

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: _____) | |
| <hr/> | | | | |
| | | B. | If project is <u>Exempt</u> at 58.34(a), or a <u>Categorical Exclusion</u> 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: _____) | |
| <hr/> | | | | |
| | | C. | If project is 58.35(a) <u>Categorically Excluded</u> , 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.) 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: a. <u>Removal of Conditions</u> date (Effective date on DSHA-4, Notice of Removal of Grant Conditions form). _____/_____/_____ | |
| ___ | ___ | b. | Fund obligation/expenditure for covered activities (must be after a). _____/_____/_____ | |

| 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), Environmental <u>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)_____