



## 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):**

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**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 Categorically 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**

# Compliance Documentation Checklist

## 24 CFR 58.6

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

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Level of Environmental Review Determination: \_\_\_\_\_ CatEx Not Subject to the Laws of 58.5

Select One: (1) Exempt per 24 CFR 58.34, or (2) Categorically Excluded not subject to statutes per § 58.35(b), or (3) Categorically Excluded subject to statutes per § 58.35(a), or (4) Environmental Assessment per § 58.36, or (5) EIS per 40 CFR 1500

### STATUTES and REGULATIONS listed at 24 CFR 58.6

#### **FLOOD DISASTER PROTECTION ACT**

1. Does the project involve acquisition, construction or rehabilitation of structures located in a FEMA-identified Special Flood Hazard?

- No; Cite Source Document: \_\_\_\_\_  
 Yes; Source Document: \_\_\_\_\_

2. Is the community participating in the National Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?

- Yes (Flood Insurance under the National Flood Insurance Program must be obtained and maintained for the economic life of the project, in the amount of the total project cost. A copy of the flood insurance policy declaration must be kept on file). (**Appendix I**)  
 No (**Federal assistance may not be used in the Special Flood Hazards Area**).

#### **COASTAL BARRIERS RESOURCES ACT**

1. Is the project located in a coastal barrier resource area?

- No; Cite Source Documentation: \_\_\_\_\_  
(This element is completed).  
 Yes - **Federal assistance may not be used in such an area.**

#### **AIRPORT RUNWAY CLEAR ZONES AND CLEAR ZONES DISCLOSURES**

1. Does the project involve the sale or acquisition of existing property within a Civil Airport's Runway Clear Zone or a Military Installation's Clear Zone?

- No; Source Documentation: \_\_\_\_\_  
Project complies with 24 CFR 51.303(a)(3).

Yes; **Disclosure statement must be provided** to buyer and a copy of the signed disclosure must be maintained in this Environmental Review Record (**Appendix II**)

Prepared by (name and title, please print): \_\_\_\_\_

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

Date: \_\_\_\_\_