wrc/welltypes.htm> - DNR - Water Well Types

<http://cfpub.epa.gov/surf/locate/index.cfm> - EPA - Locate Your Watershed

Additional Information/Explanations:

STATUTORY CHECKLIST

AIR QUALITY

(Clean Air Act 42 U.S.C. 7400 Section 176 & 171, 40 CFR Parts 6, 51, 93)

Federal, State and Local Compliance (Attach additional pages as necessary)

1. Is the project in an EPA-designated non-attainment or maintenance area for one or more of the six criteria pollutants regulated under the Clean Air Act? Attach documentation from EPA: YES NO

<http://www.epa.gov/oar/oaqps/greenbk/ancl.html#MISSOURI>

If Yes, a determination of conformity with the State Implementation Plan (SIP) is required for the project and specific pollutant for which the area was designated a non-attainment or maintenance area. Contact EPA Region VII to determine if the project requires a permit under the SIP. If Yes, obtain a letter of consistency from EPA proving the project is consistent with the SIP. Provide explanations and attach all correspondence.

2. Does the project require installation and/or operating permits, or indirect sources permit, in accordance with the Clean Air Act? YES NO

<http://www.dnr.mo.gov/forms/#AirPollution> – DNR Air Permitting

If Yes, explain and attach all permitting documentation:

3. Will the project comply with local pollution control agency rules, including generation of dust during construction activities? Attach any ordinances or codes pertaining to dust, odors, and other air nuisances. YES NO

4. Explain if the project could establish a trend that if continued, could lead to violations of air quality standards in the future and if mitigation is needed to minimize effects; consider sources, types, and amounts of air emissions produced by the finished project.

5. Noxious Odors or Fumes: Explain potential for odors and emissions by surrounding area sources and completed project, and mitigation measures required to minimize migration of noxious odors or fumes.

Indoor Air Quality - Provide information on sources and types of air emissions that could affect indoor air quality after construction. Attach additional pages as needed to adequately explain each.

1. Asbestos: Does the project have potential to disturb friable asbestos containing building materials (ACBM)? YES NO

If yes, compliance with DNR asbestos regulations is required. Attach all documentation pertaining to asbestos compliance.

<http://www.dnr.mo.gov/env/apcp/Asbestos.htm>-DNR-Asbestos Requirements

<http://www.epa.gov/ttn/atw/hlthef/asbestos.html>-EPA-Asbestos Information

STATUTORY CHECKLIST

2. **Radon:** Does the project entail construction or major rehabilitation to any type of building to be used for residential purposes or frequent occupancy of people? YES NO
(housing, commercial store, industrial facility, library, community facility, offices etc.)
If Yes, and the project is an existing building, a radon test must be conducted and test results attached.
Do test results reveal radon levels in excess of 4 picocuries? YES NO
If Yes, mitigation is required. Contact your engineer/architect and attach all documentation indicating implementation of mitigation measures and compliance achieved. [A picocurie = unit of measure for levels of radon gas (pCi)]
<http://www.epa.gov/radon> - EPA Radon Information
<http://www.epa.gov/radon/zonemap/missouri.htm>-EPA-Radon in Missouri
3. **Mold:** Does the project entail rehabilitation of any building with evidence of mold on any building component, or an interior moisture-related problem, including roof leaks or moisture in and around the interior foundation or crawl space? YES NO
Document a site visit and attach color photos.
If Yes, describe how mold will be eliminated and the construction measures required to eliminate source(s) of mold-inducing moisture inside the structure. <http://www.epa.gov/mold/moldresources.html> - EPA - Mold

STATUTORY CHECKLIST

CONTAMINATION AND TOXIC MATERIALS
(HUD Policy on Site Contamination [Sec. 58.5(i)(2)])

HUD-assisted project sites *must* be free of contamination and chemicals where a hazard could affect health and safety of occupants or conflict with intended use of the property. Particular attention should be paid to sites located on or near landfills, industrial sites, gas stations, or other locations with *potential* for contaminants. If the project involves property acquisition, investigations must be completed and resolved *prior* to the transfer of property.

Identify Site Contamination: (Acceptable documentation: current historical property data, site inspections, ASTM E1527-05 Standard Phase I Environmental Site Assessment and, if applicable, Phase II and Phase III Assessments, other recent environmental studies, documentation from DNR and EPA staff)

1. Explain previous uses of the site and attach acceptable documentation: historical research of property, information from prior land owners, deed, title, easements, liens, aerial photographs, etc.

2. Assess and explain the potential for contamination and types of contaminants on and around the property:
Groundwater (drinking water, water for commercial food crops, etc.): Explain:

Air (vapors, gases, radon, airborne dust, asbestos, mold and other particulates, etc.): Explain:

Soil (dust, soil, outdoor recreational areas, school grounds, fill dirt, etc.): Explain:

3. Has a current ASTM 1527-05 Phase I Environmental Site Assessment (ESA) been completed? YES NO
(Generally, a Phase I ESA is considered current for 180 days)
Date of Phase I ESA: _____
(Attach the Phase I assessment)

4. If a Phase I Site Assessment has been completed, answer the following: N/A
a. Does contamination exist or is suspected to exist? YES NO
b. Will contaminants affect health and safety of occupants or conflict with the intended use of the site? YES NO
c. Is a Phase II Assessment recommended? YES NO

5. If a current Phase I ESA has not been completed, determine if it is needed. A Phase I ESA is required if the potential for contamination exists. Following are questions to assist in determining if a Phase I ESA is needed: N/A
a. Is project site an EPA Superfund (CERCLA) site or within 1 mile of a Superfund Site? YES NO
<http://www.epa.gov/superfund/sites/npl/mo.htm> - EPA Superfund Sites - print and attach
b. Have hazardous substances, pollutants, or contaminants been stored or dumped on the project site? (Document how determination was made.) YES NO
c. Is the project site near an industry or in an industrial area disposing chemicals and/or hazardous waste? (Document how determination was made.) YES NO

STATUTORY CHECKLIST

d. Is the project site located within 3,000 feet of a toxic or solid waste landfill site? (Document how determination was made)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
e. Does project site contain, or is it adjacent to, aboveground or underground storage tanks? (Document how determination was made)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
f. If tanks are present, contact DNR and attach documentation. Have any tanks been identified by DNR as leaking?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
6. If a Phase II Assessment was recommended for this project, has it been completed? Date of Phase II assessment: _____ (Attach Phase II Assessment)	<input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO
7. Was a Phase II Assessment completed on the site prior to the proposed project? Date of Phase II: _____ (Attach Phase II Assessment)	<input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO
8. Does contamination exist at the project site?	<input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO
9. If contamination exists at the site, <u>explain</u> if it is feasible for clean up – (Phase III)? Consider extent of contamination, adequate funds for cleanup, if timeframe for cleanup is compatible with timeline for project completion, etc.	<input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO
10. Is a Phase III Assessment required and completed? If Yes, attach the assessment.	<input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO
11. Are there conditions for environmental approval? If Yes, explain. Attach additional pages as needed.	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<p>Hazardous Waste information is found in the CDBG Environmental Resource Manual and at the following: http://www.epa.gov/epaoswer/hazwaste/id/id.htm - EPA Identifying Hazardous Waste http://www.epa.gov/epaoswer/hazwaste/ldr/resource.htm#hazwaste - EPA Hazardous Waste Handlers Database http://www.dnr.mo.gov/env/hwp/index.html - MO DNR Hazardous Waste Program http://www.epa.gov/radon/ - EPA Radon http://www.epa.gov/radon/zonemap/missouri.htm - EPA - Radon is Missouri http://www.epa.gov/mold/moldresources.html - EPA - Mold http://www.astm.org/cgi-bin/SoftCart.exe/index.shtml?E+mystore - Association for Standards & Testing Methods (ASTM)</p>		
Additional Information/Explanations:		

STATUTORY CHECKLIST

ENVIRONMENTAL JUSTICE

(E.O. 12898)

The purpose of Executive Order 12898 is to direct Federal agencies to identify and address as appropriate “disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations”. Generally, this applies to low-income and minority neighborhoods where HUD-assisted projects are proposed for acquisition of existing housing, acquisition of land for development, change in land use, demolition, major rehabilitation, and new construction. At a minimum, Environmental Justice should address the consideration of actual and potential environmental impacts to people of low-income and minority status resulting from the proposed project, and mitigation measures to minimize adverse impacts as much as practicable within the principles of the Executive Order. It is imperative that consistency is maintained throughout the project. Attach additional pages as needed.

1. **Explain the planning/ zoning classification and/or land use designation of the project site and immediate area.** (Acceptable documentation includes official planning & zoning information, color maps, color photographs, description of project and surrounding areas)

2. **Explain opportunities for public involvement in decision making.** (Acceptable support documentation includes: minutes from council/commission meetings and other public meetings/hearings indicating discussions and decisions throughout the life of the project; newspaper articles describing the project and all project alternatives considered; meeting sign-in sheets, copies of public notices and affidavits of publication; etc.)

3. **Is the proposed project located in or around a low-income or minority neighborhood? Explain.** YES NO

4. **Explain all potential and actual environmental impacts, both positive and negative, regarding low-income and minority persons, as a result of the proposed project.**

5. **Explain all mitigation measures planned to minimize any adverse environmental impacts.**

More information is found in the CDBG Environmental Resource Manual and at the following:

<http://www.epa.gov/compliance/environmentaljustice/> - EPA – Environmental Justice

http://epa.gov/compliance/resources/policies/ej/exec_order_12898.pdf - E.O. 12898

<http://www.hud.gov/offices/cpd/energyenviron/environment/subjects/justice/index.cfm> - HUD Environmental Justice

<http://www.hud.gov/offices/cpd/energyenviron/environment/subjects/justice/acommitmenttocommunities.pdf> - HUD Environmental Justice Implementation Report



DEPARTMENT OF ECONOMIC DEVELOPMENT
Community Development Block Grant
301 W. High Street, Room 770
PO Box 118
Jefferson City, MO 65102

ENVIRONMENTAL ASSESSMENT

For State of Missouri CDBG-funded Projects

PROJECT NAME	CDBG PROJECT # (IF FUNDED)
RESPONSIBLE ENTITY/GRANTEE LOCATION [24 CFR 58.2(A)(7)(II)]	RE TELEPHONE NUMBER
CERTIFYING OFFICER NAME & TITLE [24 CFR 58.2(A)(2)]	

MO 419-2868 (05-07)

CDBG ENVIRONMENTAL ASSESSMENT

PROJECT LOCATION/ADDRESS

ESTIMATED TOTAL PROJECT COST, LIST ALL SOURCES & AMOUNTS

AMOUNT OF CDBG ASSISTANCE PROPOSED

NAME OF GRANT SUB-RECIPIENT, IF APPLICABLE N/A

SUB-RECIPIENT CONTACT PERSON, ADDRESS, TELEPHONE

RESPONSIBLE ENTITY PROJECT CONTACT NAME, ADDRESS, TELEPHONE

CONDITIONS FOR APPROVAL [24 CFR 58.40(d), 40 CFR 1505.2(c)] *As appropriate:* List all mitigation and project modification measures adopted by the Responsible Entity to eliminate or minimize adverse environmental impacts. These conditions must be included in project contracts and all relevant agreement documents. (Attach additional pages as needed.).

CDBG ENVIRONMENTAL ASSESSMENT

FINDING: [58.40(g)]

Finding of No Significant Impact (FONSI)

The project will not result in a significant impact on the quality of the human environment. Mitigation and project modification measures, as listed under ‘Conditions for Approval’, will be adopted by the Responsible Entity to eliminate or minimize adverse environmental impacts.

Finding of Significant Impact

The project may significantly affect the quality of the human environment. The project must be rejected unless the Responsible Entity completes an Environmental Impact Statement.

In my capacity as *Preparer* of the Environmental Assessment, as designated by the Responsible Entity, I hereby attest that the Environmental Assessment document is true and complete to the best of my knowledge and supports the Finding indicated above:

PREPARER SIGNATURE

DATE

PREPARER NAME & TITLE

PREPARER’S AGENCY (IF DIFFERENT FROM RE)

In my capacity as *Certifying Officer* on behalf of the *Responsible Entity* and in conformance with 24 CFR Part 58, I have reviewed the attached CDBG Environmental Assessment prepared by the above-designated individual. I have independently evaluated the information contained within Environmental Assessment, supplemented the information, where appropriate, and, on behalf of the Responsible Entity, remain responsible for the accuracy of the information contained therein. I hereby approve of the Finding and conditions indicated above:

RE APPROVING OFFICIAL SIGNATURE

DATE

RE APPROVING OFFICIAL NAME & TITLE

CDBG ENVIRONMENTAL ASSESSMENT

Purpose and Need of the Project: [“Statement of Purpose and Need of the Proposal” – 40 CFR 1508.9(b)] (Attach additional pages as necessary.) Indicate the objective of the project and why it is needed.

Description of the Project: [24 CFR 58.32, 40 CFR 1508.25] Include all contemplated actions proposed by all funding sources as part of the project. Attach additional descriptive information, including scaled location map, U.S.G.S. topographic map, aerial photograph, site plans, renderings, color photographs, budgets, etc. Attach additional pages as necessary.

Existing Conditions and Trends: [24 CFR 58.40(a)] Describe existing conditions of the project area and its surroundings, and the trends likely to continue in absence of the project.

CDBG ENVIRONMENTAL ASSESSMENT

PROJECT ALTERNATIVES & MODIFICATIONS CONSIDERED

Explain ALL alternative project activities, actions, modifications, sites, designs, plans, etc. considered and how the determination was made to implement the chosen alternative. Include no action and/or no project. (Refer to the preliminary engineering and/or architectural report. Add pages as needed.) [24 CFR 58.40(e)]

MITIGATION MEASURES RECOMMENDED

Explain feasible ways in which the project and external factors should be modified in order to minimize adverse environmental impacts and restore or enhance environmental quality. (Add pages as needed.) [24 CFR 58.40(d)]

CITIZEN PARTICIPATION

Indicate how the public in the area have been, or are planned to be, informed of the proposed project and its potential environmental impacts. [Public hearings and meetings, published notices including affidavits of publication or newspaper, posted notices certified by chief elected official, newspaper articles (copies or original articles), printed website information, etc.] Explain if any adverse comments have been received and how issues were resolved. Attach all supporting documentation.

**CDBG ENVIRONMENTAL ASSESSMENT
SUMMARY OF ENVIRONMENTAL REVIEW**

Impact Codes: 1=No impact anticipated 2=Potentially beneficial 3=Potentially adverse 4=Requires Mitigation 5=Requires project modification

Environmental Impact	Code	Documentation	Name/Address of Agency/Individual Contacted
Historic Properties			
Floodplain Management			
Flood Insurance			
Wetlands Protection			
Airport Hazards			
Endangered Species			
Wild & Scenic Rivers			
Farmland Protection			
Noise Control			
Explosive/Flammable Operations			
Water Quality			
Air Quality			
Contamination/Toxic Materials			

**CDBG ENVIRONMENTAL ASSESSMENT
SUMMARY OF ENVIRONMENTAL REVIEW**

Impact Codes: 1=No impact anticipated 2=Potentially beneficial 3=Potentially adverse 4=Requires Mitigation 5=Requires project modification

Environmental Impact	Code	Documentation	Name/Address of Agency/Individual Contacted
Environmental Justice			
Other:			
Socioeconomic			
Community Facilities & Services			
Wastewater			
Solid Waste			
Storm Water Drainage			
Energy			
Lead			
Asbestos			
Radon			
Other(s):			

CDBG ENVIRONMENTAL ASSESSMENT

HISTORIC PROPERTIES

(Historic Preservation Act 16 U.S.C. 470 & 36 CFR Part 800)

1. Is any property in the project listed or eligible for listing on the National Register of Historic Places?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
2. Is any property in the project located within or directly adjacent to a historic property?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
3. Are all activities, regardless of funding source, included for the review? If no, submit information on remaining activities, or if tiered review, as activities/properties are known.	<input type="checkbox"/> YES	<input type="checkbox"/> NO
4. Could the project or undertaking have religious or cultural significance to an Indian tribe?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
5. Has a reasonable good-faith effort been made to identify any Federally-recognized Indian tribes that may have an interest in the project or undertaking?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
6. Is a cultural resource survey required as part of the Section 106 Review? If yes, indicate the type required and date accepted below: <input type="checkbox"/> Architectural Survey Completed – Date of SHPO acceptance letter: _____ <input type="checkbox"/> Archaeological Survey Completed – Date of SHPO acceptance letter: _____	<input type="checkbox"/> YES	<input type="checkbox"/> NO
7. SHPO Project Number Assigned: _____		
8. Result of Section 106 Review: <input type="checkbox"/> No Historic Properties Affected - Date of SHPO Letter(s): _____ <input type="checkbox"/> No Adverse Affect – Date of SHPO Letter(s): _____ <input type="checkbox"/> No Adverse Effect With Conditions – List conditions: _____ <input type="checkbox"/> Date of SHPO acceptance letter: _____ <input type="checkbox"/> Adverse Affect - Project is either rejected or requires Memorandum of Agreement (MOA) with SHPO		
9. MOA - Do terms of the MOA require that: <input type="checkbox"/> N/A – MOA Not Required <i>Amend this section and attach documentation once SHPO acceptance received.</i> <input type="checkbox"/> All stipulations to be complete and approved by SHPO prior to beginning any physical project activities <input type="checkbox"/> Physical activities may begin, but all stipulations must be approved by SHPO prior to project close out <input type="checkbox"/> MOA Stipulations Accepted by the SHPO – Date of SHPO letter: _____		
10. Has compliance with SHPO been met? If no, explain why:	<input type="checkbox"/> YES	<input type="checkbox"/> NO
http://www.dnr.mo.gov/shpo/sectionrev.htm - Section 106 Review – MO SHPO		
11. Check all source documentation applicable to this project and attach: <input type="checkbox"/> SHPO Section 106 Project Information Form & Attachments <input type="checkbox"/> Consultation correspondence (letters, e-mails, faxes, recorded phone calls) <input type="checkbox"/> Cultural Resource Survey documentation <input type="checkbox"/> MOA documentation completed and accepted by the SHPO <input type="checkbox"/> SHPO Review letter(s) completed and accepted by the SHPO <input type="checkbox"/> Other: _____		
<u>Additional Information/Explanations:</u> 		

CDBG ENVIRONMENTAL ASSESSMENT

FLOODPLAIN MANAGEMENT

(E.O. 11988, 24 CFR Part 55)

1. Floodplain Management applies to projects involving ANY of the following - check all that apply:

- Acquisition of land or buildings
- New Construction
- Substantial Rehabilitation (i.e., modifications and improvements to buildings where rehabilitation costs exceed 50% of pre-rehabilitation value of building or where residential density increases more than 20%)
- Expanding the footprint of buildings or structures
- Infrastructure Improvements – Water, Sewer, Drainage, Roads, and Ditches
- Other activities affecting land use _____

2. **Is the project located in a 100-year floodplain or designated floodway? Mark** YES NO
the project area clearly on the map.

<http://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1&userType=G> – FEMA Map Service Center

If Yes, skip to #4. If No, go on to #3.

3. You have determined the project is not located in a floodplain. Document the determination by completing the following:

Source Documentation: Attach FEMA Firmette Map or Flood Insurance Rate Map and mark the site of the project location on the map.

Community Name/Number: _____

Map Panel and Date of Map Panel: _____

If the area has not been mapped, obtain the best information possible from one or more of the following qualified sources: (Check all sources used and attach all documentation received.)

- Community Flood Administrator
- US Army Corps of Engineers
- US Geological Survey Maps
- USDA Natural Resources Conservation Service
- Regional Planning Commission/Regional Council of Government Mapping
- Local flood control or levee district
- Other _____

4. You have determined your project is located in a floodplain/wetland. The HUD 8-Step Decision Making Process is required. Complete and attach the following 8-Step Decision Making form and all supporting documentation.

* Refer to the Preliminary Engineering/Architectural Report and/or consult with the engineer/architect for assistance. Consultation with environmental professionals may be appropriate.

CDBG ENVIRONMENTAL ASSESSMENT

HUD 8-STEP DECISION MAKING PROCESS

(Decision Making Process Under E.O. 11988 and 24 CFR 55.20)
(Attach additional pages as necessary for any step in the process.)

STEP 1 – Determine if the proposed action/project is located in a 100-year floodplain/wetland.

Attach the FEMA Firmette Map or Flood Insurance Rate Map and complete the following:

Community Name/Number: _____

Map Panel and Date of Map Panel: _____

(Continue to Step 2 if the area has been mapped)

Check here if the area has not been mapped by FEMA, and continue below.

If the area has not been mapped by FEMA, obtain and attach the best information available from one or more of the following accepted sources (check all sources used):

- Community Flood Administrator
- US Army Corps of Engineers
- US Geological Survey Maps
- USDA Natural Resources Conservation Service Soils Map
- Regional Planning Commission/Regional Council of Governments Mapping
- Local flood control or levee district
- Other _____

STEP 2 – Involve the public in the decision-making process.

Publish the Early Public Notice

The Early Public Notice is a notice of the proposal to consider an action in a floodplain/wetland. The notice must be published in a non-legal section of the newspaper of widest circulation. *A minimum 15-day comment period begins the day after publication.* Indicate if comments were received. If the RE receives any written comments, the RE must respond in writing, resolve any issues and provide copies to CDBG. Attach a copy of the notice and affidavit of publication to this form.

Name of Newspaper: _____

Date of publication: _____

Where adverse comments in writing received: YES NO
(If Yes, attach all correspondence.)

CDBG ENVIRONMENTAL ASSESSMENT

STEP 3 – Evaluate alternatives to locating the proposed action in a floodplain.

Explain in detail each of the following to determine if the floodplain and/or wetland can be avoided:

(Attach additional pages as necessary)

- a. Identify and explain if alternative sites suitable for the project exist outside the floodplain/wetland:
(Refer to the engineer/architect, or engineering/architectural report for alternatives. Other buildings and/or sites and No Action must be evaluated.)

- b. Identify and explain if feasible alternative actions/methods may be used to fulfill the identical project objective:
(Can different or modified actions with less chance for impact be used to fulfill the same project?)

- c. Identify and explain if threats to lives and property and/or adverse impacts to the floodplain/wetland *outweigh* benefits of the proposed project:
(Explain if impacts are too severe to human and natural environments to complete the project.)

CDBG ENVIRONMENTAL ASSESSMENT

STEP 4 – Identify indirect and direct impacts associated with occupying or modifying the floodplain/wetland.

If the RE determines the only practicable alternative for the project/action is occupying or modifying the floodplain/wetland, then impacts to lives and properties and impacts to floodplains and/or wetlands must be identified. If the RE determines an alternative site for the project exists out of the floodplain/wetland, project activities may still have an impact on the nearby floodplain/wetland and must also be identified to determine ways to minimize harm.

Explain in detail how the project/activity will affect the floodplain/wetland regarding the following types of impacts:

Positive or beneficial impacts to the floodplain/wetland, both direct and indirect:

Negative or harmful impacts to the floodplain/wetland, both direct and indirect:

Concentrated impacts – at or near the floodplain/wetland:

Dispersed or remote impacts occurring distant from the floodplain/wetland:

Short-term impacts to the floodplain/wetland (temporary impacts occurring immediately after an action lasting a short while):

Long-term impacts to floodplain/wetland (impacts occurring during or after an action that persist for considerable time or indefinitely):

Explain if the project encourages development in the floodplain/wetland:

CDBG ENVIRONMENTAL ASSESSMENT

STEP 7 – If re-evaluation results in no practicable alternative to relocate the project out of the floodplain/wetland, the decision must be made public.

Publish the Notice of Explanation

The Notice of Explanation must include reasons for locating the project/activity in the floodplain/wetland, all alternatives considered, and all mitigations measures planned.

The notice must be published in a non-legal section of the newspaper of widest circulation. *A 7-day comment period begins the day after publication.* If the RE receives written comments, the RE must respond in writing, resolve issues and provide copies to CDBG. Attach a copy of the notice and affidavit of publication to this form. This notice must NOT be published concurrently with the Combined Notice.

Name of Newspaper: _____

Date of publication: _____

Where adverse comments in writing received: YES NO
(If Yes, attach all correspondence.)

STEP 8 – Implement the Project.

Project implementation can only proceed provided compliance has been demonstrated with respect to all of the prior steps and provided the project has been approved by the State in accordance with HUD regulation 24 CFR Part 58.

The Responsible Entity has a continuing responsibility to ensure that the mitigating measures identified in Step 7 are implemented. Mitigation measures must be incorporated, as appropriate, in project contracts and all related agreement documents.

Additional Information/Explanations:

CDBG ENVIRONMENTAL ASSESSMENT

FLOOD INSURANCE

(The Flood Disaster Protection Act of 1973, 24 CFR 58.6)

The threshold for flood insurance requirements is included in *The Flood Disaster Protection Act of 1973*, as amended, requiring property owners purchase flood insurance for buildings located within *Special Flood Hazard Areas (SFHA)* when Federal financial assistance is used to acquire, repair, improve, or construct a building. Owners of HUD-assisted properties located within Special Flood Hazard Areas (SFHA) must purchase and maintain flood insurance protection as a condition of approval of any HUD financial assistance for proposed property acquisition, rehabilitation, conversion, repair or construction. *Compliance with mandatory flood insurance purchase does not constitute compliance with floodplain management requirements discussed under Floodplain Management of this document.*

Information on the location of SFHA's is available on Flood Insurance Rate Maps (FIRM) published by the Federal Emergency Management Agency (FEMA).

1. Is any portion of the project in a SFHA as determined by a FEMA Flood Insurance Rate Map? YES NO

2. Does the Responsible Entity participate in the National Flood Insurance Program (NFIP)? YES NO
Access the following website & print the appropriate page to show if the community is listed or not listed in the NFIP. Attach page for proof of compliance.
<http://www.fema.gov/cis/MO.pdf> -MO communities participating in the NFIP

3. Is the Responsible Entity in good standing with the National Flood Insurance Program? YES NO

4. If the Responsible Entity is not in good standing with the NFIP or does not participate in the NFIP, and any portion of the project lies within a SFHA, flood insurance must be acquired and/or project modifications and/or alternatives required prior to the completion of any work, regardless of funding source, in order to comply with HUD and FEMA regulations and CDBG program requirements. Contact CDBG for consultation.
CDBG Grant - Owners of buildings included in the project and located in a floodplain must maintain flood insurance for the life of the building regardless of transfer of ownership.
CDBG Loan - Owners of buildings included in the project and located in floodplain must maintain flood insurance for the term of the loan, in the amount of the loan.
A copy of the owner's flood insurance policy must be attached as documentation if one or both of the above apply.

5. Is the Responsible Entity in compliance with National Floodplain Insurance requirements? YES NO

MO State Emergency Management Agency (SEMA)

2302 Militia Drive, PO Box 116

Jefferson City, MO 65102

573/526-9135 – Dale Schmutzler, Floodplain Management Officer, NFIP

Dale.schmutzler@sema.dps.mo.gov

<http://www.hud.gov/offices/cpd/environment/review/floodinsurance.cfm> -HUD Flood Insurance Information

<http://www.hud.gov/offices/cpd/environment/review/qa/floodinsurance.cfm>-Flood Insurance Q&A

http://www.fema.gov/plan/prevent/floodplain/about_the_nfip.shtm - FEMA NFIP

<http://sema.dps.mo.gov/NFIPContactList.pdf> - MO List of Floodplain Managers (Subject to change)

<http://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1&userType=G> – FEMA Map Service Center

Additional Information/Explanations:

CDBG ENVIRONMENTAL ASSESSMENT

WETLANDS PROTECTION
(E.O. 11990, 24 CFR Part 55)

Executive Order 11990 requires all Federal agencies avoid impacts to wetlands, direct or indirect, by discouraging construction in wetlands whenever there is a practicable alternative.

1. Compliance with Wetlands Protection applies to Land Acquisition and/or Construction related to any of the following. Check all that apply to the project:
- Buildings and structures
 - Roads
 - Sewer and water systems
 - Storm drains and ditches
 - Flood control systems
 - Dredging, filling, excavation (includes rehabilitation to existing buildings and structures)
 - Expansion or altering the footprint of buildings or structures

2. If the project involves any of the above, attach a color wetland map with the project site clearly marked. Acceptable maps are listed below. **Maps listed are for preliminary screening purposes only.** If a question still exists to potential wetland presence or the project area is not mapped for wetlands, contact USFWS for a wetlands determination. The USACE or NRCS may also assist.
- <http://wetlandsfws.er.usgs.gov/wtlns/launch.html> - FWS Wetlands Mapper (National Wetlands Inventory)
- <http://www.topozone.com/states/Missouri.asp> - TopoZone webpage
- <http://ims.missouri.edu/moims/step1.aoi/countylist.asp> - UMC CARES GIS and Internet Mapping

Submit cover letter with detailed project description, project location including township, range and section, clear and detailed map, and preferably color photographs of the area to:

<p>U.S. Fish & Wildlife Service Columbia Ecological Services Field Charlie Scott, Field Supervisor or Rick Hanson 101 Park DeVille Drive, Suite A Columbia, MO 65203-0057 Phone-573/234-2132</p>	<p>U.S. Army Corps of Engineers District Office for your region Refer to Environmental Resource Manual for contact information NRCS Wetlands Delineation Contacts: http://www.mo.nrcs.usda.gov/contact/images/wetland_delineation108.pdf</p>
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3. **Is the project in a designated wetland, as indicated by qualified sources?** YES NO
- ** If the project lies in a wetland/floodplain, you must comply with the HUD 8-Step Decision Making Process – Refer to the Floodplain Management section of this document for the required format.
- Is the HUD 8-Step Decision Making Process applicable? If yes, attach all documentation.** YES NO

4. **Permitting Requirements:** The project may require a Section 404 Permit from the USACE prior to construction activities. If applicable, obtain the permit and attach all related documentation.
- Does the project require a Section 404 Permit? If yes, attach all documentation.** YES NO

- Check all source documentation applicable and attach: Maps must be in color.**
- Color FWS Map(s)
 - Color maps from other qualified agencies. Specify: _____
 - Consultation correspondence (letters, e-mails, faxes, documented phone calls)
 - HUD 8-Step Decision Making Process documentation
 - US Fish & Wildlife Service Clearance
 - US Army Corps of Engineers Clearance
 - Other qualified agency clearance(s): _____
 - 404 Permitting Information
 - Other sources of documentation: _____

Additional Information/Explanations:

CDBG ENVIRONMENTAL ASSESSMENT

COASTAL ZONE MANAGEMENT

There are no Coastal Zones in Missouri.

Compliance Documentation:

Print documentation from website or obtain from Environmental Resource Manual and attach.

<http://coastalmanagement.noaa.gov/mystate/welcome.html>

CDBG ENVIRONMENTAL ASSESSMENT

AIRPORT HAZARDS

(Runway Protection Zones, Protection Zones, and Accident Potential Zones)

24 CFR Part 51 Subpart D

HUD funds may not be used for assistance, subsidy, or insurance for construction, land development, community development, or redevelopment designed to make land available for construction, or rehabilitation that significantly prolongs the life of existing facilities in designated Runway Protection Zones (RPZ) at civil airports or Protection Zones (PZ) at military airfields and Accident Potential Zone (APZ) at military airfields, except where written assurances are made that the project proposed for development will not be frequently used by people, and where written assurances are provided by the airport operator indicating no plans exist to purchase the property as part of a RPZ, PZ, or APZ acquisition program.

If CDBG funds are proposed for development in proximity to these areas, documentation must be provided that the program will comply with requirements referenced above.

1. Do project activities, regardless of funding source, involve new construction, major rehabilitation, change of land use, increase in residential density, or acquisition of real property? YES NO
2. Is the project site located within 2,500 feet of the end of a civil airport runway or within 2 ½ miles from the end of a military airfield? YES NO
3. If the answer to either question is NO, compliance has been attained provided support documentation is attached.
4. If the answer to both questions is YES, documentation must be attached indicating compliance with 24 CFR Part 51 Sub-part D. Contact the applicable airport operator for dimensions of the affected zones and provide documentation that the project is located outside the affected zones.

List attached compliance documentation:

Acceptable Compliance Documentation: Clearly indicate the project area on maps. Maps must be in color. Print lists of major airports.

Maps showing project location in relation to airport/airfield:

<http://www.airnav.com/airports/> - AirNav.com – Interactive listing of airports by state and name or city

<http://ims.missouri.edu/moims/step1.aoi/countylist.asp> CARES Interactive Maps, select ‘Transportation’ map layer

<http://www.aircraft-charter-world.com/airports/northamerica/missouri.htm> - Civil/military airports listed by state.

HUD Memo and list of Primary/Commercial Services Airports provided in Environmental Resource Manual. 24 CFR Part 51 Sub-part D is contained under this section in the Environmental Review Resource Manual.

Additional Information/Explanations:

CDBG ENVIRONMENTAL ASSESSMENT

ENDANGERED SPECIES
(Endangered Species Act (ESA), Section 7 - 50 CFR Part 402)

The ESA mandates that Federally-assisted activities not jeopardize the existence of plants and animals listed or proposed for listing on the endangered species list. Activities proposed for areas harboring such species must avoid adversely modifying or destroying their habitat.

<http://www.fws.gov/endangered/ESA/content.html> - Endangered Species Act of 1973

If the project involves acquisition, new construction, site clearance, or public infrastructure improvements contact the following agencies. Attach all related documentation.

U.S. Fish & Wildlife Service
Columbia Ecological Services Field
Charlie Scott, Field Supervisor or Rick Hanson
101 Park DeVille Drive, Suite A
Columbia, MO 65203-0057
Phone: 573-234-2132
FWS Website:
<http://www.fws.gov/endangered/listing/index.html>

MO Department of Conservation (MODOC)
Shannon Cave
2901 W. Truman Blvd., PO Box 180
Jefferson City, MO 65102
573/522-4115, ext. 3250
MODOC Website: <http://mdcgis.mdc.mo.gov/heritage/>

Compliance:

Are conditions/mitigation measures required by any agency? YES NO

If Yes, 1) Explain agency requirements **2) Explain** if they are feasible in relation to project goals **3) Describe** the mitigation plan to address requirements and if mitigation measures are required for completion *prior* to beginning any physical activity, etc: (Attach additional pages as needed.)

Check all source documentation applicable and attach:

- US Fish and Wildlife clearance
- MO Department of Conservation clearance
- Consultation correspondence (letters, e-mails, faxes, documented phone calls)
- Permitting Information
- Other sources of documentation: _____

Compliance has been met.

CDBG ENVIRONMENTAL ASSESSMENT

WILD AND SCENIC RIVERS
(Wild and Scenic Rivers Act of 1968, 36 CFR Part 297)

The National Wild and Scenic River System was created to conserve scenic, recreational, and fish and wildlife values of certain rivers. Wild and Scenic Rivers Act applies to rivers and segments designated by Congress or States. Information is found in the CDBG Environmental Resource Manual and websites below.

http://www.nature.nps.gov/water/Wild_Scenic_Rivers/index.cfm - Wild & Scenic Rivers Act

http://www.access.gpo.gov/nara/cfr/waisidx_00/36cfr297_00.html -Wild & Scenic Rivers Act, 36 CFR Part 297

Compliance: Assess if any proposed actions will occur within one mile of a Wild or Scenic River.

1. **Federally Recognized Wild and Scenic Rivers:** Missouri has one Federally-recognized wild and scenic river, the *Eleven Point River*. Print website information and attach:

<http://www.rivers.gov/wildriverslist.html#mo> - Click on MO

Is the project site within 1 mile of the Eleven Point River? YES NO

a. **If No**, attach website information and check the box below indicating compliance for Federally recognized wild and scenic rivers.

b. **If Yes**, and has *potential* for adverse impacts, contact the following and attach all related documentation:

U.S. Fish & Wildlife Service

Columbia Ecological Services Field

Charlie Scott, Field Supervisor, Rick Hanson, or Heidi Kufka

101 Park DeVillie Drive, Suite A

Columbia, MO 65203-0057

Phone: 573-234-2132

Are mitigation measures required by FWS? YES NO

If Yes, explain requirements, if feasible for project goals, description of mitigation plan, if mitigation measures are to be complete before starting any physical activity, etc: (attach additional pages as necessary)

Compliance has been met for FEDERALLY recognized wild and scenic rivers.

2. **State Recognized Wild and Scenic Rivers:**

Nationwide Rivers Inventory (NRI) is a list of river segments in the U.S. with one or more "outstandingly remarkable" natural or cultural values of more than local or regional significance. All federal agencies must avoid or mitigate actions adversely affecting one or more NRI segments.

<http://www.nps.gov/ncrc/programs/rtca/nri/states/mo.html> - National River Inventory, MO segments

Is the project site within 1 mile of a State designated wild or scenic river? YES NO

a. **If No**, attach website information and check the box below indicating compliance with State recognized wild and scenic rivers.

b. **If Yes**, and there is *potential* for adverse impacts, contact the following and attach all related documentation:

National Park Service

Environmental Compliance

Midwest Regional Office

601 Riverside Drive

Omaha, Nebraska 68102 Phone: 402/661-1848

Are mitigation measures required by the National Park Service? YES NO

If Yes, explain requirements, if feasible for project goals, description of mitigation plan, if mitigation measures are to be complete before starting any physical activity, etc: (attach additional pages as necessary)

Compliance has been met for STATE recognized wild and scenic rivers.

CDBG ENVIRONMENTAL ASSESSMENT

FARMLAND PROTECTION

(Farmland Protection Policy Act, 7 CFR 658)

Purpose of the Farmland Protection Policy Act is to minimize unnecessary and irreversible conversion of farmland to non-agricultural uses.

This is NOT applicable to lands already in or committed to urban development or water storage, already zoned non-agricultural, or containing over 40 structures per square mile.

This IS applicable to land designated as *Prime* or *Unique* agricultural lands by USDA Natural Resources Conservation Services, including forestland, pastureland and cropland, and farmland of statewide or local importance.

Compliance:

Does the project involve new construction, acquisition or disposition of agricultural land, pasture or forested land that would result in development or conversion for non-agricultural use?

No **Indicate current zoning classification and/or land use of proposed project site:**

Describe current land use of the project site and surrounding/adjacent parcels of the project site. Explain compatibility of proposed project activities with current land use. Attach support documentation for current zoning classification and/or land use such as ordinances, and color photos and maps. Attach additional pages as necessary:

Yes **Complete the *Farmland Conversion Impact Rating Form AD 1006* according to steps outlined in the **Environmental Resource Manual**.** The form is contained in the manual or at the following: http://www.nrcs.usda.gov/programs/fppa/pdf_files/AD1006.PDF. Submit the form to the USDA NRCS office *in your region*. Contact information for NRCS offices at the following website or in the Environmental Resource Manual.
http://www.mo.nrcs.usda.gov/technical/soils/tss/out/nrcs_tss2.jpg.

Describe the outcome of the NRCS rating, any conditions or mitigation measures required, and the feasibility of these requirements in relation to project goals. Attach all related documentation:

Related Website: If using a map for support documentation, print in color.
<http://ims.missouri.edu/moims/step1.aoi/countylist.asp> - UMC Cares Map Room

The map site listed above is for preliminary screening purposes only.

CDBG ENVIRONMENTAL ASSESSMENT

NOISE CONTROL

(24 CFR Part 51, Sub-part B)

Purpose of this regulation is to encourage suitable separation between noise sensitive land uses and major noise sources. The HUD Noise Regulation establishes standards, requirements, and guidelines regarding noise control and abatement for HUD assisted projects. If other funding sources are assisting the project and also require noise control, comply with the strictest noise standards.

1. Explain potential noise associated with a) construction and b) completed project. Attach additional pages as needed:

2. Is the proposed project a noise sensitive land use (residential, school, day care center, community center, library, hospital, nursing home, auditorium, health clinic, shelter, etc) YES NO

3. Is the proposed project located within proximity of any of the following major noise sources? YES NO
If yes, check all that apply:
 Within 1,000 feet of a major roadway (high volume traffic, heavy truck traffic, etc.)
 Within 3,000 feet of a railroad
 Within 15 miles of an airport
 Other significant noise sources (industrial/manufacturing facilities, power generating stations, etc.)

4. Is the project a major noise source within proximity of a noise sensitive use? YES NO

5. If Yes to both #2 and #3, or Yes to #4, a Noise Assessment is **required**. Refer to the 'HUD Noise Guidebook' at the website below. Contact CDBG if assistance is needed. Attach all related documentation.
<http://www.hud.gov/offices/cpd/energyenviro/environm/resources/guidebooks/noise/index.cfm>

6. **If a Noise Assessment was required and completed, attach the assessment and indicate the outcome:** N/A
Exterior Noise is determined: (DNL = Day Night Average Sound Level)
 ACCEPTABLE - Noise is determined 65 DNL or less
 NORMALLY UNACCEPTABLE - Noise exceeds 65 DNL up to 75 DNL
 UNACCEPTABLE – Noise exceeds 75 DNL
Interior Noise is determined:
 ACCEPTABLE – Noise is determined 45 DNL of less
 UNACCEPTABLE – Noise exceeds 45 DNL

7. If noise levels were determined NORMALLY UNACCEPTABLE:
 Noise attenuation activities are feasible to meet acceptable internal and external noise levels. Attach analysis of mitigation measures, including construction specifications.
 An alternative project site will be used.
 Noise attenuation activities are NOT feasible to meet acceptable internal and external noise levels and there are no alternative sites - the project is rejected.

8. If noise levels were determined UNACCEPTABLE:
 Noise attenuation activities are feasible to meet acceptable internal and external noise levels. Attach analysis of mitigation measures, including construction specifications.
 An alternative project site will be used.
 No alternative project site is available. The project is rejected.

CDBG ENVIRONMENTAL ASSESSMENT

EXPLOSIVE AND FLAMMABLE OPERATIONS

(24 CFR Part 51 Sub-part C)

HUD-assisted projects must be assessed for the presence of facilities presenting an explosive or flammable hazard to project sites in an effort to prevent injury to occupants and damage to buildings from industrial accidents. **A site visit is required to assess the area for hazards and must be documented.** The Field Visit Checklist located in this chapter and the Environmental Resource Manual, may be helpful to document site visits. Consultation with a qualified person such as those listed at the bottom of the page may also be required. Attach all correspondence and related documentation.

1. Does the proposed project involve any of the following *residential* activities: YES NO
conversion of non-residential land to residential land use, rehabilitation where unit density is increased, new housing construction, or vacant buildings made habitable?

2. Does the proposed project entail institutional, recreational, commercial, or industrial use, including open spaces, where people may congregate? YES NO

If no to #1 and #2, document that no Explosive or Hazardous Operations are relevant to the project by attaching acceptable source documentation as indicated below.

3. **If yes to #1 or #2** Is the project within sight of or within one (1) mile of stationary hazardous facilities that store, handle, or process chemicals or petrochemicals of an explosive or flammable nature, such as liquid propane, gasoline or other above-ground storage tanks, particularly when there are no intervening topography, existing structures or barriers, are unsuitable for new development or substantial rehab projects. YES NO

Mobile tanks (including railroad cars), buried tanks, and tanks with less than 100-gallon capacity and having common fuels are excluded.

If yes, Acceptable Separation Distance (ASD) must be determined. Refer to the ‘Siting of HUD-Assisted Projects Near Hazardous Facilities Guidebook’ at the website below. Contact CDBG if assistance is needed. Attach all related documentation.

<http://www.hud.gov/offices/cpd/energyenviron/environment/resources/guidebooks/hazfacilities/index.cfm>

Acceptable Sources of Information:

- Local fire marshal, fire department, or fire prevention agencies
- City, county, or project engineer
- Documented interviews with property owners and/or companies operating aboveground tanks
- Documented visits of site and surrounding area, accompanied by color photographs
- Current aboveground tank inspection reports
- Current aerial photographic map
- Current color U.S.G.S topographic map
- Color survey land use maps

Additional Information/Explanations:

CDBG ENVIRONMENTAL ASSESSMENT

WATER QUALITY

**Water Supply and Ground Water
(Safe Drinking Water Act of 1974, Clean Water Act)**

The Safe Drinking Water Act (SDWA) protects public health by regulating the nation's public drinking water supply. The law requires many actions to protect drinking water and its sources: rivers, lakes, reservoirs, springs, and ground water wells. SDWA applies to every public water system in the U.S, but does not regulate private wells serving fewer than 25 people.

<http://www.epa.gov/safewater/sdwa/index.html> -Safe Drinking Water Act of 1974

<http://www.epa.gov/watertrain/cwa/> -Clean Water Act

1. a. Is there an existing municipal or public water supply adequate to serve the project? YES NO

b. Is the water supply safe and free of contamination? YES NO

Explain. Attach inspection reports preferably, and/or letters, or documented telephone calls from Public Water Supply District or comparable source.

2. Will any waterways be affected by the project? YES NO

Explain, and identify on a color map, any rivers, lakes, streams, or other water bodies that may receive effluent discharges from the project site that could impact potable water. Attach other documentation from qualified sources.

3. Does the project entail acquisition of undeveloped land, changes in land use, or new construction? YES NO

If Yes, will the project draw water from a Sole Source Aquifer? YES NO

Print and attach supporting documentation. EPA-designated sole source aquifers are listed at:

http://www.epa.gov/safewater/sourcewater/pubs/qrg_ssamap_reg7.pdf

4. Will the project involve drilling a well? YES NO

If yes, is the location subject to rapid water withdrawal problems that will change depth of the water table? YES NO

Attach county health department inspection reports, letters and/or documented telephone calls.

5. Will the project use a private well for its water supply? YES NO

If yes, has the source been tested and free of contamination? YES NO

Are there septic systems present on or around the project site and have they been properly installed and maintained? YES NO Explain.

Contact the DNR Public Drinking Water Program before construction begins on any public water supply well to determine if it is a non-community or community supply, and if an engineer is required to evaluate the supply.

Documentation: Attach: Documented site visits and/or interviews with property owners, county health department, etc.

For Further Information:

<http://www.dnr.mo.gov/env/wpp/permits/index.html> - DNR - Water Permitting

http://www.dnr.mo.gov/DWW/Maps/Map_Template.jsp - DNR - County Interactive Water Systems Data – Click on County

<http://www.dnr.mo.gov/env/wrc/surfh2o.htm> - DNR- Surface Water

<http://www.dnr.mo.gov/env/wrc/groundwater/gwnetwork.htm> - DNR - Ground Water

<http://www.dnr.mo.gov/env/wrc/welltypes.htm> - DNR - Water Well Types

<http://cfpub.epa.gov/surf/locate/index.cfm> - EPA - Locate Your Watershed

CDBG ENVIRONMENTAL ASSESSMENT

Additional Information/Explanations:

AIR QUALITY

(Clean Air Act 42 U.S.C. 7400 Section 176 & 171, 40 CFR Parts 6, 51, 93)

Federal, State and Local Compliance (Attach additional pages as necessary)

1. Is the project in an EPA-designated non-attainment or maintenance area for one or more of the six criteria pollutants regulated under the Clean Air Act? Attach documentation from EPA: YES NO

<http://www.epa.gov/oar/oaqps/greenbk/ancl.html#MISSOURI>

If Yes, a determination of conformity with the State Implementation Plan (SIP) is required for the project and specific pollutant for which the area was designated a non-attainment or maintenance area. Contact EPA Region VII to determine if the project requires a permit under the SIP. If Yes, obtain a letter of consistency from EPA proving the project is consistent with the SIP. Provide explanations and attach all correspondence.

2. Does the project require installation and/or operating permits, or indirect sources permit, in accordance with the Clean Air Act? YES NO

<http://www.dnr.mo.gov/forms/#AirPollution> – DNR Air Permitting

If Yes, explain and attach all permitting documentation:

3. Will the project comply with local pollution control agency rules, including generation of dust during construction activities? Attach any ordinances or codes pertaining to dust, odors, and other air nuisances. YES NO

4. Explain if the project could establish a trend that if continued, could lead to violations of air quality standards in the future and explain mitigation needed to minimize effects; consider sources, types, and amounts of air emissions produced by the finished project and mitigation needed to minimize air emissions.

5. Noxious Odors or Fumes: Explain potential for odors and emissions by surrounding area sources and completed project, and mitigation measures required to minimize migration of noxious odors or fumes.

Indoor Air Quality - Provide information on sources and types of air emissions that could affect indoor air quality after construction. Attach additional pages as needed to adequately explain each.

1. Asbestos: Does the project have potential to disturb friable asbestos containing building materials (ACBM)? YES NO

If yes, compliance with DNR asbestos regulations is required. Attach all documentation pertaining to asbestos compliance.

CDBG ENVIRONMENTAL ASSESSMENT

<http://www.dnr.mo.gov/env/apcp/Asbestos.htm>-DNR-Asbestos Requirements
<http://www.epa.gov/ttn/atw/hlthef/asbestos.html>-EPA-Asbestos Information

2. **Radon:** Does the project entail construction or major rehabilitation to any type of building to be used for residential purposes or frequent occupancy of people? (housing, commercial store, industrial facility, library, community facility, offices etc.) YES NO
If Yes, and the project is an existing building, a radon test must be conducted and test results attached.
Do test results reveal radon levels in excess of 4 picocuries? YES NO
If Yes, mitigation is required. Contact your engineer/architect and attach all documentation indicating implementation of mitigation measures and compliance achieved. [A picocurie = unit of measure for levels of radon gas (pCi)]
<http://www.epa.gov/radon> - EPA Radon Information
<http://www.epa.gov/radon/zonemap/missouri.htm>-EPA-Radon in Missouri
3. **Mold:** Does the project entail rehabilitation of any building with evidence of mold on any building component, or an interior moisture-related problem, including roof leaks or moisture in and around the interior foundation or crawl space? Document a site visit and attach color photos. YES NO
If Yes, describe how mold will be eliminated and the construction measures required to eliminate source(s) of mold-inducing moisture inside the structure. <http://www.epa.gov/mold/moldresources.html> - EPA - Mold

CDBG ENVIRONMENTAL ASSESSMENT

CONTAMINATION AND TOXIC MATERIALS

(HUD Policy on Site Contamination [Sec. 58.5(i)(2)])

HUD-assisted project sites *must* be free of contamination and chemicals where a hazard could affect health and safety of occupants or conflict with intended use of the property. Particular attention should be paid to sites located on or near landfills, industrial sites, gas stations, or other locations with *potential* for contaminants. If the project involves property acquisition, investigations must be completed and resolved *prior* to the transfer of property.

Identify Site Contamination: (Acceptable documentation: current historical property data, site inspections, ASTM E1527-05 Standard Phase I Environmental Site Assessment and, if applicable, Phase II and Phase III Assessments, other recent environmental studies, documentation from DNR and EPA staff)

1. Explain previous uses of the site and attach acceptable documentation: historical research of property, information from prior land owners, deed, title, easements, liens, aerial photographs, etc.

2. Assess and explain the potential for contamination and types of contaminants on and around the property: Groundwater (drinking water, water for commercial food crops, etc.): Explain:

CDBG ENVIRONMENTAL ASSESSMENT

Air (vapors, gases, radon, airborne dust, asbestos, mold and other particulates, etc.): Explain:

Soil (dust, soil, outdoor recreational areas, school grounds, fill dirt, etc.): Explain:

- | | | |
|--|------------------------------|--|
| 3. Has a current ASTM 1527-05 Phase I Environmental Site Assessment (ESA) been completed?
(Generally, a Phase I ESA is considered current for 180 days)
Date of Phase I ESA: _____
(Attach the Phase I assessment) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 4. If a Phase I Site Assessment <u>has been completed</u> , answer the following: | <input type="checkbox"/> N/A | |
| a. Does contamination exist or is suspected to exist? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| b. Will contaminants affect health and safety of occupants or conflict with the intended use of the site? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| c. Is a Phase II Assessment recommended? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 5. If a current Phase I ESA <u>has not been completed</u> , determine if it is needed. A Phase I ESA is <u>required</u> if the <u>potential</u> for contamination exists. Following are questions to assist in determining if a Phase I ESA is needed: | <input type="checkbox"/> N/A | |
| a. Is project site an EPA Superfund (CERCLA) site or within 1 mile of a Superfund Site?
http://www.epa.gov/superfund/sites/npl/mo.htm - EPA Superfund Sites - print and attach | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| b. Have hazardous substances, pollutants, or contaminants been stored or dumped on the project site? (Document how determination was made.) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| c. Is the project site near an industry or in an industrial area disposing chemicals and/or hazardous waste? (Document how determination was made.) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| d. Is the project site located within 3,000 feet of a toxic or solid waste landfill site? (Document how determination was made) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| e. Does project site contain, or is it adjacent to, aboveground or underground storage tanks? (Document how determination was made) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| f. If tanks are present, contact DNR and attach documentation. Have any tanks been identified by DNR as leaking? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 6. If a Phase II Assessment was recommended for this project, has it been completed?
Date of Phase II assessment: _____ (Attach Phase II Assessment) | <input type="checkbox"/> N/A | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 7. Was a Phase II Assessment completed on the site prior to the proposed project?
Date of Phase II: _____ (Attach Phase II Assessment) | <input type="checkbox"/> N/A | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 8. Does contamination exist at the project site? | <input type="checkbox"/> N/A | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 9. If contamination exists at the site, <u>explain</u> if it is feasible for clean up – (Phase III)? | <input type="checkbox"/> N/A | <input type="checkbox"/> YES <input type="checkbox"/> NO |

CDBG ENVIRONMENTAL ASSESSMENT

Consider extent of contamination, adequate funds for cleanup, if timeframe for cleanup is compatible with timeline for project completion, etc.

10. Is a Phase III Assessment required and completed? N/A YES NO
If Yes, attach the assessment.

11. **Are there conditions for environmental approval?** YES NO
If Yes, explain. Attach additional pages as needed.

Hazardous Waste information is found in the CDBG Environmental Resource Manual and at the following:

- <http://www.epa.gov/epaoswer/hazwaste/id/id.htm> - EPA Identifying Hazardous Waste
- <http://www.epa.gov/epaoswer/hazwaste/ldr/resource.htm#hazwaste> - EPA Hazardous Waste Handlers Database
- <http://www.dnr.mo.gov/env/hwp/index.html> - MO DNR Hazardous Waste Program
- <http://www.epa.gov/radon/> - EPA Radon
- <http://www.epa.gov/radon/zonemap/missouri.htm> - EPA - Radon in Missouri
- <http://www.epa.gov/mold/moldresources.html> - EPA - Mold
- <http://www.astm.org/cgi-bin/SoftCart.exe/index.shtml?E+mystore> - Association for Standards & Testing Methods (ASTM)

Additional Information/Explanations:

ENVIRONMENTAL JUSTICE

(E.O. 12898)

The purpose of Executive Order 12898 is to direct Federal agencies to identify and address as appropriate “disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations”. Generally, this applies to low-income and minority neighborhoods where HUD-assisted projects are proposed for acquisition of existing housing, acquisition of land for development, change in land use, demolition, major rehabilitation, and new construction. At a minimum, Environmental Justice should address the consideration of actual and potential environmental impacts to people of low-income and minority status resulting from the proposed project, and mitigation measures to minimize adverse impacts as much as practicable within the principles of the Executive Order. It is imperative that consistency is maintained throughout the project. Attach additional pages as needed.

CDBG ENVIRONMENTAL ASSESSMENT

1. **Explain the planning/ zoning classification and/or land use designation of the project site and immediate area.** (Acceptable documentation includes official planning & zoning information, color maps, color photographs, description of project and surrounding areas.)

2. **Explain opportunities for public involvement in decision making.** (Acceptable support documentation includes: minutes from council/commission meetings and other public meetings/hearings indicating discussions and decisions throughout the life of the project; newspaper articles describing the project and all project alternatives considered; meeting sign-in sheets, copies of public notices and affidavits of publication; etc.)

3. **Is the proposed project located in or around a low-income or minority neighborhood? Explain.** YES NO

4. **Explain all potential and actual environmental impacts, both positive and negative, regarding low-income and minority persons, as a result of the proposed project.**

5. **Explain all mitigation measures planned to minimize any adverse environmental impacts.**

More information is found in the CDBG Environmental Resource Manual and at the following:

<http://www.epa.gov/compliance/environmentaljustice/> - EPA – Environmental Justice

http://epa.gov/compliance/resources/policies/ej/exec_order_12898.pdf - E.O. 12898

<http://www.hud.gov/offices/cpd/energyenviron/environment/subjects/justice/index.cfm> - HUD Environmental Justice

<http://www.hud.gov/offices/cpd/energyenviron/environment/subjects/justice/acommitmenttocommunities.pdf> - HUD Environmental Justice Implementation Report

SOCIOECONOMIC

1. **Land Use - *Describe* existing and future land use for the project and its surrounding area.** Land use data is available from comprehensive master plans, neighborhood or regional land use plans, zoning information, and correspondence with planners. Information may be supplemented with a review of aerial photography and windshield surveys. (Attach additional pages as necessary.)

2. Will the project conflict with existing uses or future plans, residential, commercial, or industrial uses in the vicinity, or surrounding area of the project? YES NO

CDBG ENVIRONMENTAL ASSESSMENT

Explain why or why not:

3. Will the proposed project significantly alter income, racial, or age distribution of the community or neighborhood? YES NO

Explain why or why not:

4. Will the proposed project contribute to urban sprawl? YES NO

Explain why or why not:

5. Will the project displace individuals, families, or businesses? YES NO

If yes, explain and implement required steps of the Uniform Relocation Assistance and Real Property Acquisition Act (URA).

http://www.access.gpo.gov/nara/cfr/waisidx_04/24cfr42_04.html - URA regulation for HUD-assisted projects

<http://www.hud.gov/offices/cpd/library/relocation/> - HUD - Acquisition and Relocation Webpage

<http://www.hud.gov/offices/cpd/library/relocation/publications/1041.pdf> -HUD When a Public Agency Acquires Your Property

6. Will the project significantly increase or decrease employment opportunities? YES NO

Explain why or why not:

For specific census/demographic information for states, counties, and cities:

http://factfinder.census.gov/home/saff/main.html?_lang=en American Fact Finder (Enter city, county, zip, or choose a state)

COMMUNITY FACILITIES AND SERVICES

For each below, explain: **1)** If project will assist with accessing services **2)** If services will be affected during construction and if construction will hinder response times of emergency services **3)** If services are within reasonable proximity to meet needs of the project and beneficiaries **4)** If it is necessary for services to expand to meet needs of the area as a result of the project **5) 6)** If detours or road closings are planned **7)** Impact of any increased traffic on services **8)** If completed project is compatible with nearby services, etc. (***Identify each service on a map in relation to the project area and attach. Attach additional pages as necessary***)

CDBG ENVIRONMENTAL ASSESSMENT

Emergency & Non-emergency Health Care Services

Police Services:

Fire Protection Services:

Parks, Playgrounds & Open Spaces:

Pedestrian & Bike Paths/Trails:

Streets/Roads, Parking Areas/Facilities & Traffic Control Measures:

Public Transportation (taxi cabs, bus, OATS, etc.):

Refer to the CDBG Environmental Manual, contact the city/county or local RPC, or access the following:

<http://www.smartgrowth.org/default.asp> - Smart Growth

<http://mobikefed.org/motrails.php> - Missouri Bicycle Federation

http://www.modot.mo.gov/othertransportation/bike_ped/Bikepedprogramintro.htm - MoDOT Bicycle & Pedestrian Program

<http://www.trailnet.org/> - Trailnet

<http://www.moga.state.mo.us/STATUTES/C304.HTM> - MO Statutes on Traffic Regulations

<http://www.modot.org/othertransportation/transit/rptransportation.htm> - MODOT Rural Public Transportation

WASTEWATER

CDBG ENVIRONMENTAL ASSESSMENT

1. Is there an existing or planned wastewater collection and treatment system adequate to serve the project? Explain and attach additional pages as necessary. If system violations exist, explain how they are being addressed. (Information should come from the wastewater superintendent, project engineer, or DNR.) YES NO

2. If a wastewater collection and treatment system is planned as part of the project, provide system specifications (Attach preliminary engineering report.): N/A – not included in the project.

3. If on-site sewage systems are planned, are lot sizes and soils suitable for this use? Explain. (Refer to engineering report and/or project engineer for assistance.) YES NO N/A – not in project.

More information is contained in the CDBG Environmental Resource Manual, or by contacting the wastewater superintendent or project engineer, and at the following websites:

<http://www.dhss.mo.gov/Onsite/> - Dept. of Health & Human Services - Onsite Sewage

<http://www.epa.gov/OWM/mab/smcomm/index.htm> - EPA – Small Communities, Office of Wastewater Management

Additional Information/Explanations:

SOLID WASTE

CDBG ENVIRONMENTAL ASSESSMENT

<p>1. If construction, rehabilitation, or demolition activities are planned, will the existing waste disposal system adequately service the proposed project? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A</p> <p>If Yes to the above, <u>describe</u> the types of waste expected as part of construction debris. <input type="checkbox"/> N/A</p>	
<p>2. Describe the types of solid waste expected from the completed project generate. <input type="checkbox"/> N/A</p>	
<p>3. Is solid waste permitting currently required, and/or will the completed project require solid waste permitting? <u>Explain.</u> (Attach permit documentation.) <input type="checkbox"/> YES <input type="checkbox"/> NO</p>	
<p>4. Will owners or renters of the proposed project be required to pay costs for disposal services? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A</p> <p>If yes, will this create a financial hardship? If yes, <u>explain</u> <input type="checkbox"/> YES <input type="checkbox"/> NO</p>	
<p>5. What is the name of the servicing landfill and how far is it from the project site?</p>	
<p>6. Are there any landfills in proximity to the project area that could adversely affect the environment in or around the project site? List names of landfills and describe each one. <input type="checkbox"/> YES <input type="checkbox"/> NO</p>	
<p>Information about Solid Waste is found in the CDBG Environmental Resource Manual and at the following websites: http://www.dnr.mo.gov/env/swmp/facilities/permittedfacilities.htm - DNR Permitted Solid Waste Facilities http://www.dnr.mo.gov/env/swmp/swmd/swmdinfo.htm - DNR Solid Waste Management Districts http://www.dnr.mo.gov/env/swmp/forms/form_permit.htm - DNR forms & permitting</p>	
<p><u>Additional Information/Explanations:</u></p>	
<p align="center"><u>STORM WATER DRAINAGE</u></p>	

CDBG ENVIRONMENTAL ASSESSMENT

1. Is there an existing storm water drainage system adequate to serve the project? YES NO
(Information should come from the public works superintendent, project engineer, or DNR) Explain:

2. If no storm water drainage system exists, describe if the project will promote storm water runoff, the impact, and how it will be dealt. N/A

3. Does the proposed project involve the construction or improvement of a storm water drainage system? If yes, describe specifications proposed for the system and attach the preliminary engineering report. YES NO

4. **National Pollutant Discharge Elimination System Permit: Is the community listed** YES NO

If your community is one listed as affected by [Phase II](#) storm water regulations, attach evidence that your community is in receipt of the NPDES Permit. Include the community's plan for a storm water drainage program and explain progress toward implementation of the required program.

The [national](#) and [state](#) storm water regulations now require certain small communities to obtain a National Pollutant Discharge Elimination System (NPDES) permit. There are approximately [154 Missouri communities](#) affected by these [Phase II](#) storm water regulations. These small communities with Municipal Separate Storm Sewer Systems (MS4s) were required to obtain a NPDES permit by March 10, 2003. The permit requires these regulated MS4s to have their storm water management program in place by March 10, 2008. The program must address six minimum control measures.

For more information, access the following websites:

<http://www.dnr.mo.gov/env/wpp/stormwater/sw-local-gov-programs.htm#overview> –DNR - Small Municipal Separate Storm Sewer Systems (MS4s) Programs

<http://www.dnr.mo.gov/env/wpp/stormwater/sw-phaseii-communities.pdf> - Communities affected - updated

<http://www.dnr.mo.gov/env/wpp/stormwater/index.html> - DNR Storm Water Information Clearinghouse

Additional information may be found in the CDBG Environmental Resource Manual.

Additional Information/Explanations:

CDBG ENVIRONMENTAL ASSESSMENT

LEAD BASED PAINT

(24 CFR Part 35)

Lead based paint requirements apply to all HUD-assisted rehabilitation, residential, commercial, and public facility projects, where young children will reside over 100 days, or spend more than 10 hours per week. Lead-based paint is defined by statute as paint with a lead concentration of 1 milligram per square centimeter, or 0.5 percent by weight. Hazards can be in the form of paint chips, child-accessible (therefore chewable) painted surfaces, friction surfaces of windows and doors, lead contaminated dust, and lead contaminated soil. If lead based paint hazards are identified, lead based paint treatments and lead safe work practices must be implemented. The Missouri Department of Health and Senior Services (DHSS), Section for Environmental Public Health (SEPH), Lead Licensing Program under authority of RSMO 701.300-701.338, governs the licensure of lead abatement personnel, enforces work practice standards for lead inspections, risk assessments, and lead abatement projects and accredits lead training courses in Missouri.

1. Does the project involve rehabilitation structures built prior to January 1, 1978? YES NO

2. If yes, are children under 6 years old anticipated to reside over 100 days or spend over 10 hours a week in the project structure? YES NO N/A

3. If yes, does a field observation reveal any deteriorated paint, exterior and interior, such as cracking, peeling and chipping? (Pay particular attention to friction areas like doors and windows, and assess if paint has made contact with soil.) (Attach field observation documentation.) YES NO N/A

4. If yes to all of the above questions, lead paint testing is required for deteriorated paint surfaces and paint surfaces that will be disturbed. *Missouri Licensed Lead Professionals, licensed through the Missouri Department of Health and Senior Services (DHSS) must be hired.* Comply with all DHSS requirements.

If CDBG funds are proposed to pay for lead testing, treatment, and/or abatement, CDBG procurement methods apply.

Attach all support documentation regarding lead testing, treatment, and/or abatement.

Lead Based Paint information may be found in the CDBG Environmental Resource Manual and at the following websites:

<http://www.hud.gov/offices/hsg/omhar/readingrm/environ/resource.pdf> - HUD Lead Information Resources

<http://www.dhss.mo.gov/Lead/ListsofMissouriLeadProfessionals.html> - MO Licensed Lead Professionals

<http://www.moga.mo.gov/STATUTES/C701.HTM> - RSMO 701.300-701.338

<http://www.dhss.mo.gov/ChildhoodLead/> - Childhood Lead Poisoning Prevention

<http://www.osha.gov/SLTC/lead/index.html> - OSHA - Lead

<http://www.epa.gov/lead/pubs/interiorfinal2.pdf> - EPA Lead-Based Paint Pre-Renovation Education Rule

<http://www.epa.gov/lead/index.html> - EPA Lead in Paint, Dust, and Soil

Additional Information/Explanations:

CDBG ENVIRONMENTAL ASSESSMENT

ASBESTOS

(40 CFR 61, Sub

Asbestos requirements apply to all HUD-assisted projects involving demolition and rehabilitation of regulated structures. The Missouri Department of Natural Resources (DNR) is a delegated agency of the Environmental Protection Agency (EPA) for the purposes of administering 40 CFR Part 61, Subpart M, *The National Emission Standard for Asbestos*, the asbestos NESHAP. This regulation contains requirements for asbestos inspection, project notification, emission control procedures for asbestos removal, and asbestos waste disposal. The DNR regulates demolition and renovation projects involving institutional, commercial, public, industrial, or residential structures, installations or buildings.

In addition to the requirements of the federal asbestos NESHAP, the DNR also has additional State regulations that govern asbestos activities. These regulations include requirements for trained and registered contractors to perform asbestos abatement work. These regulations also ensure that individuals that perform asbestos inspections, and who design and work on asbestos abatement projects, are properly trained and certified through accredited training providers. DNR regulations governing asbestos can be found at 10 CSR 10-6.241 and 10 CSR 10-6.250.

The United States Occupational Safety and Health Administration (OSHA) requirements are in place to ensure the protection of workers who must work with or around asbestos containing materials. Projects involving structures with asbestos containing materials, whether or not regulated by DNR, must be performed in accordance with all applicable OSHA requirements.

Does the project involve demolition or rehabilitation of residential or commercial structures? YES NO

If Yes, a *Missouri Certified Asbestos Inspector*, certified by DNR, must be hired to perform a thorough asbestos inspection identifying the quantity, type, condition, and location of asbestos containing materials. Comply with DNR reporting requirements. If friable asbestos containing materials are present requiring abatement, a *Missouri registered asbestos abatement contractor must be hired*.

If CDBG funds are proposed to pay for asbestos inspection and/or abatement, CDBG procurement methods will apply.

Attach all support documentation regarding asbestos inspection and/or abatement.

Asbestos information may be found in the CDBG Environmental Resource Manual and at the following websites:

http://www.access.gpo.gov/nara/cfr/waisidx_02/40cfr61_02.html - 40 CFR Part 61

<http://www.sos.mo.gov/adrules/csr/current/10csr/10c10-6a.pdf> - 10 CSR 10-6.241 & 10-6.250

<http://www.dnr.mo.gov/env/apcp/Asbestos.htm> - DNR Asbestos Information

<http://www.dnr.mo.gov/pubs/pub2157.pdf> - Asbestos Requirements for Demolition & Renovation

<http://www.dnr.mo.gov/pubs/pub2156.pdf> - Management of Non-Friable Asbestos Containing Materials

<http://www.epa.gov/asbestos/> - EPA – Asbestos

http://www.osha.gov/pls/oshaweb/searchresults.category?p_text=asbestos&p_title=&p_status=CURRENT - OSHA

CDBG ENVIRONMENTAL ASSESSMENT

Additional Information/Explanations:

ENERGY CONSUMPTION

Section 101 of the Housing and Community Development Act of 1974, as amended, states: “Federal assistance provided in this chapter is for the support of community development activities which are directed toward the following specific objectives: 9) the conservation of the Nation’s scarce energy resources, *improvement of energy efficiency*, and the provision of alternative and renewable energy sources of supply”. HUD encourages CDBG grantees to incorporate ENERGY STAR qualified products and practices when conducting rehabilitation or new construction.

1. Identify if the project will use as its energy source any “alternative” fuel or energy source(s) such as wind generation, solar power, geothermal energy, or bio-fuels.

2. If new construction or rehabilitation of a building is proposed, describe whether the building will be ENERGY STAR qualified.

3. If new construction or rehabilitation of a building is proposed, identify if energy-efficient materials and construction methods are proposed – consult with the project architect or engineer. Check all that apply:

- Programmable thermostat
- Installation of new HVAC system with improved controls
- Use of reflective, light colored roofing shingles
- Professionally sealed ducts to the ENERGY STAR specification of 10% maximum
- Joints and penetrations through drywall must be well sealed to keep moist air out of insulation.
- Sealing leaks around windows, doors, floor, ceiling, plumbing and electrical features
- Insulating all exterior walls to at least R-19
- Replacement or addition of windows with U-factor of 0.40 or less and solar heat gain coefficient 0.55 or less
- Insulation of ceilings of top floor to at least R-49.
- Insulation of floors above unconditioned space to at least R-25
- Installation of vapor retarders in non-vented framed floors
- Insulation of interior floors above conditioned spaces to at least R-19
- Installation of radiant barriers in attic or like spaces
- Replacing water heater with electric model with Energy Factor of 0.92 or higher, or gas model of 0.61 or higher
- Replacing incandescent lights with ENERGY STAR compact fluorescent bulbs and fixtures
- Replace magnetic ballasts with electronic ballasts using a T8 lamp
- ENERGY STAR exit signs
- Low flow toilets
- Low flow faucets
- ENERGY STAR brand appliances

4. If none of the above are proposed, are any feasible? Why or why not?

5. Explain if simple weatherization techniques will be implemented during construction.

Related Information:

http://www.energystar.gov/ia/business/evaluate_performance/pm_pe_guide.pdf - 2007 Professional Engineer’s

CDBG ENVIRONMENTAL ASSESSMENT

Guide to Energy Star for Commercial Buildings

<http://www.energystar.gov/ia/business/BUM.pdf> - Energy Star Building Upgrade Manual

http://www.energystar.gov/index.cfm?c=comm_real_estate.building_upgrade_value_calculator – Building Upgrade Value Calculator

http://www.energystar.gov/index.cfm?c=government.bus_government_local – Energy Star For Local Governments

GUIDELINES FOR COMPLETING THE NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

The language in the *Notice of Intent To Request Release of Funds* is required by HUD. This Notice is used to request the environmental release of funds for Categorically Excluded projects (24 CFR Part 58, Section 58.35(a)) or for projects for which a Notice of Finding of No Significant Impact was previously issued. Required language is **bolded**. Words in *italics* are to be replaced with language relevant to the specific project and Responsible Entity involved.

The seven-day local comment period is the *minimum* time period required by regulation prior to submission of a Request for Release of Funds and Certification (form HUD-7015.15) to the State. The Grantee may choose to allow a longer comment period. The fifteen-day State objection period is a statutory requirement. The objection period follows the submission date specified in the Notice, or the actual date of receipt by the State, whichever is later.

The Notice must specify that all comments be received and addressed in writing by the Grantee/applicant.

(NOI) NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS TEMPLATE

Note (Not meant for publishing): The language below is HUD's recommended wording of the Notice of Intent to Request a Release of Funds. This Notice is used to request the environmental release of funds for Categorically Excluded projects (24 CFR Part 58, Section 58.35(a)). Required language is bolded. Words in *italics* are to be replaced with language relevant to the specific project and Responsible Entity involved

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

Date of Publication: *[date published]*

Name of Responsible Entity (RE) - City, County, or Village only

Address (e.g., Street No. or P.O. Box)

City, State, Zip Code

Telephone Number of RE

On or after at least one day after the end of the comment period the name of RE – City, County, or Village will submit a request to the State of Missouri Department of Economic Development for the release of Community Development Block Grant funds under Title I of the Housing and Community Development Act of 1974 (PL 93-383) to undertake the following project:

Project Title: *project name*

Purpose: *description/nature/scope of project*

Location: *detailed project location*

Estimated Cost: *both estimated CDBG funding & total project costs*

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at name and address of RE office where ERR can be examined – City Hall, County Courthouse, Village- and name and address of other locations where the record is available for review Hall and may be examined or copied weekdays __A.M to __P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the RE designated office responsible for receiving and responding to comments – City Hall, County Courthouse, or Village Hall. All comments received by notice date plus seven days will be considered by the name of RE – City, County, or Village prior to authorizing submission of a request for release of funds.

RELEASE OF FUNDS

The name of RE – City, County, or Village certifies to the State of Missouri that name of Certifying Officer in his/her capacity as Official Title – Mayor, Presiding Commissioner, or Village Chairperson consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. The State of Missouri's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the name of RE – City, County, or Village to use HUD program funds.

OBJECTIONS TO RELEASE OF FUNDS

The State of Missouri will accept objections to its release of funds and the RE's – City, County, or Village certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the name of RE – City, County, or Village; (b) the RE – City, County, or Village has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by the State of Missouri; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the State of Missouri Department of Economic Development at PO Box 118, Jefferson City, MO 65102. Potential objectors should contact the State of Missouri Department of Economic Development to verify the actual last day of the objection period.

Name and Title of RE Certifying Officer (Mayor, Presiding Commissioner, or Village Chairperson)

Note (Not meant for publishing): The seven day public comment period is the minimum time period required by regulation prior to submission of a Request for Release of Funds and Certification (form HUD-7015.15) to the State Of Missouri. The Responsible Entity may choose to allow a longer comment period. The fifteen-day objection period is a statutory requirement. The objection period follows the submission date specified in the Notice or the actual date of receipt by the State of Missouri, whichever is later.

EARLY PUBLIC FLOODPLAIN NOTICE TEMPLATE

EARLY PUBLIC NOTICE

Date of Publication: *[Date Published]*

To: All Interested Agencies, Groups, & Individuals

The *(City/County/Village)* **of** *(City/County/Village name)*, **Missouri is proposing to** *(indicate name of project, address/location, and describe all project activities)*. The project will involve *(the amount of land/property)* **located in the 100-year floodplain and wetland. The** *(City/County/Village of)* **is interested in discussing alternatives to this project and securing public perceptions of possible adverse impacts that could result from the project and possible mitigation measures. This notice is required by Section 2(a)(4) of Executive Order 11988 for floodplain management and Section (b) of Executive Order 11990 for protection of wetlands, and is implemented by HUD Regulations found at 24 CFR 55.**

Written comments must be received by *(month/date/year)* **at the following address:** *(Contact person, complete address, and telephone number.)*

(Name of Mayor/Presiding Commissioner/Village Chair)

***Remember:** The Early Public Notice must allow a 15-day comment period beginning the day after the date of publication and *prior* to publishing the Notice of Explanation, and Notice of Intent To Request Release of Funds or Combined Notice, whichever applies to the level of environmental review for the project.

NOTICE OF EXPLANATION FLOODPLAIN TEMPLATE

NOTICE OF EXPLANATION

Date of publication: *[Date Published]*

To: All Interested Agencies, Groups, & Individuals

The *(City/County/Village)* **of** *(City/County/Village name)*, **Missouri intends to undertake** *(indicate name of project, address/location, and describe all project activities)*. **This project is needed because** *(indicate need for project)*. **This project is located in the 100-year floodplain and wetland. The project cannot be undertaken in any other location because** *(indicate why this is the best alternative)*. **The following alternatives were considered:** *(If there were no other alternatives, indicate this and explain why)*.

- 1.
- 2.
- 3.

The *(City/County/Village of)* **has determined that it has no practicable alternative other than that stated above. This activity will have no significant impact on the environment for the following reasons:**

- 1.
- 2.
- 3.

The proposed project is designed to minimize adverse impacts and preserve the natural floodplain and wetland. The *(City/County/Village of)* **has conducted an evaluation as required by Executive Order 11988 and 11990 in accordance with HUD regulations at 24 CFR 55.20 to determine the potential affect that activities in the floodplain and wetland will have on the environment.**

Written comments must be received by *(month/date/year)* **at the following address:** *(Contact person, complete address, and telephone number)*.

(Name of Mayor/Presiding Commissioner/Village Chair)

***Remember:** The Notice of Explanation must allow a 7-day comment period beginning the day after the date of publication.

The Notice of Explanation may be published in conjunction with the Notice of Intent To Request Release of Funds, when the project requires a Categorical Excluded Subject To Related Laws and Authorities (CEST) level of review.

The Notice of Explanation must not be published concurrently with the Combined Notice, when an Environmental Assessment level of review is required. The Combined Notice must be published after the Notice of Explanation 7-day comment period expires.

GUIDELINES FOR COMPLETING THE COMBINED NOTICE

(Notice of Finding of No Significant Impact & Notice of Intent To Request Release of Funds)

The language in the Combined Notice is required by HUD. This Notice is used for projects requiring completion of an Environmental Assessment (24 CFR Part 58, Section 58.36). Required language is bolded. Words in *italics* are to be replaced with language relevant to the specific project and Responsible Entity involved.

If there is more than one Grantee/applicant, list them all. For instance, in the case of multi-jurisdictional projects there is typically a lead grantee and other participating grantees. If all are included in the project, then all should be listed in the notice. For multi-jurisdictional projects, notices should be published in newspapers of all relevant jurisdictions, or at a minimum, posted in high traffic areas of all jurisdictions involved in the project. If necessary, contact CDBG for assistance with determining appropriate language in the notice.

The fifteen-day public comment period is the minimum time period required by regulation prior to submission of a Request for Release of Funds and Certification (form HUD-7015.15) to the State. The Grantee/applicant may choose to allow a longer comment period. 24 CFR Part 58 requires, at Section 58.46, "time delays for exceptional circumstances," a 30-day comment period for controversial or unique projects or those similar to projects normally requiring preparation of an Environmental Impact Statement. The fifteen-day objection period is a statutory requirement. The objection period follows the submission date specified in the Notice, or the day after receipt of the Notice by the State, whichever is later.

The Notice must specify that all comments be received and addressed in writing by the Grantee/applicant.

COMBINED NOTICE TEMPLATE

Note (not meant for publication): The language below is HUD's required wording of the Combined Notice of Finding of No Significant Impact and Notice of Intent to Request a Release of Funds. This Notice is used for projects requiring completion of an Environmental Assessment (24 CFR Part 58, Section 58.36). Required language is bolded. Words in italics are to be replaced with language relevant to the specific project and Responsible Entity involved.

Date of Publication: *[date published]*

Name of Responsible Entity (RE) - *City, County, or Village only*

Address (e.g., Street No. or P.O. Box)

City, State, Zip Code

Telephone Number of RE

**NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

Date of Publication: [date published]

Name of Responsible Entity (RE) - City, County, or Village only

Address (e.g., Street No. or P.O. Box)

City, State, Zip Code

Telephone Number of RE

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the name of RE or grant recipient – City, County, or Village only.

REQUEST FOR RELEASE OF FUNDS

On or after insert date at least one day after the end of the comment period the name of RE (City, County, or Village) will submit a request to the State of Missouri Department of Economic Development for the release of Community Development Block Grant funds under Title I of the Housing and Community Development Act of 1974 (PL 93-383), to undertake the following project:

Project Title: *project name*

Purpose: *description/nature/scope of project*

Location: *detailed project location*

Estimated Cost: *both estimated CDBG funding & total project costs*

FINDING OF NO SIGNIFICANT IMPACT

The name of RE – City, County, or Village only has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional

project information is contained in the Environmental Review Record (ERR) on file at name and address of RE - City, County, or Village- office where ERR can be examined and name and address of other locations where the record is available for review and may be examined or copied weekdays __A.M to __P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the RE designated office responsible for receiving and responding to comments - County Court House, City Hall, or Village Hall. All comments received by publication date plus fifteen days will be considered by the name of RE – City, County, or Village prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

RELEASE OF FUNDS

The name of RE – City, County, or Village certifies to the State of Missouri that name of Certifying Officer in his/her capacity as Official Title - Presiding Commissioner, Mayor, or Village Chairperson consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. The State of Missouri’s approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City, County or Village to use HUD program funds.

OBJECTIONS TO RELEASE OF FUNDS

The State of Missouri will accept objections to its release of funds and the RE, – City, County or Village certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the name of RE – City, County, or Village; (b) the RE, – City, County, or Village has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by the State of Missouri; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to State of Missouri Department of Economic Development, Community Development Block Grant at PO Box 118, Jefferson City, MO 65102. Potential objectors should contact the State of Missouri Department of Economic Development to verify the actual last day of the objection period.

Name and Title of RE Certifying Officer (Presiding Commissioner, Mayor, or Village Chairperson)

Note (Not meant for publication): The fifteen day public comment period is the minimum time period required by regulation prior to submission of a Request for Release of Funds and Certification (form HUD-7015.15) to the State of Missouri. The Responsible Entity may choose to allow a longer comment period. 24 CFR Part 58 requires, at Section 58.46, “Time delays for exceptional circumstances,” a 30-day comment period for controversial or unique projects or those similar to projects normally requiring preparation of an Environmental Impact Statement. The fifteen-day objection period is a statutory requirement. The objection period follows the submission date specified in the Notice or the day after receipt of the Notice by the State of Missouri, whichever is later.

DISTRIBUTION LIST FOR ENVIRONMENTAL NOTICES

In general, environmental notices should be sent to all interested parties, including:

- Local News Media
- Individuals and groups interested in your activities
- EPA Region VII
- MO Department of Natural Resources
- MO DNR State Historic Preservation Officer
- U.S. Fish and Wildlife
- MO Department of Conservation
- Other state and federal agencies, as appropriate

Following is a list of state and federal agencies most appropriate to receive environmental notification. Agencies marked with one asterisk (*) must receive all public environmental notices. If the project is located within the 100-Year Floodplain and/or Wetland, the agencies marked with a double asterisk (**) must receive environmental notices in addition to the other required agencies.

*U.S. Environmental Protection Agency, Region 7
ATTN: ENSV/NEPA Section
901 N 5th Street
Kansas City, KS 66101
Phone: 913-551-7003

*State Historic Preservation Office
Missouri Department of Natural Resources
PO Box 176
Jefferson City, MO 65102
Phone: 573-751-7858

*Missouri Department of Natural Resources
PO Box 176
Jefferson City, MO 65102
Phone: 573-522-8796

Attn:(Send environmental notices to **all** DNR divisions, units, offices who could have an interest in the project)

**MO State Emergency Management Agency
Dale Schmutzler, Floodplain Management Officer
2302 Militia Drive, PO Box 116
Jefferson City, MO 65102
573/526-9135

**U.S. Army Corps of Engineers
SEND TO THE DISTRICT OFFICE FOR
YOUR AREA – refer to the Environmental
Resource Manual for contact information.

**U.S. Fish and Wildlife Service
Region 3 Ecological Field Office
101 Park DeVile Drive, Suite A
Columbia, MO 65203
Phone: 573-234-2132

**FEMA Region VII
9221 Ward Parkway, Suite 300
Kansas City, MO 64114-3372
Phone: 816-283-7061

**Missouri Department of Conservation
Shannon Cave
2901 W. Truman Blvd., PO Box 180
Jefferson City, MO 65102
573/522-4115, ext. 3250

INSTRUCTIONS FOR COMPLETING THE REQUEST FOR RELEASE OF FUNDS & CERTIFICATION FORM (RROF&C)

PART 1 – PROGRAM DESCRIPTION AND REQUEST FOR RELEASE OF FUNDS

Box 1 – Program Title(s): Community Development Block Grant (CDBG)

Box 2 – HUD/State Identification Number: For projects that have been awarded funding, indicate the CDBG assigned project number (Ex. 2005-PF-01). For proposed projects, leave this area blank.

Box 3 – Recipient Identification Number: No entry is required. However, the Grantee may use this space for internal filing purposes.

Box 4 – OMB Catalog Number(s): Enter the designated number for the **CDBG Program which will always be ‘CFDA No. 14.228’**.

Box 5 – Name & Address of the Responsible Entity: Name & address of the Grantee (city or county)

Box 6 – For Information about this request, contact name & telephone number: Enter the name of the person to contact concerning questions about this form and the environmental review for the project. This may be the grantee, but is commonly the person who completed the environmental review process.

Box 7 – Name & Address of Recipient (if different than responsible entity): This may be left blank as the grantee is the responsible entity and is indicated in Box 5.

Box 8 – HUD or State Agency and Office Unit to Receive Request: State of MO Department of Economic Development, CDBG Program

Box 9 – Program Activity/Project Name: Enter the name of the project/activity for which the request for release of funds is being submitted.

Box 10 – Location (Street address, city, county, & State): Enter the complete location of the project.

Box 11 – Program Activity/Project Description: Enter a complete description of all activities for which the form pertains.

PART 2 – ENVIRONMENTAL CERTIFICATION (TO BE COMPLETED BY RESPONSIBLE ENTITY)

No. 3 – Check one of the boxes. The second box is the box that is usually checked.

Signature of Certifying Officer & Responsible Entity – Insert the name of the Mayor or Presiding Commissioner, the chief elected official for the grantee. This should correspond with whomever signs the grant agreement, otherwise known as the Funding Approval. The Certifying Officer is attesting to the grantee’s compliance with HUD/CDBG environmental review procedures (24 CFR Part 58).

PART 3 – TO BE COMPLETED WHEN THE RECIPIENT IS NOT THE RESPONSIBLE ENTITY

Signature of Authorized Officer of the Recipient: For purposes of the CDBG program, this area does not apply, as the recipient and the responsible entity are one in the same.

**Request for Release of Funds
and Certification**

U.S. Department of Housing
and Urban Development
Office of Community Planning
and Development

OMB No. 2506-0087
(exp. 12/31/2007)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s)	2. HUD/State Identification Number	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s)	5. Name and address of responsible entity	
6. For information about this request, contact (name & phone number)	7. Name and address of recipient (if different than responsible entity)	
8. HUD or State Agency and office unit to receive request		

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s)	10. Location (Street address, city, county, State)
--	--

11. Program Activity/Project Description

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did did not require the preparation and dissemination of an environmental impact statement.
4. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
5. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
6. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

7. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
8. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity	Title of Certifying Officer
X	Date signed
Address of Certifying Officer	

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient	Title of Authorized Officer
X	Date signed

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

PRE-GRANT AWARD ENVIRONMENTAL APPROVAL

(Date)

The Honorable (Name)

(Mayor/Presiding Commissioner)

Address

City, MO Zip

RE: Pre-Grant Award Environmental Approval

Dear (Name Chief Elected Official):

Our office received the Request For Release of Funds & Certification, form HUD-7015.15, on **(date)**. The Environmental Review for **(name of proposed project)** has been reviewed and approved by this office. Consider this notice authorization to initiate actions and/or expend funds on behalf of the any required private match requirement effective as of the date of this letter, **(date)**.

This notice in no way commits or guarantees CDBG funds for use in this proposed project, nor does it authorize you to officially commit CDBG funds for any portion of this proposed project.

Should the abovementioned project be awarded CDBG funding, this notice will serve as the Authority to Use Grant Funds/Completion of Environmental Requirements. Please file this notice in the Environmental Review Record for proper record keeping, audit, and inspection purposes.

Sincerely,

Jo Ann Dent
CDBG Environmental
Compliance Specialist
Business and Community Services Division
MO Department of Economic Development

C:

STATE OF MISSOURI
DEPARTMENT OF ECONOMIC DEVELOPMENT
COMMUNITY DEVELOPMENT BLOCK GRANT
AUTHORITY TO USE GRANT FUNDS
COMPLETION OF ENVIRONMENTAL REVIEW REQUIREMENTS

GRANTEE:

PROJECT #:

Date Request for Release of Funds and Certification, form HUD-7015.15 received: _____

All objections, if received, have been considered and the minimum comment period has expired.

The Grantee is hereby authorized to use CDBG funds awarded for the above-referenced project. File this form in the Environmental Review Record for proper record keeping, audit, and inspection purposes.

Any changes in the scope of the project as funded are subject to HUD/CDBG environmental review requirements.

Effective Date of Release

CDBG Environmental Officer
MO Department of Economic Development