

**FY2009 NEIGHBORHOOD  
INITIATIVE GRANT APPLICATION**

**ALL APPLICATIONS  
SHOULD BE SUBMITTED BY DECEMBER 31, 2009.**

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
COMMUNITY PLANNING AND DEVELOPMENT  
WASHINGTON, DC 20410

**APPLICATION FOR FY 2009  
NEIGHBORHOOD INITIATIVE GRANT**

**WHO MAY APPLY:** Only the entity named by Congress in the Committee Print of the Committee on Appropriations U.S. House of Representatives, March, 2009, is eligible to apply for Neighborhood Initiative (NI) grant funds.

To receive this grant award, the entity named by Congress must submit an application for project activities as authorized by Congress. Grant funds will be available only following HUD approval of the application. In addition, no HUD or other funds may be committed to the project until the grantee has secured the required certification of environmental compliance and the request for release of funds as described further in Attachment III of this Application Kit. An account in HUD's Line of Credit Control Systems (LOCCS) will also be required in order to access grant funds.

**HOW TO APPLY:**

The Department offers NI applicants the option of submitting their application electronically, through the federal government's grants.gov website. Applicants will also retain the option of submitting their FY2009 grant application in paper form.

Instructions for submitting your FY2009 NI application electronically are included in ATTACHMENT I of this Application Kit. All questions concerning the electronic submission of applications should be directed to the Department's Office of Departmental Grants Management and Oversight at (202) 402-2206.

Instructions for submitting a paper application are included in ATTACHMENT II of this Application Kit. The paper Application Kit can also be accessed through the Department's web site at:

[www.hud.gov/offices/cpd/economicdevelopment/programs/congressional/special/index.cfm](http://www.hud.gov/offices/cpd/economicdevelopment/programs/congressional/special/index.cfm)

The Congressional Grants Division staff member responsible for your grant is Mr. Gregory Lambert. Mr. Lambert can assist in the completion of the paper form of the application and in responding to any substantive questions you may have regarding your application. Mr. Lambert can be reached at (202)402-4621 or at Gregory.A.Lambert@hud.gov.

## **WHAT TO SUBMIT:**

Both electronic and paper applications must contain:

1. Standard Form 424 – Application for Federal Assistance;
2. A project narrative;
3. A line item budget for the amount of the NI grant only;
4. Standard Form LLL – Disclosure of Lobbying Activities (if applicable); and
5. For paper applications, the Acknowledgement of Receipt of Application

## **WHEN TO SUBMIT:**

You are encouraged to submit your application as soon as possible. HUD strongly recommends that you submit your completed application within 60 days after the receipt of this Application Kit.

## **HOW NI GRANT FUNDS ARE MADE AVAILABLE:**

Upon receipt of your application, the Congressional Grants Division will review your application to verify that:

1. All forms are correctly completed and properly executed; and
2. The proposed project activities and project budget are consistent with those specified in the Committee Print of the Committee on Appropriations U.S House of Representatives March, 2008, and the Department of Housing and Urban Development Appropriations Act, 2009..

Upon approval of the application, HUD will send you an Award Package that includes grant agreements, related forms, and guidance necessary to create an account for the grant in the Department's Line of Credit Control System (LOCCS).

As the grantee, you are responsible for managing the project and ensuring the proper use of the funds. You are also responsible for ensuring the completion of the project, its proper close-out and compliance with all applicable federal requirements. As the grantee, you may pass funds through to one or more sub-grantees, as identified in your application and in the grant agreement, and as the grantee you are responsible for ensuring each sub-grantee's compliance with federal requirements.

The entire process, from application receipt, verification, approval, Congressional notification, environmental clearance, and authorization for electronic fund withdrawal, may take up to 90 days.

## **LEGAL REQUIREMENTS:**

### **A. REQUIREMENTS UNDER THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2009 (P.L. 111-8) (THE ACT)**

#### **Purposes of Neighborhood Initiative Grants**

The Act provides that Neighborhood Initiative grants are to be utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives. The project description submitted with your application should describe how the proposed project is consistent with at least one of the purposes as authorized by Congress.

#### **Limitations on the Use of Funds for Projects Involving Eminent Domain**

The Act also provides that no funds made available under the Act may be used to support any Federal, State or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use. For purposes of this provision, public use shall not be construed to include economic development that primarily benefits private entities.

### **B. SIGNIFICANT REGULATIONS THAT APPLY TO YOUR GRANT:**

The Grant Agreement transmitted by the Department following approval of your application will set forth all applicable regulatory requirements for your grant. Below are some of the more significant applicable regulatory requirements. The regulations below may also be accessed from the Congressional Grants Division web site, as outlined on page one of the Application Kit.

#### **State and Local Governments and Indian Tribal Governments**

The requirements of 24 CFR §85 and OMB Circulars A-87 and A-133 apply to State and Local Governments and Indian Tribal Governments. Applicants are encouraged to review the provisions of these regulations and circulars, including provisions related to the disposition of property acquired with HUD funds at Part 24 CFR §85.31 and the procurement requirements of Part 24 CFR §85.36.

#### **Academic Institutions, Hospitals and Non-Profit Organizations**

1. The requirements of 24 CFR §84 and OMB Circulars A-122 and A-133 apply to Academic Institutions, Hospitals, and Non-Profit Organizations. Applicants are encouraged to review the provisions of these regulations and circulars, including provisions related to the disposition of property with HUD funds at 24 CFR §84.32 and the procurement requirements beginning at 24 CFR §84.40.

2. Faith based organizations should also review the Department's regulations governing the award of funds to faith based organizations, pursuant to 24 CFR §5.109.

### **All Applicants**

1. 24 CFR §50 concerning environmental review of your project applies to all NI Grant Recipients. Please see Attachment III of this Application Kit for additional and important information about these requirements. **FOLLOWING ENACTMENT OF THE ACT, NO HUD OR OTHER FUNDS MAY BE COMMITTED TO THE PROJECT PRIOR TO COMPLIANCE WITH THE ENVIRONMENTAL REQUIRMENTS OF 24 CFR §50.**

2. Applicants and their subrecipients must comply with 24 CFR §5.105, Other Federal Requirements. (a) Nondiscrimination and equal opportunity.

3. The requirements of Section 3 of the Housing and Urban Development Act of 1968 found at 24 CFR §135 apply to all grant recipients that are awarded \$200,000 or more for projects involving housing construction, rehabilitation or other public construction. Applicants are encouraged to review the requirements of this regulation to submit Section 3 summary reports (HUD-60002) annually.

### **C. REGULATIONS THAT DO NOT APPLY TO YOUR GRANT:**

1. HUD regulations for the competitive Economic Development Initiative and the Community Development Block Grant programs.

2. Davis-Bacon requirements, *unless* your project is also supported by other funds which do require adherence to the Davis-Bacon Act.

### **D. OBLIGATION AND EXPENDITURE DEADLINES:**

HUD's authority to obligate your FY2009 NI grant expires on September 30, 2011. Your organization must have an executed grant agreement with HUD before that date and all funds must be expended by September 30, 2016 or they will be recaptured and returned to the U.S. Treasury. The Department cannot waive or extend these statutory deadlines.

### **E. ENVIRONMENTAL REVIEW**

HUD reminds all applicants that no NI grant or any other funds may be committed to the project and no NI funds can be drawn down for the project, until an environmental review has been completed.

An environmental review must be completed by the U.S. Department of Housing and Urban Development (HUD) Field Environmental Officer (FEO) for each FY 2008 Neighborhood

Initiative Grant Project. The HUD approving official shall make an independent evaluation of the environmental issues; take responsibility for the level and scope of the review and content of the compliance finding; and make the environmental finding.

If you plan to use your Neighborhood Initiative Project funds for such work as architectural and engineering, technical assistance, or salaries, then the environmental review may be as simple as documenting that these activities are excluded from any further review. But if your FY 2009 Neighborhood Initiative Project involves, for example: 1) acquisition, long-term leasing, or disposition of real property; 2) change in land use, including change in density; or 3) physical change of land or buildings, the environmental review may be more complex, and in some circumstances, lengthy. HUD's release of funds to your bank account can not occur until HUD has completed the environmental review.

**You may not take any actions nor commit any HUD or any non-HUD funds which would cause actions that are choice-limiting among reasonable alternatives or would produce an adverse environmental impact, until HUD has completed the environmental review.**

Therefore, you are encouraged to have the environmental review process started as soon as possible.

Attachment III of this Application Kit contains:

1. URL Locations where you can find copies of HUD's environmental regulations.
2. Frequently Asked Questions about the Environmental Requirements for FY 2009 Neighborhood Initiatives Projects.
3. Summary of Environmental Requirements (Environmental Review Requirement for Neighborhood Initiative Projects)
4. List of HUD Environmental Contacts

## ATTACHMENT I ELECTRONIC APPLICATION INSTRUCTIONS

**All questions concerning the electronic submission of applications should be directed to the Department's Office of Departmental Grants Management and Oversight at (202) 402-2206. Technical Questions regarding software should be directed to the Grants.gov helpdesk at 800-518-GRANTS.**

### I. Background

The Department of Housing and Urban Development has been utilizing the Federal Grant portal [www.Grants.gov](http://www.Grants.gov) for applicants to Find and Apply for Federal Grants. HUD encourages all Neighborhood Initiative grant recipients to submit their application electronically using the Grants.gov portal. HUD's experience using the Grants.gov portal for its competitive programs has proven that electronic grant applications can save applicants time and money in submitting their application. With electronic grant submission, applicants will no longer have to submit multiple copies of applications to Headquarters and field offices. A single submission allows HUD to route the application to reviewers more rapidly. An electronic application requires an electronic signature and therefore, applicants are required to first complete a five step registration process. The registration process authenticates who you are and that you are authorized to submit the application on behalf of the applicant organization. To submit an electronic application via the Grants.gov portal, applicants have to register. HUD believes most recipients will find the process simpler and quicker, once they have completed the initial registration process.

## **2. Minimum Requirements for Application Submission, Regardless of Whether the Application is a Paper Application or an Electronic Application Submission.**

Applicants should also be aware that acquiring a DUNS number and registering with Central Contractor Registration are required of all grant recipients including those submitting paper applications. HUD will not issue a grant award without a DUNS number or CCR Registration.

## **3. How to Register for Electronic Application Submission**

The registration process can take approximately 2 to 4 weeks to complete. Therefore, you should begin registration well before you want to submit your application. There are five sequential registration steps applicants are required to complete, which include obtaining a DUNS number and registration with CCR. All five steps must be completed to submit an electronic application via the Grants.gov portal.

### **a. Step One: *Obtain a Dun and Bradstreet Data Universal Numbering System (DUNS)***

*Number.* All applicants seeking funding directly from HUD must obtain a DUNS number for their organization and include the number on the form SF-424, Application for Federal Financial Assistance, which is part of the application submission. Applicants should carefully enter and review their information when obtaining a DUNS number. When registering with DUN and Bradstreet, please be sure to use the organization legal name that is used when filing a return with or making payments to the Internal Revenue Service. Organizations should also provide the zip code using the zip code plus the four additional digits (ZIP+4).

Applicants can obtain a DUNS number by calling (866) 705-5711 (this is a toll-free number). The approximate time to receive a DUNS number is 10 to 15 minutes, and there is **no charge**. You should wait approximately 24 to 48 hours after obtaining a DUNS number to

register with the CCR, so that your DUNS number can become active in Dun and Bradstreet's (D&B) records.

**b. Step Two: Register with the CCR.** Grant applicants must register with CCR. Applicants can register with the CCR at <http://www.ccr.gov/>. The CCR registration allows HUD to verify where payments are to go, and ensures that grant payments are sent to the appropriate entity. The CCR registration process consists of completing a Trading Partner Profile (TPP), which contains general, corporate, and financial information about your organization. While completing the TPP, you need to identify an eBusiness Point of Contact (eBusiness POC) who will be responsible for maintaining the information in the TPP and granting authorization to individuals to serve as Authorized Organization Representatives (AORs). The AOR will submit applications through Grants.gov for your organization. Applicants can check the CCR registration and eBusiness Point of Contact for their organization by going to [www.ccr.gov](http://www.ccr.gov) and using the search feature. The search feature can be found at <https://www.bpn.gov/CCRSearch/Search.aspx>.

(1) **CCR Use of D&B Information.** CCR will obtain the following data fields from D&B: Legal Business Name, Doing Business As Name (DBA), Physical Address, and Postal Code/Zip+4. Registrants will not be able to enter/modify these fields in CCR. If the CCR registrant agrees with the D&B-supplied information, the D&B data will be accepted into the CCR registrant record. If the registrant disagrees with the D&B-supplied information, the registrant will need to go to the D&B website <http://fedgov.dnb.com/webform> to modify the information contained in D&B's records before proceeding with its CCR registration. Once D&B confirms modifications, the registrant must revisit the CCR website and "accept" D&B's changes. Only at this point will the D&B data be accepted into the CCR record. This process

can take up to 2 business days for D&B to send modified data to CCR, and that time frame may be longer if data is sent from abroad.

(2) **CCR EIN/TIN Validation.** CCR validates the Employer Identification Number (EIN)/Taxpayer Identification Number (TIN) and the Employer/Taxpayer Name of each new and updated CCR registrant with the IRS. In order to apply for, or receive federal grants, the EIN/TIN and Employer/Taxpayer Name combination you provide in the IRS Consent Form on CCR must match exactly the EIN/TIN and Employer/Taxpayer Name used in federal tax matters. It will take at least one to two business days to validate new and updated records prior to becoming active in CCR. Please be sure that the data items provided to D&B match information that you provided to the IRS. If the registrations in D&B and the CCR do not match the IRS information an error message will result. Until the discrepancies have been resolved, your registration will not be completed. Applicants should allow sufficient time to review their D&B and CCR information. If you have questions about your EIN or TIN, call (800) 829-4933.

(3) **Annual Update/Renewal of CCR Registration.** Your CCR registration must be updated/renewed annually. Failure to update/renew your CCR registration will cause your registration to lapse and you will not be able to submit an electronic application for funding. It may also impact your ability to receive grant payments in the future.

**c. Step Three:** The designated Authorized Organization Representative (AOR) who will submit an application on behalf of the organization must **register with the Credential Provider.**

In order to safeguard the security of your electronic information, Grants.gov utilizes a Credential Provider to determine with certainty that someone is really who he or she claims to be. An assigned AOR must register with the Credential Provider to create and receive a username and password, which will be used when submitting an application package through Grants.gov. Your

organization must be registered with the CCR and you will need to have your organization's DUNS number available to complete this process. Applicants can register with the Credential Provider at <http://apply.grants.gov/OrcRegister>.

**d. Step Four:** The AOR must **register the username/password from the credential provider with Grants.gov**. To submit an application, an AOR must be able to make a legally binding commitment on behalf of the applicant. Applicants can register with Grants.gov at <https://apply.grants.gov/GrantsgovRegister>.

**e. Step Five:** The eBusiness point of contact (POC) on record at CCR must approve the designated AOR(s). The eBusiness POC can designate the AOR to submit applications on behalf of the organization at <https://apply.grants.gov/apply/AorMgrGetID>. HUD urges applicants to check with their eBusiness Point of Contact to make sure that they have been authorized to make a legally binding commitment for the applicant organization when submitting the application on behalf of the applicant organization. You can search the CCR registration for your eBusiness Point of Contact information by going to <https://www.bpn.gov/CCRSearch/Search.aspx>.

**4. Track AOR Status.** At any time, you can track your Authorized Organization Representative (AOR) status at the Applicant home page of Grants.gov in "Quick Links." Select "Applicant Login," and enter the AOR username & password you obtained in Step 4 associated to the organization on behalf of which you will be submitting an application.

#### **5. How to Download an Application Package and Application Instructions**

In FY2008 HUD is using Adobe Forms in the application packages available from Grants.gov. The Adobe Forms packages are compatible with the VISTA operating system and Microsoft

Office 2007. For more information see the Grants.gov website at

[http://www.grants.gov/assets/Vista\\_and\\_office\\_07\\_Compatibility.pdf](http://www.grants.gov/assets/Vista_and_office_07_Compatibility.pdf)

- a. **The Application Package and Application Instructions.** An overview and instructions for downloading, completing, submitting, and tracking grant application packages are available at [http://www.grants.gov/applicants/apply\\_for\\_grants.jsp](http://www.grants.gov/applicants/apply_for_grants.jsp). To download your application, go to [https://apply.grants.gov/forms\\_apps\\_idx.html](https://apply.grants.gov/forms_apps_idx.html) and enter the CFDA Number, 14.251. Leave the Funding Opportunity Number and Funding Opportunity Competition ID blank; if you enter more than one criterion, you will not find the EDI-Special Projects funding opportunity application and instructions.

After you have entered the CFDA number, Select *Download Package*, and you will be taken to the funding opportunity *Download Application & Instructions* link.

Next, download the application instructions by clicking on the *Download Instructions* link; a download dialog box will open asking whether to open or save; select save and save the file to your computer hard drive or network server.

The next step is to download the Application. Before you can view and complete an application package, you **MUST** have a compatible Adobe Reader installed.

Grants.gov is currently using Adobe Reader 8.1.2. A link to Adobe Reader 8.1.2 can be found on Grants.gov at [http://grants.gov/help/download\\_software.jsp#adobe811](http://grants.gov/help/download_software.jsp#adobe811). Adobe Reader 8.1.2 is compatible with any version of Adobe Professional 6.0 or higher.

However, applicants who have Adobe Professional or another version of Adobe Reader must set their default settings to Adobe Reader 8.1.2. Grants.gov has posted instructions for resetting the default setting at [http://grants.gov/help/general\\_faqs.jsp#19](http://grants.gov/help/general_faqs.jsp#19). To test if you have the correct Reader or installed the reader properly, go to

<http://www.grants.gov/applicants/AdobeVersioningTestOnly.jsp>. Applicants that need assistance can contact the Grants.gov Contact Center by phone at 1-800-518-GRANTS, or email [support@grants.gov](mailto:support@grants.gov). It is critically important that all persons working on the Adobe forms in the application package must work using Adobe 8.1.2 or the latest compatible version of Adobe Reader available from Grants.gov. Please alert your staff and those working on your application that failure to download and use the correct Adobe Reader will result in your getting an error message not being able to create or submit your application package to Grants.gov or in your application being rejected by Grants.gov.

After you have installed Adobe Reader 8.1.2 or the latest compatible version of Adobe Reader available from Grants.gov, you can download the application by clicking on the *Download Application* link. The application package will open on your screen. Save the application to the same directory (folder) in which you saved the *Instructions*. Both the instructions and application should be saved on your computer or a network server. You do not need to be registered to download the instructions or complete the application; however, you must have completed all five registration steps to submit your application.

#### **b. Electronic Grant Application Forms.**

The Application download will contain a cover page entitled “Grant Application Package.” The cover page provides information regarding the application package you have chosen to download, i.e., Opportunity Title, Agency Name, CFDA Number, etc. Review this information to ensure that you have selected the correct application. Save the file to your hard drive or network folder; be sure to remember the filename and the folder to which you saved it.

The Grant application contains two forms, the SF- 424, Application for Federal Financial Assistance and the SF-LLL, Disclosure of Lobbying Activities.

The Grant Application cover page separates the forms into two categories: “Mandatory Documents” and “Optional Documents.” In the “Mandatory Documents” box place select the SF-424 to highlight it then select *move form to complete*. The form will move to the window on the right side of the application. Open the form. Forms in the Application Download contain fields with a yellow background. These data fields are mandatory and must be completed. Failure to complete the fields will result in an error message when checking the package for errors which tell you an item is incomplete.

The Optional Documents section you will find the SF-LLL form. No appropriated Federal funds may be paid by or on behalf of the applicant, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, or an employee of a member of Congress, in connection with this application for Federal assistance or any award of funds resulting from the submission of this application for Federal assistance or its extension, renewal, amendment, or modification. If your organization has paid or will pay funds other than Federal appropriated funds to influence or attempt to influence the persons listed above, you must complete and submit Standard Form LLL, Disclosure of Lobbying Activities, as part of your application submission package. The applicant further agrees to and certifies that it will require all subawards at all tiers including subgrants and contracts to similarly certify and disclose accordingly.

To complete the Form LLL highlight the file in the Optional Documents window and select *move form to submission list*. The form will move to the optional documents

for submission window on the right side of the application. Open the form and complete as directed.

**c. Submission of Narrative Statements and Budget.** Create your project description and budget in MS WORD or EXCEL and save them to the same folder in which you have saved the Grants.gov application package. Open the SF-424 in your application package. At the bottom of page 3 immediately below box 15, select the *Add Attachments* button; a dialog box will appear. Select *Add Attachment*; your file manager will open. Find the project description you have created and saved, highlight the file name in the file manager, and select *Open*. The name of your project description will appear in the Form Attachments dialog box. Repeat the process to add your budget. Select *Done*. Your project description and budget should now be attached to your SF-424 and will be submitted to Grants.gov with your application.

**6. Steps to Take Before You Submit Your Application.** You should review the application package and all the attachments to make sure it contains all the documents you want to submit. If it does, save it to your computer and remove previously saved versions. Select the *Check Package for Errors* button on the application package and correct any problems identified. After all identified errors have been corrected, save the document. The *save and submit* button should activate. Click on the "Save & Submit" button to begin the application submission process. You will be taken to the applicant login page to enter your Grants.gov username and password. Follow all onscreen instructions for submission. If you experience a problem at any time during the submission process, please call the Grants.gov help desk at 1-800-518-GRANTS.

**7. Save Your Receipts.** When you submit an electronic application via Grants.gov you will receive a series of notifications.

**a. Confirmation of Submission to Grants.gov.** When you successfully upload an application to Grants.gov, you will receive a confirmation message on your computer screen that your application has been submitted to Grants.gov and is being processed. This confirmation will include a tracking number. Print this confirmation out and save it for your records. If you have submitted multiple applications, be sure to check to see what application to which each confirmation applies. The grant number, CFDA, and Funding Opportunity Number, as well as the date and time of submission, will appear on the confirmation. If you do not receive this confirmation, it means that your application has not been successfully uploaded. If your screen goes blank or you have problems uploading, you need to immediately call Grants.gov support at (800) 518-GRANTS for assistance (this is a toll-free number).

**b. Application Submission Validation Check.** The application will then go through a validation process. The validation check ensures that:

- a. The application is virus-free;
- b. The DUNS number submitted on the application matches the DUNS number in the registration, and that the AOR has been authorized to submit the application for funding by the organization identified by its DUNS number; and
- c. All the mandatory (highlighted) fields and forms were completed on the application.

**3. Application Validation and Rejection Notification.** If the application fails any of the above items during the validation check, the application package will be rejected and grants.gov will send an email to the person denoted by the applicant in the registration process to receive email

notifications from Grants.gov. The email will indicate the application has been rejected. The email will include the reasons why the application was rejected.

The validation check can occur 24 to 48 hours after the application submission. Applicants are advised that until they have received a validation message, the submission process has not been completed. When the validation message is sent, be sure to save it for your records. If you do not receive a validation or rejection message within 24 to 48 hours after successfully uploading your application, call the Grants.gov helpdesk and provide the customer service representative with your grant confirmation number and ask her to check the status of your application as you have not received the validation or rejection notice. The Customer service Representative will provide you with a call ticket number. Retain that call ticket with your records.

Applicants can check the status of their applications themselves by going to [http://www.grants.gov/applicants/track\\_your\\_application.jsp](http://www.grants.gov/applicants/track_your_application.jsp) and logging into the system using your ID and Password obtained during the registration process.

**8. Sources of Help for Electronic Grant Applications. This section lists several sources of help for you during the electronic registration and submission process.**

a. **Grants.gov Customer Support.** Grants.gov provides customer support information on its website at <http://www.grants.gov/contactus/contactus.jsp>. Applicants having difficulty accessing the application and instructions or having technical problems can receive customer support from Grants.gov by calling (800) 518-GRANTS (this is a toll-free number) or by sending an email to [support@grants.gov](mailto:support@grants.gov). The customer support center is open from 7:00 a.m. to 9:00 p.m. Eastern Time, Monday through Friday, except federal holidays. The customer

service representatives will assist applicants in accessing the information and addressing technology issues.

b. **Desktop Users Guide for Submitting Electronic Grant Applications.** HUD has published on its website a detailed Desktop Users Guide that walks applicants through the electronic process, beginning with finding a funding opportunity, completing the registration process, and downloading and submitting the electronic application. The guide includes helpful step-by-step instructions, screen shots, and error-proof tips to assist applicants in becoming familiar with submitting applications electronically. The Desktop Users Guide can be found at HUD's website at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

c. **HUD Staff.** In addition to the help provided at the government registration websites HUD staff will be available to provide you guidance and technical assistance throughout the registration and submission process. However, HUD staff is not permitted to help prepare your application. All questions concerning registration and electronic submission of applications should be directed to the Office of Departmental Grants Management and Oversight at (202) 402-2206.

**9. The Federal Financial Accountability and Transparency Act of 2006, (Public Law 109-282).** Applicants receiving an award from HUD should be aware of the requirements of the Transparency Act. The Transparency Act requires the establishment of a central website that makes available to the public information regarding entities receiving federal financial assistance by not later than January 1, 2008. The Transparency Act also requires, beginning not later than January 2009, data on subawards be made available on a government website. In anticipation of the implementation of this requirement, HUD is placing awardees of its FY2008 funding on

notice of these requirements and note that once implemented, grantees will be required to report to HUD data on subawards. The only exceptions to this requirement under the Act are: (i) federal transactions below \$25,000, (ii) credit card transactions prior to October 1, 2008, and (iii) awards to entities that demonstrate to the Director of the Office of Management and Budget that the gross income from all sources, of such entity did not exceed \$300,000 in the previous tax year of such entity. Guidance for receiving an exception under item (iii) above has not been finalized by the Office of Management and Budget. HUD is responsible for placing award information for direct grantees on the government website. The reporting of subaward data to the appropriate federal agency is the responsibility of the grantee

**ATTACHMENT II  
PAPER APPLICATION INSTRUCTIONS**

**INSTRUCTIONS FOR COMPLETING THE SF424 AND INFORMATION REGARDING CERTIFICATIONS AND ASSURANCES**

This Application Kit and the required forms are also available through the HUD web site at [www.hud.gov](http://www.hud.gov). Click on the “Economic Development” link under “Communities.” Then, click on the “HUD’s economic development programs” link. From there, click on the “Congressional Grants” link and then click on the “Neighborhood Initiatives” link to access the form and the Application Kit.

You must submit an original and three copies of these five items:

- 1. Standard Form 424**
- 2. A project narrative**
- 3. A line item budget for the full amount of the EDI-Special Project grant only**
- 4. Standard Form LLL (Disclosure of Lobbying Activities, if applicable)**
- 5. Acknowledgment of Receipt of Application**

Submit the original application and two copies to:

Processing and Control Branch, Room 7251  
Attn: **FY 2009** Neighborhood Initiatives  
Congressional Grants, CPD  
U.S. Dept. of Housing and Urban Development  
451 Seventh St., SW  
Washington, DC 20410

**Submit one copy of the application to the local HUD Field Environmental Officer for your jurisdiction, listed in ATTACHMENT IV of this Application Kit.**

## **A. Completion of the SF-424:**

Follow the instructions below for each box of the SF-424:

1. Check the “Application” box
2. Check the “New” box
3. Leave blank
  
4. Leave blank
  
5. a. Enter your Grant Number (B-09-NI-XX-####)  
b. Leave blank
  
6. Leave blank
  
7. Leave blank
  
8. a. Enter the legal name of your organization  
b. Enter the EIN/TIN for your organization  
c. Enter your organization’s DUNS number (see p. 11 of the Application Kit for information for securing a DUNS number.  
d. Enter the complete address of your organization  
e. Enter the Department and/or Division responsible for the application  
f. Enter all contact information for the person responsible for the application
  
9. Enter the letter or letters describing your organization from the listing on the “Instructions for the SF-424”
  
10. Enter US Department of Housing and Urban Development
  
11. Enter 14.251 and under CFDA Title, “Economic Development Initiative-Special Project, Neighborhood Initiative and Miscellaneous Grants”
  
12. Enter FY2009 and under Title, “Neighborhood Initiative”
  
13. Leave blank
  
14. See “Instructions for the SF-424”
  
15. Enter a brief description of the project and attach a more detailed, but also brief project description and a project budget
  
16. See “Instructions for the SF-424”
  
17. Enter the proposed start and end dates for the project

18. On the “Federal line,” enter only the amount of the Neighborhood Initiative grant

19. Check box “C”

20. Check the appropriate box

21. After review of the Certifications and Assurances below, check “I AGREE,” enter all information for the Authorized Representative submitting the application and **sign and date the form.**

### **B. Certifications and Assurances.**

In submitting the SF-424 applicants are providing the Department with the following certifications and assurances:

a. The governing body of the applicant’s organization has duly authorized the application for Federal assistance. In addition, by signing or electronically submitting the application, the Authorized Organization Representative (AOR) certifies that the applicant:

(1) has the legal authority to apply for Federal assistance and the institutional, managerial, and financial capacity (including funds to pay for any non-Federal share of program costs) to plan, manage, and complete the program as described in the application;

(2) will provide HUD any additional information it may require; and

(3) will administer the award in compliance with requirements identified and contained in the Application Kit and in accordance with requirements applicable to the program.

b. No appropriated Federal funds have been paid or will be paid, by or on behalf of the applicant, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, or an employee of a member of Congress, in connection with this application for Federal assistance or any award of funds resulting from the submission of this application for Federal assistance or its extension, renewal, amendment, or modification. If funds other than Federal appropriated funds have been or will be paid for influencing or attempting to influence the persons listed above, the applicant agrees to complete and submit Standard Form LLL, Disclosure of Lobbying Activities, as part of its application submission package. The applicant further agrees to and certifies that it will require all subawards at all tiers including subgrants and contracts to similarly certify and disclose accordingly.

c. Federally recognized Indian tribes and tribally designated housing entities (TDHEs) established by a federally recognized Indian tribe, as a result of the exercise of the tribe’s sovereign power, are excluded from coverage by item b. (also known as the Byrd Amendment). However, State-recognized Indian tribes and TDHEs established under State law are not excluded from the statute’s coverage and therefore agree to, and must comply with, item b. above.

By submitting an application, the applicant affirms its awareness of these certifications and assurances. The Authorized Organization Representative submitting the application is affirming that these certifications and assurances are material representations of the facts upon which HUD will rely when making an award to the applicant. If it is later determined that the signatory to the application submission knowingly made a false certification or assurance or did not have the authority to make a legally binding commitment for the applicant, the applicant may be subject to criminal prosecution, and HUD may terminate the award to the applicant organization or pursue other available remedies.

## **DUN AND BRADSTREET REQUIREMENT**

**Beginning October 1, 2003, any applicant seeking funding directly from HUD, or other Federal agencies, must obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number and include it on its SF 424 Application for Federal Financial Assistance submission.** Failure to provide a DUNS number will prevent you from obtaining an award. Individuals who would personally apply for Federal financial assistance, apart from any governmental, business or nonprofit organization they may represent, are excluded from the requirement to obtain a DUNS number. This policy is pursuant to Office of Management and Budget (OMB) policy issued in the Federal Register on June 27, 2003 (68 FR 38402, June 27, 2003)

Applicants may obtain a DUNS number by calling the dedicated toll-free DUNS Number request line at 1-866-705-5711 between 8 a.m. and 6 p.m. (local time of the caller when calling from within the United States).

## PROJECT DESCRIPTION AND PROJECT BUDGET REMINDER

**REMEMBER:** You must include a brief project description that is consistent with the Congressional authorization for the use of the grant. You must also include a line item project budget that is consistent with that Congressional authorization and the limitations and prohibitions on expenses as required by the Act and described above. No pre-printed federal budget form is required for this grant. Your project budget should not include any other sources of funding and should add up to only the Congressional grant amount.

**Acknowledgment of Receipt  
of Application for A  
FY 2009 Neighborhood Initiative Grant**

U.S. Department of Housing  
and Urban Development  
Washington, DC 20410

Type or clearly print your name and return address in the space below.

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Fold line

**To Be Signed/Dated Below by HUD Processing and Control Branch, Room 7251, 451  
Seventh Street, SW, Washington, DC 20410:**

We have received your application for a FY 2009 grant. The **Congressional Grants Division** **will** review your application and contact you if any more information is needed. Otherwise, you should receive an approval package in the near future.

Processor's Name: \_\_\_\_\_

Date of Receipt: \_\_\_\_\_

## ATTACHMENT III

### SUMMARY OF ENVIRONMENTAL REQUIREMENTS FOR FY2009 NEIGHBORHOOD INITIATIVE PROJECTS

#### 1. URL Locations where you can find copies of HUD's environmental regulations

Copies of 24 CFR Part 50 (which consists of Subparts A-F containing Sections 1-43) are available at these websites:

- (a) <http://www.hud.gov/offices/cpd/energyenviron/environment/lawsandregs/index.cfm> → Select under Citation 24 CFR Part 50]
- (b) <http://www.gpoaccess.gov/ecfr/index.html> [Once there, under "Browse" select Title 24 - Housing and Urban Development → "GO" → select 0-99 → Scan down and select 50 → At that point an electronic version of Part 50 – PROTECTION AND ENHANCEMENT OF ENVIRONMENTAL QUALITY becomes available.]

#### 2. FREQUENTLY ASKED QUESTIONS ABOUT THE ENVIRONMENTAL REQUIREMENTS FOR FY 2008 NEIGHBORHOOD INITIATIVE PROJECTS

##### A. WHAT IS THE ENVIRONMENTAL REVIEW?

An environmental review is the process of considering the environmental impact of a project that is to receive NI—Neighborhood Initiative Grant Project funding. This review process is described in 24 CFR Part 50. The process includes performing an environmental impact analysis that covers the provisions of the National Environmental Policy Act (NEPA) and related environmental laws and regulations.

The scope of the environmental review depends on the scope of your project. For complex projects, the review could include a full technical analysis, consultation with the State Historic Preservation Officer and/or consultation with other federal agencies. For certain other projects, the environmental review could be simply a letter prepared by HUD stating the project is categorically excluded from NEPA review and not subject to the related environmental laws and authorities. The HUD environmental officer listed on the following pages can advise you about the environmental review requirements and process.

##### B. WHO DOES THE ENVIRONMENTAL REVIEW?

Under 24 CFR Part 50, the Department of Housing and Urban Development (HUD) has responsibility for the conduct of the environmental review and may require that you provide information about the project and environmental conditions in order to complete their review.

For this Neighborhood Initiatives Project, the general sequence of actions is (1) you contact your HUD Field Environmental Officer (FEO) to learn the exact procedure to follow for your Neighborhood Initiatives Fund Project; (2) you follow the FEO's technical advice on how to

conduct the review; (3) you submit documentation (as advised by the FEO) to the FEO. After the FEO determines that the environmental review has been satisfactorily conducted, HUD will so inform you and provide a date after which you may commit funds for the project. The HUD field office will simultaneously inform HUD's Congressional Grants Division office in Washington that your environmental review has been satisfactorily conducted and that the grant funds may be released for your Neighborhood Initiatives Fund Project. To get started, you should contact the HUD FEO listed on the following pages.

In summary, as a FY 2009 NI applicant, you must work with the FEO, submit the necessary documentation or information requested, and wait until HUD has completed the environmental review before you commit HUD funds or take any choice-limiting actions (including property acquisition, disposition, rehabilitation, conversion, lease, repair, demolition or construction activities) on the project.

### **C. WHEN MAY A RECIPIENT COMMIT ITS NEIGHBORHOOD INITIATIVE PROJECT FUNDS?**

You may commit your funds only after you have received written notice from HUD that the environmental review is complete. You may not take any actions nor commit any HUD funds or any non-HUD funds which would cause actions that are choice-limiting among reasonable alternatives or would produce an adverse environmental impact, before HUD has completed the environmental review.

### **3. SUMMARY OF ENVIRONMENTAL REQUIREMENTS FOR NEIGHBORHOOD INITIATIVE PROJECTS**

HUD is responsible for performing the environmental review for your Neighborhood Initiatives Fund Project. ***Before*** you begin your project, HUD must comply with the National Environmental Policy Act (NEPA) and related Federal laws in accordance with 24 CFR Part 50 - "Protection and Enhancement of Environmental Quality."

You and your partners, and contractors may not commit or expend HUD or non-HUD funds for property acquisition, disposition, rehabilitation, conversion, lease, repair, demolition or construction activities under the Neighborhood Initiatives Fund Project, until the HUD field office in which the project is located has performed the environmental review and complied with Part 50.

HUD headquarters office cannot release your grant funds, until the HUD Field Office CPD Director has approved and signed HUD form 4128 --- "Environmental Assessment and Compliance Findings for the Related Laws."

**This application constitutes your agreement to assist HUD to comply with the environmental review requirement and that you shall: (1) supply HUD with all available, relevant information necessary for HUD to perform for each property any environmental review required under Part 50; (2) carry out mitigating measures required by HUD or**

**select alternate eligible property; and (3) not acquire, rehabilitate, convert, lease, repair, demolish or construct property, nor commit or expend HUD or non-HUD funds for these programs activities with respect to any eligible property, until you receive HUD environmental review approval of the property.**

You must begin to collect the information for the environmental review immediately, even while you are preparing and submitting your application. The information that you should collect is set forth in the Regulation 24 CFR Part 50. Your questions should be directed to the Field Environmental Officer in the field office in which the project is located.

If you need further assistance that is unavailable to you in the HUD field office, contact Mr. Charles Bien, Director, Environmental Review Division, U.S. Department of Housing and Urban Development, Room 7250, Washington, DC 20410, (202) 708-1201 x 4466. E-mail address: [Charles\\_Bien@HUD.gov](mailto:Charles_Bien@HUD.gov)

#### **4. ENVIRONMENTAL OFFICERS AND CONTACTS ADDRESS LIST**

##### **HUD Environmental Officers - Region I**

**MA, NH, ME, VT**

**CT, RI**

Christopher Higgins  
Field Environmental Officer  
HUD- Hartford Field Office  
One Corporate Center-19th Floor  
Hartford, CT 06103-3220  
Phone:(860) 240-9772  
Fax: (860) 240-4859  
E mail: Christopher.Higgins@hud.gov

##### **HUD Environmental Officers - Region II**

**Eastern NY**

Christopher Higgins  
Field Environmental Officer  
HUD- Hartford Field Office  
One Corporate Center-19th Floor  
Hartford, CT 06103-3220  
Phone:(860) 240-9772  
Fax: (860) 240-4859  
E mail: [Christopher.Higgins@hud.gov](mailto:Christopher.Higgins@hud.gov)

**Southern NY & NYC**

Therese J. Fretwell  
Field Environmental Officer  
HUD-New York City Regional Office  
26 Federal Plaza  
New York, NY 10278-0068  
Phone: (212) 264 -2885 x3445  
Fax: (212) 264-0993  
E mail: Therese.J.Fretwell@hud.gov

**Northern NY**

Ronald Monti  
Buffalo Field Office  
Field Environmental Officer  
HUD-Buffalo Field Office  
Lafayette Court  
465 Main Street, Second Floor  
Buffalo, NY 14203-1780  
Phone: (716) 551-5755 ext. 5813  
Fax: (716) 551-5634  
E mail: Ronald.L.Monti@hud.gov

**NJ**

Michael Furda  
Field Environmental Officer  
HUD-Newark Field Office  
One Newark Center  
1085 Raymond Boulevard  
Newark, NJ 07102  
Phone: (973) 776-7202  
Fax: (973) 645-4461  
E mail: Michael.R.Furda@hud.gov

**HUD Environmental Officers - Region III****DE, PA east**

Paul J. Lehmann  
Regional Environmental Officer  
HUD-Philadelphia Field Office  
The Wanamaker Building  
100 Market Square East, 11th Floor  
Philadelphia, PA 19107  
Phone: (215) 430-6636  
Fax: (215) 656-3445  
E mail: Paul.J.Lehmann@hud.gov

**PA west, WV**

Michael E. Whitelock  
Field Environmental Officer  
HUD-Pittsburgh Field Office  
339-6th Avenue, 6th Floor  
Pittsburgh, PA 15222-2515  
Phone: (412) 644-6932  
Fax: (412) 644-2678  
E mail: Michael.E.Whitelock@hud.gov

**VA**

Kerry Johnson  
Field Environmental Officer  
HUD-Richmond Office  
600 E. Broad Street  
Richmond, VA 23219-1800  
Phone: (804) 771-2100 ext. 3835  
Fax: (804) 771-2090  
E mail: Kerry.Johnson@hud.gov

**MD, DC**

Susanne.A.Sotirchos  
Field Environmental Officer  
HUD- Baltimore Field Office  
10 So. Howard Street,  
5th Floor  
Baltimore, MD 21201-2505  
Phone:(410) 209-6546  
Fax:(410) 209-6672  
E mail: Susanne.A.Sotirchos@hud.gov

**HUD Environmental Officers - Region IV**

**AL, GA**

Sandra Frye  
Field Environmental Officer  
Atlanta Regional Office  
40 Marietta Street NW  
Atlanta, GA 30303-3388  
Phone: (404) 331-5001  
Fax: (404) 731-2853  
E mail: Sandra.L.Frye@hud.gov

**MS, TN**

Linda Poythress  
Regional Environmental Officer  
Atlanta Regional Office  
40 Marietta Street NW  
Atlanta, GA 30303-3388  
Phone: (404) 331-3167 ext. 2557  
Fax: (404) 731-2853  
E mail: Linda.Poythress@hud.gov

**KY**

Juan Roman  
Field Environmental Officer  
Atlanta Regional Office  
40 Marietta Street NW  
Atlanta, GA 30303-3388  
Phone: (404) 331-5001 ext. 2543  
Fax: (404) 731-2853  
E mail: Juan.Roman@hud.gov

**NC, SC**

Lenwood E. Smith  
Field Environmental Officer  
Greensboro Field Office  
1500 Pinecroft Road, Suite 401  
Greensboro, NC 27407-3838  
Phone: (336) 547-4000 ext. 2054  
Fax: (336) 547-4138  
E mail: Lenwood.E.Smith@hud.gov

**North FL, South FL**

Ubaldo (Al) A. Cazzoli  
Field Environmental Officer  
HUD-Miami Field Office  
Brickell Plaza Federal Building  
909 SE First Avenue, Suite 500  
Miami, FL 33131-3028  
Phone: (305) 536-5678 ext. 2276  
Fax: (305) 536 -5765  
E mail: Ubaldo.A.Cazzoli@hud.gov

**Puerto Rico & Virgin Islands**

Roberto Cortes, PE  
Field Environmental Officer  
HUD-Caribbean Office  
Parque Las Americas I  
235 Federico Costa Str., Suite 200  
San Juan, PR 00918  
Phone: (787) 766-5400 ext. 2039  
Fax: (787) 766-5995  
E mail: Roberto.Cortes@hud.gov

**HUD Environmental Officers - Region V**

**IL, IN**

Steve Vahl  
Regional Environmental Officer  
Chicago Regional Office  
Metcalf Fed. Bldg.  
77 W. Jackson Blvd.  
Chicago, IL 60604-3507  
Phone: (312) 353-1696 ext. 2728  
Fax: (312) 353-5417  
E mail: Steve.Vahl@hud.gov

**OH**

Ross Carlson  
Field Environmental Officer  
HUD- Columbus Field Office  
200 North High Street  
Columbus, OH 43215-2499  
Phone: (614) 469-5737  
ext. 8252  
Fax: (614) 469-2237  
E mail: Ross.Carlson@hud.gov

**MI**

Carmen Reveron  
Field Environmental Officer  
HUD- Detroit Field Office  
McNamara Federal Building  
477 Michigan Avenue  
Detroit, MI 48226  
Phone: (313) 226-7900  
Fax: (313) 226-5611 or 226-3197  
E mail: Carmen.E.Reveron@hud.gov

**WI, MN**

Kathleen Schmidt  
Field Environmental Officer  
HUD-Milwaukee Field Office  
Henry S. Reuss Federal Plaza  
310 West Wisconsin Ave., Suite 1380  
Milwaukee, WI 53208-2289  
Phone: (414) 297-3214 ext. 8108  
Fax: (414) 297-3202  
E mail: Kathleen.A.Schmidt@hud.gov

**HUD Environmental Officers - Region VI**

**NM, OK**

Lester Berman  
Regional Environmental Officer  
Fort Worth Field Office  
801 Cherry Street, Room 2860  
Ft. Worth, TX 76102  
Phone: (817) 978-5983  
Fax: (817) 978-5569  
E mail: Lester.H.Berman@hud.gov

**TX**

Jack Pipkin  
Field Environmental Officer  
Forth Worth Field Office  
801 Cherry Street, Room 2856  
Ft. Worth, TX 76102  
Phone: (817) 978-5985  
Fax: (817) 978-5569  
E mail: Jack.L.Pipkin@hud.gov

**LA, AR**

Shelia Gilmore  
Field Environmental Officer  
HUD-New Orleans Office  
500 Poydras Street, 9th Floor  
New Orleans, LA 70130  
Phone: (504) 589-7201 ext 1038  
Fax: (504) 589-7266  
E mail: Shelia.D.Gilmore@hud.gov

## **HUD Environmental Officers - Region VII**

### **KS, NE, western MO**

Paul F. Mohr  
Regional Environmental Officer  
HUD-Kansas City Regional Office  
400 State Street  
Kansas City, KS 66101-2406  
Phone: (913) 551-5818  
Fax: (913) 551-5477  
E mail: Paul.F.Mohr@hud.gov

### **IA, eastern MO**

Sandra J. Freeman  
Field Environmental Officer  
HUD-St. Louis Area Office  
1222 Spruce Street, Room 3207  
St. Louis, MO 63103-2836  
Phone: (314) 539-6528  
Fax: (314) 539-6818  
E mail: Sandra.J.Freeman@hud.gov

## **HUD Environmental Officers - Region VIII**

### **CO, MT, ND, SD, UT, WY**

David Rigiroszi  
Field Environmental Officer  
Denver Regional Office  
1670 Broadway Street  
Denver, CO 80202-4801  
Phone: (303) 672-5016  
Fax: (303) 672-5150  
E mail: David.W.Rigiroszi@hud.gov

## **HUD Environmental Officers - Region IX**

### **Northern CA, AZ, NV, Guam**

Ernest Molins  
Regional Environmental Officer  
San Francisco Regional Office  
600 Harrison Street, Third Floor  
San Francisco, CA 94107-1300  
Phone: (415) 489-6731  
Fax: (415) 489-6732  
E mail: Ernest.Molins@hud.gov

**Southern CA**

Michelle Simmons  
Field Environmental Officer  
HUD-Los Angeles Field Office  
611 West 6th Street, Suite 800  
Los Angeles, CA 90017-3127  
Phone: (213) 534-2772  
Fax: (213) 894-8129  
E mail: Michelle.Simmons@hud.gov

**HI**

Mark Chandler  
CPD Director  
HUD-Honolulu Field Office  
500 Ala Moana Boulevard  
Honolulu, HI 96813-4918  
Phone: (808)522-8180  
Fax: (808)522-8194  
E mail: Mark.A.Chandler@hud.gov

**HUD Environmental Officers - Region X****WA, ID, OR, AK**

Deborah Peavler-Stewart  
Regional Environmental Officer  
Housing and Urban Development  
Office of Regional Director  
909-1st Avenue, Suite 255  
Seattle, WA 98104-1000  
Phone: (206) 220-5414  
Fax: (206) 220-5108  
E mail: Deborah.PeavlerStewart@hud.gov

Sara Jensen  
Field Environmental Officer  
Housing and Urban Development  
Office of Regional Director  
909-1st Avenue, Suite 255  
Seattle, WA 98104-1000  
Phone: (206) 220-5226  
Fax: (206) 220-5403  
E mail: Sara.Jensen@hud.gov

## PROTOCOL FOR ENVIRONMENTAL REVIEW

This protocol defines the information to be supplied by recipients to the HUD field office for the HUD Neighborhood Initiatives Fund Project (HNIP) in accord with the recipient's application and agreement. The recipient's information will help HUD to complete the environmental review processing required by 24 CFR Part 50--"Protection and Enhancement of Environmental Quality." Recipients must not acquire, rehabilitate, convert, lease, repair, demolish or construct property, nor commit HUD or non-HUD funds for these program activities with respect to any eligible property, until the recipient receives HUD environmental approval of the property from the CPD Division Director in the field office in which the project is located. Where NI grant recipients propose more than one property, you are to aggregate properties into a single group (or even a neighborhood area to the extent feasible) so that the HUD environmental review and approval may be completed under a single evaluation by the HUD field office where feasible. The protocol provides specific questions for the recipient to answer for each property proposed for the project. In addition, the protocol provides resources related to each question. These questions should be applied to an entire neighborhood area if the recipient proposes to use the funds to benefit the neighborhood area.

**Note:** The type of activity proposed by the recipient will determine which of the following questions need to be answered. Section G of the attached format specifies which of the following questions are to be answered based upon the type of activity proposed for HNIP assistance:

- (1) For leasing or rental assistance involving existing structures: complete questions #1 through 3 only;
- (2) For acquisition of existing structures: complete questions #1 through 5 only;
- (3) For minor rehabilitation and repair of existing structures: complete questions #1 through 6 only;
- (4) Individual actions: For new construction or acquisition of land for development of up to four housing units **or** for five or more units of housing on scattered sites where the housing sites are more than 2,000 feet apart and there are not more than four units on any one site: complete questions #1 through 15 only; and
- (5) Other actions: complete questions #1 through 16 for other new construction (including demolition), acquisition of undeveloped land, conversion from one land use to another, infrastructure improvements, or major rehabilitation and improvement (unless otherwise noted) of existing buildings.

## Questions

- #1 Is the property located within designated coastal barrier resources?
- #2 Is the property contaminated by toxic chemicals or radioactive materials?
- #3 Is the property located within a flood hazard area or designated wetland?
- #4 Is the property within an area requiring flood insurance protection?
- #5 Is the property located within an airport runway clear zone?
- #6 Is the property listed on, or eligible for listing on, the National Register of Historic Places; located within, or adjacent to, an historic district; or is a property whose area of potential effect includes a historic district or property?
- #7 Is the property located near hazardous industrial operations handling fuels or chemicals of an explosive or flammable nature?
- #8 Is the site noise-impacted?
- #9 Is the project consistent with the coastal zone management plan?
- #10 Does the project affect a sole source aquifer?
- #11 Does the project affect endangered species?
- #12 Does the project affect listed wild and scenic rivers?
- #13 Does the project affect prime and unique farmland, or other farmland of statewide or local significance?
- #14 Is the project located within a "non-attainment" or "maintenance" area identified in the air quality State Implementation Plan?
- #15 Is the project located in a neighborhood or community where the proposed action is likely to raise environmental justice issues?
- #16 Does the recipient propose: (i) acquisition of land for development of more than four housing units on any one site **or** of five or more units of housing where the housing sites are 2,000 feet or less apart; (ii) infrastructure; (iii) new construction other than for residential activities excluded under §50.20(a)(3); (iv) major rehabilitation of existing structures in accordance with §50.20(a)(2) that involves any of the following conditions: (a) in the case of residential buildings, an increase in the unit density of more than 20 percent; (b) changes in land use (from non-residential to residential or from residential to non-residential); or (c) estimated

cost of rehabilitation that is 75 percent or more of the total estimated cost of replacement after rehabilitation; or (v) any other activity not categorically excluded under §50.20(a)?

### **Resources for Supporting Documentation**

Recipients may wish to contact their local or county planning agency or local Neighborhood Initiatives agency, and request the agency's help in supplying the necessary information or have the agency staff prepare a letter with their answers (i.e., findings) to the above questions. NI grant recipients may acquire the services of private consultants, or unit of local government to obtain and supply the information that may be requested by the HUD Field Office. Most of the information necessary to prepare the response to these questions is readily available.

The NI grant recipient's written response should include a city or county map that shows the location of the property or project area as well as photos showing the north, east, south, and west perspectives from the property or the project area, and the dates the photos were taken. Because the most time consuming item is the letter (see below) from the State Historic Preservation Officer (SHPO), recipients are encouraged to contact the SHPO **as early as possible**.

### **Question #1: Is the property located within designated coastal barrier resources?**

**Threshold:** Recipients are **prohibited** by the Coastal Barrier Resources Act, as amended, (16 U.S.C. 3501 et seq.) from using Federal financial assistance for properties in their Neighborhood Initiatives Fund Project if the properties are located within designated coastal barriers of the Atlantic Ocean, Gulf of Mexico, or the Great Lakes.

**Documentation:** Recipients are to select either **A** or **B** for the condition that best describes their project and report the option selected in the attached format or equivalent.

**A.** The recipient states that its program operates in an area or community that does not contain any shores along the Atlantic Ocean, the Gulf of Mexico, or the Great Lakes.

**B.** For a recipient whose program operates in an area or community that does contain shores along the Atlantic Ocean, the Gulf of Mexico, or the Great Lakes, the recipient provides HUD with a finding made by a qualified source based upon the official map issued by the Department of the Interior or the flood insurance rate maps (FIRM) issued by the Federal Emergency Management Agency stating that the recipient's proposed property or project is not located within designated coastal barrier resources. The map panel number must be cited.

**Example:** The finding is that the coastal property is not located within designated coastal barrier resources as shown on FIRM map for Cameron County, TX, community-panel number 480101 0005 A, map revised March 18, 1991.

**Question #2: Is the property contaminated by toxic chemicals or radioactive materials?**

**Threshold:** HUD policy, as described in §50.3(i), provides that "(1)...all property proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gasses, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property. (2) HUD environmental review of multifamily and non-residential properties shall include evaluation of previous uses of the site and other evidence of contamination on or near the site, to assure that occupants of proposed sites are not adversely affected by the hazards...". HUD will not approve the provision of financial assistance to residential properties located on contaminated sites that are not found to meet the criterion in (1) above. Sites known or suspected to be contaminated by toxic chemicals or radioactive materials include, but are not limited to, sites which: (i) are listed on an EPA Superfund National Priorities or CERCLA List, or equivalent State list; (ii) are located within 3,000 feet of a toxic or solid waste landfill site; or, (iii) have an underground storage tank (which is not for residential fuel).

**Documentation:** Recipients are to select either **A** or **B** for the condition that best describes their project and report the option selected in the attached format or equivalent.

**A.** The recipient provides HUD with a finding made by a qualified data source stating that the property proposed for use in its program: (i) is not listed on an EPA Superfund National Priorities or CERCLA List, or equivalent State list; (ii) is not located within 3,000 feet of a toxic or solid waste land fill site; (iii) does not have an underground storage tank (which is not a residential fuel tank); and (iv) is not known or suspected to be contaminated by toxic chemicals or radioactive materials.

**B.** The recipient states that the property: (i) is listed on an EPA Superfund National Priorities or CERCLA List, or equivalent State list; (ii) is located within 3,000 feet of a toxic or solid waste land fill site; (iii) does have an underground storage tank (which is not a residential fuel tank); or (iv) is known or suspected to be contaminated by toxic chemicals or radioactive materials. For any of these conditions, the recipient must provide an American Society for Testing Materials (ASTM) Phase I report.

**Question #3: Is the property located within a flood hazard area or designated wetlands?**

**Threshold:** Projects located within a flood hazard area or designated wetlands are subject to Executive Order 11988 (Floodplain Management) and Executive Order 11990 (Protection of Wetlands) respectively. HUD's implementing regulations at 24 CFR Part 55--Floodplain Management, prescribe measures for protecting floodplains. HUD will require 30 to 60 days in most cases to perform the required processing. Generally, Part 55 does not apply to financial assistance for existing single-family properties proposed for acquisition or lease and located within the floodplain, provided (i) the existing property is not located within a floodway or coastal high hazard area; (ii) the existing property does not involve substantial improvement, which for flood hazard purposes is defined in §55.2(b)(8); (iii) in accordance with §55.12(b)(1),

the community in which the property is located is in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24); and (iv) that the existing property does not involve a critical action.

Under the provisions of these Executive Orders, HUD must avoid financial support for covered activities, unless it can demonstrate that there are no practicable alternatives outside the floodplain or wetland. Where flood-free and wetland-free sites are available within the community or housing market area, these are considered practicable.

Floodplain properties covered under E.O. 11988 are properties located within a Special Flood Hazard Area (SFHA) or for critical actions, properties within the 500-year floodplain. The critical action standard applies to the proposed use of HUD assistance to structures or facilities located within the 500-year floodplain, when the structures or facilities are likely to contain occupants who may not be sufficiently mobile to avoid loss of life or injury during flood or storm events (24 CFR Part 55).

**Documentation:** Recipients are to select **A** or **B** for the condition that best describes their project and report the option selected in the attached format or equivalent.

**A.** The recipient provides HUD with a finding that the property is **not** located within the Special Flood Hazard Area or designated wetlands.

**B.** The recipient provides HUD with a finding that the property is located within the Special Flood Hazard Area or designated wetlands.

The response as to whether a property is located within a Special Flood Hazard Area or designated wetlands can be made as follows. To make a wetlands finding, the recipient would use maps issued by the Department of the Interior (DOI) for the National Inventory of Wetlands. To make a floodplain finding, the recipient would use maps issued by the Federal Emergency Management Agency (FEMA) for the National Flood Insurance Program. These findings should cite the map panel number of the official maps issued by DOI and FEMA on the basis of which the findings were made. For flood map information, see the FEMA homepage [<http://www.fema.gov/nfip/fmapinfo.htm>].

**Note:** If the property is found to be located within a SFHA, please proceed to the next section on Flood Insurance Protection and document the requisite insurance amount and period of coverage. This is not necessary if the project will consist of leasing of an existing structure that does not involve HUD funds for repair or rehabilitation.

#### **Question #4: Is the property in a location requiring flood insurance?**

**Threshold:** The Flood Disaster Protection Act of 1973 requires owners of HUD-assisted SFHA properties to purchase and maintain flood insurance protection as a condition of approval of any HUD financial assistance for proposed acquisition, rehabilitation, conversion, repair or

construction of structures located within the Special Flood Hazard Area. The statutorily prescribed period and dollar amount of flood insurance is discussed below and is more stringent for grant assistance than for loan types of assistance. Recipients cannot be self-insurers under the National Flood Insurance Program. As noted above, leasing activities are not subject to this requirement unless repairs or rehabilitation is assisted with HUD funds.

**Duration of Flood Insurance Coverage:** The statutory period for such coverage may extend beyond project completion. For loans, loan insurance or guaranty, coverage must be continued for the term of the loan. For grants and other non-loan forms of assistance, coverage must be continued for the life of the property, regardless of transfer of ownership of such property. The statute mandates that "The requirement of maintaining flood insurance shall apply during the life of the property, regardless of transfer of ownership of such property." (42 U.S.C 4012a(a)).

**Dollar Amount of Flood Insurance Coverage:** For loans, loan insurance or guaranty, the amount of coverage need not exceed the outstanding principal balance of the loan. For grants and other non-loan forms of assistance, the amount of coverage must be at least equal to the development or project cost (less estimated land cost, if any) or to the maximum limit of coverage made available by the Act with respect to the particular type of building involved (single family, other residential, or non-residential), whichever is less. The development or project cost is the total cost for acquiring, constructing, reconstructing, repairing, or improving the building. This cost must include both the Federally assisted and non-Federally assisted portion of the cost, including any machinery, equipment, fixtures, and furnishing. If the Federal assistance includes any portion of the cost of any machinery, equipment, fixtures or furnishing, the total cost of that item must be covered. The use of HUD assistance for proposed furnishings for housing is not eligible under section 202.

**Proof of Purchase of Flood Insurance Protection:** Once HUD has approved a specific SFHA property; the recipient's file for any such property shall contain "proof of purchase" of flood insurance protection. The standard documentation for compliance is the policy Declarations form issued by the National Flood Insurance Program (NFIP) or issued by any property insurance company offering coverage under NFIP.

**Documentation:** Recipients are to estimate the amount and period of flood insurance coverage and report these in the attached format or equivalent.

**Question #5: Is the property located within an airport runway clear zone at a civil airport or within a clear zone or accident potential zone at a military airfield?**

**Threshold:** HUD policy described in 24 CFR part 51, subpart D applies to assisted properties located within Clear Zones (CZ). In the case of new construction, major or substantial rehabilitation (as defined below), and the acquisition of undeveloped land, this HUD policy also applies to properties located within Accident Potential Zones (APZ). Assisted construction or major rehabilitation of any property located on a clear zone site is prohibited for a project to be frequently used or occupied by people.

**Definition:** Rehabilitation (including conversion) is "major" or "substantial" when the estimated cost of the work is 75 percent or more of the property value after rehabilitation or, in the case of property in an APZ, when the work would change the use of the facility to a use that is not generally consistent with the recommendations of the Department of Defense's (DOD) "Land Use Compatibility Guidelines for Accident Potential Zones," or significantly increases the density or number of people at the site [§51.302(b)(1) and (2)].

The provision of HUD financial assistance in a CZ is allowed for properties proposed for acquisition or lease with or without minor rehabilitation or repair [§51.302 (c)]. Upon HUD approval for acquisition or lease of a property in a CZ, (a) HUD will give advance written notice to the prospective property buyer or lessor in accordance with §51.303(a)(3); and (b) a copy of the HUD notice signed by the prospective property buyer or lessor will be placed in the property file. The written notice informs the prospective buyer or lessor of the potential hazards from airplane accidents which studies have shown are more likely to occur within clear zones than in other areas around an airport/airfield and the potential by airport or airfield operators, who may wish to purchase the property at some point in the future as part of a clear zone acquisition program.

For properties located in an APZ, HUD shall determine whether the use of the property is generally consistent with DOD guidelines.

**Documentation:** Recipients are to select either **A** or **B** for the condition that best describes their project and report the option selected in the attached format or equivalent.

**A.** The recipient provides HUD with a finding from a qualified data source, which states that the property proposed for assistance is not located within 3,000 feet of a civil airport or military airfield.

**B.** For properties located within 3,000 feet of a civil airport or military airfield, the recipient provides HUD with a finding from the airport or airfield operator stating whether or not the property proposed for assistance is located within a runway CZ (civil airport) or CZ or APZ (military airfield). For properties that are located within a runway CZ, CZ, or APZ, recipients who propose to rehabilitate such a property are to provide HUD with estimates of the cost of the proposed rehabilitation and the property value after the rehabilitation.

**Question #6: Is the property listed on, or eligible for listing on, the National Register of Historic Places; located within, or adjacent to, a historic district; or is a property whose area of potential effect includes a historic district or property?**

**Threshold:** If a property is proposed for repair (see definition below), rehabilitation, conversion, new construction, or the acquisition of undeveloped land, a HUD determination is needed following the Department of the Interior's Standards and Guidelines for Evaluation. In consultation with the State Historic Preservation Officer (SHPO), HUD will make a determination whether the property is: (a) listed on or eligible for listing on the National Register of Historic Places; or, (b) located within or directly adjacent to a historic district; or (c)

a property whose area of potential effects includes a historic district or property. (The National Historic Preservation Act of 1966, 16 U.S.C. 470 et seq.)

**Definition:** The term "repair" for historic preservation purposes does not include in-kind replacement or incidental maintenance of external and internal building features.

Historic properties and districts are subject by law to special protection and historic preservation processing, which HUD must perform to comply with the regulations of the Advisory Council on Historic Preservation (36 CFR Part 800). Recipients seeking information from the SHPO need to allow sufficient time to obtain information from the SHPO.

**Note:** For properties determined to be historic properties, (or properties whose area of potential effects includes a historic district or property) even if the SHPO concludes that no adverse effect will occur as a result of the assisted project, HUD will require 30 to 90 days in most cases to perform the processing required by 36 CFR Part 800.

**Documentation:** The recipient should select either **A, B, or C** for the condition that best describes their project and report the option selected in the attached format or equivalent.

**A.** The recipient proposes to use HUD assistance for the rehabilitation, conversion, or construction of the property and provides HUD with a SHPO's finding that the proposed rehabilitation, conversion, or construction: (i) will have no effect on historic properties; or (ii) will have an effect on historic properties not considered adverse.

**B.** The recipient proposes to use HUD assistance for rehabilitation, conversion, or construction of the property and provides HUD with a SHPO's finding that the proposed rehabilitation, conversion, or construction will have an adverse effect on historic properties.

**C.** The recipient provides HUD with a copy of a letter from a SHPO stating the reasons for not being able to provide the recipient with the requested information or finding.

**Question #7: Is the property located near hazardous industrial operations handling fuels or chemicals of an explosive or flammable nature?**

**Threshold:** Properties that are located near hazardous industrial operations handling fuels or chemicals of an explosive or flammable nature are subject to HUD safety standards (reference 24 CFR Part 51, Subpart C). However, under the HNIP program these standards would apply only if a recipient proposes: (a) construction of a building; (b) conversion of a non-residential land use to a residential land use including making an uninhabitable building habitable; (c) rehabilitation that increases the density of a residential structure by increasing the number of dwelling or rooming units; or (d) the acquisition of undeveloped land. In the case of tanks containing common liquid fuels, the requirement for an acceptable separation distance (ASD) calculation only applies to storage tanks that have a capacity of more than 100 gallons.

**Documentation:** Recipients are to select one of the following options **A, B, or C** that best describes the condition of the project, and report the option selected in the attached format or equivalent.

**A.** The proposed project does not include: (i) the construction of a building; (ii) conversion of a non-residential land use to a residential land use including making an uninhabitable building habitable; (iii) rehabilitation that increases the density of a residential structure by increasing the number of dwelling or rooming units; or (iv) the acquisition of undeveloped land.

**B.** The proposed project includes: (i) construction of a building; (ii) conversion of a non-residential land use to a residential land use including making an uninhabitable building habitable; (iii) rehabilitation that increases the density of a residential structure by increasing the number of dwelling or rooming units; or, (iv) the acquisition of undeveloped land. The recipient provides HUD with a finding by a qualified data source that the property proposed for HUD assistance is not located within the immediate vicinity of hazardous industrial operations handling fuels or chemicals of an explosive nature by citing data and maps used.

**C.** The recipient proposes: (i) construction of a building; (ii) conversion of a non-residential land use to a residential land use including making an uninhabitable building habitable; (iii) rehabilitation that increases the density of a residential structure by increasing the number of dwelling or rooming units; or (iv) the acquisition of undeveloped land. The recipient provides HUD with a finding made by a qualified data source which states that: (i) the proposed property is located within the immediate vicinity of hazardous industrial operations handling fuels or chemicals of an explosive or flammable nature; (ii) the type of and scale of such hazardous industrial operations; (iii) the distance of such operations from the proposed property; (iv) a preliminary calculation of the **acceptable separation distance** (ASD) between such operations and the proposed property; and, (v) a recommendation as to whether it is safe to use the property in accord with 24 CFR Part 51, Subpart C.

#### **Question #8: Is the site noise-impacted?**

**Threshold:** For new construction which is to occur in high noise areas, recipients shall incorporate noise attenuation features to the extent required by HUD environmental criteria and standards contained in Subpart B (Noise Abatement and Control) of 24 CFR Part 51. Since the acquisition of undeveloped land with HUD assistance is eligible only if the land will be used for the development of HUD assisted housing, the standards that apply to new construction also apply to land acquisition.

**Definition:** High noise areas are those in which the day-night average of exterior noise exceeds 65 decibels.

Approvals in a normally unacceptable noise zone (exceeding 65 decibels but not exceeding 75 decibels) require a minimum of 5 decibels of additional noise attenuation for buildings having noise sensitive (e.g. residences) uses if the day-night average is greater than 65

decibels but does not exceed 70 decibels, or minimum of 10 decibels of additional noise attenuation if the day-night average is greater than 70 decibels but does not exceed 75 decibels.

In unacceptable noise zones (exceeding 75 decibels) the use of HUD assistance is prohibited without the specific approval by the HUD Assistant Secretary for Community Planning and Development of the noise attenuation measures proposed to be used. It is also possible in such a circumstance that an environmental impact statement would have to be prepared.

For major rehabilitation projects and conversions located in the normally unacceptable and unacceptable noise zones, HUD actively seeks to have noise attenuation features incorporated as part of the rehabilitation to be undertaken. For those properties in unacceptable noise zones HUD strongly encourages the conversion of such properties to land uses more compatible with the high noise levels.

**Documentation:** Recipients are to select **A** or **B** for the condition that best describes their project and report the option selected in the attached format or equivalent.

**A.** The recipient provides HUD with a finding made by a qualified data source stating that the property proposed for new construction, major rehabilitation, or conversion in its HNIP program is not located within: (i) 1,000 feet of a major noise source, road, or highway; (ii) 3,000 ft of a railroad; or, (iii) 1 mile of a civil or 5 miles of a military airfield.

**B.** The recipient provides HUD with a finding made by a qualified data source stating whether the property is located within a normally unacceptable or unacceptable noise zone; and, if so: (i) stating that the plans for the property proposed by the recipient for new construction, major rehabilitation or conversion activity in its HNIP program incorporate noise attenuation features in accord with HUD environmental criteria and standards contained in Subpart B (Noise Abatement and Control); and (ii) providing HUD the plans and a statement of the anticipated interior noise levels.

**Question #9: Is the project consistent with the State's coastal zone management?**

**Threshold:** The Coastal Zone Management (CZM) Act of 1972 (16 U.S.C. 1451 et seq.) only applies to new construction, major rehabilitation, conversion and substantial improvement activities, and the acquisition of undeveloped land. Projects that can affect the coastal zone must be carried out in a manner consistent with the approved State coastal zone management program under Sec. 307 of the Coastal Zone Management Act of 1972, as amended.

**Documentation:** Recipients are to select either **A, B, or C** for the condition that best describes their project and report the option selected in the attached format or equivalent.

**A.** The recipient states that its program operates in a community that does not contain coastal areas of the Atlantic or Pacific Oceans, the Great lakes or the Gulf of Mexico.

**B.** The recipient provides HUD with a finding made by a qualified source that even though the recipient operates in a community which contains coastal areas of the Atlantic or Pacific Oceans, the Great Lakes or the Gulf of Mexico, the HUD assisted property is not located in a coastal zone, as defined in the relevant State's Coastal Zone Management Plan.

**C.** The proposed assisted activity would be located within a coastal zone and the recipient has provided HUD with a finding made by the State CZM agency that the proposed assisted activity is consistent with the approved State CZM program.

**Question #10: Does the project affect a sole source aquifer?**

**Threshold:** The sole source aquifer (SSA) authority only applies to proposed HUD assisted new construction and conversion activities and the acquisition of undeveloped land. Projects which can affect aquifers designated by the EPA must be reviewed for impact on such designated aquifer sources. The Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300 et seq., and 21 U.S.C. 349) requires protection of drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health. For information see the homepage of the EPA Office of Ground Water and Drinking Water at (<http://www.epa.gov/OGWDW/ssanp.html>).

**Documentation:** Recipients are to select either **A** or **B** for the condition that best describes their project and report the option selected in the attached format or equivalent.

**A.** The recipient provides HUD with a finding made by a qualified data source stating that the property proposed for HUD assistance is not located on nor does not affect a sole source aquifer designated by EPA.

**B.** For the recipient whose proposed assisted project is located on or would affect a sole source aquifer designated by the EPA, the recipient has identified the aquifer and has provided HUD with an explanation of the effect on the aquifer from a qualified data source, and/or a copy of any comments on the proposed project that the recipient has received from the EPA as well as from any State or local agency with jurisdiction for protecting the drinking water system.

**Question #11: Will the project affect an endangered species?**

**Threshold:** The Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) applies only to proposed HUD assisted new construction, conversion activities and the acquisition of undeveloped land. Section 7 of the Act sets out procedures for consultation. Consultation will be required with the Department of Interior (Fish and Wildlife Service) **or** the Department of Commerce (National Marine Fisheries Service) depending on the species involved. Consultation is required if an activity may affect a listed (endangered or threatened) species or a critical habitat. A conference is required if an action is likely to jeopardize the continued existence of a proposed species or result in the destruction or adverse modification of a critical habitat proposed to be designated for such species.

**Documentation:** Recipients are to select either **A** or **B** for the condition that best describes their project and report the option selected in the attached format or equivalent.

**A.** For proposed new construction, conversion, or the acquisition of undeveloped land, the recipient has provided HUD with a finding made by a qualified data source that the project is not likely to affect any listed or proposed endangered or threatened species or critical habitat. The finding shall indicate whether the project is located within a critical habitat, and if so, explain why the project is not likely to affect the species or habitat.

**B.** For proposed new construction, conversion, or the acquisition of undeveloped land which is likely to affect listed or proposed endangered or threatened species or a critical habitat, the recipient has provided HUD with a biological assessment prepared by a qualified data source explaining the likely effect, and/or a finding made by the Fish and Wildlife Service of the Department of the Interior **or** the National Marine Fisheries Service of the Department of Commerce stating as acceptable the proposed mitigation that the recipient will be provided to protect any affected endangered or threatened species or critical habitat.

**Question #12: Does the project affect listed wild and scenic rivers?**

**Threshold:** HUD assisted activities are subject to the requirements of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.). New construction, conversion, major or substantial rehabilitation, and the acquisition of undeveloped land which is proposed in areas within one mile of a listed Wild and Scenic River have the potential for impacting this natural resource. For information, see the homepage of National Park Service at [<http://www.nps.gov/rivers/>].

**Documentation:** The recipient should select **A** or **B** for the condition that best describes their project and report the option selected in the attached format or equivalent.

**A.** The recipient provided HUD with a finding made by a qualified data source which states that the project is not located within one mile of a listed Wild and Scenic River or the project will not have an effect upon the natural, free flowing or scenic qualities of such a river.

**B.** The project is located within one mile of a listed Wild and Scenic River and the National Park Service (NPS) of the Department of the Interior indicates that the project, as proposed, will have an effect upon the natural, free flowing or scenic qualities of the river.

**Question #13: Does the project affect prime and unique farmland, or other farmland of statewide or local significance?**

**Threshold:** A finding of compliance with the requirements of the Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.) must be made for assisted new construction activities and the acquisition of undeveloped land.

**Documentation:** Recipients are to select either **A** or **B** for the condition that best describes their project and report the option selected in the attached format or equivalent.

**A.** The recipient provides HUD with a finding from a qualified data source which states that the proposed project site does not include prime or unique farmland, or other farmland of statewide or local significance as identified by the Natural Resources and Conservation Service (NRCS) of the Department of Agriculture, or the project site includes prime farmland but is located in an area committed to urban uses.

**B.** The proposed project site includes farmland and the recipient has requested an evaluation of land type from NRCS using form AD 1006 and has provided the resultant rating to HUD.

**Question #14: Is the project within a "non-attainment" or "maintenance" area and not in conformance with the State Implementation Plan (SIP) for clean air?**

**Threshold:** HUD assisted activities are subject to the requirements of the Clean Air Act (42 U.S.C. 7401 et seq.). New construction, conversion, major or substantial rehabilitation, and the acquisition of undeveloped land which are located in "non-attainment" or "maintenance" areas as determined by the EPA may need to be modified or mitigation measures developed and implemented.

**Documentation:** Recipients should select **A** or **B** for the condition that best describes their project and report the option selected in the attached format or equivalent.

**A.** The recipient has provided HUD with a finding made by a qualified data source which states that the project is located in an "attainment area" or if located in a "non-attainment area" the project conforms with the EPA approved State Implementation Plan (SIP).

**B.** The proposed project is located in a "non-attainment" area and is not in conformance with the SIP.

**Question #15: Is the project located in a neighborhood where the proposed action is likely to raise environmental justice issues?**

**Threshold:** Executive Order 12898 ("Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations") applies to low-income or minority neighborhoods where the recipient proposes the acquisition of housing, the acquisition of land for development, and new construction. Environmental justice issues may include, but are not limited to new, continued or historically disproportionate potential for high and adverse human health and environmental effects on minority or low-income populations. The recipient will need to determine if the site or neighborhood suffers from disproportionate adverse health and environmental effects relative to the community at large. EPA has Federal oversight for this matter. Recipients seeking more detail information about the Executive Order are encouraged to see the EPA EJ homepage at [<http://es.epa.gov/oeca/oejbut.htm>].

**Documentation:** The recipient should select **A** or **B** for the condition that best describes their project and report the option selected in the attached format or equivalent.

**A.** The recipient provides HUD with a finding that the project is not likely to raise environmental justice issues.

**B.** The project is likely to raise environmental justice issues and has the potential for new or continued disproportionately high and adverse human health and environmental effects on minority or low-income populations. The recipient must consider mitigation or avoidance of adverse impacts from the project to the extent practicable.

**Question #16: Does the recipient propose: (i) acquisition of land for development of more than four housing units on a site or five or more units of housing, where the housing sites are 2,000 feet or less apart; (ii) infrastructure; (iii) new construction other than for residential activities excluded under §50.20(a)(3); (iv) major rehabilitation of existing structures in accordance with §50.20(a)(2) that involves any of the following conditions: (a) in the case of residential buildings, an increase in the unit density of more than 20 percent; (b) changes in land use (from non-residential to residential or from residential to non-residential); or (c) estimated cost of rehabilitation that is 75 percent or more of the total estimated cost of replacement after rehabilitation; or (v) any other activity not categorically excluded under §50.20(a)?**

**Threshold:** For the above activities, an environmental assessment is required for compliance with the **National Environmental Policy Act (NEPA)** (42 U.S.C. 4321 et seq.) and the implementing regulations of the Council on Environmental Quality (CEQ). It is the policy of the Department to reject proposals which have significant adverse environmental impacts and to encourage the modification of projects in order to enhance environmental quality.

**Documentation:** If the answer to question #16 is "Yes," recipients are to provide information on any adverse environmental impacts that affect the project or that the project would create. Recipients are to identify any adverse impacts in terms of: (i) impact on unique natural features or areas; (ii) site suitability, access, and compatibility with surrounding development; (iii) soil stability, erosion, and drainage; (iv) nuisances and hazards (natural and built); (v) availability of water supply and sanitary sewers; (vi) availability of solid waste disposal; (vii) availability of schools, parks, recreation, and social services; (viii) availability of emergency health care, fire and police services; and (ix) availability of commercial/retail and public transportation serving such proposed development. Recipients are to identify any significant impacts to the human environment. Report data and findings in the attached format or equivalent.

**Suggested Format: THRESHOLD REVIEW FOR PROPOSED ACTIVITIES HUD NEIGHBORHOOD INITIATIVES FUND PROJECT**

Recipient's Name: \_\_\_\_\_  
Program Number: \_\_\_\_\_  
Preparer's Name: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
FAX Number: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

A. Describe the project. Indicate the number of housing units to be assisted, and/or acreage to be developed. Include street address, if applicable:

B. Attach a map of the community and identify the location of the proposed project. Attach photographs of the property and adjacent properties. Check:

(1) Map of community is attached: Yes \_\_\_\_\_ No \_\_\_\_\_

(2) Photographs of property and adjacent properties are attached: Yes \_\_\_\_\_ No \_\_\_\_\_

C. Indicate the present and proposed use of the property:

(1) Present Use: \_\_\_\_\_

(2) Proposed Use: \_\_\_\_\_

D. Which of the following activities are being proposed? Check one or more.

(1) Lease or rental assistance involving existing structures \_\_\_\_\_

(2) Acquisition of existing structures \_\_\_\_\_

(3) Minor rehabilitation<sup>1</sup> or repair of existing structures \_\_\_\_\_

<sup>1</sup> Minor rehabilitation means proposed fixing and building repair: (i) where the estimated cost of the work is less than 75 percent of the total estimated cost of replacement after completion; (ii) that does not involve changes in land use from residential to nonresidential, or from nonresidential to residential; and (iii) that does not increase unit density by more than 20 percent.

(4) Major rehabilitation or improvement of existing structures \_\_\_\_\_

(5) New construction (including demolition), conversion, or infrastructure improvements including the development of utilities and services \_\_\_\_\_

(6) Acquisition of undeveloped land for future development \_\_\_\_\_

E. Report the repair/rehabilitation costs and related property values, only if repair or rehabilitation of existing structures is proposed:

(1) Property value before repair/rehab \$ \_\_\_\_\_

\_\_\_\_\_

- (2) Repair/rehab costs (est.)        \$\_\_\_\_\_
- (3) Property Value after repair/rehab \$\_\_\_\_\_

F. Are there any physical or environmental conditions that are or may indicate a significant impact on the human environment? Indicate: No\_\_\_\_\_, Uncertain\_\_\_\_\_, or Yes\_\_\_\_\_.

G. Respond to these questions:

- (1) For proposed leasing or rental assistance involving existing structures:  
Complete questions #1 through 3 only.

- (2) For proposed acquisition of existing structures:  
Complete questions #1 through 5 only.

- (3) For proposed minor rehabilitation and repair of existing structures:  
Complete questions #1 through 6 only.

(4) Individual actions: For proposed new construction or acquisition of land for development of up to four housing units **or** for five or more units of housing on scattered sites where the housing sites are more than 2,000 feet apart and there are not more than four units on any one site: Complete questions #1 through 15 only.

(5) Other actions: Complete questions #1 through 16 for other proposed new construction (including demolition), acquisition of undeveloped land, conversion from one land use to another, infrastructure improvements, or major rehabilitation and improvement (unless otherwise noted) of existing buildings.

## SECTION G

### Questions:

#1 Is the property located within designated coastal barrier resources?

Indicate: A\_\_\_\_\_ or B\_\_\_\_\_

Documentation:

#2 Is the property contaminated by toxic chemicals or radioactive materials?

Indicate: A\_\_\_\_\_ or B\_\_\_\_\_

Documentation:

#3 Is the property located within a flood hazard area or designated wetland?

Indicate: A\_\_\_\_\_ or B\_\_\_\_\_

Documentation:

#4 Is the property in a location requiring flood insurance protection?

Indicate: A\_\_\_\_\_ or B\_\_\_\_\_

Estimated coverage amount of flood insurance \$\_\_\_\_\_

Indicate coverage period:

Year in which flood insurance policy is to start:\_\_\_\_\_

Year in which flood insurance policy is to stop:\_\_\_\_\_

#5 Is the property located within an airport runway clear zone at a civil airport or within a clear zone or accident potential zone at a military airfield?

Indicate: A\_\_\_\_\_ or B\_\_\_\_\_

Documentation:

#6 Is the property listed on, or eligible for listing on, the National Register of Historic Places; located within, or adjacent to, a historic district; or is a property whose area of potential effect includes a historic district or property?

Indicate: A\_\_\_\_\_, B\_\_\_\_\_, or C\_\_\_\_\_

Documentation:

#7 Is the property located near hazardous industrial operations handling fuels or chemicals of an explosive or flammable nature? Indicate: A\_\_\_\_\_, B\_\_\_\_\_, or C\_\_\_\_\_

Documentation:

#8 Is the site noise-impacted?

Indicate: A\_\_\_\_\_ or B\_\_\_\_\_

Documentation:

#9 Is the project consistent with the State's coastal zone management?

Indicate: A\_\_\_\_\_, B\_\_\_\_\_, or C\_\_\_\_\_

Documentation:

#10 Does the project affect a sole source aquifer?

Indicate: A\_\_\_\_\_ or B\_\_\_\_\_

Documentation:

#11 Does the project affect an endangered species?

Indicate: A\_\_\_\_\_ or B\_\_\_\_\_

Documentation:

#12 Does the project affect listed wild and scenic rivers?

Indicate: A\_\_\_\_\_ or B\_\_\_\_\_

Documentation:

#13 Does the project affect prime and unique farmland, or other farmland of statewide or local significance?

Indicate: A\_\_\_\_\_ or B\_\_\_\_\_

Documentation:

#14 Is the project within a "non-attainment" area and not in conformance with the State Implementation Plan for clean air? Indicate: A\_\_\_\_\_ or B\_\_\_\_\_

Documentation:

#15 Is the project located in a neighborhood which suffers from adverse human health or environmental conditions?

Indicate: A\_\_\_\_\_ or B\_\_\_\_\_

Documentation:

#16: Does the recipient propose: (i) acquisition of land for development of more than four housing units on any one site or five or more units of housing, where the housing sites are 2,000 feet or less apart; (ii) infrastructure; (iii) new construction other than for residential activities excluded under §50.20(a)(3); (iv) major rehabilitation of existing structures in accordance with §50.20(a)(2) that involves any of the following conditions: (a) in the case of residential buildings, an increase in the unit density of more than 20 percent; (b) changes in land use (from non-residential to residential or from residential to non-residential); or (c) estimated cost of rehabilitation that is 75 percent or more of the total estimated cost of replacement after rehabilitation; or (v) any other activity not categorically excluded under §50.20(a)?

Indicate: Yes\_\_\_\_\_ or No\_\_\_\_\_. If the answer is "yes," indicate which of the above activities (i), (ii), (iii), (iv) and/or (v) is proposed.

Documentation: For compliance with the National Environmental Policy Act, report data needed for HUD's preparation of the environmental assessment. Submit data on separate sheets. Indicate any potential impacts of the proposed project on the surrounding area as well as the potential impact of the surrounding area on the proposed project. Identify any adverse and beneficial impacts in terms of:

- (1) Unique natural features and areas
- (2) Site suitability, access, and compatibility with surrounding development
- (3) Soil stability, erosion, and drainage
- (4) Hazards and nuisances (both natural and built)
- (5) Water supply/sanitary sewers
- (6) Solid waste disposal
- (7) Schools, parks, recreation, and social services
- (8) Emergency health care, fire and police services
- (9) Commercial/retail and transportation
- (10) Other: (i) project's conformance with the locality's or tribal community's comprehensive plans and zoning; (ii) proposed displacement of residents or structures by the project; and (iii) energy conservation measures proposed for the project.

## PAPERWORK REDUCTION ACT

Neighborhood  
Initiative  
Grants

U.S. Department of Housing  
and Urban Development  
Office of Community Planning  
and Development

OMB Approval No. 2506-0153  
(exp. 2011)

Public Reporting Burden for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Response to this collection of information is mandatory to obtain a benefit. The information requested does not lend itself to confidentiality. HUD may not conduct or sponsor, and an applicant is not required to respond to a collection of information unless it displays a currently valid OMB control number.