



E-CK.4 CHECKLIST FOR HOUSING REHABILITATION PROJECTS (NON FLOODPLAIN)

ADOH Contract No.: 309-13 Activity No.: 1 & 2

ENVIRONMENTAL REVIEW RECORD
Checklist for HOUSING REHABILITATION PROJECTS
(not located in a floodplain/wetlands)

In addition to the forms/documents listed, any additional ERR-related documents and correspondence should be included in this file. If an item is not applicable, indicate with N/A

Date Completed	Item	Date Completed	Item
<u>5-7-13</u>	E-CO: Certifying Officer Designation	_____	ADOH approval received
<u>n/a</u>	E-CO.1: Compliance Officer Designation (For Non-Profits Only)	_____	Documentation that E-P.2 mailed to federal, state or local agencies and organizations and individuals known to be interested in the project.
<u>5-7-13</u>	Map of Project Location	_____	Publish E-P.2 in local Newspaper
<u>n/a</u>	Floodplain Map with project location clearly marked Note: If project is determined to be in a floodplain/wetland, use the Checklist for Housing Rehabilitation Floodplain/Wetlands, Form E-CK.5	_____	Affidavit of Publication received
<u>5-7-13</u>	Form E-1: Project Narrative	_____	Form E-12 (Request for Release of Funds and Certification) <i>with original signature</i> , copies of E-P.2 publication and affidavit mailed to ADOH.
<u>5-7-13</u>	Form E-3: Determination Form	_____	Form E-13: Authority to Use Grant Funds (issued by ADOH or HUD)
<u>5-7-13</u>	Form E-HR.1: Rehabilitation Environmental Review (if project is determined to be in floodplain/wetlands, use Checklist for Housing Rehabilitation - Floodplain/Wetlands, Form E-CK.5)	_____	E-HR.2 Appendix A for each individual assisted unit (must be completed prior to construction)
<u>5-7-13</u>	Form E-DD: Date Determination		
<u>5-7-13</u>	Form E-P.2 (Draft of NOI/RROF) and copy of ERR (all items listed above including back up documentation) sent to ADOH for approval		



E-CO CERTIFYING OFFICER DESIGNATION (for Local Units of Government)

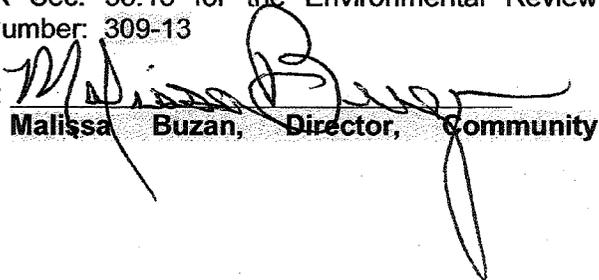
The Certifying Officer, responsible for compliance with all environmental review requirements, is usually the chief elected official for the responsible entity/jurisdiction in which the project is located, or his/her designee. The designee should be an official with the legal authority to unilaterally sign a contract which obligates the grantee. The original of this executed form must be included in the Environmental Review Record.

Designation:

Michael A. Pastor, Chairman, Gila County Board of Supervisors, of Gila County is the Certifying Officer as defined in 24 CFR Sec. 58.13 for the Environmental Review requirements of ADOH CDBG funds, Contract Number: 309-13

Date: **5/07/2013**

Designated by:


Malissa Buzan, Director, Community

Services Division

Acknowledgement:

I, **Michael A. Pastor, Chairman, Gila County Board of Supervisors**, accept the responsibilities of the Certifying Officer for **Gila County**, as defined in 24 CFR 58.13. I consent to assume the status of "responsible Federal official" as that term is used in section 102 of the National Environmental Policy Act of 1969 and understand that I am responsible for all the requirements of section 102 of NEPA and the related provisions in 40 CFR parts 1500 through 1508, and 24 CFR part 58, including the related Federal authorities listed in Sec. 58.5 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.

On behalf of the recipient, I personally accept the jurisdiction of the Federal courts for enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Certifying Officer Signature: _____

Date: **5/07/13**

Michael A. Pastor
Chairman, Gila County Board of Supervisors



E-1 PROJECT NARRATIVE

Recipient: **Gila County**
ADOH Contract No.: **309-13**

**ADOH ENVIRONMENTAL REVIEW RECORD
PROJECT NARRATIVE**

1. Project Title: **Owner Occupied Housing Rehabilitation**
2. Project Description: (attach additional pages as necessary) Gila County proposes to use in house services to procure construction services from local licensed contractors to rehabilitate and/or provide emergency repairs to owner-occupied, single family homes throughout the County. All work will meet Arizona State Rehabilitation Standards and Uniform Building Code. The assistance will be provided through either 1) deferred payment loans; or 2) grants (emergency repair only). These activities will meet the low and moderate income housing national objective. Gila County operates a continuing housing program to address countywide needs.

Complete item a and b if the information is not included in the attachment.

- a. Geographic Location (street names, compass direction, relation to town limit):
Gila County, excluding Indian Reservations
- b. Size and/or Area (sq. ft. of building, size and length of pipe, no. of units):
Individual homes that will be assisted are of varying sizes
- c. Existing Environmental Conditions (i.e., no sewer system, river contamination, unpaved streets, residential area, fully developed):
A majority of the homes are located in residential areas. Some homes receiving assistance may be in unincorporated areas of the County and will not be tied into a sewer system, but on septic systems. Most areas will have paved streets, although some remote areas lack paved streets.
- d. Purpose (i.e., to improve traffic and driving conditions by widening roads):
To improve the health, safety, energy affordability and efficiency of single family homes by providing rehabilitation and/or emergency repairs.

e. Cost:			
Federal Funds	Source: <u>HOME</u>	\$	\$400,000.00
Leverage/Other	Source: <u>SHF</u>	\$	\$40,000.00
Leverage/Other	Source: <u>All Other</u>	\$	\$243,322.00
	TOTAL	\$	<u>\$643,322.00</u>

4. Map attached with project site clearly marked: Yes



Arizona
Department
of Housing

5. Prepared By:

Name: **Malissa Buzan, Community Services Director**

Signature:

A handwritten signature in black ink, appearing to read 'Malissa Buzan', is written over a solid horizontal line.

E-3 LEVEL OF ENVIRONMENTAL REVIEW

RECIPIENT GILA COUNTY
ADOH Contract No: 309-13

ADOH ENVIRONMENTAL REVIEW RECORD

LEVEL OF ENVIRONMENTAL REVIEW

Determine the type of environmental review necessary by checking the box that best describes the activity.

A. EXEMPT ACTIVITIES

1. The following are **EXEMPT** activities or components of an activity (§58.34). Check the appropriate box and complete the required documentation for Exempt activities.

- Environmental or other studies, resource identification, development of plans and strategies
- Information and financial services
- Administration and management Activities
- 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
- Inspections and testing of properties for hazards or defects
- Purchase of insurance
- Purchase of tools
- Engineering or Design costs
- Technical assistance and training
- 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
- Payment of principal and interest on loans made or obligations guaranteed by HUD

2. **The following activities are Categorically Excluded** (not subject to §58.5) and therefore considered EXEMPT. Check the appropriate box and complete the required documentation for Exempt activities.

- Supportive services including but not limited to health care, housing services, permanent housing placement, nutritional services, short term payments for rent/mortgage/utility costs, and assistance in gaining access to local, State, and Federal government benefits and services.
- Operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment and other incidental costs.
- Equipment necessary to the operation of a service such as a fire truck, ambulance, transportation service vehicles, etc.

2. EXEMPT Activities (cont'd)

- 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.
- Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction, including closings costs and down payment assistance, interest buy-downs, and similar activities that result in the transfer of title. **(Dwelling units located in a Floodplain cannot be downgraded to exempt)**
- 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.

B. CATEGORICALLY EXCLUDED activities. Check the appropriate box and complete the required documentation for CE activities.

- An activity from Section A.2 that is in or will impact on a floodplain or airport clear zone.
- Acquisition, repair, improvement, reconstruction or rehabilitation of public facilities and improvements (*other than buildings*) when the facilities/improvements are in place and will be retained in the same use *without change in size or capacity of more than 20%*.
Examples: Replacement of water or sewer lines, sidewalk/curb reconstruction, street repaving.
- Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons.
- Rehabilitation of a single family dwelling up to 4 units (*the "unit" reference pertains to the number of units to be included with each contract with a General Contractor*) if the density is not increased beyond four units, the land use is not changed, and the footprint of the building is not increased in a floodplain or wetland.
- Rehabilitation of multi-family if unit density is not changed more than 20%, the project does not involve changes in land use from residential to non-residential, the footprint of the building is not increased in a floodplain and the estimated cost of the rehab does not exceed 75% replacement value.
- Non residential rehabilitation (commercial, industrial, public buildings) only IF: the facilities and improvements are in place and will not be changed in size or capacity by more than 20%; and 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.
- An individual action (*new construction; development, demolition, acquisition, disposition or refinancing*) on up to 4 dwelling units where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between
- An individual action (*new construction; development, demolition, acquisition, disposition or refinancing*) on a project of 5 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.
- Acquisition (including leasing) or disposition of, or equity loans on an existing structure; , or disposition of 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.

C. Those activities not described in Section A or B requires an **ENVIRONMENTAL ASSESSMENT**. Check the box below and complete the required documentation for EA activities.



D. Level of Environmental Review:

- This project is Exempt
- This project is Categorically Excluded not subject to Sec. 58.5 – DOWNGRADED TO EXEMPT.
- This project is Categorically Excluded
- This project requires an Environmental Assessment

Compliance Officer (FOR NON-PROFITS ONLY) (*insert name and title*)

Signature

Date

Responsible Entity (*insert name and title*) Michael A. Pastor, Chairman, Board of Supervisors

Signature

Date



E-HR.1 REHABILITATION ENVIRONMENTAL REVIEW (HUD FORM RER 2011)

Recipient: Gila County
ADOH Contract No.: 309-13

[This RER tiered review format {per 24CFR §58.15} may only be used for the environmental review of the **rehabilitation of existing single family residential structures** per §58.35(a)(3)(i) with or without the acquisition and/or the disposition of the existing structure per §58.35(a)(5). It may also be used for the acquisition/rehabilitation/disposition of individual units in a multi-family structure, but **not** for the rehabilitation/acquisition/disposition of an entire multi-family building per §58.35(a)(3)(ii), where environmental review using a Statutory Worksheet may be appropriate]. **It may not be used for projects involving changes of use or new construction activities.**

Program/project name and description: (Include maximum number of units and maximum grant/loan amounts)
Gila County Owner Occupied Housing Rehabilitation will assist approximately 8 units with a maximum of \$55,000 investment per project.

From (month/year): 04/20/13 To (month/year): 6/30/2015

Area of Consideration: (Define the geographic area from which applications for this rehabilitation program will be accepted. Attach a composite map showing target area of consideration and floodplains).
Gila County

INSTRUCTIONS for completing the RER (2011)

The Factors addressed in this RER review phase apply to the entire **area of consideration**. Prepare an RER form **once for the maximum scope and magnitude of each program** that meets the criteria of rehabilitation/acquisition/disposition at §58.35(a)(3) and (5), and retain it in the Environmental Review Record (ERR). A new RER must be completed whenever there is a new Consolidated Plan, Public Housing Plan or changes in the area of consideration or changes in the environmental conditions which could affect the program. After completion of the RER, publish or disseminate a Notice of Intent to Request Release of Funds (NOI/RROF) according to §58.70. The NOI/RROF shall identify the issues to be addressed in the **site-specific review phase (Appendix A 2012)**. **Do not commit HUD funds to any specific activity before obtaining the Authority to Use Grant Funds** (HUD form 7015.16 {ADOH Form E-13}) for the program or **before successfully completing the site-specific Appendix A 2012**.

Site specific factors listed at Sections 58.5 and 58.6 (including historic preservation, explosive/flammable operations, toxic substances, airport clear zones and flood insurance) shall be addressed by completing an **Appendix A** when an individual loan or grant application is received. **Before approving any site-specific loan or grant, complete the Appendix A before approving any specific loans or grants. An Appendix A shall be completed for each site to document compliance with these laws and authorities. Documents supporting compliance as well as the implementation of required mitigation measures shall be maintained in the ERR.**

AREA-WIDE FACTORS

Floodplain Management

Is any part of the area of consideration located in a Special Flood Hazard Area (SFHA, i.e. area designated "A" or "V" Zone by FEMA or best available information if the area is unmapped)?

- YES; complete Part I, Floodplain Management, on page 2 of this form.
- NO; provide Source Documentation (FIRM panel number(s) and dates: **FIRM Panel #0043D through 2582D dated Dec. 4, 2007.**

The entire program is in compliance with Executive Order 11988, Floodplain Management.

Coastal Zone Management

Is any part of the area of consideration within the Coastal Zone according to the California Coastal Commission, Hawaii Coastal Commission, San Francisco Bay Conservation & Development Commission or the Planning Department (for certified Local Coastal Plans)?

- YES; complete Part II, Coastal Zone Management, on page 2 of this form.
- NO; provide Source Documentation: _____



**Arizona
Department
of Housing**

This entire project is in compliance with Executive Order 11988 and 24 CFR Part 55.

NOTES: Normally, these laws/authorities listed at 24 CFR 58.5 are not invoked by housing rehabilitation projects:
 Executed Order 11990 Protection of Wetlands: Endangered Species Act, 16 USC 1531 et seq. as amended, particularly 16 USC 1536, 50 CFR 402;
Wild and Scenic Rivers Act of 1968, 16 U.S.C. 1271 et. seq., as amended [particularly Sections 7(b) and (c)]; Clean Air Act, 42 U.S.C. 7401 et seq. as
 amended, particularly section 176(c) and (d), Farm Land Protection Act, 7 CFR 658.3(c); Noise Abatement, 24 CFR 51.101(a)(2); Sole Source Aquifers,
 Memorandum of Agreement between HUD Region IX and U.S. Environmental Protection Agency Region IX, dated 4/30/90, and Executive Order 12898
Environmental Justice. However, if exceptional circumstances require compliance steps with any of these authorities, such compliance must
 be documented prior to approving the site-specific loan or grant.

Part I FLOODPLAIN MANAGEMENT

1. Will this program will involve the following activities within Special Flood Hazard Areas (100 yr. floodplain): a) rehabilitation of single family units costing more than 50% of the market value of the structure before rehabilitation, or b) rehabilitation of unit in multifamily residential structures.

Yes, proceed to question #2.

No, compliance with Executive Order 11988 is established by program definition.

2. Comply with Executive Order 11988 by completing the 8-step-decision-making process per 24 CFR §55.20, for the entire area of consideration, before approving rehabilitation activities within a SFHA. KEEP (and attach) A COPY OF THIS 8-STEP PROCESS (including copies of all published notices) in the ERR. .

3. Did the 8-step process result in a determination that there is no practicable alternative to carrying out the residential rehabilitation/acquisition/disposition activities within the Special Flood Hazard Area (SFHA)?

Yes; proceed No; proceed

4. Is the community participating in the National Flood Insurance Program?

Yes; proceed No; proceed

5. Select only one of the following choices:

Either the answer to questions #3 or #4 (or to both) is "No", therefore, rehabilitation activities from this program cannot be approved within a SFHA.

Both the answer to questions #3 and #4 are "Yes", therefore, rehabilitation activities may proceed in SFHA's, subject to the implementation of mitigation measures identified in the 8-Step Process. *

(* NOTE: As an alternative to doing the 8-step process, the responsible entity may choose to revise the boundaries of the area of consideration (target area) to exclude all the Special Flood Hazard Areas (SFHA's). However, properties within the excluded portions would then be ineligible for HUD-assisted rehabilitation loans or grants under this review).

WARNING: The Flood Disaster Protection Act (listed at §58.6) additionally mandates the purchase of flood insurance for buildings located in SFHA's as a condition of approval for federal financial assistance. Flood insurance protection is mandatory for acquisition, construction, reconstruction, repair and improvement activities, but not for routine maintenance activities. Recipients with projects located in SFHA's are responsible for ensuring that flood insurance is maintained for the statutorily prescribed period and dollar amount. In the case of grants, flood insurance must be maintained for the life of the building. In the case of loans, flood insurance must be maintained for the term of the loan. The necessary documentation for compliance is the Policy Declaration form. The amount of flood insurance coverage must be at least equal to the total project cost (less the estimated land cost) or to the maximum limit of coverage made available by the Act.

Part II COASTAL ZONE MANAGEMENT

Complete this part if any part of the area of consideration lies within the designated Coastal Zone.

1. Have all rehabilitation activities under this entire rehabilitation program been found to be consistent with the applicable Coastal Zone Management Plan? Yes, proceed to next question; No; proceed to next question.

Source of this finding is:

- Certified local Planning Department
- California Coastal Commission / Hawaii Coastal Commission
- San Francisco Bay Conservation & Development Commission

Source Documentation (attach permit or determination of consistency):

a) If question #1 was answered "Yes" and documented, STOP HERE. Compliance with the Coastal Zone Management Act is established.

b) If question #1 was answered "No", obtain the coastal zone permit or determination of consistency.

DO NOT APPROVE the loan or grant within the COASTAL ZONE before doing this.

Preparer Name and Title

Malissa Buzan, Director, GCCSD



Signature

Date

Responsible Entity, Certifying Officer Name

Michael A. Pastor, Chairman, Gila County Board of Supervisors

Signature

Date

E-DD: DETERMINING DATES FOR CE or RER

Complete all shaded areas.

NOTE: The ROF date calculated here is for use in the NOI/RROF publication. The actual ROF date may differ depending on the date notices are actually received. The actual ROF date will be the date indicated on HUD form 7015.16, Authority to Use Grant Funds.

	Days of Comment Periods	Date	Comments	Reference in NOI/RROF
First Comment Period Comments are to be directed to the local unit of government that is the grantee, or, if a nonprofit grantee, to ADOH	Date of Publication:	5/8/2013	Enter Date of publication. Save the entire newspaper page to send with the Request for Release of Funds (RROF). Keep extra copy for Environmental Review Record (ERR) file.	Top left hand corner of p.1
	Day 1	5/9/2013	Day 1 of 1 st comment period is the <u>day after</u> publication.	Not Applicable
	2		List successive dates after Day 1 in the shaded "Date" column.	
	3			
	4			
	5			
	6			
	7	5/16/2013 (Stop!)	Is day 7 a business day? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, enter this date on the next line as the last day of 1 st comment period. If no, enter the next business day after day 7 on the next line as the last day of 1 st comment period.	
Last day of 1st comment period	5-16-13	Do not send the RROF prior to close of business on this day. The public is entitled to 7 full days to make comments	In ¶ entitled "Public Comments"	
	On or About Date:	5/17/2013	Date expected to receive the RROF. RROF may be faxed or mailed. If using U.S. mail, allow extra days for delivery and receipt.	1 st sentence of Notice
Second Comment Period Comments are directed to ADOH or HUD (in the case of nonprofits)	Day 1	5/18/2013	Day 1 of the 2 nd comment period is the <u>day after</u> the "on or about date," i.e., the day after RROF is received.	Not Applicable
	2		List successive dates after Day 1 in the shaded "Date" column.	
	3			
	4			
	5			
	6			
	7			
	8			
	9			
	10			
	11			
	12			
	13			
	14			
	15	6/2/2013 (Stop!)	Is day 15 a business day? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, enter this date on the next line as the last day of 2 nd comment period. If no, enter the next business day after day 15 on the next line as the last day of 2 nd comment period.	
Last day of 2nd Comment Period:	6-3-13	The last day of the 2 nd comment period must be a business day.	The last sentence in Notice	
Release of Funds (ROF) Date:	6-4-13	The <u>day after</u> last day of 2nd comment period. This date does not have to be a business day, but it cannot be a federal holiday. If a federal holiday, use the day after the holiday as the ROF date. This ROF date is calculated here for use in the publication. DO NOT INCUR PROJECT COSTS until HUD 7015.16 is received.		

E-P.2 - NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

May 8, 2013

Name of Responsible Entity [RE]: Gila County Community Services Division

Address: 5515 S. Apache Avenue, Suite 200

City, State, Zip Code: Globe, AZ 85501

Telephone Number of RE: 928-425-7631

REQUEST RELEASE OF FUNDS

On or about May 17, 2013 the Gila County Community Services Division will submit a request to the Arizona Department of Housing for the release of HOME Partnership Program funds under Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, to undertake a project known as owner-occupied housing rehabilitation for the purpose of: conducting an owner-occupied housing rehabilitation program countywide with approximately \$400,000 in HOME Partnership Program funds.

An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at **Gila County Housing Services Division**, 5515 S. Apache Ave., Suite 200, Globe, Arizona 85501 for review and may be examined or copied weekdays 8:00 A.M to 5:00P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the Gila County Community Services Division. All comments received by May 16, 2013 will be considered by the Gila County Community Services Division prior to authorizing submission of a request for release of funds.

ENVIRONMENTAL CERTIFICATION

The Gila County Community Services Division certifies to Arizona Department of Housing that Michael A. Pastor in his capacity as Chairman, Gila County Board of Supervisors 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. Arizona Department of Housing's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Gila County Community Services Division to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

Arizona Department of Housing will accept objections to the Gila County Community Services Division Request for Release of Funds and Environmental Certification for a period of fifteen days following the anticipated submission date specified above 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 Gila County Community Services Division; (b) the RE has omitted a step or failed to make a

decision or finding required by HUD regulations at 24 CFR part 58 or by CEQ regulations at 40 CFR 1500-1508, as applicable; (c) the RE has omitted one or more steps in the preparation, completion or publication of the Environmental Assessment or Environmental Impact Study per 24 CFR Subparts E, F or G of Part 58, as applicable; (d) the grant recipient or other participant in the development process has committed funds for or undertaken activities not authorized by 24 CFR Part 58 before release of funds and approval of the environmental certification; (e) another Federal, State or local agency 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 Arizona Department of Housing at 1700 W. Washington Ave., Phoenix, AZ 85007. Potential objectors should contact Arizona Department of Housing to verify the actual last day of the objection period.

Signature of Certifying Officer

Michael A. Pastor, Chairman, Gila County Board of Supervisors