

DELAWARE STATE HOUSING AUTHORITY  
ENVIRONMENTAL COMPLIANCE CHECKLIST

DSHA-72  
8/12/04

NSP Subgrantee: \_\_\_\_\_ Date of Review: \_\_\_\_\_

Name of Projects: \_\_\_\_\_

Follow-Up Needed: \_\_\_\_\_ Yes \_\_\_\_\_ No

---

Yes	No	I.	Environmental Review & Notice Procedures	Comments
-----	----	----	--	----------

---

___	___	A.	<u>General</u>	
___	___		1. ERR available for public review.	
___	___		2. Subrecipient has a formal procedure for assuring the environmental procedure compliance prior to fund expenditure/obligation.	
___	___		3. ERR contains documented and correct 58.6 determinations:	
___	___		Federal Flood Insurance Purchase	
___	___		Runway Clear Zone/Accident Potential Zone	
___	___		Coastal Barrier Resources	
			(Date of determinations: _____)	

---

B. If project is Exempt at 58.34(a), or a Categorical Exclusion at 58.35(b), complete the following checklist:

___	___	1.	Findings consistent with and documented as per 24 CFR 58.34/58.35(b).	
___	___	2.	Project is considered Exempt because it is Categorically Excluded, and did not require compliance with other Federal environmental laws or requirements. This fact was documented for each law/requirement (also complete C.1. and 3.-7.).	
___	___	3.	Entire "PROJECT" included in determination.	
___	___	4.	Findings signed and dated by preparer. (Date signed and dated: _____)	
___	___	5.	Funds obligated or spent after Finding completed. (Date of first fund commitment: _____)	

---

C. If project is 58.35(a) Categorically Excluded, complete the following checklist:

___	___	1.	Findings consistent with and documented as per 24 CFR 58.35(a).	
___	___	2.	Findings signed and dated by preparer. (Date signed and dated: _____)	

---

Yes	No	I.	Environmental Review & Notice Procedures	Comments
-----	----	----	--	----------

---

- |     |     |     |  |  |
|-----|-----|-----|--|--|
| ___ | ___ | 3.  | Subrecipient consulted with SHPO for purpose of resource identification and documented consultation with correspondence to and from SHPO.  |  |
| ___ | ___ | 4.  | Interested parties identification/notification requirements compliance documented.   |  |
| ___ | ___ | 5.  | The subrecipient, in consultation with the SHPO, identified resources. (If answer is Yes, use supplemental checklist.)   |  |
| ___ | ___ | 6.  | a. Is project in 100 year flood plain? (If yes, respond to 6.b.)<br>b. If project is located in 100 year flood plain or wetlands, Part 55 Process has been documented--Use Supplemental Checklist. If there is no flood plain/wetland, indicate N/A. (Date compliance achieved: _____) |  |
| ___ | ___ | 7.  | Consideration of other environmental laws/authorities documented. (Date determinations/compliance processes completed: _____)  |  |
| ___ | ___ | 8.  | <u>Notice of Intent to Submit RROF</u> distributed to at least DSHA and EPA Regional Office (24 CFR 58.70 & 58.43). (Date of Notice: _____)  |  |
| ___ | ___ | 9.  | Copy of proof of publication and Notice as it appeared in newspapers is in ERR.  |  |
| ___ | ___ | 10. | Calendar followed:<br>a. <u>Removal of Conditions</u> date (Effective date on DSHA-4, Notice of Removal of Grant Conditions form).<br><br>_____/_____/_____<br>b. Fund obligation/expenditure for covered activities (must be after a).<br><br>_____/_____/_____                       |  |

Yes	No	I.	Environmental Review & Notice Procedures	Comments
___	___		11. Entire "PROJECT" included in determination.	
___	___		12. (DSHA-3), Environmental <u>Certification</u> on file.	
___	___		13. (DSHA-4), <u>Removal of Grant Conditions</u> on file.	

D. If Environmental Assessments required, complete and following checklist:

___	___		1. EA signed and dated by preparer. (Date signed and dated _____)	
___	___		2. EA is complete (Existing condition/project description/ impacts/alternatives and impacts/safeguards, mitigation, and conditions).	
___	___		3. Subrecipient consulted with SHPO for purpose of resource identification and documented consultation with correspondence to and from SHPO.	
___	___		4. Interested parties identification/ notification requirements compliance documented.	
___	___		5. The subrecipient, in consultation with the SHPO, identified resources (if yes, use supplemental checklist).	
___	___		6. a. Is project in 100 year flood plain? (If yes, respond to 6.b.) b. Part 55 Process has been completed and documented if project is located in 100 year flood plain or wetlands area. If there is no flood plain/wetland, indicate N/A. (Date compliance achieved: _____)	
___	___		7. Consideration of other 58.5 environmental laws and authorities documented. (Date determinations/compliance processes completed: _____)	
___	___		8. Made a <u>Finding of No Significant Impact (FONSI)</u> (24 CFR 58.41).	

Yes	No	I. Environmental Review & Notice Procedures	Comments
___	___	9. FONSI signed and dated by preparer. (Date signed and dated: _____)	
___	___	10. RROF/FONSI Notice distributed to at least DSHA and EPA Regional Office (24 CFR 58.43). (Date of Notice: _____)	
___	___	11. Proof of publication of FONSI/ RROF as it appeared in newspapers is in ERR along with copy of Notice.	
___	___	12. Calendar followed: a. <u>Removal of Conditions</u> date (Effective date on DSHA-4).  _____/_____/_____  b. Date of first fund obligation/ expenditure for covered activities (must be after a).  _____/_____/_____	
___	___	13. (DSHA-3), <u>Environmental Certification</u> on file.	
___	___	14. (DSHA-4), <u>Removal of Grant Conditions</u> on file.	

II. Environmental Review clearances required  
after Removal of Grant Conditions

\_\_\_      \_\_\_      The subrecipient made and dated a deter-  
mination of the continuing validity of  
prior environmental review (24 CFR 58.47).  
(Date of 58.47 determination: \_\_\_\_\_)

SUPPLEMENTAL CHECKLIST

Yes No

A. Section 106 Process (Historic Preservation)

Difference of Opinion on Resource Identification

\_\_\_ \_\_\_  
If there was a difference of opinion on resource eligibility for National Register, was Department of Interior's opinion solicited?

Determination of No Affect

\_\_\_ \_\_\_  
Has the subrecipient documented, via a letter or equivalent to the SHPO, a determination that the project will not affect the historic characteristics of resources identified?

\_\_\_ \_\_\_  
Did subrecipient receive a positive response or wait 30 days prior to taking further action?

\_\_\_ \_\_\_  
If SHPO disagreed, is there evidence in the file that issue was resolved without an adverse effect determination by SHPO?

Determination of No Adverse Effect

\_\_\_ \_\_\_  
Subrecipient forwarded that determination of no adverse effect to the SHPO for review?

\_\_\_ \_\_\_  
Did subrecipient receive a positive response or wait 30 days prior to taking further action?

\_\_\_ \_\_\_  
If SHPO disagreed, is there evidence in the file that issue was resolved prior to submittal of RROF?

Determination of Adverse Effect

\_\_\_ \_\_\_  
The subrecipient prepared a case report evaluating alternatives, avoidance and mitigation strategies and acceptance of effects and developed a Memo of Agreement (MOA) with SHPO for submittal to ACHP?

\_\_\_ \_\_\_  
Material was sent to Executive Director ACHP with notice of Adverse Effect and opinion as to whether ACHP participation would be necessary?

\_\_\_ \_\_\_  
There is a signed (subrecipient, SHPO, and if relevant Executive Director of ACHP) MOA in the ERR?

\_\_\_ \_\_\_  
The subrecipient, within 90 days of carrying out the terms of the MOA, reported to SHPO and ACHP on actions taken?

B. Flood Plains/Wetlands (EO 11988/11990 Part 55 Process)

\_\_\_ \_\_\_  
55.12(a)(b) or (c) determination (Specify \_\_\_\_\_)

\_\_\_ \_\_\_  
Early Public Notice of possible action and invitation for public participation in decision making process allowing at least 15 days for comment?

\_\_\_ \_\_\_  
Identification/evaluation of alternatives?

\_\_\_ \_\_\_  
Identification of impacts of proposed action?

\_\_\_ \_\_\_  
Actions necessary to minimize action in, restore or preserve the flood plain/wetlands?

\_\_\_ \_\_\_  
Re-evaluation of alternatives?

\_\_\_ \_\_\_  
Findings published and explained to the public?

\_\_\_ \_\_\_  
Brief comment period allowed (7 days at minimum)?

SUPPLEMENTAL CHECKLIST (continued)

Yes    No

C.    24CFR51C (Explosives/Flammable Storage)

\_\_\_    \_\_\_    Determination made  
\_\_\_    \_\_\_    Determination documented

D.    24CFR51B (Noise)

\_\_\_    \_\_\_    Determination made  
\_\_\_    \_\_\_    Determination documented

E.    24CFR51D (Runway Clear Zones)

\_\_\_    \_\_\_    Determination made  
\_\_\_    \_\_\_    Determination documented

F.    Coastal Zone Management

\_\_\_    \_\_\_    Determination made  
\_\_\_    \_\_\_    Determination documented

\_\_\_    \_\_\_    G.    Other (Specify) \_\_\_\_\_

\_\_\_    \_\_\_    H.    Other (Specify) \_\_\_\_\_