CHAPTER IV
Environmental Review

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INTRODUCTION

All projects and related activities proposed with CDBG funds 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.

Procedures within Federal government programs must ensure that environmental information is available before decisions are made and before actions are taken. Responsible Entities (RE), as defined under HUD regulation, are required to follow specific procedures for carrying out Federal environmental review responsibilities as specified in 24 CFR 58. A determined effort should be made to become familiar with all aspects of 24 CFR Part 58.

EVERY project requires some level of environmental review. The RE is responsible for evaluating how the project could affect 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 enhance the quality of projects, protect the environment, and improve the lives of people who will benefit. The environmental review, especially when started EARLY, will save time and money in the long run.

BE AWARE!

The Responsible Entity and its other parties to the project must not 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 property acquisition, including all types of easements, must 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/environmental approval.

FAILURE TO COMPLY WITH THESE REQUIREMENTS WILL JEOPARDIZE CDBG FUNDS FOR USE IN YOUR PROJECT
Below are key HUD environmental terms. Knowledge of the terms and language within HUD’s Part 58 regulation will aid in learning HUD environmental requirements, ensuring communication is clear among all parties involved. An asterisk * indicates additional information is provided later in the chapter.

**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. See Project Aggregation below, for additional information.

**Area of Potential Effect** – Geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.

**Certifying Officer** – Chief elected official, usually a presiding commissioner, mayor, or village chairperson, authorized to execute the Request For Release of Funds and Certification form, 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.

* **Conditions for Environmental Approval (Mitigation Measures Considered and Recommended)** – 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.

* **Environmental Assessment (EA)** – Concise public document exhibiting compliance with NEPA and 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.

* **Environmental Impact Statement (EIS)** – Highest level of review required when a project is determined to have a potentially significant impact on the human environment. Typically an environmental assessment (EA) is completed first, resulting in a Finding of Significant Impact therefore warranting an EIS. However, if significant impacts are anticipated or known early in the project planning process, an EIS could be prepared without first completing an EA.

* **Environmental Review Record (ERR)** – Concise public record containing original documentation related to the environmental review, decision-making, and activities undertaken in a project. The ERR must be available to the public upon request at the RE location; County Courthouse or City/Village offices.

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

**Impacts** –

- **Direct** - Impacts caused by the actions in a project which take place at the same time in the same location.
- **Indirect** – Secondary effects caused by project actions occurring later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other impacts related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.
- **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.

**Project** – Activity or group of activities designed to accomplish, in whole or in part, a specific objective; what must be done in order to meet the particular needs of beneficiaries.

* **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. Example:
City’s proposal to construct a new municipal water system including a water treatment facility and elevated water tank funded by CDBG and distribution lines proposed with USDA funds. The project goal is safe, reliable water for the City. Although funded by two different sources, the activities are functionally related and both must be reviewed as a single project in order to accomplish the goal.

**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 and Certification form (RROF/C).

* **Request For Release of Funds/Certification (RROF/C)** – Form HUD-7015.15 – Completed only if the project is determined either (1) Categorically Excluded Subject To (CEST) review under authorities listed at 58.5, and does not convert to Exempt; or (2) the project requires an Environmental Assessment (EA). An RE submits the RROF/C to CDBG, requesting release of funds and approval to use such funds. Submission of the form must occur no earlier than one day after the expiration of the local comment period for the appropriate notice; Notice of Intent To Request Release of Funds for a CEST level of review, or the Combined Notice (FONSI) for an EA level of review. The most current RROF/C form must be submitted. The originally-signed form must be contained to one page – front and back, not two separate pages.

* **Responsible Entity (RE)** – For purposes of the State-administered CDBG program, the RE is always a unit of general local government assuming environmental responsibility for a project proposed for or funded with CDBG assistance, including certification of the RROF/C, with the assurance that any conditions, procedures, and requirements resulting from the environmental review are incorporated into project plans and successfully implemented.

* **Scope** – The range of actions, alternatives, and impacts to be considered in an environmental assessment (EA).

* **Statutory Checklist** – On its own, a document used for CEST, 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/sub-applicant** – For the State-administered CDBG program, this could include 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.

* **Tiering** – Appropriate when evaluating a project in early stages of development or when site-specific analysis or mitigation is not currently feasible and a narrower or focused analysis is better done at a later date.
COMMONLY USED ENVIRONMENTAL ACRONYMS

AAI – All Appropriate Inquiries (US EPA)
ACHP – Advisory Council on Historic Preservation
ACM – Asbestos Containing Material
ADT – Average Daily Traffic
AICUZ – Air Installation Compatible Use Zone
APE – Area of Potential Effect
APZ – Accident Potential Zones
ASD – Acceptable Separation Distance
AST – Aboveground Storage Tanks
ASTM – American Society for Testing and Materials
BMP – Best Management Practices
B/VCP – Brownfields/Voluntary Cleanup Program (DNR)
CAA – Clean Air Act
CDBG – Community Development Block Grant
CDC – Center for Disease Control
CENST – Categorically Excluded Not Subject To
CEST – Categorically Excluded Subject To
CERCLA – Comprehensive Environmental Response, Compensation and Liability Act
CFR – Code of Federal Regulations
CEQ – Council on Environmental Quality
CSR – Code of State Regulations
CWA – Clean Water Act
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
EO – Executive Order
EPA – United States Environmental Protection Agency
ESA – Endangered Species Act
ERR – Environmental Review Record
FAA – Federal Aviation Administration
FEMA – Federal Emergency Management Agency
FIRM – Flood Insurance Rate Map
FONSI – Finding of No Significant Impact
FOSI – Finding of Significant Impact
FPPA – Farmland Protection Policy Act
FR – Federal Register
HAP – Hazardous Air Pollutant
HUD – United States Department of Housing and Urban Development
LBP – Lead Based Paint
LESA – Land Evaluation and Site Assessment
MOA – Memorandum of Agreement
MODOT – MO Department of Transportation
MOU – Memorandum of Understanding
NAAQS – National Ambient Air Quality Standards
NAL – Noise Assessment Location
NAL – Noise Assessment Location
NAFIP – National Flood Insurance Program
NHPA – National Historic Preservation Act
NOAA – National Oceanic Atmospheric Administration
NOI/RROF – Notice of Intent to Request Release of Funds
NPDES – National Pollutant Discharge Elimination System
NPL – National Priority List
NPS – National Park Service
NRCS – National Resources Conservation Service, USDA
NRI – National Rivers Inventory
NWI – National Wetlands Inventory
OSHA – Occupational Safety and Health Act
PA – Programmatic Agreement
PAR – Preliminary Architectural Report
PER – Preliminary Engineering Report
RAP – Remedial Action Plan
RCRA – Resource Conservation and Recovery Act
RCZ – Runway Clear Zones (also known as Runway Protection Zones)
RE – Responsible Entity (CDBG applicant or grantee)
REC – Recognized Environmental Condition
RPC – Regional Planning Commission
RPZ – Runway Protection Zones (also known as Runway Clear Zones)
RROF/C – Request for Release of Funds and Certification
RSMo – Missouri Revised Statute
SBC – Standard Building Code
SDWA – Safe Drinking Water Act
SEMA – MO State Emergency Management Agency
SFHA – Special Flood Hazard Area
SHPO – State Historic Preservation Office
SIP – State Implementation Plan
SWD – Storm Water Discharge
SWPPP – Storm Water Pollution Prevention Plan
THPO - Tribal Historic Preservation Officer
TMDL – Total Maximum Daily Loads
TRI – Toxic Release Inventory
UBC – Uniform Building Code
UST – Underground Storage Tank
URA – Uniform Relocation Act
USACE – United States Army Corps of Engineers
USDA – United States Department of Agriculture
USDA RD – Rural Development - United States Department of Agriculture
USFWS – United States Fish and Wildlife Service
USGS – United States Geological Survey
WSR – Wild and Scenic River
STEPS IN THE CDBG ENVIRONMENTAL REVIEW PROCESS

Step 1—Project Aggregation
The recipient should evaluate the entire scope of the project and include all funding sources that may be used in conjunction with the project. Defining the project should include determining all integrally related activities designed to accomplish a specific objective. This includes evaluating the entire project area, regardless of the funding source for any project activities.

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 a proposed project from the description. Project descriptions should remain virtually identical on all forms and correspondence. At a minimum, the project description should contain the following:

1. ALL proposed project activities by all funding sources, described in detail
2. Entire project scope and all phases of the project from beginning to end
3. Exact project location(s)/area(s), 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 (donated labor and materials) activities
6. Existing environment on and around project site and how it is expected to change due to a project
7. Temporary impacts anticipated by construction activities and a timeline for construction
8. Other information as recommended by CDBG, environmental agencies, and project professionals

BE AWARE!
A project is the aggregation of all geographically & functionally related activities that accomplish a goal, becoming the basis for the environmental review. Projects must not be parsed into individual activities to enable separate, small-scale reviews. Rather, the project as a whole dictates the level of review required.

Step 2—Environmental Review Responsibilities
Entities eligible to receive CDBG funds from the State are local governments. These units of local government assume the role of Responsible Entity (RE) with respect to environmental reviews.

For CDBG awards, the chief elected official assumes the role of environmental “certifying officer” and accepts full responsibility for the completeness and accuracy of the reviews. The chief elected official must sign all certifications and findings. This environmental duty may not be delegated, although local staff, consultants, and/or State resources may provide technical assistance to support local efforts.

However, an environmental preparer can be designated to complete the ER forms and gather documentation, with review and final approval by the RE certifying officer. Due to the complexities of the process and weight of the responsibility, please choose the ER preparer wisely!

WHAT DOES IT TAKE TO BE AN ENVIRONMENTAL REVIEW PREPARER?

Knowledge of HUD/CDBG program and NEPA compliance requirements through previous grants management and regular participation at CDBG trainings; local environmental issues; rural community and regional needs; and available resources.

Time to conduct site visits; contact and consult with environmental regulatory agencies; analyze data and information; prepare required forms and paperwork accurately; communicate regularly with the RE; keep the review process moving.
Positive partnerships with the RE, CDBG staff, community resource agencies, and Federal and State environmental regulatory and funding agencies.

Resources such as current CDBG forms, manuals, and training materials; varied communication methods and reliable means of transportation.

Flexibility to be available to REs at times that fit their schedules and needs.

Innovativeness to recognize and address the unique needs of each community and the ability to make the most of limited resources available.

Desire to ensure projects do not adversely impact the environment: the environment is compatible with the proposed project and all related activities; compliance is met with NEPA and Part 58 requirements.

PRIDE in ensuring work is complete, concise, neat, organized, and free of errors.

Commonly Used Options for Environmental Preparer:

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

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 3—Determine the Level of Review for the project as a whole

24 CFR Part 58 provides guidance for conducting the environmental review process. Every CDBG project requires some level of environmental review. The level of effort needed to prepare a review and the depth of analysis within should be proportional to the size and complexity of the proposed project. There are five levels of environmental review to consider:

Exempt Activities (24 CFR 58.34)

Exempt activities have no physical impact or result in no physical change on the environment, and therefore do not require an environmental review. Funds from any source may be used for Exempt projects once the Packet 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. (See below)

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

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 buy-downs, 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

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

HUD has determined the following activities do require a review of compliance determination under Federal laws and authorities cited 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, and the land use is not changed;
   (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
      (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

(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:

(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

Converting to Exempt—CEST projects convert to Exempt if, after completing a Statutory Checklist, there are no circumstances requiring compliance or compliance is fully met. Projects requiring tiering, the HUD 8-Step decision making process, or any other compliance or mitigation cannot be converted to Exempt.

• Environmental Assessment (EA) (24 CFR 58.36)

If a project is not Exempt or Categorically Excluded, an Environmental Assessment (EA) is required. The purpose of the EA is to determine the significance of direct and indirect environmental effects of a project and to assess alternative means to achieve an RE’s objectives. Once actual and potential impacts of each project alternative are identified, the RE must then assess if mitigation measures are needed to undertake the project. It is at this point the RE is capable of determining if the project is generally feasible, with the ability to identify the most suitable project alternative to meet the needs of the RE and its beneficiaries. If significant impacts are anticipated with no reasonable means of mitigation apparent, the RE may reject the project or complete an Environmental Impact Statement (EIS). In all circumstances, the completed EA must provide sufficient evidence and analysis for determining whether to prepare an EIS.

• Environmental Impact Statements (EIS) (24 CFR 58.37)

In addition to the four most common classifications, there is also an Environmental Impact Statement (EIS), the highest level of review. This comprehensive review is for those projects that will have a significant environmental impact in terms of context and intensity. These projects are generally beyond the scope of those completed by recipients working in conjunction with the Department of Economic Development. If a project results in a Finding of Significant Impact and the RE does not wish to reject the project, please contact CDBG for consultation and guidance.

Step 4—Environmental Review Packet Completion

Once the complete scope and appropriate level of review for a project has been determined, a recipient must complete the appropriate Environmental Review Forms and submit them and any other necessary information that is required to fully document the environmental review to CDBG. This information is referred to as the Environmental Review Record (ERR). The ERR will vary in size. The project aggregation and the determination of level of review will help determine the appropriate ERR documentation. Additional source documentation, notices, RROF/C Form, and other information, as applicable must be provided and included in the ERR, particularly for projects that require a CEST or EA review.
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CDBG Administrative Manual
Environmental Review

- Exempt- (projects consisting of Exempt activities only) Cover Sheet, Determination of Level of Review Form, Finding of Exempt Activity(to be completed for the project as whole), and 58.6 Checklist
- CENST- Cover Sheet, Determination of Level of Review Form, Finding of Categorical Exclusion Not Subject To Form, and 58.6 Checklist
- CEST- Cover Sheet, Determination of Level of Review Form, Finding of Exempt Activities, 58.6 Checklist, Statutory Checklist, and appropriate documentation.
- EA- Cover Sheet, Determination of Level of Review Form, Finding of Exempt Activities, Environmental Assessment, and appropriate documentation.

The ERR is a legal document and the best and often only defense to prove compliance with applicable laws and regulations. The result should be a complete, yet concise record supporting each step of the environmental process ending in the final determination of the level of impact.

**KEEP IN MIND!**

CDBG forms and guidance cannot possibly be tailored to meet the needs of every project. Modify your review and explanations to adequately explain your particular project. Document all compliance relevant to your particular project.

- CEST or EA level projects consisting of exempt activities:
  Projects requiring a higher level of review will inevitably consist of some exempt activities (24§58.34) that need to take place before the “Authority to Use Grant Funds” is issued (i.e. engineering design, grant administration, etc.). Because of their status as exempt, funds may be expended for these activities and they may begin prior to completion of the ER process. Complete a “Finding of Exempt Activities” Form for all exempt activities prior to their initiation, then begin the environmental review process to examine environmental impacts of all other proposed activities.

**Step 5—Publication/Posting**

Projects that require a CEST or EA review also require the publication or posting of a Notice of Intent to Request Release of Funds (NOI/RROF) notice after the ER is finalized and signed by the RE certifying officer.

For CEST projects, a 7 day comment local comment period will follow publication of the Notice (10 days if posting). For EA projects, a 15 day comment local comment period will follow publication of the Notice (18 days if posting).

**Step 6—Completion of RROF/C Form and Affidavit of Publication**

Projects that require a CEST or EA review must submit a Request for Release of Funds and Certification, affidavit of publication of the Notice, and proof of distribution of the notice to environmental agencies and Tribes to DED no earlier than the day after the publication period has ended. A failure to complete RROF/Certification Form correctly will result in the Department requesting that the form be revised and resubmitted

**Step 7— State Comment Period**

Once the documents have submitted and are accurate, the state 15 day objection period begins.

**Step 8— Obtaining Environmental Clearance**

After the end of the State 15 day comment period, CDBG will provide a Release of Funds letter to the recipient providing environmental clearance and clearance to use grant funds after the Department receives all of the special conditions required by recipient’s CDBG contract.
The projected use of HUD assistance is determined

Complete Statutory Checklist/EA

Submit RROF/C, affidavit of publication and proof of distribution of the notice to CDBG

CDBG reviews ERR and provides feedback

Local Comment Period

State Comment Period

AUGF Issued

Agree activities and form project description

“Complete Level of Review” and Finding of Exempt Activities” Forms

Once all applicable clearances have been received and forms completed, sign the ER, submit to CDBG

Publish Notice

Complete HUD 8-Step Decision Making Process, if necessary

Submit project information to SHPO, Tribes, and other environmental agencies.

Initiate ER Process

Construction can begin

There is no specific timeframe for completion of the ER. On average, reviews can take 90-120 days to complete. It is wise to begin the process as soon as the project is significantly known to allow sufficient time for the possible discovery of adverse impacts requiring mitigation or even the selection of a new project site.
MISSOURI CDBG ENVIRONMENTAL REVIEW PROCESS
General Flow of Review Procedures
24 CFR Part 58

**Responsible Entity (RE)/Grantee:**
- Identifies and designates Preparer (58.11 & 12)
- Creates & maintains Environmental Review Record (ERR) (58.38)
- Develops project description – project aggregation (58.32)
- Determines the level of review

**Exempt (58.34)**
(Entire project or specific activities)

**Categorically Excluded**
- Review activities at 24 CFR 58.35(a) & (b) to determine if categorical exclusion is appropriate

**Environmental Assessment (58.36)**
- Complete Determination of Level of Review, Finding of Exemption, & Environmental Assessment (58.36) forms, submit to DED for review

**Exempt (58.34)**
(Entire project or specific activities)

**Categorically Excluded**
- Review activities at 24 CFR 58.35(a) & (b) to determine if categorical exclusion is appropriate

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(Entire project or specific activities)

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- Review activities at 24 CFR 58.35(a) & (b) to determine if categorical exclusion is appropriate

**Environmental Assessment (58.36)**
- Complete Determination of Level of Review, Finding of Exemption, & Environmental Assessment (58.36) forms, submit to DED for review

**Project and/or conditions change:**
- Re-evaluate ERR - Environmental Determination still valid
- Notify DED for assistance with documenting changes
FORMATTING AND DOCUMENT REQUIREMENTS

To produce a concise and reader-friendly document, please consider the following recommendations.

- All descriptions and responses should be written for the general public, with enough detail for someone who has no prior knowledge of the project or program.
- Compliance must be clearly documented by acceptable source documentation.
- PROOFREAD all correspondence and forms. Misspellings and omissions can change the entire context of a sentence.
- Environmental forms and documents should be typed, not handwritten.
- Ensure all forms and supporting documentation is the most current available.
- Indicate answers to questions in a separate color, larger font, and/or in bolded text so that they stand out and are easy to identify against the text of the form.
- Attach additional pages as needed. Always instruct the reader to “See attachment”.
- Maps should be in color, particularly if there are color-coded legends.
- Photographs are best when in color.
- If problems with formatting and/or computer program compatibility issues, broken links, or new contact persons are encountered, please let CDBG know!

PUBLIC PARTICIPATION

Early and meaningful public participation in the decision making process is paramount in promoting effective planning, project development, implementation, and compliance with NEPA requirements throughout the project’s life. Public participation is often a requirement of the CDBG funding application process; however, it is also important for ensuring safe, successful, and environmentally sound projects. Opportunities for public participation should be built into the decision making process.

Public participation is rooted in the Council for Environmental Quality’s (CEQ) regulations, the National Environmental Policy Act of 1969 (NEPA), U.S. Department of Housing and Urban Development environmental regulations, National Historic Preservation Act of 1966, and Environmental Justice Executive Order 12898.

**Meaningful Involvement** means:
1. People have an opportunity to participate in decisions about activities that may affect their environment and health
2. The public’s contribution can influence the regulatory agency’s decision
3. Their concerns will be considered in the decision making process
4. The decision makers seek out and facilitate the involvement of those potentially affected
PRELIMINARY ENGINEERING & ARCHITECTURAL REPORTS

Projects requiring an Environmental Assessment (EA) or Statutory Checklist (CEST level) will likely require a preliminary engineering (PER) and/or architectural report (PAR). Engineering reports are generally required for public infrastructure improvement projects such as water, sewer, storm sewer, utilities, roads, bridges, etc. Architectural reports are required for new construction or rehabilitation of buildings. Occasionally a project will require both types of reports. Following are items commonly included in PERs and PARs, but is not an all-inclusive list. Reports must be written to address the specific details of and need for a project. The level of effort needed to prepare the report and the depth of analysis within should be proportional to the size and complexity of the proposed project.

CONDITIONS OF APPROVAL
24 CFR 58.40(d) and 58.71(b); 40 CFR 1505.2(c) and 40 CFR 1508.20

When reviewing project activities for potentially adverse environmental impacts, it may be determined that certain conditions must be met to alleviate or minimize the effects during the course of the project, including, but not limited to, procuring permits, limiting construction actions to certain areas, implementing of specific construction practices, design approval by other agencies, compliance with local ordinances, etc. Work with local, state, and federal agencies to determine requirements to determine these “Conditions of Approval.” They should be written so that CDBG staff can verify satisfaction of the condition, and should state clearly and concisely:

- What is to be done
- How it is to be done
- Who is to do it
- When it is to be done
- Who is responsible for determining compliance, as well as when and how, if necessary

EXAMPLE: Excavation shall only take place in the existing plow zone (area that has been plowed and utilized for row crops). If excavation must be performed in areas that are not previously disturbed, an archaeological survey must be completed and submitted to SHPO for approval prior to the work taking place. This measure shall be noted in contract documents. Environmental preparer or project administrator shall perform a site visit to ensure compliance with this requirement.

*Contact the CDBG Environmental Specialist if you need assistance formulating the Conditions of Approval.
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 and/or sites are known. Tiering is commonly used for demolition only projects in which some structures proposed for demolition may be known at the time of the Tier I Review with additional structures being considered later in the project. Tiering is generally restricted to CEST-level reviews. Consult with CDBG if considering a tiered review. Following are guidelines when using the tiered review approach.

**Tier I Review**: Broad Review.

- **Designate the broad area of interest**: The Tier I Review is completed to obtain environmental approval for the project as a whole, with the understanding that additional activities and/or sites will be added later in the project. Provide a geographic designation of the area or region of potential Tier II sites. For large-scale county-wide or multi-county projects, designate specific priority areas within the counties and explain why they are areas of interest.

- **Plan**: Establish a plan (narrative) for the areas of environmental compliance that will be addressed during each level of the review.

- **Complete Review**: Address all laws and authorities for an area wide basis via the appropriate ER packet. Publish the applicable public notice(s), with language indicating the use of a tiered review approach and the specific areas of environmental compliance that will be addressed in the Tier II.

**Tier II: Site-Specific Review.** Using the CDBG Tier II form (refer to the following page), complete a review specific to each additional site identified through the course of the project, and submit to CDBG for review and comment. As long as Tier II Reviews address sites and activities established in the Tier I Review, and there are no significant and/or unanticipated impacts at each tiered site, then public notices and the RROF/C process are not required and site-specific activities may commence.

* **Industrial Parks**: In the case of industrial parks for economic development projects, particularly those that have experienced little to no development, a suggested approach to the environmental review is to identify the entire boundary of the industrial park, even land that has not yet been acquired or designated but is a consideration for inclusion in the future. Conduct the environmental review on the entire area, to the extent possible, in the Tier I Review. Where CDBG funds are proposed later, site-specific Tier II Reviews would be completed for any additional infrastructure and company activities.

* If a Tiered approach will be used, SHPO must be notified that site specific review will be completed as activities and properties are known.
TIER II REVIEW FORM

Responsible Entity: _________________________  Project Number: _________________________

Project Name: _______________________________

Preparer Name: ______________________________

Preparer Agency: ______________________________

Project Location: _________________________________________________________________

Project Design: Select all that are applicable to the project location indicated above and attach.

- [ ] PER  
- [ ] Site Plan  
- [ ] Building Design/Renderings

- [ ] PAR  
- [ ] Work Write-up  
- [ ] Cost Estimates/Revise Budget

- [ ] Other: ____________________________  
- [ ] N/A, Explain: ______________________________

Project Description:

[Blank space for project description]
REVIEW OF ENVIRONMENTAL IMPACTS:
For each impact area below, indicate whether it was addressed in the Tier I or Tier II. For those addressed in the Tier II, attach the relevant worksheet and supporting documentation.

<table>
<thead>
<tr>
<th>CEST &amp; EA:</th>
<th>Choose one of the following:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Historic Properties</td>
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</tr>
<tr>
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<tr>
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<td>□ Tier I □ Tier II</td>
</tr>
<tr>
<td>Environmental Justice</td>
<td>□ Tier I □ Tier II</td>
</tr>
</tbody>
</table>

**EA Only:**

| Land Development                        | □ Tier I □ Tier II          |
| Socioeconomic                            | □ Tier I □ Tier II          |
| Community Facilities                     | □ Tier I □ Tier II          |
| Natural Facilities                       | □ Tier I □ Tier II          |

*If there no unanticipated impacts or impacts that were not adequately addressed in the Tier I review, public notices and the RROF/C process are not required and site-specific activities may commence.*
MULTI-YEAR/PHASED PROJECTS [24 CFR §58.32(d)]

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

It is imperative to formulate a clear description of all proposed activities throughout the course of the project, a timetable or schedule each activity, and how the environmental review is intended to encompass the project as a whole. Include this information in the ERR. Each phase must be explained in as much detail as possible at the time of the initial review. The estimated total project cost should also be listed.

Address cumulative, direct, and indirect effects of the project as a whole over its expected lifetime. Include 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 in conformance with plans, and typically explain the future goals and trends planned for an area or community.

Monitor the project to ensure it is progressing as planned in order to continue verify the validity of the environmental review and finding. Changes to the scope, magnitude and location of project activities require the completion of an ERR Amendment, and possibly the publishing of a new notice. Remember to contact environmental agencies and Tribes for review and comment prior to the implementation of significant changes.

OTHER FEDERAL/STATE/LOCAL AGENCY ENVIRONMENTAL REPORTS (24 CFR §58.14)

Responsible Entities should cooperate with other agencies to reduce duplication between NEPA and comparable environmental review requirements. A single EA may be prepared by one agency and used by other agencies participating in the same or geographically and functionally-related projects if an official agreement is made designating the lead agency prior to beginning the Environmental Review. The ER should cover all areas of compliance for all agencies involved. Some information may be proprietary (e.g., ASTM Phase I Environmental Site Assessments, asbestos/lead paint inspections, historic surveys, geotechnical reports, etc.) and permission may be required prior to obtaining or using such information.

When other State or Federal agencies are partnering with CDBG in a project, the RE/grantee may use the environmental report to the extent practicable to assist in achieving compliance with NEPA and HUD requirements, provided the other agencies’ environmental reports/assessments is current and all project activities regardless of funding source must be included (i.e. the scope of the project must be the same). Reports and assessment should be supplemented, as necessary, to meet HUD/CDBG environmental compliance requirements. Use the ‘CDBG Environmental Impact Checklist’, located on the following page, to help ensure that all environmental impacts are considered. All documents must be reader friendly and easy to follow and understand. The RE Certifying Officer must independently evaluate the report to ensure its accuracy and validity and sign off on the document, certifying his/her approval of and accepting responsibility for the information included to meet HUD compliance.

As is customary, a copy of the entire environmental assessment/report and all supporting documentation must be submitted to CDBG for review and comment. Once CDBG evaluates the document and if no significant impacts are determined by the RE, the required HUD/CDBG public notices should be published and applicable comment periods observed.

*PLEASE BE AWARE, other agency environmental notices do not meet HUD compliance. You must publish HUD/CDBG Environmental Notices, (Combined Notice, Notice of Intent, Floodplain Notices, etc.) and observe applicable CDBG comment periods.*

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CDBG ENVIRONMENTAL IMPACT CHECKLIST
(For Review of Other Agency Environmental Reports, Assessments & Reviews)

Date of Report/Assessment: ____________________________ Type of Project: ____________________________

Other Entity/Agency: __________________

Preparer Name/Agency: ___________________________________________________________________

CDBG Level of Review: ☐ Categorically Excluded ☐ Environmental Assessment

HUD Environmental Review Compliance Areas:

cest and ea
☐ Project Location (must be the same)
☐ Project Description (must be the same)
☐ Documented Site Visit
☐ Estimated Project Costs All Sources
☐ Preliminary Engineering/Architectural Report
☐ Signature of Certifying Officer
☐ Signature of Environmental Preparer
☐ Permitting
☐ Summary of Findings and Conclusions
☐ Project Mitigation/Modifications
☐ Conditions of Environmental Approval
☐ Historic Properties
☐ Flood Insurance
☐ Floodplain Management
☐ HUD 8-Step Process for Floodplains & Wetlands

☐ Wetlands
☐ Coastal Zones
☐ Airport Hazards
☐ Endangered Species: ☐ Federal ☐ State
☐ Wild & Scenic Rivers: ☐ Federal ☐ State
☐ Farmland Protection
☐ Noise Control
☐ Explosive & Flammable Operations
☐ Water Quality
☐ Air Quality
☐ Contamination & Toxic Materials
☐ Environmental Justice
☐ Determination of Level of Review Form
☐ Finding of Exemption Form

EA only
☐ Purpose and Need of Project
☐ Existing Conditions & Trends
☐ List of Sources, Agencies, and Persons Consulted
☐ Public Outreach
☐ Examination of Alternatives
☐ Finding: ☐ FONSI ☐ FOSI

☐ Citizen Participation
☐ Land Development
☐ Socioeconomic
☐ Community Facilities
☐ Natural Facilities
AMENDING THE ORIGINAL ENVIRONMENTAL REVIEW RECORD (24 CFR §58.47)

The re-evaluation of an environmental review is required when new activities are added, unexpected conditions arise, or substantial changes are made to the nature, magnitude, or extent of the project. However, all proposed changes must conform to the original project scope. Through an “Amendment to the ERR,” the RE will re-evaluate the Environmental Review Record (ERR) to determine if the original finding remains valid.

If the RE determines the FONSI remains valid and the FONSI notice has already been published, no additional notice is required for publication. If the RE determines the original finding is no longer valid, it must prepare a new review or a higher level review, depending on the extent of the impacts.

Submit a completed “Amendment to the ERR” form and all supporting documentation to CDBG for review and comment, and include a copy in the RE’s ERR. The RE Certifying Officer and the ER Preparer must sign and date the final submission.

*The RE is responsible for maintaining copies of ERRs previously completed. CDBG records are archived and destroyed after a specified time period – do not rely on CDBG to provide copies of prior ERRs.

If at any time the project scope changes, if new circumstances and/or environmental conditions arise, or if alternatives not considered originally are selected, the impacts of the changes/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.
AMENDMENT TO THE ENVIRONMENTAL REVIEW RECORD

Responsible Entity: _________________________  Project Number:________________

Project Name: ________________________________________________________________

Estimated Project Costs for Proposed Activities- All sources and amounts!

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
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<tbody>
<tr>
<td>CDBG Funds:</td>
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<tr>
<td>Other State Funds:</td>
<td></td>
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<tr>
<td>Local Cash:</td>
<td></td>
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<tr>
<td>Federal Funds:</td>
<td></td>
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<td>Private:</td>
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<tr>
<td>In-Kind:</td>
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TOTAL: 

Project Design: Select all that are applicable to the project location indicated above and attach.

- [ ] PER
- [ ] Site Plan
- [ ] Building Design/Renderings
- [ ] PAR
- [ ] Work Write-up
- [ ] Cost Estimates/Revise Budget
- [ ] Other:_________________________
- [ ] N/A, Explain:_________________

Original Project Description:

Proposed Activities:

Additional Conditions of Approval for Proposed Activities:
## REVIEW OF ENVIRONMENTAL IMPACTS:

For each impact area below, indicate whether the proposed changes to the project will affect the original determination made (i.e. any of the questions on the worksheet will be answered differently, new permitting requirement, etc.). For those impacts that will be affected, attach the relevant worksheet and supporting documentation.

### CEST & EA:

<table>
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<td></td>
<td></td>
</tr>
</tbody>
</table>
For each environmental impact area that the determination will be affected by the proposed changes to the project, please provide an explanation for how the impacts will be addressed and whether it affects the original ER finding. Please justify your determination.

CERTIFICATION OF ORIGINAL ENVIRONMENTAL FINDING:

The Responsible Entity has completed an Amendment to the Environmental Review Record. In conformance with HUD Federal regulation 24 CFR 58.47 – Re-evaluation of environmental assessment and other environmental findings, the original environmental review record was examined and the Finding of No Significant Impact (FONSI) determination remains valid.

In my capacity as Certifying Officer on behalf of the Responsible Entity and in conformance with Part 58, I certify that I have independently evaluated the Amendment, including all related documentation, and have supplemented the Amendment with additional information where appropriate. On behalf of the Responsible Entity, I assume responsibility for the accuracy of the information contained herein. I hereby approve the Amendment and acknowledge all identified conditions for approval that must be implemented and appropriately documented.

_______________________________________________  __________________
Signature, RE Certifying Officer          Date

PREPARER’S CERTIFICATION:

As preparer of the Amendment as designated by the Responsible Entity, I certify to the accuracy of the information contained herein.

_______________________________________________  __________________
Preparer Signature          Date
PROPERTY ACQUISITION

Once the projected use of HUD assistance is determined, it is critical that the acquisition of property or easements does not occur until the ER process is completed and DED has issued environmental approval. Property acquisition is a choice-limiting action (§58.71) and acquiring property prior to completion of the environmental review exhibits a bias for a specific site without evidence of an evaluation of that site or of other sites that may be suitable or even more appropriate for the project. Further, it does not afford the public an opportunity to review and comment on the project. A well-prepared environmental review justifies the selection of a site.

The goal of the environmental review process is to improve projects or ensure projects do not adversely affect human health and safety, or the environment. Undertaking property acquisition prior to the environmental review is not in line with the goal of the environmental review process and could in fact jeopardize people and property. Examples of this include the acquisition of contaminated property, property with significant noise issues that are infeasible to attenuate, property located in close proximity to explosive and flammable operations, or property located in the floodplain.

Rather than formally acquiring property prior to completion of the environmental review, it is encouraged that an option agreement to purchase real estate be exercised – see HUD’s sample agreement on the following page. The sample agreement may be modified to suit a particular project.

A real estate option agreement is a legal agreement between the potential buyer of real property and the owner of that property. The real estate option agreement gives the potential buyer the exclusive right to buy the property at a specific price within a specific time period. The option agreement does not impose any obligation upon the potential buyer to purchase the property. The option agreement does obligate the seller to sell at the specified price if the potential buyer exercises the option to buy in the manner described in the contract.

REMEMBER! Do not enter into any real estate agreement, other than HUD’s option agreement to purchase real estate or similar agreement, prior to completion of the environmental review process and DED’s issuance of environmental review approval.
OPTION AGREEMENT TO PURCHASE REAL ESTATE TEMPLATE

THIS OPTION AGREEMENT ("Option") is made and entered into this _____ day of _____, 20___, by and between ___________, whose principal address is ____________, hereinafter referred to as "Seller", and ___________ and ___________, whose principal address is ____________, hereinafter referred to as "Buyer".

NOW, THEREFORE, in consideration of the premises, the covenants and agreements hereinafter set forth and other good and valuable considerations (the receipt and sufficiency of which are acknowledged by the respective parties hereto), and the express understanding that Buyer intends to utilize HUD funding through Community Development Block Grant funds of the City/County/Village of __________ in a project for which a certain property is being obtained, it is agreed as follows:

A. Seller hereby grants to Buyer, pursuant to the terms and provisions hereof, an exclusive option to purchase (the "Option") the property described on Exhibit 1 attached hereto and incorporated by reference herein (the "Property"). Notwithstanding any other provision of this Option, the Buyer shall have no obligation to purchase the property. Furthermore, no transfer of title to the Buyer may occur, unless and until the City/County/Village of __________ has (1) provided the Buyer with a written determination, on the basis of a federally required environmental review and an approved request for release of federal funds, that purchase of the property by the Buyer may proceed, subject to any other contingencies in this Option or may proceed only if certain conditions to address issues in the environmental review shall be satisfied before or after the purchase of the property OR (2) the City/County/Village has determined that the purchase is exempt from federal environmental review and a request for release of funds is not require. The City/County/Village of __________ shall use its best efforts to conclude the environmental review of the property expeditiously.

B. The Option granted herein shall remain in full force and effect through and including ___________. In consideration of this Option, Buyer concurrently herewith has paid Seller the nominal sum of _______ Dollars ($__________) (the "The Cost of the Option"), the receipt of which is hereby acknowledged, which $__________ shall be applied to the Purchase Price if the Option is exercised. This Cost of Option shall not exceed one thousand ($1,000) dollars.

C. To exercise this Option, Buyer shall give written notice of exercise to Seller at the following address: ___________ prior to the expiration of the term of this Option.

D. Between the Seller's execution of this Option Agreement and the Closing (as hereinafter defined), Seller shall maintain the Subject Property (as hereinafter defined) in good order, condition and repair, reasonable wear and tear excepted, and otherwise operate the Subject Property in the same manner as before the making of this Option Agreement, as though Seller were retaining the Subject Property.

E. Buyer and Buyer's agents and independent contractors may, during the term of the Option and after the exercise thereof until the Closing (as hereinafter defined), enter upon the Subject Property at reasonable times upon reasonable prior notice to Seller for the purpose of inspecting and investigating the Subject Property and conducting tests thereon at Buyer's sole cost and expense.

F. Buyer covenants and agrees (a) to indemnify and hold Seller harmless from any and all costs and charges for any and all tests, inspections and investigations of the Subject Property by Buyer and Buyer's agents and contractors from any and all liability or damage (including but not limited to attorneys' fees and court costs) to any persons or property suffered as a result of any physical injury or property damage caused by Buyer's entry, testing, investigation or inspection of the Subject Property; (b) to repair any and all damage to the Subject Property resulting from Buyer's entry, testing or inspection of the Subject Property; and (c) to provide Seller with copies of any and all tests, reports, studies, zoning or other governmental applications, evaluations and other information received or developed by Buyer with respect to the Subject Property (other than those prepared by Buyer or Buyer's attorneys, accountants, employees, or confidential agents); and (d) in the event that Buyer does not acquire the Subject Property, that Seller may make such use of all such tests, reports, studies, zoning or other governmental applications, evaluations and other information as Seller, in its sole discretion, so desires.
G. In the event that Buyer exercises this option, the sale price for the property set forth in attached Exhibit 1 shall be _____________. Seller shall credit to the Buyer toward said sale price the amount paid for this Option.

IN WITNESS WHEREOF, the parties have executed this Option Agreement on the dates set forth below.

Date: ________________
Buyer 1 Signature: ______________________________
Printed Name: _________________________________

Date: ________________
Buyer 2 Signature: ______________________________
Printed Name: _________________________________

Date: ________________
Seller Signature: ________________________________
Printed Name: _________________________________

Property Address:

Property Legal Description:
Water/Wastewater Projects

Through the Missouri Water and Wastewater Review Committee, Missouri CDBG funds can be used in conjunction with USDA Rural Development and/or Missouri Department of Natural Resources to correct issues with and make improvements to community water and wastewater systems. Because of the recurring, joint nature of these types of projects, special processes and agreements have been made to better navigate and meet the Environmental Review requirements for each agency.

- **For Projects in conjunction with USDA RD:** Use CDBG Environmental Review Forms for both CDBG and Rural Development. Submit the form first to RD for review. When RD issues the Letter of Conditions, an invitation to apply to CDBG will be sent to the community (if CDBG funds are determined to be necessary and the community is applicable). At this point, the community should hold its public hearing and discuss possible environmental concerns to meet the public participation requirements of the environmental review. The CDBG environmental review process cannot be completed until the hearing is held. Each agency has separate notice requirements.
ECONOMIC DEVELOPMENT PROJECTS

Timing is a common concern with Economic Development (ED) projects. Most companies are anxious to begin expending funds and commencing construction activities as soon as possible. It is critical that the environmental review be initiated as soon as the projected use of HUD funds is determined to minimize delays and to 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 informed of HUD’s environmental review requirements as soon as possible. Responsible Entities and companies should be provided the most current environmental review information available and be afforded the opportunity to make thoughtful decisions when designing the project in the early stages of development.

As is the case for all CDBG projects, some level of environmental review is required for ED projects, including all activities proposed by all funding sources. All geographically and functionally related activities compose the project. For example, a “project” is not simply a road proposed with CDBG funds; the road is merely one activity in the greater project. The project may be expansion of a company’s operations. Activities for this expansion could include new construction of a facility and the public road needed to support facility operations. Individual activities must not be parsed out separately in an attempt to avoid environmental review 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. Communication among all parties is critical to the success of the environmental review.

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

- Environmental review is authorized and regulated by Federal law, not DED policy.
- Initiate the environmental review 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 project development process. The ER process takes at least 90-120 days.
- 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.
- All functionally or geographically related activities proposed by all funding sources for the project must be included in the environmental review. Environmental reviews are not conducted solely on activities proposed with CDBG funds.
- Once the intent to apply for HUD funds is determined, absolutely no construction, acquisition, rehabilitation, modifications, excavation, and no expenditures for working capital or installation of machinery and equipment proposed in the project must occur prior to the completion of the environmental review applicable to the project. Doing so will jeopardize CDBG funds for use in the project.
- Environmental reports, assessments, reviews, etc., completed by or for other agencies may not fulfill all CDBG requirements. However, this information may be utilized for completing the CDBG environmental review.
- Ensure there is a detailed description of a company’s operations along with their proposed activities. See the following ER-ED Checklist to assist in obtaining appropriate company information.
- In the case of industrial parks for economic development projects, particularly those that have experienced little to no development, it is suggested that the entire industrial park be identified and addressed to the extent possible in the Tier I Review. Where CDBG funds are proposed later, site-specific Tier II Reviews would be completed for any additional infrastructure and company activities.
ECONOMIC DEVELOPMENT CHECKLIST FOR ENVIRONMENTAL REVIEW
COMPANY-SPECIFIC INFORMATION

Responsible Entity: ___________________________  Project Number: ________________

Company Name: _____________________________________________________________

Funding Sources:

<table>
<thead>
<tr>
<th>Name of Funding Source</th>
<th>Amount</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Gov’t (City/County)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Agency</td>
<td></td>
<td></td>
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<tr>
<td>Federal Agency</td>
<td></td>
<td></td>
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<tr>
<td>Company</td>
<td></td>
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<tr>
<td>CDBG</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
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</tr>
</tbody>
</table>

TOTAL: _____________________________________________________________

1. Describe the nature of the company (industrial, manufacturing, distribution, storage/warehouse, etc.) and its operations (what they do and how).

2. Indicate all company permitting requirements with regard to the CDBG-assisted project (Clean Air Act, Clean Water Act, Hazardous Waste, Solid Waste, NPDES, local permitting, etc.). Submit permits with environmental review.

3. Traffic and Hours of Operation
   A. Days of company operation: ____________________________________________
   B. # of shifts per day: ________________________________________________
   C. Start and end time of each shift: ___________________________________
   D. Will hours of operation and/or the number of shifts change as a result of the CDBG-assisted project?

   E. Will existing traffic controls be sufficient? Explain.
4. **Noise**
   A. Indicate any noise sensitive uses (residential, hospitals, schools, libraries, day care, etc.) near the project site.

   B. Explain the noise associated with the company’s operations. Include anticipated noises associated with expansion, if applicable.

5. **Explosive and Flammable**
   A. Does the company currently use or house above-ground storage tanks?  
      - YES  
      - NO
   B. If “Yes,” complete the following information.
      i. # of tanks: ___________________________  
         ii. Volume: ___________________________
      iii. Contents of the tank(s): ___________________________
      iv. Are the tanks pressurized?  
         - YES  
         - NO
      v. Are the tanks diked?  
         - YES  
         - NO
   C. Does the company house, use, or store any other type of explosive or flammable materials?  
      - YES  
      - NO
   D. If “Yes,” explain their use and address the company’s plan or requirements associated with safety of operations.

6. **Contamination and Toxic Substances**
   A. Does the company handle, store, or use contaminants or toxic substances?  
      - YES  
      - NO
   B. If “Yes,” explain their use and address the company’s plan or requirements related to the use of these substances.
7. Water and Sewage Usage
   A. Indicate the company's proposed water and sewer usage at the project site. Obtain written documentation from the company.

   B. Indicate whether the water and sewer systems have the capacity to serve the company and the project. Obtain written documentation from a representative of the water and sewer systems and/or project engineer.

8. Air Quality
   A. Does the city/county have an ordinance for air emissions?  
      ☐ YES  ☐ NO
      If "Yes," attach.

   B. Indicate the types and amounts of all anticipated air emissions and whether they are permitted. Obtain written documentation from the company.

9. Waste
   A. Indicate the types of waste anticipated to be generated by the project.
ENVIRONMENTAL FORMS
DETERMINATION OF LEVEL OF ENVIRONMENTAL REVIEW

Project Name:____________________________________  Responsible Entity (Re):______________________________

Project Location:___________________________________  CDBG Project #:_____________

Project Description: (all project activities, including those funded by sources other than CDBG funding)

The project has been reviewed by the RE in accordance with HUD regulation 24 CFR Part 58 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. Refer to http://www.access.gpo.gov/nara/cfr/waisidx_09/24cfr58_09.html for appropriate citation.)

☐ Exempt from NEPA review requirements per 24 CFR 58.34(a)(___)

☐ Categorically Excluded NOT Subject To (CENST) §58.5 authorities per 24 CFR 58.35(b)(___)

☐ Categorically Excluded SUBJECT To (CEST) §58.5 authorities per 24 CFR 58.35(a)(___)

(Preparation of the Statutory Checklist is required.)

☐ Environmental Assessment (EA) is required in accordance with subpart E of 24 CFR Part 58.36

☐ Environmental Impact Statement (EIS) is required.

The Environmental Review Record (ERR), pursuant to §58.38, contains all environmental documents, public notices and written determinations or findings required as evidence of the review, decision making, and actions pertaining to this project. Additional information (e.g., checklists, studies, analyses, etc.) are included, as appropriate, in the ERR.

Preparer Name: ____________________________________  Preparer Signature: ______________________  Date: ________________

RE Certifying Officer Name: __________________________  RE Certifying Officer Signature: _______________________  Date: ______________________

MO 419-2890 (08-12)
FINDING OF EXEMPTION
For Specific Exempt Project Activities (24 CFR §58.34)

Select one:
☐ Some Project Activities are Exempt  ☐ Entire Project is Exempt

Project Name: ___________________________  Responsible Entity (Re): ___________________________

Project Location: ___________________________  CDBG Project #: __________

Project Description: (all project activities, including those funded by sources other than CDBG funding)

The following activities have been determined Exempt in accordance with 24 CFR 58.34.

DIRECTIONS: List all exempt activities by all funding sources.

Total Amount Of Funds For Exempt Activities: ______________________

As RE Certifying Officer, I understand the activities listed above are exempt from NEPA review requirements as specified at 58.34 and do not require a formal release of funds (environmental approval). I understand the RE may proceed with the above activities.

Preparer Name ___________________________  Preparer Signature ___________________________  Date __________

RE Certifying Officer Name ___________________________  RE Certifying Officer Signature ___________________________  Date __________
FINDING OF CATEGORICAL EXCLUSION, NOT SUBJECT TO RELATED STATUTORY AUTHORITIES [24 CFR §58.35(b)]

Project Name:_____________________________ Responsible Entity:_____________________________________

Project Location:________________________________________________ CDBG Project #:___________________

Project Description: (all project activities, including those funded by sources other than CDBG funding)

DIRECTIONS: Check a single box that best describes or fits the proposed activity. Submit the completed form to your Responsible Entity Certifying Officer for review: If none of these apply, this project is not CENST.

Note that the 24 CFR 58.6 requirements will also need to be completed. Consult HUD’s environmental regulation (24 CFR Part 58) as necessary.

- 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.
- Approval of supplemental assistance [58.35(b)(7)], (including insurance or guarantee) to a project previously approved 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.

Preparer Name______________________________ Preparer Signature__________________ Date__________________________

RE Certifying Officer Name__________________ RE Certifying Officer Signature________________ Date__________________________
OTHER REQUIREMENTS-24 CFR 58.6

Use this form for projects that are EXEMPT and CATEGORICALLY EXCLUDED NOT SUBJECT TO (CENST)

Project Name:_________________________________  Responsible Entity:______________________________

Project Location:_________________________________________________  CDBG Project #:

1. Does the project involve the sale or acquisition of property located within a Civil Airport Runway Clear Zone or a Military Airfield Clear Zone?
   □ YES  □ NO
   
   If yes, notice must be provided to the buyer that advise the buyer that the property is in a Runway Clear Zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, by acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information, and a copy of the signed notice must be maintained in the ERR.

2. Is the project located in a coastal barrier resource area?
   □ YES  □ NO
   
   There are no CBRAs in Missouri according to https://coast.noaa.gov/czm/mystate/

3. Does the project involve acquisition, construction, or rehabilitation or structures located in a FEMA-identified Special Flood Hazard Area (SHFA)?
   □ YES  □ YES
   □ NO  □ NO
   
   a. If YES, is the community participating in the National Insurance Program?
   □ YES  □ NO
   
   If the project is located in an SHFA and the community is participating, flood insurance under NFIP must be obtained. If HUD assistance is provided as a grant, insurance must be maintained for the economic life of the project and in the amount of the total project cost (or up to the maximum allowable coverage, whichever is less). If HUD assistance is provided as a loan, insurance must be maintained for the term of the loan and 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 kept on file in the ERR.

   If the project is located in an SHFA and the community is NOT participating, federal assistance may not be used in the SHFA.

Compliance: Include all source documentation listed

☐ Map of nearby airports in relation to project location  ☐ FIRM map or other flood zone map

☐ NFIP Community Listing (if in SHFA)  ☐ ________________________________

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ENVIRONMENTAL ASSESSMENT (EA)/STATUTORY CHECKLIST REVIEW

This document is a tool for the environmental review preparer to proof their work and ensure all sections contain the appropriate information and documentation.

- Are documents written for a “cold reader” – someone who has no knowledge of the project?
- For consistency, cross check information w/ all other project documents (PER/PAR, CDBG & other funding applications, CDBG Funding Approval if funded, environmental studies/reports, etc.)

Determination of Level of Review
Finding of Exempt Activities
Cover Page
- Project Name ___________________________ Responsible Entity ___________________________ Sub applicant ___________________________
- Project Number _________________________ CEO ___________________________ Preparer ____________________________
Project Location/Address
Total Project Costs: All funding sources and amounts listed

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDBG</td>
<td>$___________</td>
</tr>
<tr>
<td>Local Cash</td>
<td>$___________</td>
</tr>
<tr>
<td>Private</td>
<td>$___________</td>
</tr>
<tr>
<td>In-Kind</td>
<td>$___________</td>
</tr>
<tr>
<td>Other State</td>
<td>$___________</td>
</tr>
<tr>
<td>Total</td>
<td>$____________</td>
</tr>
</tbody>
</table>

Responsible Entity Project Contact Name, Address, Telephone
Name & Address of Sub-recipient, if applicable: Non-profit, public water supply or sewer district, fire or ambulance district, library, downtown organization, etc. If no sub-recipient, N/A must be checked.

Conditions of Approval: List conditions that were identified throughout the ERR.

- Determination: __Converts to Exempt (CEST) __FOSI (EA)
- Does not Convert to Exempt (CEST) __FONSI (EA)
- Preparer: __Signature __Date __Name/Title __Agency
- Certifying Officer: __Signature __Date __Name/Title
- Preliminary Design: __PER __PAR __Date __Name of firm

Property Acquisition: Explain if the project requires property acquisition.

Description of Project: All proposed activities & actions by all funding sources

Purpose & Need of Project: Needs the project will address, not the project description

Existing Conditions & Trends (EA Only): Project & surrounding area’s appearance now vs. at completion; Compatibility of future use plans for project & surrounding areas, if known; Site appearance without project

Project Alternatives (EA Only): Evaluation of each alternative, including no action; Explanation for preferred alternative. N/A is unacceptable.

Agencies Contacted

Public Outreach: Opportunity for public input in decision making; Examples: public notices & hearings, newspaper articles, environmental notices, etc; Minutes should reflect project and areas of environmental consideration thoroughly

Field Visit Checklist: include photographs, aerials, and other supporting documentation, as necessary

Historic Properties:
- Correspondence with SHPO, including Project Information Form and attachments
- Determination to Consult with Tribes Under Section 106 Form
- TDAT results, if applicable
- Correspondence with Tribes, if applicable
- Cultural Resource Survey, if applicable
- Memorandum of Agreement (MOA), if applicable (Letters to ACHP & Tribes)
- SHPO/ACHP/Tribal approval of MOA stipulations, if applicable

Mitigation/Condition of Approval? □ No □ Yes: ____________________________
☐ Flood Insurance:
   — FIRMette or best available flood data
   — Proof of Flood Insurance, if required
   — Documentation supporting exception, if applicable
   — Mitigation/Condition of Approval? ☐ No ☐ Yes: _________________________

☐ Floodplain Management:
   — FIRMette or best available flood data
   — Documentation supporting exception, if applicable
   — Mitigation/Condition of Approval? ☐ No ☐ Yes: _________________________

☐ Wetland Protection:
   — Color National Wetlands Inventory Map
   — Documentation supporting exception, if applicable
   — IPac
   — Correspondence with USACE, if applicable
   — Mitigation/Condition of Approval? ☐ No ☐ Yes: _________________________

☐ HUD 8 Step Decision Making Process: only complete if applicable
   — Proof of publication and distribution of EPN
   — Proof of publication and distribution of NOE
   — Mitigation/Condition of Approval? ☐ No ☐ Yes: _________________________

☐ Coastal Zone Management: None in MO

☐ Airport Hazards:
   — Documentation supporting exception, if applicable
   — Maps indicating not within thresholds/APZ/RPZ/CZ
   — Conformance with DOD guidelines, if applicable
   — Proof of notification of airport hazards, if applicable
   — Mitigation/Condition of Approval? ☐ No ☐ Yes: _________________________

☐ Endangered Species:
   — IPac
   — Missouri Natural Heritage Report
   — “Effect Determination Tool” Results
   — Documentation supporting “Effect Determination”
   — Correspondence with USFWS, if applicable
   — Mitigation/Condition of Approval? ☐ No ☐ Yes: _________________________

☐ Wild & Scenic Rivers:
   — Map showing W&S Rivers/Segments in proximity to project site
   — Correspondence with USFWS or NPS, as applicable
   — Mitigation/Condition of Approval? ☐ No ☐ Yes: _________________________

☐ Farmland Protection:
   — Documentation supporting exception, if applicable
   — Map(s) supporting exemptions, showing farmland, etc., as applicable
   — Correspondence and attachments to and from USDA NRCS
   — Mitigation/Condition of Approval? ☐ No ☐ Yes: _________________________

☐ Noise Control:
   — Map(s) showing project in relation to noise sources or sensitive noise uses
   — Noise Assessment, if applicable
   — Mitigation/Condition of Approval? ☐ No ☐ Yes: _________________________

☐ Explosive & Flammable Operations:
   — Photographs/Maps of project site & adjacent sites showing explosive & flammable hazards
CDBG Administrative Manual
Environmental Review

— HUD Acceptable Separation Distance calculations, if applicable

— Mitigation/Condition of Approval? □ No □ Yes: _________________________

☐ Water Quality: Missouri has no sole source aquifers

☐ Air Quality:
— Documentation of project area’s attainment status
— Documentation supporting exception, if applicable
— Correspondence with EPA and DNR, if applicable
— Proof of compliance with SIP, if applicable
— Asbestos- inspection and report, if applicable
— Mold- inspection and report, if applicable

— Mitigation/Condition of Approval? □ No □ Yes: _________________________

☐ Contamination & Toxic Substances:
— Separate form for fill/borrow, if applicable
— Previous uses of site(s)
— Online Database Screening: Superfund, eStart, Landfills, UST, ECHO, Envirofacts, etc.
— E Phase I Environmental Site Assessment (ESA), if applicable
— ASTM Phase II ESA, if applicable
— Lead-Based Paint: inspection and report, if applicable
— Lead-Based Paint: “Lead Rule Compliance Advisor” results, if applicable
— Radon: test results, if applicable

— Mitigation/Condition of Approval? □ No □ Yes: _________________________

☐ Environmental Justice:
— Documentation showing project area’s income and minority levels
— Positive and negative impacts to people by the project

— Mitigation/Condition of Approval? □ No □ Yes: _________________________

☐ Summary of Findings & Conclusions

The following is applicable to the EA “Additional Environmental Factors” Section ONLY:

Documentation of compliance, including appropriate sources and necessary information, for the following sections will vary greatly depending on project type, location, size, etc.

☐ Land Development
— Documentation supporting current community plans
— Zoning map
— Evidence of surrounding natural and built environment, if applicable
— Plans for conformance with surrounding natural and built environment, if applicable
— Documentation supporting soil suitability (geotechnical reports, soil borings, soil reports, etc.)
— Documentation of appropriate slope for site use
— Erosion control plan, if applicable
— Compliance with MS4 requirements
— Evidence of measures to be incorporated for safety
— Documentation of energy efficiency measures, if applicable

— Mitigation/Condition of Approval? □ No □ Yes: _________________________

☐ Socioeconomic
— Documentation of project’s potential to effect employment and income patterns
— Documentation of project’s potential to effect community demographic characteristics
— Documentation of project’s potential to cause displacement

— Mitigation/Condition of Approval? □ No □ Yes: _________________________

☐ Community Facilities & Services
— Documentation of project’s potential to effect educational and cultural facilities
CDBG Administrative Manual
Environmental Review

— Documentation of project’s potential to effect commercial facilities
— Documentation of project’s potential to effect health care facilities
— Documentation of project’s potential to effect social services
— Documentation of adequate solid waste disposal services
— Documentation of adequate wastewater disposal services
— Documentation of adequate water supply
— Documentation of adequate public safety services
— Documentation of adequate parks, open spaces, and recreation
— Documentation of adequate transportation and accessibility
  — Mitigation/Condition of Approval? □ No □ Yes: _________________________

☐ Natural Facilities
— Documentation of nearby unique natural features
— Documentation of sufficient ground water for project
— Documentation of measures to protect ground water
— Documentation of measures to protect vegetation
— Documentation of measures wildlife
  — Mitigation/Condition of Approval? □ No □ Yes: _________________________

☐ Impact Summary
## STATUTORY CHECKLIST

**FINDING OF CATEGORICAL EXCLUSION [§ 58.35(a)]**

<table>
<thead>
<tr>
<th>Project Name</th>
<th>CDBG Project # (If Funded)</th>
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<tbody>
<tr>
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<table>
<thead>
<tr>
<th>Responsible Entity/Grantee Location [§ 58.2(A)(7)(II)]</th>
<th>RE Telephone Number</th>
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<tbody>
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<table>
<thead>
<tr>
<th>Certifying Officer Name, Title &amp; Email [§ 58.2(A)(2)]</th>
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<table>
<thead>
<tr>
<th>ERR Preparer Contact Name, Address, Phone, &amp; Email</th>
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### PROJECT LOCATION(S)/ADDRESS(ES):

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### ESTIMATED PROJECT COSTS - ALL FUNDING SOURCES & AMOUNTS

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>CDBG Funds</td>
<td></td>
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<tr>
<td>Other State Funds</td>
<td></td>
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<tr>
<td>Local Cash Contribution</td>
<td></td>
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<tr>
<td>Federal Funds</td>
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<tr>
<td>Private Contribution</td>
<td></td>
</tr>
<tr>
<td>In-Kind Contribution</td>
<td></td>
</tr>
</tbody>
</table>

### RESPONSIBLE ENTITY PROJECT CONTACT NAME, ADDRESS, PHONE, & EMAIL

<table>
<thead>
<tr>
<th>Name, Contact Person</th>
<th>Address, Phone &amp; Email</th>
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</table>

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

<table>
<thead>
<tr>
<th>Sub-Recipient</th>
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<tbody>
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</table>

### SUB-RECIPIENT CONTACT PERSON NAME, ADDRESS, PHONE & EMAIL □ N/A

<table>
<thead>
<tr>
<th>Contact Person</th>
<th>Name, Address, Phone &amp; Email</th>
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### CONDITIONS OF APPROVAL (24 CFR 58.40(d), 40 CFR 1505.2(c) and 40 CFR 1508.20) - As appropriate: (List all mitigation and project modification measures, including permits, 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 necessary.

<table>
<thead>
<tr>
<th>Condition Details</th>
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<tr>
<th>Attach additional pages as necessary.</th>
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</table>
Determination:

- This categorically excluded activity/project converts to Exempt, per 58.34(a)(12) because there are no circumstances which require compliance with any of the federal laws and authorities cited at §58.5. **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR

- This categorically excluded activity/project cannot convert to Exempt because there are circumstances which require compliance with one or more federal laws and authorities cited at §58.5. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain “Authority to Use Grant Funds”** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR

- This project is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

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

<table>
<thead>
<tr>
<th>PREPARER SIGNATURE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>PREPARER NAME &amp; TITLE</td>
<td></td>
</tr>
</tbody>
</table>

| 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 and independently evaluated the Statutory Checklist prepared by the above-designated individual, and supplemented the information where appropriate. On behalf of the Responsible Entity, I assume responsibility for the accuracy of the information contained herein.

<table>
<thead>
<tr>
<th>RE APPROVING OFFICIAL SIGNATURE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>RE APPROVING OFFICIAL NAME &amp; TITLE</td>
<td></td>
</tr>
</tbody>
</table>

- Does this project require a Tiered Reviewed approach? [24 CFR §58.15] □ YES □ NO
- Is this a multi-year/phased project? [24 CFR §58.32(d)] □ YES □ NO

**Preliminary Project Design:** Check the applicable box or boxes and attach.

- PER □ PAR Date ____________ Firm __________________________
  □ Addendums: # ___________ Date __________________________
**Property Acquisition:** Does the project require property acquisition?  □ YES □ NO

Property acquisition must not occur prior to completion of the Environmental Review.

- □ Real Property:
  - □ Vacant property
  - □ Includes building or structure

- □ Easement(s): (Map easements)
  - □ Temporary
  - □ Permanent

- □ Option to Purchase (acceptable prior to completion of the Environmental Review)

**Purpose of property acquisition:**

---

**Description of the Project:** [24 CFR 58.32, 40 CFR 1508.25] Explain all activities proposed by all funding sources with as much a significant amount of detail to provide a clear understanding of the project scope. Refer to "Project Aggregation" section of the CDBG ER Manual.

---

**List of Agencies Contacted:** [24 CFR 58.40(e)]

---

**Public Outreach:** [24 CFR 50.23 & 58.43]
**Environmental Assessment**  
**[§ 58.30]**

<table>
<thead>
<tr>
<th>PROJECT NAME</th>
<th>CDBG PROJECT # (IF FUNDED)</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESPONSIBLE ENTITY/GRANTEE LOCATION [24 CFR 58.2(A)(7)(II)]</td>
<td>RE TELEPHONE NUMBER</td>
</tr>
<tr>
<td>CERTIFYING OFFICER NAME, TITLE &amp; EMAIL [24 CFR 58.2(A)(2)]</td>
<td></td>
</tr>
<tr>
<td>ERR PREPARER CONTACT NAME, ADDRESS, PHONE, &amp; EMAIL</td>
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</tr>
</tbody>
</table>

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**CDBG Administrative Manual**  
**Environmental Review**

<table>
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<tr>
<th>PROJECT LOCATION(S)/ADDRESS(ES):</th>
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<tr>
<th>ESTIMATED PROJECT COSTS - ALL FUNDING SOURCES &amp; AMOUNTS</th>
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<tbody>
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<thead>
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<th>PROJECT CONTACT NAME, ADDRESS, PHONE, &amp; EMAIL</th>
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<table>
<thead>
<tr>
<th>NAME OF GRANT</th>
<th>SUB-RECIPIENT, IF APPLICABLE</th>
<th>N/A</th>
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<tr>
<th>SUB-RECIPIENT</th>
<th>CONTACT PERSON NAME, ADDRESS, PHONE &amp; EMAIL</th>
<th>N/A</th>
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**CONDITIONS OF APPROVAL**  
(24 CFR 58.40(d), 40 CFR 1505.2(c) and 40 CFR 1508.20) - *As appropriate:* (List all mitigation and project modification measures, including permits, 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 necessary.]
Determination:

- **Finding of No Significant Impact (FONSI)**
  The Project will not result in a significant impact on the quality of the human environment.

- **Finding of No Significant Impact (FONSI) with Conditions for Approval**
  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 **Environmental Preparer** 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 above.

<table>
<thead>
<tr>
<th>PREPARATOR SIGNATURE</th>
<th>DATE</th>
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<table>
<thead>
<tr>
<th>PREPARATOR NAME &amp; TITLE</th>
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<table>
<thead>
<tr>
<th>PREPARATOR'S AGENCY (IF DIFFERENT FROM RE)</th>
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</table>

In my capacity as **Certifying Officer** on behalf of the **Responsible Entity** and in conformance with 24 CFR Part 58, I have reviewed and independently evaluated the Environmental Assessment prepared by the above-designated individual, and supplemented the information where appropriate. On behalf of the Responsible Entity, I assume responsibility for the accuracy of the information contained herein.

<table>
<thead>
<tr>
<th>RE APPROVING OFFICIAL SIGNATURE</th>
<th>DATE</th>
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<table>
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<tr>
<th>RE APPROVING OFFICIAL NAME &amp; TITLE</th>
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</table>
• Does this project require a Tiered Reviewed approach? [24 CFR §58.15] □ YES □ NO
• Is this a multi-year/phased project? [24 CFR §58.32(d)] □ YES □ NO

Preliminary Project Design: Check the applicable box or boxes and attach.

[ ] PER [ ] PAR Date _______________ Firm ____________________________
[ ] Addendums: # ___________ Date ____________________________

Property Acquisition: Does the project require property acquisition? □ YES □ NO

Property acquisition must not occur prior to completion of the Environmental Review.

[ ] Real Property:
  [ ] Vacant property
  [ ] Includes building or structure
  [ ] Option to Purchase (acceptable prior to completion of the Environmental Review)

Purpose of property acquisition:

Description of the Project: [24 CFR 58.32, 40 CFR 1508.25] Explain all activities proposed by all funding sources with as much a significant amount of detail to provide a clear understanding of the project scope. Refer to “Project Aggregation” section of the CDBG ER Manual.

Statement of Purpose and Need for the Proposal: [40 CFR 1508.9(b)]
<table>
<thead>
<tr>
<th><strong>Existing Conditions and Trends:</strong> [24 CFR 58.40(a)] Determine existing conditions and describe the character, features and resources of the project area and its surroundings; identify the trends that are likely to continue in the absence of the project.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Examination of Project Alternatives:</strong> [24 CFR 58.40(d) &amp; (e)] Examine and recommend feasible ways in which the project or external factors relating to the project could be modified in order to eliminate or minimize adverse environmental impacts. Include environmental impacts of the alternatives.</td>
</tr>
<tr>
<td><strong>No Action Alternative:</strong> [24 CFR 58.40(d) &amp; (e)]</td>
</tr>
<tr>
<td><strong>List of Agencies Contacted:</strong> [24 CFR 58.40(e)]</td>
</tr>
<tr>
<td><strong>Public Outreach:</strong> [24 CFR 50.23 &amp; 58.43]</td>
</tr>
</tbody>
</table>
Related Laws and Authorities cited in 24 CFR 58.5

(CEST and EA Level Review)
## Field Visit Checklist & Site Evaluation

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Visit:</td>
<td></td>
</tr>
<tr>
<td>Time:</td>
<td></td>
</tr>
<tr>
<td>Weather Conditions:</td>
<td></td>
</tr>
<tr>
<td>Grantee/Applicant:</td>
<td></td>
</tr>
<tr>
<td>Project Name:</td>
<td>CDBG Project # (if funded):</td>
</tr>
<tr>
<td>Project Location/Address:</td>
<td></td>
</tr>
<tr>
<td>Project Area Bounded By:</td>
<td></td>
</tr>
<tr>
<td>Site Dimensions:</td>
<td></td>
</tr>
<tr>
<td>Site Owner(s):</td>
<td></td>
</tr>
<tr>
<td>Field Visit Conducted By:</td>
<td></td>
</tr>
</tbody>
</table>

### Attach the following:
- Photographs of site and surrounding areas
- Maps (street, topographic, aerial, etc.)

### Land Use/Zoning - check all that apply:
- Residential
- Retail
- Never Developed
- Light Industrial
- Recreational
- Commercial
- Heavy Industrial
- Currently Farmed
- Forest
- Pasture
- Conservation Area
- Other ____________

### Description of Existing Conditions:
(Explain in detail and attach additional pages as necessary.)

### Site Features and Topography:
(i.e., elevations, unique natural features, site slope, ravines, banks, mounds, caverns, cliffs, hills, depressions, erosion, sedimentation, drainage paths, etc.)

### Describe Site Access – Ingress & Egress:
(Ease of accessing/exiting site, traffic control, safety and line of site, etc.)

### Interviews Conducted:
(Include names and titles of interviewees)
Existing infrastructure on or near site - check all that apply and comment as appropriate:

- Unpaved Roads
  - Condition:
- Paved Roads
  - Condition:
- Sidewalks
  - Condition:
- Crosswalks
  - Condition:
- Curb/Guttering
  - Condition:
- Ditches
  - Condition:
- Parking Facilities
  - Condition:
- Intersections
  - Condition:
- Water Lines
- Water Wells
- Bike/Pedestrian Lanes/Paths
- Electricity
- Traffic Signs
- Traffic Lights
- Gas Lines
- Railroad Facilities/Tracks/Spurs
  - Condition:
- Fencing/Security
  - Condition:
- Culverts
  - Condition:
- Drop Inlets
  - Condition:
- Bridges
  - Condition:
- Water Treatment Facility
  - Condition:
- Sewer Treatment Facilities
  - Condition:
- Septic Tanks/Systems
  - Condition:
- Centralized Sewer System
  - Street Lights
  - Fire Hydrants
  - 911 Emergency Systems
  - Traffic Lights
  - Other

Check all that exist on or in close proximity to the project site. The importance of the proximity depends on the nature of the project. Further evaluation and documentation may be warranted if there is potential for environmental concerns.

- Airport/Airport Clear Zones
- Ambulance Facility
- Animal Processing Plant
- Apartments/Multi-Family
- Arts/Cultural Center
- Auto Repair Shop
- Bio-diesel Facility
- Bus Stop/Station
- Car Dealership
- Cemeteries
- Chemical Manufacturer
- Churches
- Car Dealership
- Community Center
- Conservation Areas
- Current/Former/Proposed EPA Superfund Site
- Daycare Center
- Doctor’s Office/Health Clinic
- Dry Cleaners
- Ethanol Plant
- Fire Station
- Funeral Home
- Gas Station
- Grocery Store
- Group Home
- Heavily Traveled Roads
- Heavy/Light Manufacturing Fac.
- Highways – Interstate/State
- Historical Sites/Buildings
- Hospitals
- Industrial Park
- Lakes/Ponds
- Library
- Low Income Housing
- Medical/Health Clinic
- Museum
- Neighborhoods
- Nursing Homes
- Office Buildings
- Open Spaces
- Parks/Playgrounds
- Paint Facilities
- Police Station
- Power Station/Transformer
- Printing Facilities
- Prison/Jail/Detention Center
- Quarry
- Recycling Facilities
- Restaurants
- Retaining Walls
- Rivers/Streams/Creeks
- Schools
- Senior Center
- Senior Housing
- Sheltered Workshop
- Shopping Centers
- Storage/Use of Explosives
- Train Depot
- Veterinary Clinic/Hospital
- Youth Center
Contamination & Toxic Materials

Is there evidence of any of the following?

<table>
<thead>
<tr>
<th>SUBJECT PROPERTY</th>
<th>ADJOINING PROPERTIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>UNKNOWN</td>
<td>UNKNOWN</td>
</tr>
</tbody>
</table>

A. Is the property or any adjoining property currently used, or has evidence of prior use, as a gasoline station, motor vehicle repair facility, printing facility, dry cleaners, photo developing laboratory, junkyard, or as a waste treatment, storage, disposal, processing or recycling facility?

B. Are there any damaged or discarded automobile(s), automotive or industrial batteries, pesticides, paints, or other chemicals in individual containers greater than 5 gal in volume or 50 gal in the aggregate, stored on or used at the property or adjoining properties?

C. Are there any industrial drums (typically 55 gal) or sack of chemicals, herbicides or pesticides located on the property or adjoining properties?

D. Has fill dirt been brought onto the property or adjoining properties that originated from a suspicious site or that is of an unknown origin?

E. Are there any pits, ponds, or lagoons located on the property or adjoining properties in connection with waste treatment or waste disposal?

F. Is there any stained soil, distressed vegetation and/or discolored water on the property or adjoining properties?

G. Are there any storage tanks, aboveground or underground (other than residential), located on the property or adjoining properties within 1 mile of site?

H. Are there any vent pipes, fill pipes, or underground tank access ways visible on the property or adjoining properties

I. Are there any flooring, drains, walls, ceilings, or grounds on the property or adjoining properties stained by substances (other than water) or emitting noxious or foul odors of a chemical nature?

J. Is the property served by a private well or non-public water system? (If yes, a follow-up investigation is required to determine if contaminants have been identified in the well or system that exceeds guidelines applicable to the water system, or if the well has been designated contaminated by any government environmental/health agency.)

K. Has the owner or occupant of the property been informed of the existence of past or current hazardous substances or petroleum products or environmental violations with respect to the property or adjoining properties?
Do the property or adjoining properties **discharge wastewater** (not including sanitary waste or storm water) onto the property or adjoining properties and/or into a storm water system?

- YES
- NO
- UNKNOWN

Is there a **transformer, capacitor, or any hydraulic equipment** on the property or adjoining properties that are not marked as “non-PCB”?

- YES
- NO
- UNKNOWN

If answering “Yes” or “Unknown” to any above items, explain and describe the conditions. Use photographs and maps to mark and identify conditions. Attach additional documentation or information, as needed.

Is further evaluation warranted for determining the presence of contamination?

- YES
- NO

Preparer of this form must complete the following required information.

<table>
<thead>
<tr>
<th>Inspection completed by:</th>
<th>Address:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
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</table>

<table>
<thead>
<tr>
<th>Title:</th>
<th>Email:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency:</td>
<td>Phone Number:</td>
</tr>
</tbody>
</table>

Preparer represents that to the best of his/her knowledge the above statements and facts are true and correct and to the best of his/her actual knowledge no material facts have been suppressed, omitted or misstated.

Signature: Date:
DETERMINATION TO CONSULT WITH TRIBES UNDER SECTION 106

RESPONSIBLE ENTITY (RE)

PROJECT NAME

CDBG PROJECT # (IF FUNDED)  PROJECT LOCATION/ADDRESS:

If a project includes any of the types of activities below, invite tribes to consult:

- **Significant ground disturbance (digging)**
  
  Examples: new sewer lines, utility lines (above and below ground), foundations, footings, grading, access roads.

- **New construction in undeveloped natural areas**
  
  Examples: industrial-scale energy facilities, transmission lines, pipelines, or new recreational facilities, in undeveloped natural areas like mountaintops, canyons, islands, forests, native grasslands, etc., and housing, commercial, and industrial facilities in such areas.

- **Incongruent visual changes**
  
  Examples: construction of a focal point that is out of character with the surrounding natural area, impairment of the vista or viewshed from an observation point in the natural landscape, or impairment of the recognized historic scenic qualities of an area.

- **Incongruent audible changes**
  
  Examples: increase in noise levels above an acceptable standard in areas known for their quiet, contemplative experience.

- **Incongruent atmospheric changes**
  
  Examples: introduction of lights that create skyglow in an area with a dark night sky.

- **Work on a building with significant tribal association**
  
  Examples: rehabilitation, demolition or removal of a surviving ancient tribal structure or village, or a building or structure that there is reason to believe was the location of a significant tribal event, home of an important person, or that served as a tribal school or community hall.

- **Transfer, lease or sale of a historic property of religious and cultural significance**
  
  Example: transfer, lease or sale of properties that contain archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, plant and animal communities, or buildings and structures with significant tribal association.

- **None of the above applies.**

______________________________  __________________
Prepared By                               Date
1. Based on completion of the “Determination to Consult with Tribes” form, is consultation required?  
   - YES  
   - NO

2. If “Yes,” are there Tribes with an interest in the county(ies) in which the project is to occur?  
   - YES  
   - NO  
   If “Yes,” the Responsible Entity (rather than a consultant) must invite the tribes to consult directly.

3. Has the SHPO been notified of the project and requested to provide comments?  
   - YES  
   - NO

4. Is any property in the project listed on or eligible for the Missouri National Register of Historic Places (can also be accessed through NPS’s National Register of Historic Places)?  
   - YES  
   - NO

5. Is the property located within or directly adjacent to a historic district?  

6. Does the property’s Area of Potential Effect (APE) include a historic district or property (including those that are listed and those that are eligible for inclusion in the National Register)?  
   - YES  
   - NO

7. If fill material is required for the project, has SHPO been notified?  
   - YES  
   - NO

8. Result of Section 106 Review: Attach Section 106 Project Information Form, attachments, and correspondence.  
   - Architectural Survey Completed  
   - Archaeological Survey Completed  
   - Memorandum of Agreement  
   - No Historic Properties Affected  
   - No Adverse Affect  
   - Adverse Affect [Requires MOA or reject project]

Explain all required mitigation measures resulting from the Project 106 review process:

Compliance Determination Summary: Provide a clear description of your determination and a synopsis of the information that it was based on (e.g. map panel numbers and dates, names of all consulted parties and relevant consultation dates, names of plans or reports and relevant page numbers, any additional requirements specific to your region, etc.)
FLOOD INSURANCE
42 U.S.C. 4106 24 CFR 58.6

*Compliance with mandatory flood insurance purchase does not constitute compliance with floodplain management requirements discussed under the Floodplain Management section of this document

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property or the purchase of machinery, equipment, fixtures, or furnishings that are insurable under NFIP?  
   □ YES □ NO

2. If “Yes,” is any portion of insurable structure or property located in a Special Flood Hazard Area?  
   □ YES □ NO
   ** Sewer lift stations located in a SFHA that are at least one foot above the base flood elevation, or as specified in the local floodplain management ordinance, are not subject to flood insurance requirements.

3. If “Yes,” does the RE participate in the National Flood Insurance Program (NFIP)?  
   □ YES □ NO

4. If “Yes,” is the community in good standing with the NFIP?  
   □ YES □ NO
   If “Yes” to all of the above, please attach proof of flood insurance or submit during the project once available.
1. Is this project listed as exempt from the Floodplain Management requirements in 24 CFR 55.12(c) or inapplicable per 24 CFR 55.12(b)?
   *See Guide for help making determination
   If “Yes,” identify the citation: 24 CFR 55.12(b)(___) OR 24 CFR 55.12(c)(___)

2. Does the project occur in a floodplain:
   A. Floodway
   B. Coastal High Hazard Area (there are none in Missouri)
   C. 500-year floodplain (B zone or shaded X zone)
   D. 100-year floodplain (A zone)

3. If “Yes” to 2A, is the project a functionally dependent use?
   If “Yes,” HUD 8-Step Process is required. If “No,” the project cannot take place at this location.

4. If “Yes” to 2C, is the project a critical action?
   If “Yes,” proceed to question 5. If “No,” the project can proceed at this location.

5. If “Yes” to 2D, is the 5-step process (steps 1, 4-6, 8) applicable per 24 CFR 55.12(a)?
   *Not common; see guide for more information
   If “Yes,” identify the citation: 24 CFR 55.12(a)(___)
   If “No,” the HUD 8-step Process is required.

Explain all required mitigation measures identified in the 8-step/5-step process:

Compliance Determination Summary: Provide a clear description of your determination and a synopsis of the information that it was based on (e.g. map panel numbers and dates, names of all consulted parties and relevant consultation dates, names of plans or reports and relevant page numbers, any additional requirements specific to your region, etc.)
**CDBG Administrative Manual**  
**Environmental Review**  

**WETLANDS PROTECTION**  
**E.O. 11990 24 CFR Part 55**

1. Is this project listed as exempt from the Wetland Protections requirements in **24 CFR 55.12(c)** or inapplicable per **24 CFR 55.12(b)**?  
   - **YES**  
   - **NO**  
   If “Yes,” identify the citation: 24 CFR 55.12(c)(___) OR 24 CFR 55.12(b)(___)

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

3. If the project consists of at least one of the above activities and is not exempt, will the new construction or other ground disturbance impact an on-or off-site **wetland**?  
   - **YES**  
   - **NO**

4. Are there drainage ways, streams, creeks or rivers on or near the project site?  
   If “Yes,” or the project is located in or near wetlands, submit a cover letter with detailed project description, project location including township, range and section, clear and detailed map, and color photographs of the area to U.S. Army Corps of Engineers.  
   - **YES**  
   - **NO**

5. Is the project located outside the 100 year floodplain (or 500 year floodplain for critical actions) AND requires a USACE Section 404 Individual Permit?  
   If “Yes,” only steps 6, 7, and 8 of the process are required. **Attach** the Permit as documentation.  
   *Projects requiring a General or Nationwide Permit must complete the 8-step process.*

6. Is the 5-step process (steps 1, 4-6, 8) applicable per **24 CFR 55.12(a)**?  
   - **YES**  
   - **NO**
   *Not common; see guide for more information*  
   If “Yes,” identify the citation: 24 CFR 55.12(a)(___)  
   If “No,” the HUD 8-step Process is required.

   Explain all required mitigation measures resulting from consultation with either of the above entity:

**Compliance Determination Summary:** Provide a clear description of your determination and a synopsis of the information that it was based on (e.g. map panel numbers and dates, names of all consulted parties and relevant consultation dates, names of plans or reports and relevant page numbers, any additional requirements specific to your region, current land use of project site, etc.)
STEP 1 – Determine if the proposed action is located in a 100-year floodplain/500-year floodplain for critical actions and/or wetland.

1. Based on completion of the previous Floodplain Management and Wetlands Protection sections, the HUD 8-Step Decision Making Process is being completed for:
   - Select One Below:
     - Floodplain
     - Wetland
     - Floodplain AND Wetland
   - Select One Below:
     - 3-Step (Step 6,7,8)
     - 5-Step (Steps 1, 4-6, 8)
     - 8-Step

2. Provide a description of the project, with specific reference to the floodplain/wetland area(s) that will be impacted by this project:

STEP 2 – Involve the public in the decision-making process: Early Public Notice.

Attach a copy of the notice, affidavit of publication and/or tear sheet, and proof of distribution to environmental agencies and Tribes.

Name of Newspaper: __________________________________ Date of publication: __________________

Were comments received in response to the notice?  
If “Yes,” explain and attach all correspondence:

YES  NO

STEP 3 – Identify and evaluate practicable alternatives. Alternatives MUST be presented and considered for this evaluation to be valid.

1. Alternatives that include modifications to the current proposed site to mitigate adverse impacts:

2. Alternatives located outside the floodplain and/or wetland:
3. No Action Alternative:

<table>
<thead>
<tr>
<th>STEP 4 – Identify indirect and direct impacts associated with occupying or modifying the floodplain/wetland.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Impacts to Lives and Property</strong></td>
</tr>
<tr>
<td>1. Positive</td>
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<tr>
<td>2. Negative</td>
</tr>
<tr>
<td>3. Concentrated</td>
</tr>
<tr>
<td>4. Dispersed</td>
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<tr>
<td>5. Short-term</td>
</tr>
<tr>
<td>6. Long-term</td>
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</tbody>
</table>

**STEP 5** – Where practicable, design or modify the proposed project to *minimize* the potential adverse impacts to lives, property, and natural values within the floodplain/wetland; and to *restore* and *preserve* the values of the floodplain/wetland. (Consult project engineer/architect and/or engineering/architectural report.)

- **Minimize** - “reduce harm to smallest possible degree,” far beyond mitigate or alleviate
- **Restore** - re-establish environment in which natural & beneficial floodplain values can operate
- **Preserve** - prevent modification to natural floodplain or maintain as closely as possible to its natural state

**Examples**: Minimize fill, minimize grading, restore natural contours, acquire/demolish/relocate non-conforming structures, preserve natural drainage, maintain/restore wetlands and riparian buffers, control urban runoff & storm water discharge, minimize tree cutting, elevate & floodproof structures, scale back size/scope of project, deed restrictions/convenants, permeable surfaces, natural landscape enhancements that maintain or restore natural hydrology, planting or restoring native plant species, bioswales, evapotranspiration, stormwater capture and reuse, green or vegetative roofs with drainage provisions, Natural Resources Conservation Service conservation easements or similar easements, floodproofing of structures, elevating structures including freeboarding above the required base flood elevations, etc.
1. Explain the minimization, restoration, and preservation measure that will be taken to protect lives, property, and values of the floodplain/wetland.

STEP 6 – Re-evaluate alternatives identified in Step 3.

1. Is the project still feasible (in light of the impacts to floodplain/wetland determined in Step 4 and the minimization, restoration and preservation opportunities identified in Step 5)?

2. If not, and in light of Steps 4 & 5, do alternatives previously reject in Step 3 appear feasible? Compare adverse impacts of alternative.

3. If neither proposed project nor alternatives are acceptable, the chosen alternative is “No Action.”

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: Notice of Explanation.

Notice must include:
- Reasons why project must be located in floodplain
- Alternatives considered and locations by address
- All mitigation to be taken and actions to restore and preserve natural and beneficial values

If the RE receives comments, the RE must consider the comments, respond in writing and provide copies to CDBG. Attach a copy of the notice, affidavit of publication and/ or tear sheet, and proof of distribution to environmental agencies and Tribes

Name of Newspaper: ________________________________________   Date of publication: ___________________

Were comments received in response to the notice?

☐ YES  ☐ NO

If “Yes,” explain and attach all correspondence:

STEP 8 – Implement the Project.

When compliance has been demonstrated and the release of funds has been issued, the project may be implemented. 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.
There are no Coastal Zones in Missouri.

Compliance Documentation: NOAA Coastal Management
AIRPORT HAZARDS

24 CFR Part 51 Subpart D

Runway Protection Zone (RPZ)- area immediately beyond the ends of FAA civilian airport runways
Clear Zone (CZ)- area immediately beyond ends of military airfield runway
Accident Potential Zone (APZ)- are immediately beyond the Clear Zones of military airfield

1. Is the project within 2,500 feet of the end of a civilian airport or 15,000 feet of a military airport?
   - YES
   - NO

*For Civil Airports- applies to all commercial service airports as designated in the National Plan of Integrated Airport System (NPIAS), shown as “P” and “CS”; does not apply to other designations

2. Is the project located within a Runway Protection Zone, Clear Zone, or Accident Potential Zone?
   - YES
   - NO

3. For projects within APZ:
   A. Do project activities, regardless of funding source, involve new construction; substantial rehabilitation; acquisition of undeveloped land; activities that would significantly prolong the physical or economic life of existing facilities or change the use of the facility to a use that is not consistent with the recommendations of the Department of Defense (DOD)’s Land Use Compatibility Guidelines; activities that would significantly increase the density or number of people at the site; or activities that would introduce explosive, flammable, or toxic materials to the area?
      - YES
      - NO
      - N/A

*If “Yes,” the project must be in conformance with DOD guidelines to proceed at this location.

For projects within RPZ/CZ:

B. Does the project consist of only facilities that will not be frequently used or occupied by people?
   - YES
   - NO
   - N/A

*If “Yes,” obtain written assurance by the airport operator that there are no plans to purchase the land involved as part of a RPZ/CZ acquisition program.

C. Does the project consist solely of minor rehabilitation (<75% pre-rehab value), purchase, sale, or rental of an existing property without significantly prolonging the physical or economic life of the property?
   - YES
   - NO
   - N/A

*If “Yes,” include a statement signed by buyer indication receipt of notification of airport hazards.

*If “No” to 3B and 3C, the project cannot proceed at this location.

Compliance Determination Summary: Provide a clear description of your determination and a synopsis of the information that it was based on (e.g. map panel numbers and dates, names of all consulted parties and relevant consultation dates, names of plans or reports and relevant page numbers, any additional requirements specific to your region)
CDBG Administrative Manual
Environmental Review

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

Endangered Species Act of 1973

1. Generate an official species list using U.S. Fish and Wildlife Service’s iPac tool AND a Missouri Natural Heritage Report.

2. Determine if the project will affect threatened species, endangered species, or critical habitat using USFWS’s Effect Determination Tool. Indicate which level of effect the project will have:

- No Effect → provide documentation, no consultation required
- May affect, but not likely to adversely affect → submit a letter to USFWS and MDC with a written analysis of effects, requesting concurrence
- May affect, likely to adversely affect → formal consultation with USFWS and MDC required, including biological opinion, potential jeopardy determination and incidental take statement

If a “May Affect...” determination was made, explain all mitigation measures or explain why mitigation is not necessary.

Compliance Determination Summary: Provide a clear description of your determination and a synopsis of the information that it was based on (e.g. map panel numbers and dates, names of all consulted parties and relevant consultation dates, names of plans or reports and relevant page numbers, any additional requirements specific to your region)
1. Is the project within proximity to any of the following rivers or river segments and their respective tributaries. (include a map of all rivers, segments, and tributaries in the jurisdictional county of the project site, with site clearly indicated)
   A. **Wild and Scenic Rivers** - (the Eleven Point River is the only one in Missouri)
   B. **Study Rivers** - (there are currently none in Missouri)
   C. **Nationwide Rivers Inventory** - (state designated river segments)

2. If so, could the project do any of the following?
   - Have a direct and adverse effect within Wild and Scenic River Boundaries,
   - Invade the area or unreasonable diminish the river outside Wild and Scenic River Boundaries, or
   - Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment (this can be determined by consulting the River Management Plan for the River or River segment in question to determine the River’s outstanding values)?

   If the project could impact the Eleven Point River as determined in question 2, please contact the U.S. Fish and Wildlife Service.

   If the project could impact a River listed on the Nationwide River Inventory as determined in question 2, please contact the National Park Service.

Explain all required mitigation measures resulting from consultation with either of the above entities:

**Compliance Determination Summary:** Provide a clear description of your determination and a synopsis of the information that it was based on (e.g. map panel numbers and dates, names of all consulted parties and relevant consultation dates, names of plans or reports and relevant page numbers, any additional requirements specific to your region)
FARMLAND PROTECTION
Farmland Protection Policy 7 CFR 658

1. Does the project involve new construction, acquisition or disposition of undeveloped land, or conversion that could potentially convert one land use to another? □ YES □ NO

2. If so, does your project meet one of the following exemptions? □ YES □ NO
   - Construction Limited to on-farm structures needed for farm operations
   - Construction limited to new minor secondary (accessory) structures such as a garage or storage shed
   - Project on land used for water storage
   - Project on land already in or committed to urban development (land with a density of 30 structures per 40-acre area; lands identified as “urbanized area” (UA) on the Census Bureau Map; as urban area mapped with a “tint overprint” on the USGS topographical maps; or as “urban-built-up” on the USDA Important Farmland Maps)

3. If not, does “Important Farmland” (including prime farmland, unique farmland or farmland of statewide or local importance) regulated under the FPPA occur on the project site? □ YES □ NO
   If “Yes,” consider alternatives to completing the project on important farmland and means of avoiding impacts to Important Farmland and submit a completed AD-1006 “Farmland Conversion Impact Rating” Form to USDA Natural Resources Conservation Service. Notify the state soil scientist prior to sending.

Explain all required mitigation measures resulting from consultation with NRCS:

Compliance Determination Summary: Provide a clear description of your determination and a synopsis of the information that it was based on (e.g. map panel numbers and dates, names of all consulted parties and relevant consultation dates, names of plans or reports and relevant page numbers, any additional requirements specific to your region, current land use of project site, etc.)
NOISE CONTROL

24 CFR Part 51 Subpart B

1. 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

2. Is the proposed project located within proximity of the following major noise sources?
   ■ YES ☐ NO
   - Within 1,000 feet of a major roadway (high volume traffic, heavy truck traffic, etc.)
   - Within 3,000 feet of a railroad
     ■ There is a designated quiet zone in the area of the project.
   - Within 15 miles of an airport with 9000 or more enplanements per year
   - Other significant noise sources: _____________________________

If “Yes” to #1 and #2, complete a Noise Assessment, explain the outcome, and describe all resulting mitigation:

Compliance Determination Summary: Provide a clear description of your determination and a synopsis of the information that it was based on (e.g. map panel numbers and dates, names of all consulted parties and relevant consultation dates, names of plans or reports and relevant page numbers, any additional requirements specific to your region, etc.)
EXPLOSIVE AND FLAMMABLE OPERATIONS
24 CFR Part 51 Subpart C

1. Hazardous facilities included in the project:
   A. Does the proposed project include a hazardous facility (a facility that mainly stores, handles, or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?
      □ YES □ NO
   B. If so, is the hazardous facility located at an Acceptable Separation Distance (based on standards in the regulation) from residences and any other facility or area where people may congregate or be present?
      □ YES □ NO

2. Aboveground stationary storage tanks near the project:
   A. Does this project include any of the following activities: development, new construction, or rehabilitation that will increase residential densities or conversion of land use to residential? Or, will the project encourage congregation of people in an outdoor, unprotected facility?
      □ YES □ NO
   B. If “Yes,” are there any current or planned stationary aboveground storage containers:
      • Of more than 100 gallon capacity, containing common liquid industrial fuels, or
      • Of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels?
      □ YES □ NO
   C. If “Yes”, is the Separation Distance from the project acceptable based on standards in the regulation?
      □ YES □ NO
      If “No,” a barrier is required to mitigate the project, or it should be moved to a different location.
      Detail all mitigation measures that will be implemented, including the timeline for implementation:

Compliance Determination Summary: Provide a clear description of your determination and a synopsis of the information that it was based on (e.g. map panel numbers and dates, names of all consulted parties and relevant consultation dates, names of plans or reports and relevant page numbers, any additional requirements specific to your region, current land use of project site, etc.)
1) Is the project located on a sole source aquifer?

☐ YES  ■ NO

**Designated Sole Source Aquifers in EPA Region VII**

Iowa, Kansas, Missouri, Nebraska

REGIONS VII (IA, KS, MO, NE)
Stephanie Lindberg
Drinking Water/Ground Water Branch
EPA Region 7
901 N. 5th Street
Kansas City, KS 66101
Phone: (800) 223-0425
Email: lindberg.stephanie@epa.gov

*There are no designated Sole Source Aquifers in Region VII. Contact the coordinator above for more information about designating SSAs in Region VII.*
**AIR QUALITY**

1. **Is the project in an EPA-designated nonattainment** or maintenance area for any criteria pollutants?  
   - YES  
   - NO

2. If “No,” could create emissions impairing the air quality of an area already in attainment?  
   - YES  
   - NO

   If “Yes” to question 1, does the project include five or more dwellings OR new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities units that will involve the potential for air emissions or a significant traffic increase?  
   - YES  
   - NO  
   - YES  
   - NO

3. If “Yes” to either of the scenarios in question 2, obtain a determination from the EPA Region 7 State Air Program and the DNR Air Pollution Control Program that proposed activities conform to the State Implementation Plan.  
   - YES  
   - NO

**ASBESTOS:**

1. Does the project involve demolition or renovation of buildings or bridges or removal of asbestos water or sewer pipes where the disturbed area is greater than 260 linear feet or 160 square feet?  
   - YES  
   - NO

   If “Yes,” a Missouri DNR Certified Asbestos Inspector must be hired to perform a thorough asbestos inspection. If friable asbestos containing materials are present and require removal, a Missouri registered asbestos abatement contractor must be hired.

**MOLD:**

1. 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.

   Explain all required mitigation measures and/or required permits required for nonattainment, asbestos, and mold:

   ...

   **Compliance Determination Summary:** Provide a clear description of your determination and a synopsis of the information that it was based on (e.g. map panel numbers and dates, names of all consulted parties and relevant consultation dates, names of plans or reports and relevant page numbers, any additional requirements specific to your region, potential for the project to encourage further development in the area, sources, types, and amounts of emissions associated with the finished project, potential for odors and fumes produced by the finished project or surrounding areas, etc.)
CONTAMINATION AND TOXIC MATERIALS

24 CFR 58.5(i)(2)

*Removal of Hazardous Waste must comply with the DNR Universal Waste Rule

1. Is fill/borrow material required for the project?  □ YES □ NO
   If “Yes,” complete a separate “Contamination and Toxic Materials” worksheet for the fill site.

2. 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.)

3. A Phase I ESA is required if the site meets any of the following criteria. If a Phase I has already been completed, proceed to question 6.
   □ Listed on an EPA Superfund (CERCLA) or MO DNR’s eStart Active Site
   □ Located within 3000 feet of a toxic or solid waste landfill site
   □ Has an underground storage tank

4. A Phase I ESA is highly recommended if the site meets any of the following criteria:
   □ Within 1 mile of a Superfund Site or MO DNR’s eStart active site
   □ Is within 1 mile of facility in violation listed on ECHO, EnviroFacts or NEPAssist
   □ Is within 0.5 mi of a Leaking Underground Storage Tanks (LUST)
   □ Hazardous substances, pollutants, or contaminants have been stored or dumped on the site
   □ Is near an industry or in an industrial area disposing of chemicals and/or hazardous waste

5. If one of the above criterion was selected, but a Phase I ESA has/will not be completed, please indicate why:

6. Phase I:
   A. Has a current ASTM 1527-13 Phase I ESA been completed?  □ YES □ NO
      If “No,” move on to question #5 below. If “Yes,” continue.
   B. Based on the Phase I, does contamination exist or is suspected to exist at the site?  □ YES □ NO
      If “No,” nothing further is required. If “Yes,” continue to question 7.

7. Phase II:
   A. Is a Phase II Assessment recommended?  □ YES □ NO
   B. Has a Phase II Assessment already been completed?  □ YES □ NO
   C. Based on the Phase II Assessment, does contamination exist at the site?  □ YES □ NO
      If “No,” nothing further is required.
8. If present, explain if contamination will affect the health and safety of occupants or conflict with intended use of the site, how it will be addressed, and/or any contamination cleanup procedures and mitigation and whether the cost and timeline for cleanup are feasible for the project.

LEAD-BASED PAINT:

1. Does the project involve any activities done for compensation that disturbs painted surfaces (includes most repair, remodeling, and maintenance activities, as well as weatherization and demolition) to residential houses, apartments, and child-occupied facilities built before 1978? □ YES □ NO

If “Yes,” requirements associated with the Renovation, Repair, and Painting Program Rule must be followed, including testing all affected surfaces coated with paint, shellac, varnish, stain, coating or even paint covered by wallpaper, if it will be disturbed during the renovation work, and the use of an EPA “Certified Renovator.”

*For projects involving rehabilitation, rental assistance, homebuyer assistance, leasing, or support services for a residential property or the operation of emergency shelters, please use the Lead Rule Compliance Advisor to determine compliance with HUD’s Lead Safe Housing Rule.

*Presence of lead should be considered for painted bridges and water towers and soil of child-occupied facilities.

RADON:

1. Does the project entail new construction for residential purposes or long term occupancy of people? □ YES □ NO

If “Yes,” radon resistant construction practices and/or a radon mitigation system are required.

2. Does the project entail substantial rehabilitation to any building for residential purposes or long term occupancy of people? □ YES □ NO

If “Yes,” radon testing, along with mitigation for levels of 4.0 picocuries per liter or higher, is required.

Explain all mitigation measures and/or required permits required for contamination and toxic materials, lead-based paint, and radon:

Compliance Determination Summary: Provide a clear description of your determination and a synopsis of the information that it was based on (e.g. map panel numbers and dates, names of all consulted parties and relevant consultation dates, names of plans or reports and relevant page numbers, any additional requirements specific to your region, etc.)
**ENVIRONMENTAL JUSTICE**

*HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, have been completed.*

1. Were any adverse environmental impacts identified in the preceding compliance review portion of this environmental review? □ YES □ NO

2. If “Yes,” were these adverse environmental impacts disproportionately high for *low-income* and/or minority communities? □ YES □ NO

3. If “Yes,” can the adverse impacts be mitigated? □ YES □ NO

*The affected community should be meaningfully informed and involved in the planning process to address the adverse effects*

**Compliance Determination Summary:** Provide a clear description of your determination and a synopsis of the information that it was based on (e.g. map panel numbers and dates, names of all consulted parties and relevant consultation dates, names of plans or reports and relevant page numbers, any additional requirements specific to your region, etc.)
### Summary of Findings and Conclusions

<table>
<thead>
<tr>
<th>Compliance Factors</th>
<th>Are compliance steps, mitigation, or permitting required?</th>
<th>Compliance Determinations</th>
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<tr>
<td>Historic Properties</td>
<td>YES/NO</td>
<td></td>
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<tr>
<td>Flood Insurance</td>
<td>YES/NO</td>
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<tr>
<td>Floodplain Management</td>
<td>YES/NO</td>
<td></td>
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<tr>
<td>Wetland Protection</td>
<td>YES/NO</td>
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<tr>
<td>Coastal Zone Management</td>
<td>YES/NO</td>
<td>There are no coastal zones in the state of Missouri (NOAA Coastal Management).</td>
</tr>
<tr>
<td>Airport Hazards</td>
<td>YES/NO</td>
<td></td>
</tr>
<tr>
<td>Endangered Species</td>
<td>YES/NO</td>
<td></td>
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<tr>
<td>Wild &amp; Scenic Rivers</td>
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<tr>
<td>Farmland Protection</td>
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<tr>
<td>Noise Control</td>
<td>YES/NO</td>
<td></td>
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<tr>
<td>Explosive &amp; Flammable Hazards</td>
<td>YES/NO</td>
<td></td>
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<tr>
<td>Water Quality</td>
<td>YES/NO</td>
<td>There are no Sole Source Aquifers in the state of Missouri (EPA Water Management Division, Region VII).</td>
</tr>
<tr>
<td>Air Quality</td>
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<td>Contamination &amp; Toxic Subs.</td>
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<tr>
<td>Environmental Justice</td>
<td>YES/NO</td>
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</tbody>
</table>
Additional Environmental Factors

(For EA Only)
1. **Conformance with Plans:** Briefly explain whether the proposed project conforms to current community plans.

2. **Compatible Land Use and Zoning:** Describe the proposed and adjacent sites’ current land use and zoning.

3. **Scale and Urban Design:** If new construction, how will the project conform with the surrounding natural and built environment?

4. **Soil Suitability:** Briefly explore the soil suitability for the land use associated with this project.

5. **Slope:** If the site is on a slope, how will the project be affected and how might the project affect slope conditions? How will they be addressed?
6. **Erosion:** If site clearance is necessary, explain the measures that will be taken to manage and control it.

7. **Drainage/Storm Water Runoff:** Consider the impact of the project on storm water drainage and the impact of storm water on the project, particularly in regard to the proximity of the system (natural flow, storm sewer, or combined sewer) and the capacity of the system to accommodate the project.

8. **Hazards and Nuisances/Including Site Safety and Noise:** Describe the considerations made to ensure that the project is located and designed to minimize potential risk to the public or project users from both natural and man-made risks.

9. **Energy Consumption:** If possible, describe the measures that will be taken to maximize opportunities for energy efficiency associated with the project.
1. **Employment and Income Patterns:** Describe the potential affect the project will have on local employment, including temporary jobs created during construction, permanent jobs, and the job requirements of the new residents.

2. **Demographic Character Changes:** Briefly explore the possible effects the project could have on the social networks, institutional ties, and physical dimensions that make up the community(ies) within the area of the likely impact of the proposed project.

3. **Displacement:** Will the project result in direct or indirect displacement? If so, explain the measures in place to alleviate the hardship associated with the displacement.
1. **Educational and Cultural Facilities:** If the proposed project will directly or indirectly affect growth of the population, discuss whether there is adequate capacity in current schools and safe access to them, as well as any measures that will be taken to mitigate adverse impacts.

2. **Commercial Facilities:** If the proposed project will directly or indirectly affect growth of the population, explain if existing commercial facilities are adequate. For Economic Development projects, explain the implications the project will likely have on surrounding commercial establishments.

3. **Health Care:** If the proposed project will directly or indirectly affect growth of the population, consider the access to and capacity of emergency and non-emergency health care services.

4. **Social Services:** If the project will result in new residents/users of social services, consider the availability and accessibility of appropriate services.

5. **Solid Waste Disposal/Recycling:** Describe the waste associated with all phases of the project, as well as how it will be handled.
6. **Waste Water/Sanitary Sewers:** For all new development, consider the availability of adequate wastewater disposal services.

7. **Water Supply:** For all new development, consider the availability of adequate wastewater disposal services and whether the water requirements of the project will significantly impact the community's water supply.

8. **Public Safety - Police, Fire, and Emergency Medical:** If the proposed project will directly or indirectly affect growth of the population, consider the availability and adequacy of emergency service that may be required at the proposed project.

9. **Parks, Open Space, and Recreation:** If the proposed project will directly or indirectly affect growth of the population, consider the availability of and ease of access to recreation spaces, open spaces, and cultural resources.

10. **Transportation and Accessibility:** Assess the transportation impacts of the project in regard to the four sub-elements of transportation—access, balance, safety, and level of service.
1. **Unique Natural Features:** Will the project location, construction, or its users destroy, isolate from public or scientific access, or adversely impact unique or locally important natural features on or near the site?

2. **Water Resources:** Describe the project’s potential effect on groundwater and surface water, with particular consideration to impervious surfaces, runoff, and nearby streams and other water sources.

3. **Vegetation:** Consider the project’s impacts to vegetation, including site clearance. Describe mitigation measures.

4. **Wildlife:** Consider the project’s impacts to wildlife, including site clearance. Describe mitigation measures.
### Impact Summary

Impact: 1= minor beneficial  2= no impact anticipated  3= minor adverse  4= significant adverse

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<th>Environmental Assessment Factors</th>
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<td>Vegetation, Wildlife</td>
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ENVIRONMENTAL NOTICES, COMMENT PERIODS, RROF, AND AUGF
ENVIRONMENTAL PUBLIC NOTICES AND COMMENT PERIODS

Environmental public notices are applicable to CEST and Environmental Assessment levels of review and require observance of comment periods. Below is guidance for calculating comment periods, followed by templates of HUD’s environmental notices.

COMMENT PERIODS – CALCULATING DAYS:

Local Comment Periods (initial comment period on the local government level):
The local comment period begins the day after the date the notice is published. If the last day of the local comment period should fall on Saturday, Sunday or Federal holiday, comments periods shall be extended to the next business day.

- The RE may extend the comment period for any reason. For example, if the project is highly complex, controversial, multi-phased, etc., the RE may wish to extend the comment period in order to provide adequate opportunity for public comment.
- If comments are received, The RE must consider the comments and make modifications, if appropriate, in response to the comments, before it completes its environmental certification and before submittal of the RROF.
- The RROF/C may be submitted to DED no earlier than one day after the local comment period (8th day for Notice of Intent only; 16th day for the Combined Notice). If there is a significant time lapse between the last day of the local comment period and the date the RROF/C is submitted to DED, the RE may be required to re-publish the public notice, observe a second local comment period, re-submit the RROF/C, and observe the State’s 15-day comment period.

Below is an example of a Combined Notice 15 day comment period ending on a weekend requiring the comment period be extended to the next business day.

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<thead>
<tr>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
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<td>1</td>
<td>2 – Combined Notice Publication</td>
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<td>Day 14</td>
<td>Day 15</td>
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<tr>
<td>17</td>
<td>18 – First business day</td>
<td>19 – RROF/C submitted to CDBG</td>
<td>20 – State comment period commences</td>
<td>21</td>
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</tbody>
</table>

State Comment Period:
The State’s 15-day comment period commences the day after the RROF/C is submitted to DED. If the last day of the comment period should fall on Saturday, Sunday or Federal holiday, comments shall be extended to the next business day. The day after the end of the State’s comment period (16th day) the Pre-Grant Award letter or the Authority to Use Grant Funds form shall be issued pending resolution to any comments received. Review the permissible bases for public objections at 58.75.
EARLY PUBLIC FLOODPLAIN/WETLANDS NOTICE TEMPLATE

This is the first of two notices required for the HUD 8-Step Decision Making Process for Floodplains and/or Wetlands. Italicized words in parenthesis are to be replaced with language relevant to the specific project and Responsible Entity involved. The notice may be submitted to CDBG for review prior to publication. The notice must be published one time in the newspaper of widest circulation as a display advertisement. The notice must also be mailed to Tribes, if applicable, and environmental agencies. A 15-day comment period begins one day after the date of publication and prior to publishing the Notice of Explanation (second floodplain notice). Also, the notice must be published prior to the Notice of Intent to Request Release of the Funds (NOI) or the Combined Notice, whichever applies. Obtain the affidavit of publication and/or tear sheet. Maintain proof of distribution to environmental agencies.

EARLY NOTICE AND PUBLIC REVIEW OF A PROPOSED ACTIVITY IN A FLOODPLAIN AND/OR WETLAND

Date of Publication:

To: All Interested Agencies, Groups, & Individuals

This is to give notice that (Name of Responsible Entity) has conducted an evaluation as required by (Executive Order 11988 for floodplain management and/or 11990 for protection of wetlands), in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential affect its activity in the floodplain and/or wetland will have on the human environment for Community Development Block Grant under Title I of the Housing and Community Development Act of 1974 (PL 93-383).

The proposed project(s) is located at (address(es)) in (City), (County). (Describe the activity, e.g. purpose, type of assistance, the size of the site, proposed number of units, size of footprint, type of floodplain, if applicable, natural values). (Indicate the total number of acres of floodplains and/or wetlands).

There are three primary purposes for this notice. First, people who may be affected by activities in (floodplains and/or wetlands) and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information about (floodplains and/or wetlands) can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in (floodplains and/or wetlands), it must inform those who may be put at greater or continued risk.

Written comments must be received by (the name of Responsible Entity) at the following address on or before (month/date/year) [a minimum 15 calendar day comment period will begin the day after the publication and end on the 16th day after the publication): (Name of Responsible Entity), (Address) and (phone number), Attention: (Name & Title of Certifying Officer). Comments may also be submitted or further information can be requested via email at (RE email address). A full description of the project may also be reviewed from (enter available office hours & days of the week) at the above address.

(Name of Mayor/Presiding Commissioner/Village Chair)
This is the second and final floodplain notice required as part of the HUD 8-Step Decision Making Process for Floodplains and/or Wetlands. The Notice may be submitted to CDBG for review prior to publication. The notice must be published one time in the newspaper of widest circulation as a display advertisement. The notice must also be mailed to Tribes (if applicable) and environmental agencies. A 7-day comment period begins the day after the date of publication and may be published concurrent to the Notice of Intent to Request Release of Funds or the Combined Notice, whichever is applicable to the project. Obtain the affidavit of publication and/or tear sheet. Maintain proof of distribution to Tribes and environmental agencies.

FINAL NOTICE & PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A FLOODPLAIN/WETLAND

Date of publication:

To: All Interested Agencies, Groups, & Individuals

This is to give notice that (Name of Responsible Entity) has conducted an evaluation as required by (Executive Order 11988 for floodplain management and/or 11990 for protection of wetlands), in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential affect that its activity in the floodplain and/or wetland will have on the human environment for Community Development Block Grant under Title I of the Housing and Community Development Act of 1974 (PL 93-383). The proposed project(s) is located at (address(es)) in (City), (County). (Describe the activity, e.g. purpose, type of assistance, the size of the site, proposed number of units, size of footprint, type of floodplain, if applicable, natural values). (Indicate the total number of acres of floodplains and/or wetlands).

(Name of Responsible Entity) has considered the following alternatives to building in a (floodplain and/or wetland) and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of (Executive Order 11988 for floodplain management and/or 11990 for protection of wetlands), are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments. This activity will have no significant impact on the environment for the following reasons:

(Give reasons why there is no significant impact)

There are three primary purposes for this notice. First, people who may be affected by activities in (floodplains and/or wetlands) and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information about (floodplains and/or wetlands) can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in (floodplains and/or wetlands), it must inform those who may be put at greater or continued risk.

Written comments must be received by (Name of Responsible Entity) at the following address on or before (month/date/year)[a minimum 7 day calendar day comment period will begin the day after the publication and end on the 8th day after the publication]; (Name of Responsible Entity), (Address) and (phone number), Attention: (Name & Title of Certifying Officer). Comments may also be submitted or further information can be requested via email at (RE’s email address). A full description of the project may also be reviewed from (enter available office hours) at the above address.

(Name of Mayor/Presiding Commissioner/Village Chair)
The following Notice of Intent to Request Release of Funds (NOI) contains language required by HUD and is used to request environmental approval (environmental release of funds) for Categorically Excluded projects [CEST pursuant to 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 and 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 a lead grantee along with other participating grantees. Also 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.

The notice must be published one time in the newspaper of widest circulation as a display advertisement. The Notice must specify that all comments be received and addressed in writing by the RE. The 7-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 RE may choose to allow a longer comment period. The 15-day State objection period is a statutory requirement. The objection period follows the submission date specified in the NOI, or the actual date of receipt by the State, whichever is later.

If using a tiered or phased approach to the environmental review, the Combined Notice must indicate that additional activities and/or sites will be considered during the course of the project or over years, and will be environmentally reviewed to determine if the original Finding of No Significant Impact remains valid. If necessary, contact CDBG for assistance.

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

Date of Publication
Name of Responsible Entity
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: descriptive project name
Purpose: detailed description/nature/scope and 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 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 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
CDBG Administrative Manual
Environmental Review

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)
COMBINED NOTICE (FONSI & NOI) TEMPLATE

The following Combined Notice template contains language required by HUD and is used for projects requiring preparation of an Environmental Assessment. Required language is bolded and 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 a lead grantee along with other participating grantees. Also 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 Notice must specify that all comments be received and addressed in writing by the RE.

The Combined Notice must be published one time in the newspaper of widest circulation as a display advertisement. The notice must also be distributed to Tribes, if applicable, and environmental agencies and proof of distribution maintained. A 15-day comment period shall commence the day after the date of publication.

The 15-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 RE may choose to allow a longer comment period. Pursuant to 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.

If using a tiered or phased approach to the environmental review, the Combined Notice must indicate that additional activities and/or sites will be considered during the course of the project or over years, and will be environmentally reviewed to determine if the original Finding of No Significant Impact remains valid. If necessary, contact CDBG for assistance.

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

Date of Publication

Name of Responsible Entity

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: descriptive project name
- Purpose: detailed description/nature/scope and 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)
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, including historical societies and groups, and state and federal agencies, as deemed appropriate by the nature of the project.

Following is a list of state and federal agencies most appropriate to receive environmental notification. This list is not all inclusive. Other agencies should be contacted as necessary for the project.

- Floodplain/Wetland: if applicable, distribute the EPN and NOE to all relevant agencies and Tribes
- CEST/NOI: distribute the notice to agencies and Tribes only if located in a floodplain/wetland
- EA/Combined Notice: distribute the notice to all appropriate agencies, depending on project complexity, controversy, impacts, etc., and Tribes

The contact information below can be used in conjunction with the worksheets to determine what agencies should be contacted for comment on the project prior to the submission of the ERR to CDBG.

<table>
<thead>
<tr>
<th>HISTORIC PRESERVATION: Missouri Department of Natural Resources</th>
<th>FLOOD INSURANCE/FLOODPLAIN MANAGEMENT: FEMA Region VII</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Historic Preservation Office – Section 106</td>
<td>ATTN: Ken Sessa</td>
</tr>
<tr>
<td>PO Box 176</td>
<td>9221 Ward Parkway, Suite 300</td>
</tr>
<tr>
<td>Jefferson City, MO 65102</td>
<td>Kansas City, MO 64114-3372</td>
</tr>
<tr>
<td>Phone: 573-751-7858</td>
<td>Phone: 816-283-7960</td>
</tr>
<tr>
<td>Indian Tribes</td>
<td></td>
</tr>
<tr>
<td>Access the website below to determine whether Indian</td>
<td></td>
</tr>
<tr>
<td>Tribes have an interest in the County where the proposed</td>
<td></td>
</tr>
<tr>
<td>project takes place.</td>
<td></td>
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<tr>
<td>HID Tribal Directory Assessment Tool</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WETLANDS: U.S. Army Corps of Engineers SEND TO THE AREA DISTRICT OFFICE: USACE Regulatory Officer Locator</th>
<th>WILD AND SCENIC RIVERS: National Park Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEND TO THE AREA DISTRICT OFFICE:</td>
<td>Environmental Compliance</td>
</tr>
<tr>
<td>USACE Regulatory Officer Locator</td>
<td>Midwest Regional Office</td>
</tr>
<tr>
<td>If a wetlands delineation is needed, contact NRCS:</td>
<td>601 Riverside Drive</td>
</tr>
<tr>
<td>NRCS Wetlands Delineation Contacts</td>
<td>Omaha, Nebraska 68102</td>
</tr>
<tr>
<td>ACCESS THE WEBSITE BELOW FOR AREA SOIL SCIENTIST.</td>
<td>Phone: 402/661-1848</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ENDANGERED SPECIES: U.S. Fish and Wildlife Service</th>
<th>FARMFLAND PROTECTION: USDA Natural Resources Conservation Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Region 3 Ecological Field Office</td>
<td>Access the website below for area soil scientist.</td>
</tr>
<tr>
<td>ATTN: Amy L. Salveter, Field Supervisor</td>
<td>NRCS MO Area Soil Contacts</td>
</tr>
<tr>
<td>101 Park DeVille Drive, Suite A</td>
<td></td>
</tr>
<tr>
<td>Columbia, MO 65203</td>
<td></td>
</tr>
<tr>
<td>Phone: 573-234-2132</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Missouri Department of Conservation ATTN: Resource Science Division</th>
<th>AIR QUALITY: (State SIPs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2901 W. Truman Blvd., PO Box 180</td>
<td>US EPA Region 7</td>
</tr>
<tr>
<td>Jefferson City, MO 65102</td>
<td>Air and Waste Management Divisions</td>
</tr>
<tr>
<td>573/522-4115, ext. 3250</td>
<td>11201 Renner Boulevard</td>
</tr>
<tr>
<td></td>
<td>Lenexa, KS 66219</td>
</tr>
<tr>
<td></td>
<td>913/551-7089</td>
</tr>
</tbody>
</table>
ENVIRONMENTAL QUALITY:

Missouri Department of Natural Resources
Phone: 573-522-8796

DNR Divisions & Programs
DNR Regional Offices

*Please review the links above to determine if your project warrants a request for comment from any MoDNR departments or division. This will depend on the purpose and scope of the project. Send environmental notices to your DNR Regional Office, and/or requesting comment on environmental concerns associated with the project.

U.S. Environmental Protection Agency, Region 7
ENSV/NEPA Team
11201 Renner Blvd.
Lenexa, KS 66219
Phone: 913-551-7565
Tucker.amber@epa.gov

*Submit all Combined Notices to EPA

Council of Environmental Quality
722 Jackson Place, N.W.
Washington, DC 20503
Phone: 202-395-5750
INSTRUCTIONS FOR COMPLETING THE REQUEST FOR RELEASE OF FUNDS & CERTIFICATION FORM (RROF&C)

A fillable PDF version of the request for release of funds & certification form is found at RROF/C HUD Portal.

IMPORTANT:
1. The Request for Release of Funds and Certification (RROF/C) must be submitted to DED timely after the local comment period expires for the Notice of Intent To Request Release of Funds (NOI) or the Combined Notice, whichever is applicable to the level of review required for your project. If too much time elapses between the time the comment period expires and the time you submit the RROF/C, you may be required to re-publish.
2. The original form must be on one page – front and back – not on two separate pages.
3. Do NOT indicate an exact amount for project costs on this form!
4. The form must be typed, not hand written.

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. 2011-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): The State CDBG Program 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 that 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. 4 – Check one of the boxes. The second box is the box that is usually checked.
- Signature of Certifying Officer and Responsible Entity – Insert the name of the Mayor or Presiding Commissioner, the chief elected official for the grantee. This should correspond with whoever 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.
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)**

<table>
<thead>
<tr>
<th>1. Program Title(s)</th>
<th>2. HUD/State Identification Number</th>
<th>3. Recipient Identification Number (optional)</th>
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<tbody>
<tr>
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<tr>
<th>4. OMB Catalog Number(s)</th>
<th>5. Name and address of responsible entity</th>
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</table>

<table>
<thead>
<tr>
<th>6. For information about this request, contact (name &amp; phone number)</th>
<th>7. Name and address of recipient (if different than responsible entity)</th>
</tr>
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</table>

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:

<table>
<thead>
<tr>
<th>9. Program Activity/Project Name(s)</th>
<th>10. Location (Street address, city, county, State)</th>
</tr>
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<tbody>
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</tbody>
</table>

| 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. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. 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.
5. 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.
6. 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.
7. 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:

8. 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.
9. 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.

<table>
<thead>
<tr>
<th>Signature of Certifying Officer of the Responsible Entity</th>
<th>Title of the Certifying Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Date Signed</td>
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</tbody>
</table>

Address of the 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).

<table>
<thead>
<tr>
<th>Signature of Authorized Officer of the Recipient</th>
<th>Title of Authorized Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Date signed</td>
</tr>
</tbody>
</table>
PERMISSIBLE BASES FOR OBJECTIONS
[24 CFR §58.75] (DED’s 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 form (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/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 (FONSI) to the environment.

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 review including publishing applicable notices and observing required comment periods, and completion of an Environmental Assessment (EA).

The RE/grantee has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.

The RE/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 for applications not yet funded, or the notice of “Authority to Use Grant Funds/Completion of Environmental Review Requirements”, for projects that have been awarded CDBG fund