

Suggested Format for Categorically Excluded Projects subject to §58.5

PROJECT NAME AND DESCRIPTION (Include all contemplated activities which are either geographically and/or functionally part of the project.):

LOCATION: This project is determined to be Categorically Excluded according to: [cite appropriate section(s) of the regulation]

Directions - Once the review process for each compliance factor has been completed, the Statutory Checklist must then be filled out. Specifically, the RE must indicate whether the activity does or does not affect the resources under construction. Consult the guidance provided in the table below or the web sites. Indicate **Status "A"** on the worksheet if the project does not require formal consultation with an outside agency and does not affect the resource in question. Document the determination made and the sources of information that were used - - information sources are provided in the guidance. If the activity triggers formal compliance consultation with the oversight agency or affects the resource, indicate **Status "B"**. Any compliance documentation should also be attached to the checklist and included in the ERR.

COMPLIANCE FACTORS:

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	Status A/B	Compliance Documentation
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Historic Preservation [36 CFR Part 800]		
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Guidance: http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/historic

Floodplain Management [Executive Order 11988: 24 CFR Part 55]		
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Guidance: http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/floodplain

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	Status A/B	Compliance Documentation
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Wetland Protection [Executive Order 11990; 3 CFR §§ 2, 5]		
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Guidance: <http://www.fws.gov/wetlands/>

Coastal Zone Management Act [16 U.S.C. 1451, §§ 307(c), (d)]		
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Guidance:
http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/coastal

Sole Source Aquifers [40 CFR Part 149]		
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Guidance:
http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/aquifers

Endangered Species Act [50 CFR Part 402]		
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Guidance:
http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/endangeredspecies

Wild and Scenic Rivers Act [16 U.S.C. 1271, §§ 7(b), (c)]		
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Guidance:
http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/rivers

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	Status A/B	Compliance Documentation
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Clean Air Act [40 CFR Parts 6, 51, 93]		
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Guidance:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/cleanair

Farmland Protection Policy Act [7 CFR Part 658]		
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Guidance:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/farmlands

Environmental Justice [Executive Order 12898]		
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Guidance:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/justice

Noise Abatement and Control [24 CFR Part 51 Subpart B]		
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Guidance:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/noise

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	Status A/B	Compliance Documentation
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Explosive and Flammable Operations [24 CFR Part 51 Subpart C]		
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Guidance:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/explosive

Toxic Chemicals and Radioactive Materials [24 CFR Part 58, § 5(i)(2)]		
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Guidance:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/hazardous

Airport Clear Zones and Accident Potential Zones [24 CFR Part 51 Subpart D]		
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Guidance:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/airport

DETERMINATION:

This project converts to Exempt, per § 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license (Status "A" has been determined in the status column for all authorities.) Funds may be drawn down for this (now) EXEMPT project;

OR

This project cannot convert to Exempt because one or more statutes/authorities require consultation or mitigation., Complete consultation/mitigation requirements, publish NOI/RROF and obtain Authority to Use Grant Funds (HUD 7015.16) per §§ 58.370 and 58.71 before drawing down funds;

OR

This unusual circumstances of this project may result in a significant environmental impact. This project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

PREPARER SIGNATURE:

DATE:
