

# Determination of Exemption and Determination of Categorical Exclusion (not subject to Section 58.5)

24 CFR 58.34(a) and 58.35(b)

Activity Name and Grant Number:	
Address:	
Activity Description:	
Funding Source: CDBG HOME ESG HOPWA EDI ICDBG NAHASDA Other:	
√	<b>The activity falls into the category below, which is listed at 24 CFR 58.34(a) as Exempt.</b>
	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: <ul style="list-style-type: none"> <li>▪ Employment</li> <li>▪ Crime prevention</li> <li>▪ Child care</li> <li>▪ Health</li> <li>▪ Recreation needs</li> <li>▪ Drug abuse</li> <li>▪ Education</li> <li>▪ Counseling</li> <li>▪ Energy conservation</li> <li>▪ Welfare</li> <li>▪ Other _____</li> </ul>
	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. Temporary or permanent improvements that do not alter environmental conditions and are limited to activities to protect, repair or arrest the effects of 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
√	<b>The activity falls into the category listed below, which is listed at 24 CFR 58.35(b) as a Categorically Excluded activity not subject to Section 58.5.</b>
	1. Tenant-based rental assistance
	2. Supportive Services (including but not limited to): <ul style="list-style-type: none"> <li>▪ Health care</li> <li>▪ Housing services</li> <li>▪ Permanent housing placement</li> <li>▪ Day care</li> <li>▪ Nutritional services</li> <li>▪ Short term payments for rent/mortgage/utility costs</li> <li>▪ Assistance in gaining access to government benefits/services</li> </ul>
	3. Operating Costs: <ul style="list-style-type: none"> <li>▪ Maintenance</li> <li>▪ Security</li> <li>▪ Operation</li> <li>▪ Utilities</li> <li>▪ Furnishings</li> <li>▪ Equipment</li> <li>▪ Supplies</li> <li>▪ Staff training and recruitment</li> </ul>

	<p>4. Economic Development Activities:</p> <ul style="list-style-type: none"> <li>▪ Equipment purchase</li> <li>▪ Inventory financing</li> <li>▪ Interest subsidy</li> <li>▪ Operating costs</li> <li>▪ Other expenses not associated with construction or expansion</li> </ul>
	<p>5. Activities to assist homeownership of existing or dwelling units under construction not assisted with Federal funds:</p> <ul style="list-style-type: none"> <li>▪ Closing costs and down payment assistance to homebuyers</li> <li>▪ Interest buydowns or other actions resulting in transfer of title</li> </ul>
	<p>6. Affordable housing pre-development costs</p> <ul style="list-style-type: none"> <li>▪ Legal consulting</li> <li>▪ Developer and other site-option costs</li> <li>▪ Project financing</li> <li>▪ Administrative costs for loan commitments, zoning approvals, and other activities which don't have a physical impact</li> </ul>
	<p>7. Approval of supplemental assistance (including insurance or guarantee) to a project previously approved under Part 58, if :the same responsible entity conducted the environmental review on the original project and re-evaluation of the environmental findings is not required under Section 58.47</p>

### 24 CFR 58.6 Requirements

#### Section 1. Flood Disaster Protection Act

Are funds for acquisition (including equipment) or construction (including repair and rehabilitation) purposes?	Yes Continue	No Proceed to Section 2-Act does not apply
<p>Is the Activity in an area identified as having special flood hazards (SFHA)?</p> <p>Identify FEMA flood map used to make this determination:</p> <p>_____</p> <p>Community Name and Number</p> <p>_____</p> <p>Map panel number and date</p>	Yes Document and Continue	No Document and Proceed to Section 2-Act does not apply
Is the Community participating in the National Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?	Yes-Document and follow instructions below.	<b>No-Federal Assistance may not be used for this project.</b>
<p>Flood Insurance under the National Flood Insurance Program must be obtained and maintained for the economic life of the project, in the amount of the total project cost. A copy of the flood insurance policy declaration must be kept on file.</p>		

#### Section 2. Airport Runway Clear Zones (Civil) and Accident Potential Zones (Military)

Does the project involve HUD assistance, subsidy or insurance for the purchase or sale of an existing property?	Yes Continue	No—Proceed to Section 3-- Regulation does not apply.
Is the project located within 2,500 feet of a civil airport or 15,000 feet of a military airfield?	Yes Continue	No—Document and Proceed to Section 3-- Regulation does not apply.
Is the project located within an FAA-designated civilian airport Runway Clear Zone (RCA) or Runway Protection Zone, or within the military Airfield Clear Zone (CZ) or Accident Potential Zone/Approach Protection Zone (APZ), based upon information from the airport or military airfield administrator identifying the boundaries of such zones?	Yes Continue	No—Document and Proceed to Section 3— regulation does not apply.
<p>Comply with 24 CFR Part 51, Subpart D. This may include providing a written notice to a prospective buyer or leaser of the potential hazards from airplane accidents and the potential that an airfield operator may wish to purchase the property. Maintain copies of the signed notice. For properties located in a military clear zone, make and document a determination of whether the use of the property is consistent with DOD guidelines. Notice Sample: <a href="http://www.hud.gov/offices/cpd/energyenviron/environment/compliance/qa/airporthazards.pdf">http://www.hud.gov/offices/cpd/energyenviron/environment/compliance/qa/airporthazards.pdf</a></p>		

**Section 3. Coastal Barrier Resources Act**

Section 58.6 also requires compliance with the Coastal Barrier Resources Act. There are no Coastal Barrier Resource Areas in Washington, Oregon, Alaska, or Idaho. Therefore, the Act does not apply.

**Certification**

A Request for Release of Funds (RROF) is not required for this project. The activity may be initiated without further environmental review beyond 24 CFR Part 58.6.

**Name of project** \_\_\_\_\_

**Responsible Entity Signature** \_\_\_\_\_

**Name and Title (print)** \_\_\_\_\_

**Date** \_\_\_\_\_