

ATTACHMENT 1

Certification of Exemption for HUD funded projects

Determination of activities listed at 24 CFR 58.34(a)
May be subject to provisions of Sec 58.6, as applicable

Grant Recipient: _____ Project Name: _____
Project Description (Include all actions which are either geographically or functionally related): _____

Location: _____
Funding Source: CDBG HOME ESG HOPWA EDI Capital Fund Operating Subsidy Hope VI Other
Funding Amount: _____ Grant Number: _____

I hereby certify that the abovementioned project has been reviewed and determined an Exempt activity per 24 CFR 58.34(a) as follows:

	1. Environmental & other studies, resource identification & the development of plans & 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 Sec. 58.35(a) provided that there are no circumstances that require compliance with any other Federal laws and authorities cited in Sec. 58.5.

If your project falls into any of the above categories, no Request for Release of Funds (RROF) is required, and no further environmental approval from HUD will be needed by the recipient for the draw-down of funds to carry out exempt activities and projects. The responsible entity must maintain this document as a written record of the environmental review undertaken under this part for each project.

By signing below the Responsible Entity certifies in writing that each activity or project is exempt and meets the conditions specified for such exemption under section 24 CFR 58.34(a). Please keep a copy of this determination in your project files.

Responsible Entity Certifying Official Name

Title (please print)

Responsible Entity Certifying Official Signature

Date

Certification of Exemption for HUD funded projects
 Determination of activities listed at 24 CFR 58.34(a)
 May be subject to provisions of Sec 58.6, as applicable

Grant Recipient: City of New Orleans **Project Name:** City Planning Commission Public Service Positions
Project Description (Include all actions which are either geographically or functionally related):
Infrastructure - City of New Orleans-Office of Recovery and Development Administration-City Planning Public Service Positions- is requesting funds to fill staff positions to fulfill local comprehensive planning techniques and enforce development regulations in this period of recovery. This covers 5 full time positions for three years. This money is appropriated through the Infrastructure Program-Long Term Community Recovery grant. New Orleans will receive \$411,000,000.
Location: New Orleans LA
Funding Source: CDBG HOME ESG HOPWA EDI Capital Fund Operating Subsidy Hope VI Other
Funding Amount: \$ 915,807.00 **Grant Number:** B-06-DG-22-0001

I hereby certify that the abovementioned project has been reviewed and determined an Exempt activity per 24 CFR 58.34(a) as follows:

	1. Environmental & other studies, resource identification & the development of plans & strategies;
	2. Information and financial services;
XXXX	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 Sec. 58.35(a) provided that there are no circumstances that require compliance with any other Federal laws and authorities cited in Sec. 58.5.

If your project falls into any of the above categories, no Request for Release of Funds (RROF) is required, and no further environmental approval from HUD will be needed by the recipient for the draw-down of funds to carry out exempt activities and projects. The responsible entity must maintain this document as a written record of the environmental review undertaken under this part for each project.

By signing below the Responsible Entity certifies in writing that each activity or project is exempt and meets the conditions specified for such exemption under section 24 CFR 58.34(a). Please keep a copy of this determination in your project files.

Anthony Faciane
 Responsible Entity Official Name

Anthony Faciane
 Responsible Entity Official Signature

Certifying Officer, Deputy Dir. for Neighborhood Stabilization
 Title (please print)

3/20/09
 Date

ATTACHMENT 2



Certification of Categorical Exclusion (subject to 58.5)

Determination of activities listed at 24 CFR 58.35(a)
May be subject to provisions of Sec 58.6, as applicable

Grant Recipient: _____ Project Name: _____
Project Description (Include all actions which are either geographically or functionally related):

Location: _____
Funding Source: CDBG HOME ESG HOPWA EDI Capital Fund Operating Subsidy Hope VI Other
Funding Amount: _____ Grant Number: _____

I hereby certify that the abovementioned project has been reviewed and determined to be a Categorically Excluded activity (subject to 58.5) per 24 CFR 58.35(a) as follows:

	1. Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 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 any 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.

The responsible entity must also complete and attach a **Statutory Checklist**. By signing below the Responsible Entity certifies in writing that each activity or project is Categorical Excluded (subject to 58.5) and meets the conditions specified for such exemption under section 24 CFR 58.35(a). Please keep a copy of this determination in your project files.

Responsible Entity Certifying Official Name

Title (please print)

Responsible Entity Certifying Official Signature

Date



Certification of Categorical Exclusion (subject to 58.5)

(Determination of activities listed at 24 CFR 58.35(a)
 May be subject to provisions of Sec 58.6, as applicable

Grant Recipient: State of Louisiana **Project Name:** Tangipahoa Parish Schools
Project Description (Include all actions which are either geographically or functionally related):
This activity includes the installation of generators at two locations in Tangipahoa parish LA. This activity is part of the Disaster Recovery's Infrastructure program-Primary and Secondary Education Infrastructure, which is reserved specifically for education infrastructure repair costs.
Location: 59656 Puleston Road, Amite LA 70403 and 2500 Westpark Avenue, Hammond LA 70403.
Funding Source: CDBG HOME ESG HOPWA EDI Capital Fund Operating Subsidy Hope VI Other
Funding Amount: \$171,190 **Grant Number:** B-06-DG-22-001

I hereby certify that the abovementioned project has been reviewed and determined to be a Categorically Excluded activity (subject to 58.5) per 24 CFR 58.35(a) as follows:

	1. Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 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;
xxxxxxx	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 any 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.

The responsible entity must also complete and attach a **Statutory Checklist**. By signing below the Responsible Entity certifies in writing that each activity or project is Categorical Excluded (subject to 58.5) and meets the conditions specified for such exemption under section 24 CFR 58.35(a). Please keep a copy of this determination in your project files.

 Responsible Entity Name

 Title (please print)

 Responsible Entity Signature

 Date

ATTACHMENT 3

STATUTORY CHECKLIST For Categorical Excluded Projects Only

24 CFR §58.5 STATUTES, EXECUTIVE ORDERS & REGULATIONS

Grant Recipient: _____ Project Name: _____

Project Description (Include all actions which are either geographically or functionally related):

Location: _____

This project is determined to be categorically excluded according to: [Cite section(s)] _____

Compliance Factors:

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5

N/A

Consultation, Review, Permits Required

Consistency Determination

Condition, Mitigation

Compliance Documentation

Compliance Factors	N/A	Consultation, Review, Permits Required	Consistency Determination	Condition, Mitigation	Compliance Documentation
Historic Preservation [36 CFR Part 800]					
Floodplain Management [24 CFR 55, Executive Order 11988]					
Wetland Protection [Executive Order 11990]					
Coastal Zone Management Act [Sections 307(c), (d)]					
Sole Source Aquifers [40 CFR 149], SDWA (42 U.S.C. 201, 300(f) et seq., and 21 U.S.C. 349)					
Endangered Species Act [50 CFR 402]					
Wild and Scenic Rivers Act [Sections 7(b), and (c)]					
Clean Air Act [Sections 176(c), (d), and 40 CFR 6, 51, 93]					

24 CFR 58.5

Compliance Factors:
Statutes, Executive Orders, and
Regulations listed at 24 CFR §58.5

N/A Consultation,
Review,
Permits
Required Consistency
Determination Condition,
Mitigation

Compliance Documentation

Farmland Protection Policy Act [7 CFR 658]					
Environmental Justice [Executive Order 12898]					
HUD ENVIRONMENTAL STANDARDS					
Noise Abatement and Control [24 CFR 51B]					
Explosive and Flammable Operations [24 CFR 51C]					
Toxic Chemicals and Radioactive Materials [24 CFR 58.5(i)]					
Airport Clear Zones and Accident Potential Zones [24 CFR 51D]					

DETERMINATION:

- () This project converts to Exempt, per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license (Status "A" has been determined in the status column for all authorities); **Funds may be drawn down** for this (now) EXEMPT project; OR
- () This project cannot convert to Exempt because one or more statutes/authorities require consultation or mitigation. Complete consultation/mitigation requirements, publish NOI/RROF and obtain Authority to Use Grant Funds (HUD 7015.16) per Section 58.70 and 58.71 before drawing down funds; OR
- () The unusual circumstances of this project may result in a significant environmental impact. This project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

PREPARER SIGNATURE: _____ DATE: _____

PREPARER NAME: _____

RESPONSIBLE ENTITY AGENCY

OFFICIAL SIGNATURE: _____

NAME, TITLE: _____

DATE: _____

STATUTORY CHECKLIST For Categorical Excluded Projects Only

24 CFR §58.5 STATUTES, EXECUTIVE ORDERS & REGULATIONS

Grant Recipient: State of Louisiana Project: Tangipahoa Parish Schools

Project Description (Include purpose, need, and all actions which are either geographically or functionally related):
The subject properties consist of purchase and installation of generators at two locations in Tangipahoa Parish.

Location: 59656 Puleston Road, Amite LA 70422 and 2500 Westpark Avenue, Hammond LA 70403.

This project is determined to be categorically excluded according to: [Cite section(s)] _____

Compliance Factors:

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5

N/A

Consultation, Review, Permits Required

Consistency Determination

Condition, Mitigation

Compliance Documentation

Compliance Factors	N/A	Consultation, Review, Permits Required	Consistency Determination	Condition, Mitigation	Compliance Documentation
Historic Preservation [36 CFR Part 800]					Letter from SHPO, received dated 12/31/08, stating that there are No Historic Properties Affected per 36 CFR 800.4, and no adverse effects on historic properties per 800.5(b).
Floodplain Management [24 CFR 55, Executive Order 11988]					Rehabilitation will not take place in a flood zone.
Wetland Protection [Executive Order 11990]					The rehabilitation will occur within a fully developed urban area (streets, sewers and utilities). There will be no destruction or modification of wetlands.
Coastal Zone Management Act [Sections 307(c), (d)]					Northern Tangipahoa parish is not in a coastal zone.
Sole Source Aquifers [40 CFR 149], SDWA (42 U.S.C. 201, 300(f) et seq., and 21 U.S.C. 349)					Rehabilitation will not affect recharge zones of any sole source aquifer in the State or LA. (See attached letter from US EPA, dated 6/12/06).
Endangered Species Act [50 CFR 402]					Rehabilitation will not affect endangered or threatened species, nor will it result in the habitat of such species which is determined, as this activity takes place in a fully developed area.
Wild and Scenic Rivers Act [Sections 7(b), and (c)]					There is one Federally designated Wild and Scenic River in Louisiana ("Saline Bayou"), which is 19 miles long, and is located in Natchitoches Parish. (US National Park Service website, "Wild & Scenic River by State, http://www.nps.gov/rivers/wildriverslist).
Clean Air Act [Sections 176(c), (d), and 40 CFR 6, 51, 93]					Tangipahoa Parish is in an attainment area in Louisiana. (See attached letter from LA Dept of Environmental Quality, dated June 22, 2006).

24 CFR 58.5

Compliance Factors:

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5

N/A Consultation, Review, Permits Required Consistency Determination Condition, Mitigation

Compliance Documentation

Farmland Protection Policy Act [7 CFR 658]					This activity is rehabilitation; therefore, no farmlands are affected as a result of the rehabilitation of this property.
Environmental Justice [Executive Order 12898]					Rehabilitation will have a positive impact on low- and moderate-income persons and minorities, as educational facilities were severely damaged or destroyed by Hurricanes Katrina and Rita, which devastated the southern part of Louisiana. This activity will be compatible with surrounding land uses. This activity will be built according to the State's new building codes standards, and FEMA's Base Flood Elevation guidance, as applicable.
HUD ENVIRONMENTAL STANDARDS					
Noise Abatement and Control [24 CFR 51B]					The sites are not located within 1000 feet of a major highway, within 3000 feet of a major railroad, nor within 15 miles of a major airport. No noise study is required.
Explosive and Flammable Operations [24 CFR 51C]					There are not known thermal/explosive hazards in the immediate vicinity of the project site.
Toxic Chemicals and Radioactive Materials [24 CFR 58.5(i)]					There are no known hazardous materials, contamination, toxic chemicals, gasses or radioactive substances that could affect the health or safety of occupants or conflict with the intended use of the property.
Airport Clear Zones and Accident Potential Zones [24 CFR 51D]					The project is not located within an FAA-designated civilian airport RCZ or Approach Projection Zone or within a military airfield Approach Protection Zone, CZ or APZ.

DETERMINATION:

- (x) This project converts to Exempt, per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license (Status "A" has been determined in the status column for all authorities); **Funds may be drawn down** for this (now) EXEMPT project; OR
- () This project cannot convert to Exempt because one or more statutes/authorities require consultation or mitigation. Complete consultation/mitigation requirements, publish NOI/RROF and obtain Authority to Use Grant Funds (HUD 7015.16) per Section 58.70 and 58.71 before drawing down funds; OR
- () The unusual circumstances of this project may result in a significant environmental impact. This project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

PREPARER SIGNATURE: _____

DATE: 2/3/09

PREPARER NAME: Ann Herring

RESPONSIBLE ENTITY AGENCY

OFFICIAL SIGNATURE: _____

NAME, TITLE: Thomas Brennan, Assistant Executive Director, OCD

DATE: 2/3/09
ERR Document

02/07 HUD Region VI

ATTACHMENT 4

SAMPLE

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

(Date of Notice)

(Name of Responsible Entity [RE])

(Address)

(City, State, Zip Code)

(Telephone Number of RE Preparer Agency)

On or about (at least one day after the end of the comment period) **the** (name of RE) **will** [if the re is not also the grantee insert the following language here--"authorize the (name of grantee) to"] **submit a request to the** (HUD/state administering agency) **for the release of** (name of grant program) **funds under** [title/section ()] **of the** (name of the Act) **of** (date of Act), **as amended, to undertake a project known as** (project title), **for the purpose of** (nature/scope of project, and project address/location if applicable).

The activities proposed [Alternative #1: are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act requirements-- Alternative #2: comprise a project for which a finding of no significant impact on the environment was (published/posted) on (date of finding publication or posting)]. **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 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). **All comments received by** (if notice is published: notice date plus seven days--if notice is posted: posting date plus ten days) **will be considered by the** (name of RE) **prior to authorizing submission of a request for release of funds.**

RELEASE OF FUNDS

The (name of RE) **certifies to** (HUD/state) **that** (name of certifying officer) **in** (his/her) **capacity as** (official title) **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.** (HUD's/state's) **approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the** (name of grantee) **to use Program funds.**

OBJECTIONS TO RELEASE OF FUNDS

(HUD/state) will consider objections to its release of funds and the (RE's name) certification received by (anticipated date of HUD/state receipt of RROF/c plus fifteen days) or for a period of fifteen days following 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); (b) the (RE) 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 project have committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by (HUD/state); 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) and shall be addressed to (HUD/state grant administration office) at (address of that office). Potential objectors should contact (HUD/state) to verify the actual last day of the objection period.

(name and title of re certifying officer)

**NOTICE OF INTENT TO REQUEST FOR
RELEASE OF GRANT FUNDS**

Susan Elkins, Executive Director
Louisiana Department of Administration,
Office of Community Development ("OCD")
1201 North Third Street
Baton Rouge Louisiana 70804
(225) 342-7412

Notice Issued: March 15, 2007

This notice shall satisfy two separate but related procedural notification requirements for activities to be undertaken by the Office of Community Development, as well as satisfy two comment periods which are concurrent between OCD and HUD.

REQUEST FOR RELEASE OF FUNDS. On or about March 15, 2007, the OCD will submit a request to the U.S. Department of Housing and Urban Development for the release of federal funds approved under the FY 2006 Department of Defense Appropriations Act, in accordance with the "Notice of Funding Availability" published in the Federal Register on February 13, 2006, for the purpose of providing \$2.5 million dollars in funding to *The Road Home Homelessness Supports and Housing Program*. This program will use CDBG Disaster Funds to rehabilitate facilities which served the homeless population and were damaged during Hurricanes Katrina and Rita, in order to restore their capacity in the storm-damaged areas. These facilities are located in Calcasieu, Cameron, Jefferson, Orleans, Plaquemines, St. Bernard and St. Tammany parishes.

An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at OCD, 1201 North Third Street, Suite 7-270, Baton Rouge LA 70802, (225) 219-9620 and may be examined or copies weekdays 8 a.m. to 5 p.m.

PUBLIC COMMENTS: These funds are needed on an emergency basis due to a declared disaster; therefore, the comment periods for both OCD and HUD have been combined. Any individual, group, or agency disagreeing with this determination, or wishing to comment on the program may submit written comments to this office, as well as to HUD, to ensure that all comments receive full consideration. All comments received by March 30, 2007 will be considered by this office and HUD prior to the release of funds.

RELEASE OF FUNDS: This Office certifies to HUD that Susan Elkins, in her capacity as Executive Director, 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. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the OCD to use HUD Program Funds.

OBJECTIONS TO RELEASE OF FUNDS. HUD will accept objections to its release of funds and OCD's 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 OCD approved by HUD; (b) OCD 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 project have committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; 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:

Tina Powell
Field Environmental Review Officer
Department of Housing and Urban Development
500 Poydras Street, 9th floor
New Orleans LA 70130

Potential objectors should contact HUD to verify the actual last day of the objection period.

Susan Elkins, Executive Director
Office of Community Development

ATTACHMENT 5

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. 3/31/2011)

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)		
8. HUD or State Agency and office unit to receive request	7. Name and address of recipient (if different than responsible entity)	
	<p>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</p>	
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
	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
	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)

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. 11/30/2004)

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) State of Louisiana Disaster Recovery Assistance Program	2. HUD/State Identification Number (HUD GRANT NUMBER) B-06-DG-22-0001	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s) 14.228	5. Name and address of responsible entity Aaron Broussard 1221 Elmwood Park Blvd, Suite 1002 Jefferson, LA 70123	
6. For information about this request, contact (name, phone and fax number) Anatola Thompson 504 / 736-6260	7. Name and address of recipient (if different than responsible entity) Jefferson Parish – Department of Community Development 1221 Elmwood Park Blvd, Suite 907 Jefferson, LA 70123	
8. HUD or State Agency and office unit to receive request Louisiana Division of Administration Office of Community Development 150 N. 3rd Street, Suite 600 Baton Rouge, LA. 70801 ATTN: Ann Herring		

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) Westwego # 1 Pump Station Drainage Improvements	10. Location (Street address, city, county, State) 100 Vic A Pitre Dr, Westwego, LA 70094
--	---

11. Program Activity/Project Description (including grant amount)

Project Description summary:

This project will increase the drainage capacity of Westwego #1 Pump Station by adding (2) new electric motor-driven vertical 50 cfs pumps, a back up generator and associated electrical panel and switches.

The total costs of the improvements are \$1,324,411. The total CDBG disaster assistance is \$1,324,411.

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	Name & Title of Certifying Officer
	Aaron Broussard Parish President – Jefferson Parish
X <i>Aaron Broussard per JAW</i>	Date signed
	4/22/09

Address of Certifying Officer

Office of the President
1221 Elmwood Park Blvd, Suite 1002
Jefferson, LA 70123

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
	Director – Jefferson Parish Department of Community Development
X <i>Anatola B. Thompson</i>	Date signed
	4/22/09

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)

ATTACHMENT 6

**Authority to Use Grant Funds
7015.16**

**Office of Community Development
Disaster Recovery Unit**

TO:

We received your Request for Release of Funds and Certification, form HUD-7015.15 on

Your Request was for HUD/State Identification Number – B-06-DG-22-0001

All objections, if received, have been considered. And the minimum waiting period has expired. You are hereby authorized to use funds provided to you under the above HUD/State Identification Number. File this form for proper record keeping, audit and inspection purposes.

Project/Activity:

Location:

Funding Amount:

Authorizing Officer Printed Name

Authorizing Officer Title

Authorizing Officer Signature

Date

BOBBY JINDAL
GOVERNOR



ANGELE DAVIS
COMMISSIONER OF ADMINISTRATION

State of Louisiana
Division of Administration
Office of Community Development
Disaster Recovery Unit

Authority to Use Grant Funds
7015.16

Office of Community Development
Disaster Recovery Unit

TO: Anatola Thompson
Director
Jefferson Parish Department of Community Development
Suite 605 Yenni Building
1221 Elmwood Park Boulevard
Jefferson LA 70123

We received your Request for Release of Funds and Certification, form HUD-7015.15 on **November 12, 2008.**

Your Request was for HUD/State Identification Number – B-06-DG-22-0001

All objections, if received, have been considered. And the minimum waiting period has expired. You are hereby authorized to use funds provided to you under the above HUD/State Identification Number. File this form for proper record keeping, audit and inspection purposes.

Project/Activity:

Town of Jean Lafitte Drainage Improvements – This project will include the design and construction of culverts, catch basins, street cuts, driveway replacements and utility adjustments along the following streets: Eve Lynn Drive, Willie Mae Street, Canal Street and Gloria Drive. The Drainage improvements will involve the conversion of 2,350 LF of semi-open ditches into subsurface drainage.

Location: Eve Lynn Drive, Willie Mae Street, Canal Street and Gloria Drive, Jean Lafitte, Jefferson Parish, LA 70067

Funding Amount: \$500,000

Thomas Brennan
Authorizing Officer Printed Name

Authorizing Officer Signature

Assistant Executive Director, OCD
Authorizing Officer Title

11/26/08

Date

ATTACHMENT 7

Certification of Categorical Exclusion (not subject to 58.5)

Determination of activities listed at 24 CFR 58.35(b)
May be subject to provisions of Sec 58.6, as applicable

Grant Recipient: _____ Project Name: _____
Project Description (Include all actions which are either geographically or functionally related): _____

Location: _____
Funding Source: CDBG HOME ESG HOPWA EDI Capital Fund Operating Subsidy Hope VI Other
Funding Amount: _____ Grant Number: _____

I hereby certify that the abovementioned project has been reviewed and determined to be a Categorically Excluded activity (not subject to 58.5) per 24 CFR 58.35(b) as follows:

	1. Tenant-based rental assistance;
	2. Supportive services including, but not limited to, health care, housing services, permanent housing placement, 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 Sec. 58.47.

If your project falls into any of the above categories, **no** Request for Release of Funds (RROF) is required, and no further environmental approval from HUD will be needed by the recipient for the draw-down of funds to carry out Categorical Exclusion (not subject to 58.5) activities and projects. The responsible entity must maintain this document as a written record of the environmental review undertaken under this part for each project.

By signing below the Responsible Entity certifies in writing that each activity or project is Categorical Excluded (not subject to 58.5) and meets the conditions specified for such determination per section 24 CFR 58.35(b). Please keep a copy of this determination in your project files.

Responsible Entity Certifying Official Name & Title (please print)

Responsible Entity Certifying Official Signature

Date

Certificate of Categorical Exclusion (Not Subject to 58.5)
Determination of activities per 24 CFR 58.35 (b)
May be subject to provisions of Sec 58.6, as applicable

Grant Recipient: State of Louisiana **Project Name:** LA CDBG Disaster Recovery Supplemental Funds
Project Description (Include all actions which are either geographically or functionally related):
Infrastructure Program-these monies were allocated in Action Plan Amendment Number 2-Local
Government Emergency Infrastructure-Primary and Secondary Education Infrastructure for \$200,000,000.
These monies (\$35,723) will be used for the casework and modular laminates in the school. Casework
includes bookshelves, overhead cabinets, cubby holes for the students coats/belongings, cabinet doors, tops,
etc. Additionally, \$18,568 will be used to purchase student chairs/desks. Iberia Parish is allocated \$303,659.
Location: 5301 US Hwy. 90 Frontage Road, New Iberia, Iberia parish, LA 70560.
Funding Source: CDBG
Funding Amount: \$54,291.00 **Grant Number:** B-06-DG-22-0002

I hereby certify that the above mentioned project has been reviewed and determined to be a Categorically Excluded Activity (not subject to 58.5) per 24 CFR 58.35(b) as follows.

- (1) Tenant-based rental assistance
- (2) Supportive services including, but not limited to, health care, housing services, permanent housing placement, daycare, nutritional services, short term payments for rent/mortgage/ utility cost and assistance in gaining access to Local, State, Federal government benefits and services;
- (3) 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 purchases, 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 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 predevelopment costs including legal, consulting, developer and other costs related to obtaining site options, project financing, administrative cost and fees for loan commitments, zoning approvals and other related activities which do not have a physical impact;
- (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 finding is not required under Sec. 58.47.

If the project falls into any of the above categories, no Request for Release of Funds (RROF) is required, and no further environmental approval from HUD will be needed by the recipient for the draw-down of funds to carry out exempt activities and projects. The responsible entity must maintain this document as a written record of the environmental review undertaken under this part for each project.

By signing below the Responsible Entity certifies in writing that each activity or project is Categorically Excluded (not subject to 58.5) and meets the conditions specified for such determination per section 24 CFR 58.35(b).

Thomas Brennan, Assistant Executive Director, OCD
Responsible Entity Official Name and Title (please print)

Thomas Brennan
Responsible Entity Official Signature

February 9, 2009

Date

ATTACHMENT 8

STATUTORY CHECKLIST

24 CFR §58.5 STATUTES, EXECUTIVE ORDERS & REGULATIONS

Grant Recipient: _____ Project Name: _____

Project Description (Include all actions which are either geographically or functionally related):

Location: _____

Compliance Factors:

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5

N/A

Consultation, Review, Permits Required

Consistency Determination

Condition, Mitigation

Compliance Documentation

Compliance Factors	N/A	Consultation, Review, Permits Required	Consistency Determination	Condition, Mitigation	Compliance Documentation
Historic Preservation [36 CFR Part 800]					
Floodplain Management [24 CFR 55, Executive Order 11988]					
Wetland Protection [Executive Order 11990]					
Coastal Zone Management Act [Sections 307(c), (d)]					
Sole Source Aquifers [40 CFR 149], SDWA (42 U.S.C. 201, 300(f) et seq., and 21 U.S.C. 349)					
Endangered Species Act [50 CFR 402]					
Wild and Scenic Rivers Act [Sections 7(b), and (c)]					
Clean Air Act [Sections 176(c), (d), and 40 CFR 6, 51, 93]					
Farmland Protection Policy Act [7 CFR 658]					
Environmental Justice					

Compliance Factors:
Statutes, Executive Orders, and
Regulations listed at 24 CFR §58.5

N/A Consultation,
Review,
Permits
Required Consistency
Determination Condition,
Mitigation

Compliance Documentation

[Executive Order 12898]					
HUD ENVIRONMENTAL STANDARDS					
Noise Abatement and Control [24 CFR 51B]					
Explosive and Flammable Operations [24 CFR 51C]					
Toxic Chemicals and Radioactive Materials [24 CFR 58.5(i)]					
Airport Clear Zones and Accident Potential Zones [24-CFR 51D]					

PREPARER SIGNATURE: _____ DATE: _____

PREPARER NAME: _____

RESPONSIBLE ENTITY AGENCY

OFFICIAL SIGNATURE: _____

NAME, TITLE: _____

DATE: _____
ERR Document



INSTRUCTIONS for completing the STATUTORY WORKSHEET

For HUD funded projects which are categorically excluded per 24 CFR §58.35(a), the Responsible Entity (RE) must make a determination of whether the proposal achieves compliance with each applicable statute, Executive Order or regulation with or without requiring formal consultation procedures, mitigation, permits or having adverse effects on the resources protected by the statute. (These instructions are a brief description of the essential findings needed to establish compliance. These instructions are not intended to replace the applicable regulations. Applicable regulations take precedence over these brief instructions). The Preparer of the Statutory Worksheet must **DOCUMENT AND/OR ATTACH THE SOURCES OF THE DETERMINATION.**

Record the finding status on the STATUTORY WORKSHEET for each listed Federal statute, regulation, or authority as follows:

Status "A" applies when compliance with the authority is achieved without adverse effects on the protected resource, without necessary mitigation or attenuation AND when no formal consultation, permit or agreement is required to establish compliance. In these situations, enter "A" in the STATUTORY WORKSHEET status column.

Status "B" applies when project compliance with the authority requires formal consultation, a permit or agreement, OR when the proposal may have an adverse effect on the protected resources. Part B summarizes what additional steps or formal procedures must be completed prior to submitting a Request for Release of Funds (RROF) to HUD or to the State. Evidence of completion and implementation of the required procedures or mitigation must be retained in the project Environmental Review Record (ERR).

Historic Properties (including archeology):

A) The RE and SHPO agree that there are No Historic Properties Affected per 36 CFR 800.4, no adverse effects on historic properties per §800.5(b), or SHPO has not objected within 30 days to such fully documented determinations.

B) The proposal has an adverse effect on historic properties. Consult with SHPO et al., per §800.5 et seq., to resolve or mitigate adverse effects.

Floodplain Management:

A) The project does not involve property acquisition, management, construction or improvements within a 100 year floodplain (Zones A or V) identified by FEMA maps, and does not involve a "critical action" (e.g., emergency facilities, facility for mobility impaired persons, etc.) within a 500 year floodplain (Zone B). If FEMA has not published flood maps, the RE must make a finding based on best available data, e.g. from the City/County Engineer or local Flood Control Agency.

B) Complete the 8-step decision making process according to 24 CFR Part 55.20 to document that there are no practicable alternatives to the proposal and to mitigate effects of the project in a floodplain.

Wetlands Protection:

A) The project does not involve new construction within or adjacent to wetlands, marshes, wet meadows, mud flats or natural ponds per field observation and maps issued by the USDI Fish & Wildlife Service or U.S. Corps of Engineers.

B) Complete the 8-step decision making process in 24 CFR 55.20 to document there are no practicable alternatives and to mitigate effects of the project on wetlands. Such action also requires obtaining a permit from the U.S. Corps of Engineers under Section 404 of the Clean Water Act.

Coastal Zone Management:

A) The project does not involve the placement, erection or removal of materials, nor an increase in the intensity of use in the Coastal Zone (CZ) per certified local coastal plan, State Coastal Commission, etc.

B) Secure concurrence from the CZ Commission or delegated local planning commission with your determination of consistency with the applicable CZ Plan, or obtain coastal zone permit.

Sole Source Aquifers (Safe Drinking Water Act):

A) The project is not located within a U.S. EPA-designated sole source aquifer watershed area per EPA Ground Water Office.

B) Consult with the Water Management Division of EPA to design mitigation measures to avoid contaminating the aquifer and implement appropriate mitigation measures.

Endangered Species:

A) The RE determines that the proposal will have "no effect" or "is not likely to adversely affect" any federally protected (listed or proposed) Threatened or Endangered Species (i.e., plants or animals, fish, or invertebrates), nor adversely modify critical habitats. This finding is to be based on contact made with the U.S. Fish and Wildlife Service and/or with State Department of Fish and Game, or by special study completed by a professional biologist or botanist and approved by the above agency. Only a determination of "no effect" does not require being sent to U.S. FWS for concurrence.

B) Consult with the U.S. FWS or with the National Marine Fisheries Service, in accordance with procedural regulations contained in 50 CFR Part 402. Formal consultation with FWS or NMFS is always required for federally funded "major construction" activities and anytime a "likely to adversely affect" determination is made.

Wild and Scenic Rivers:

- A) The project is not located within one mile of a listed Wild and Scenic River, **OR** the project will have no effects on the natural, free flowing or scenic qualities of a river in the National Wild and Scenic Rivers system.
- B) Consult with the U.S. Department of Interior, National Park Service for impact resolution and mitigation.

Air Quality:

- A) The project is located within an "attainment" area, **OR**, if within a "non-attainment" area, conforms with the EPA-approved State Implementation Plan (SIP), per contact with the State Air Quality Management District or Board, **AND** the project requires no individual NESHAP permit or notification;
- B) Negotiate suitable mitigation measures with the Air Quality Management District or Board, obtain necessary permits, issue required notices. (For example, 40 CFR §61.145 requires 10-day prior notification to the Air Quality District Administrator whenever either 260 linear ft., 160 sq. ft., or 35 cubic ft., of asbestos containing material is to be disturbed).

Farmland Protection:

- A) The project site does not include prime or unique farmland, or other farmland of statewide or local importance as identified by the U.S. Department of Agriculture, Natural Resources Conservation Service NRCS (formerly the Soil Conservation Service, **OR** the project site includes prime or unique farmland, but is located in an area committed to urban uses;
- B) Request evaluation of land type from the NRCS using Form AD-1006, and consider the resulting rating in deciding whether to approve the proposal, as well as mitigation measures (including measures to prevent adverse effects on adjacent farmlands).

Noise Abatement and Control:

- A) The project does not involve development of noise sensitive uses, **OR** the project is not within 1,000 feet of a major or arterial roadway, 3,000 feet of a railroad, or 15 miles from a major (listed) airport **OR** ambient noise level is documented to be 65 LDN (CNEL) or less, based upon the HUD Noise Assessment Guidelines (NAG) for calculating noise levels and Airport Noise Contour map;
- B) Apply the noise standard, per 24 CFR §51.101, to the decision whether to approve the proposal (see §51.104), and implement noise attenuation measures (NAG page 39-40) as applicable.

Explosive or Flammable Operations:

- A) The project is located at an Acceptable Separation Distance (ASD) from any above-ground explosive or flammable fuels or chemicals containers according to "Siting of HUD-Assisted Projects Near Hazardous Facilities" (Appendices F & G, pp. 51-52), **OR** the project will expose neither people nor buildings to such hazards;
- B) mitigate the blast overpressure or thermal radiation hazard with the construction of a barrier of adequate size and strength to protect the project (per 24 CFR 51.205).

Toxic Chemicals and Radioactive Materials:

- A) The subject and adjacent properties are free of hazardous materials, contamination, toxic chemicals, gasses and radioactive substances which could affect the health or safety of occupants or conflict with the intended use of the subject property. Particular attention should be given to nearby dumps, landfills, industrial sites and other operations with hazardous wastes. If the property: (i) is listed on an EPA Superfund National Priorities or CERCLA list or equivalent State list; (ii) is located within 3,000 feet of a toxic or solid waste landfill site; (iii) has an underground storage tank other than a residential fuel tank, or (iv) is known or suspected to be contaminated by toxic chemicals or radioactive materials, then, the grantee must provide an ASTM Phase I report.
- B) Mitigate the adverse environmental condition by removing, stabilizing or encapsulating the toxic substances in accordance with the requirements of the appropriate Federal, state or local oversight agency; **OR** reject the proposal.

Airport Clear Zones and Accident Potential Zones:

- A) The project is not within an FAA-designated civilian airport Runway Clear Zone (RCZ) -or Runway Protection Zone, or within a military airfield Clear Zone (CZ) or Accident Potential Zone (APZ) -Approach Protection Zone, based upon information from the airport or military airfield administrator identifying the boundaries of such zones, **OR** the project involves only minor rehabilitation, **OR** the project involves only the sale or purchase of an existing property in the RCZ or CZ;
- B) It is HUD policy not to provide any development assistance, subsidy or insurance in RCZs or CZs unless the project will not be frequently used or occupied by people and the airport operator provides written assurances that there are no plans to purchase the project site.

Environmental Justice:

- A) The proposed site is suitable for its proposed use and will NOT be adversely impacted by adverse environmental conditions;
- B) Site suitability is a concern; the proposal is adversely affected by environmental conditions impacting low income or minority populations. Avoid such impacts or mitigate them to the extent practicable. Address and mitigate the disproportional human health or environmental effects adversely affecting the low income or minority populations **OR** reject the proposal.

STATUTORY CHECKLIST

24 CFR §58.5 STATUTES, EXECUTIVE ORDERS & REGULATIONS

Project Name: Dogwood Place Subdivision

Project Description (Include purpose, need, and all actions which are either geographically or functionally related):
The subject property consists of the construction of 60 affordable rental units in a scattered site setting. There will be 12 two-bedroom, 35 three-bedroom and 13 four-bedroom units for mixed income, multifamily use.

Location: 324 South Lambert Street, Iowa, Calcasieu parish, LA 70647

This project is determined to be categorically excluded according to: [Cite section(s)] _____

Compliance Factors:
 Statutes, Executive Orders, and
 Regulations listed at 24 CFR §58.5

N/A Consultation,
 Review,
 Permits
 Required Consistency
 Determination Condition,
 Mitigation

Compliance Documentation
Appendix III

Compliance Factors	N/A	Consultation, Review, Permits Required	Consistency Determination	Condition, Mitigation	Compliance Documentation
Historic Preservation [36 CFR Part 800]					Letter to SHPO mailed, 8/3/2008 and received, 9/15/08 stating that there are No Historic Properties Affected per 36 CFR 800.4, and no adverse effects on historic properties per 800.5(b).
Floodplain Management [24 CFR 55, Executive Order 11988]					New Construction of apartments will not take place in a floodplain.
Wetland Protection [Executive Order 11990]					The new construction will not occur within a wetland. Letter to Corps of Engineers sent dated 8/3/2008.
Coastal Zone Management Coastal Zone Management Act [Sections 307(c), (d)]					Northern Calcasieu Parish is not in a coastal zone. Letter from Dept of Natural Resources received dated 8/20/08 stating the activity is outside the Coastal Zone.
Sole Source Aquifers Safe Drinking Water Act (42 USC 201, 300(f) & 21 U.S.C. 349) [40 CFR 149]					Construction of single family units will not affect recharge zones of any sole source aquifer in the State or LA. (See attached letter from US EPA, dated 6/12/06).
Fish and Wildlife Endangered Species Act [50 CFR 402]					New construction will not affect endangered or threatened species, nor will it result in the habitat of such species which is determined, by the US Department of the Interior, to be critical, per NEPA report in Phase I ESA, per letter from Wildlife & Fisheries, dated 8/13/2008.
Wild and Scenic Rivers Wild and Scenic Rivers Act [Sections 7(b), and (c)]					There is one Federally designated Wild and Scenic River in Louisiana ("Saline Bayou"), which is 19 miles long, and is located in Natchitoches Parish. (US National Park Service website, "Wild & Scenic River by State,

Compliance Factors:

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5

N/A

Consultation, Review, Permits Required

Consistency Determination

Condition, Mitigation

Compliance Documentation Appendix III

					http://www.nps.gov/rivers/wildriverslist).
Clean Air Clean Air Act [Sections 176(c), (d), and 40 CFR 6, 51, 93]					Calcasieu Parish is in an attainment area in Louisiana. (See attached letter from LA Dept of Environmental Quality, dated June 22, 2006).
Farmland Protection Farmland Protection Policy Act [7 CFR 658]					This property is urban; therefore, no farmlands are affected as a result of the construction of this property, as area is urban buildup residential area.
Environmental Justice [Executive Order 12898]					Construction will have a positive impact on low- and moderate-income persons and minorities, as many affordable housing units were severely damaged or destroyed by Hurricanes Katrina and Rita, which devastated the southern part of Louisiana. The units will be compatible with surrounding land uses. All units will be built according to the State's new building codes standards, and FEMA's Base Flood Elevation guidance, as applicable.
HUD ENVIRONMENTAL STANDARDS					
Noise Abatement and Control [24 CFR 51B]					Noise study is required. the calculated DNL from railway noise is 63.6 decibels, in the Acceptable range according to the HUD guidelines.
Explosive and Flammable Operations [24 CFR 51C]					There are not known thermal/explosive hazards in the immediate vicinity of the project site. (See Phase I Environmental Assessment).
Toxic Chemicals and Radioactive Materials [24 CFR 58.5(i)]					There are no known hazardous materials, contamination, toxic chemicals, gasses or radioactive substances that could affect the health or safety of occupants or conflict with the intended use of the property. (See Phase I Env Assessment).
Airport Clear Zones and Accident Potential Zones [24 CFR 51D]					The project is not located within an FAA-designated civilian airport RCZ or Approach Projection Zone or within a military airfield Approach Protection Zone, CZ or APZ. (See Phase I Env Assessment).

PREPARER SIGNATURE: _____

DATE: October 22, 2008

PREPARER NAME: Ann Herring

RESPONSIBLE ENTITY AGENCY

OFFICIAL SIGNATURE: _____ DATE: _____

NAME, TITLE: _____

ATTACHMENT 9

Environmental Assessment Checklist

Project Name and Identification No. _____

Impact Categories	IMPACT ANTICIPATED			REQUIRES MITIGATION OR MODIFICATION	NOTE CONDITIONS AND/OR SOURCE DOCUMENTATION THAT SUPPORTS FINDING REFERENCE NOTES
	NONE	MINOR	MAJOR		
Land Development					
Conformance with Comprehensive Plans and Zoning					
Compatibility and Urban Impact					
Slope					
Erosion					
Soil Suitability					
Hazards and Nuisances Including Site Safety					
Energy Consumption					
Noise					
Effects of Ambient Noise on Project and Contribution to Community Noise Levels					
Air Quality					
Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels					
Environmental Design, Historic Values and Urban Impact					
Visual Quality Coherence, Diversity, Compatible Use and Scale					
Historic, Cultural and Archaeological Resources					

Environmental Assessment Checklist

Impact Categories	IMPACT ANTICIPATED			REQUIRES MITIGATION OR MODIFICATION	NOTE CONDITIONS AND/OR SOURCE DOCUMENTATION THAT SUPPORTS FINDING
	NONE	MINOR	MAJOR		REFERENCE NOTES
Socioeconomic					
Demographic Character Changes					
Displacement					
Employment and Income Patterns					
Community Facilities and Services.					
Educational Facilities					
Commercial Facilities					
Health Care					
Social Services					
Solid Waste					
Waste Water					
Storm Water					
Water Supply					
Public Safety	Police				
	Fire				
	Emergency Medical				
Open Space and Recreation	Open Space				
	Recreation				
	Cultural Facilities				
Transportation					

Environmental Assessment Checklist

Impact Categories	IMPACT ANTICIPATED			REQUIRES MITIGATION OR MODIFICATION	NOTE CONDITIONS AND/OR SOURCE DOCUMENTATION THAT SUPPORTS FINDING REFERENCE NOTES
	NONE	MINOR	MAJOR		
Natural Features					
Water Resources					
Surface Water					
Floodplains					
Wetlands					
Coastal Zone					
Unique Natural Features and Agricultural Lands					
Vegetation and Wildlife					

Summary of Findings and Conclusions

Summary of Environmental Conditions

Environmental Assessment Checklist

Finding of No Significant Impact

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

2. Is an EIS required? Yes No

3. Finding of No Significant Impact (FONSI) can be made. Project will not significantly affect the quality of the human environment. Yes No

Prepared By: _____

Title: _____

Date: _____

Certified By: _____

Title: _____

Date: _____

Environmental Assessment Checklist

Impact Categories	IMPACT ANTICIPATED			REQUIRES MITIGATION OR MODIFICATION	NOTE CONDITIONS AND/OR SOURCE DOCUMENTATION THAT SUPPORTS FINDING
	NONE	MINOR	MAJOR		REFERENCE NOTES
Socioeconomic					
Demographic Character Changes					There will be positive demographic character changes as a result of the construction of this activity.
Displacement					Land is vacant at this time, so there will be no displacement as a result of the construction of this activity.
Employment and Income Patterns					There will be a positive change to employment or income patterns as a result of the construction of this activity.
Community Facilities and Services.					
Educational Facilities					There are several educational facilities within five miles of this activity.
Commercial Facilities					There are several commercial facilities within five miles of this activity.
Health Care					There are several health care facilities within five miles of this activity.
Social Services					There are several social services within five miles of this facility.
Solid Waste					Solid waste removal is available to this activity by the City.
Waste Water					Municipal water supply, sanitary sewers, waste water disposal and trash collection are available through the City.
Storm Water					The project site is serviced by a storm water system that is managed and maintained by the City.
Water Supply					The drinking water for the project site is managed and maintained by the town of Iowa.
Public Safety	Police				There are police services located within five miles of this project site.
	Fire				There is fire services located within five miles of this project site.
	Emergency Medical				There are doctor's offices, as well as a Pharmacy less than 2 miles from the site. Hospitals serving this project site are located in Iowa.
Open Space and Recreation	Open Space				There is plenty of open space in the areas surrounding this project site.
	Recreation				Schools in the project area provide after school events and sports programs. There are also parks within five miles of this project activity.
	Cultural Facilities				There are public libraries in the project area. Calcasieu parish offers cultural facilities within five miles of site.
Transportation					Transportation is by public or private transportation.

Environmental Assessment Checklist

Impact Categories	IMPACT ANTICIPATED			REQUIRES MITIGATION OR MODIFICATION	NOTE CONDITIONS AND/OR SOURCE DOCUMENTATION THAT SUPPORTS FINDING
	NONE	MINOR	MAJOR		REFERENCE NOTES
Natural Features					
Water Resources					There are no rivers, creeks or open bodies of water in the project area.
Surface Water					There is no surface water present in the project area.
Floodplains					FEMA FIRM Map 220039001C locates this property in Flood Zone X.
Wetlands					Activity will not fill or dredge in a wetlands area.
Coastal Zone					Activity is not located in a coastal zone.
Unique Natural Features and Agricultural Lands					There are no unique natural features or agricultural lands at project site.
Vegetation and Wildlife					There is no native vegetation or wildlife that inhabits this area.

Summary of Findings and Conclusions

Summary of Environmental Conditions

Environmental Assessment Checklist

Alternatives

Determine and describe possible alternatives to the proposed project, including the 'no action' alternative. The feasibility of each alternative and the reasons why each should be adopted or rejected should be discussed sufficiently to indicate that an adequate consideration of each alternative has occurred.

No alternatives were considered. Developer is applying for Tax Credits. There is a requirement that the property been optioned prior to application. Any material change would void the Tax Credit application.

Summary of Existing Conditions and Future Trends

Southwest Louisiana was devastated by Hurricane Rita. Many Cameron parish, Calcasieu parish, and Lower Vermilion parish residents are moving away from the Gulf, and looking for homes outside the Special Flood Hazard area. These homes are vital to the well-being of those looking to stay in the area, but outside of harm's way.

Additional Studies Performed (Attach Study or Summary)

Noise Study

Mitigation Measures Needed:

Environmental Assessment Checklist

Finding of No Significant Impact

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

2. Is an EIS required? Yes No

3. Finding of No Significant Impact (FONSI) can be made. Project will not significantly affect the quality of the human environment. Yes No

Prepared By: Ann Herring

Title: Environmental Officer DRU

Date: October 22, 2008

Reviewed By: _____

Title: _____

Date: _____

Docname: GreenBook
as revised 6/20/05