

All projects will need to submit this form with their ERR to IEDA prior to a release of funds being issued.

Use this worksheet for projects listed under 24 CFR §58.35 (a) categorically Excluded subject to 58.5
and for projects under 24 CFR §58.35 (b) Not subject to 58.5



24 CFR 58.6 Requirements Form

Great Plains Regional Office – Region VII

400 State Avenue, Room 200
Kansas City, KS 66101-2406

PROJECT NAME: Earlham Housing Sustainability Program (rehabilitation of owner-occupied homes)

Contract Number #: 16-HSG-019 Retain this form in the ERR of the subject project.

1. AIRPORT RUNWAY PROTECTION ZONE / CLEAR ZONE NOTIFICATION

[24 C.F.R. Part 51.303(a)(3)]

Does the project involve the sale or acquisition of property located within a Civil Airport's Runway Protection Zone or a Military Airfield's Clear Zone?

No. Cite or attach Source Document: Map Attached – No airports in or near the project area
(Project complies with 24 CFR 51.303(a)(3).)

Yes. **Notice must be provided to buyer.** The notice must advise the buyer that the property is in a Runway Protection Zone or Clear Zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information, and a copy of the signed notice must be maintained in this ERR.

2. COASTAL BARRIERS RESOURCES ACT

[Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3501)]

Is the project located in a coastal barrier resource area?

No. Cite or attach Source Document: No CBRA in MO/KS/NE/IA <https://coast.noaa.gov/czm/mystate/>
(Proceed with project.)

Yes. Federal assistance may not be used in such an area.

3. FLOOD DISASTER PROTECTION ACT

[Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001-4128)]

Does the project involve acquisition, construction or rehabilitation of structures located in a FEMA-identified Special Flood Hazard Area?

No. Cite or attach Source Document: No FEMA Flood Hazard Areas in project area – no FIRM in place
(Proceed with project.)

Yes. Cite or attach Source Document: _____

Is the community participating in the National Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?

Yes. **Flood Insurance under the National Flood Insurance Program must be obtained.** If HUD assistance is provided as a grant, insurance must be maintained for the economic life of the project and in the amount of the total project cost (or up to the maximum allowable coverage, whichever is less). If HUD assistance is provided as a loan, insurance must be maintained for the term of the loan and in the amount of the loan (or up to maximum allowable coverage, whichever is less). A copy of the flood insurance policy declaration must be kept on file in the ERR.

No. **Federal assistance may not be used in the Special Flood Hazards Area.**

Responsible Entity Official: Signature / Name / Title /Date

Use this worksheet for projects listed under 24 CFR §58.35 (a) Categorically Excluded subject to 58.5

Statutory Checklist

24 CFR §58.5 – NEPA related federal statues and authorities

Recipient Name: City of Earlham

CDBG Contract Number: Not yet determined

An “**ERR Determination**” form should be provided as a cover to this checklist.

This checklist is a component of the Environmental Review Record (ERR) [§58.38]. Supplement the ERR, as appropriate, with photographs, site plans, maps, narrative and other information that describe the project.

DIRECTIONS – For each authority, check one of the appropriate boxes under “Status.”

“**A box**” The project is in compliance, either because: (1) the nature of the project does not implicate the authority under consideration, or (2) supporting information documents that project compliance has been achieved. In either case, information must be provided as to **WHY the authority is not implicated, or HOW compliance is met**; *OR*

“**B box**” The project requires an additional compliance step or action, including but not limited to consultation with or approval from an oversight agency, performance of a study or analysis, completion of remediation or mitigation measure, or obtaining of license or permit.

IMPORTANT: Compliance documentation consists of verifiable source documents and/or relevant base data. Appropriate documentation must be provided for each law or authority. Documents may be incorporated by reference into the ERR provided that each source document is identified and available for inspection by interested parties. Proprietary material and studies that are not otherwise generally available for public review shall be included in the ERR. Refer to HUD guidance for more information.

Statute, Authority, Executive Order, Regulation or Policy cited at 24 CFR §58.5	STATUS		Compliance Documentation
	A	B	
1. Air Quality [Clean Air Act sections 176(c) & (d), and 40 CFR 6, 51, 93]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project is NOT located in an EPA-designated non-attainment area or maintenance area for one or more of six “criteria pollutants,” called National Ambient Air Quality Standards (NAAQS). Map documentation included in Appendix A and can be found at https://www3.epa.gov/airquality/greenbook/
2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project is NOT located within 2,500 feet of the end of a civil airport runway or 15,000 feet of the end of a military airfield runway. HUD policy is to promote compatible land uses in the RCZ/CZ/APZ. See Appendix B for a DOT map of airports, showing the closest airport to the project area (Winterset Airport) is a limited use facility and located approximately 10 miles from Earlham. The airport will not affect the project by nature.
3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No coastal zone management programs exist in the states of HUD Region VII (which includes Iowa), as established by Nat’l Oceanic & Atmospheric Administration, Office https://coast.noaa.gov/czm/mystate/
4. Contamination and Toxic Substances [24 CFR 58.5(i)(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project location will not be affected by any contaminated or Toxic substances. A field inspection, land use search, and review of environmental compliance were conducted using the All sites in proximity were in compliance. EPA EnviroMapper: http://www.epa.gov/emefdata/em4ef.home . All sites in proximity were in compliance. IDNR contaminated sites database also searched:

		<p>https://programs.iowadnr.gov/contaminatedsites/pages/search.aspx No sites were discovered in vicinity of the project location and no tanks were registered on the site. IDNR storage tank database was searched:</p> <p>https://programs.iowadnr.gov/tanks/pages/advanced.aspx. No leaking sites were discovered in vicinity of the project location and no tanks were registered on the site.</p> <p>Once houses are identified projects will be tested for radon. Once houses are identified all lead regulations will be followed.</p> <p>Single family housing exempt from assessing asbestos.</p> <p>www.epa.gov/emefdata/em4ef.home or http://programs.iowadnr.gov/contaminatedsites/ See Appendix C. No sites were discovered in vicinity of the target area.</p> <p>The IDNR storage tank database was searched: https://programs.iowadnr.gov/tanks/pages/advanced.aspx Several leaking sites are identified. The existing homes will not be affected by underground storage tanks, as long as the City's water supply is protected through the implementation of regulations already in place.</p> <p>Once houses are identified projects will be tested for radon. Once houses are identified all lead regulations will be followed. Single family housing exempt from assessing asbestos.</p>
5. Endangered Species [50 CFR 402]	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>Project will not affect any Federally listed endangered or threatened species or its habitat because the project location does not have habitat suitable for the listed species. Species list and habitat information can be found for Ringgold County at: www.fws.gov/Midwest/Endangered/lists/iowa_cty.html. A list of species in the project county is found in Appendix D.</p>
6. Environmental Justice [Executive Order 12898]	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>Project site or neighborhood does not suffer from adverse health or environmental effects which disproportionately impact a minority or low-income population relative to the community at large. Project will assist low- and moderate-income persons have a better life. See Census statistics in Appendix E, obtained from http://factfinder2.census.gov.</p>
7. Explosive and Flammable Operations [24 CFR 51C]	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The project is not an applicable activity. Therefore, a visual search of the area around the project was not conducted to determine if explosive or flammable operations were present.</p>
8. Farmland Protection [7 CFR 658]	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>Project is owner-occupied minor rehabilitation without an increase in unit density. No conversion of farmland will occur. Therefore, this activity is exempt from review under this regulation. The project area is already committed to and used for urban development. See the USGS map from the ISU GIS Server (http://ortho.gis.iastate.edu) in Appendix F that shows the area of the project as urban.</p>
9. Floodplain Management [24 CFR 55, Executive Order 11988]	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The project is NOT located fully or in part in a 100 or 500-year floodplain. The area has been mapped by FEMA with map panel #: 19159C0251B and 19159C0253B. In Appendix G are the two panels from https://msc.fema.gov/portal/.</p>
10. Historic Preservation [36 CFR 800]	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>According to the Programmatic Agreement, CDBG recipients are to consult with IEDA's Section 106 Coordinator instead of the SHPO. Each house/building as it is identified will be submitted to the IEDA Section 106 Coordinator for section 106 consultation. No rehabilitation will occur on the house/building prior to conclusion of this consultation. Due to the nature of the activity, the Tribes were not consulted. The "when to consult tribes" memo are located in Appendix H.</p>
11. Noise Control [24 CFR 51B]	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The project is not within 1,000 feet of a major/busy road. P57/North Chestnut Street is the busiest road near the project, but it does not have heavy traffic (AADT on P57/North Chestnut in the target area is 1,990</p>

		<p>vehicles per day). The project is not within 15 miles of an airport. The nearest airport is a limited use facility near Winterset 10 miles away. The project target area is located within 3,000 feet of the Iowa Interstate Railroad line. Once each house is identified a noise level will be calculated using the HUD online DNL calculator: http://www.hud.gov/offices/cpd/environment/dnlcalculator.cfm</p> <p>If the noise level is outside of the acceptable range of 65 decibels mitigation will be considered.</p>
12. Water Quality (Sole Source Aquifers) [40 CFR 149]	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The project is NOT located within an area of an EPA-designated sole source aquifer. Map found in Appendix I and here: www.epa.gov/safewater/sourcewater/pubs/grg_ssamap_reg7.pdf.</p>
13. Wetland Protection [24 CFR 55, Executive Order 11990]	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>Project is owner-occupied minor rehabilitation and the footprint of the house will not be expanded. Since no new construction will occur, this activity will not have an impact on wetlands. Map found in Appendix J and here: http://www.fws.gov/wetlands/data/Mapper.html Although some small wetlands are in the overall project area, none of the project activities will affected them.</p>
14. Wild and Scenic Rivers [36 CFR 297]	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>Project is owner-occupied minor rehabilitation and the footprint or vertical dimensions of the house will not be expanded. Since no new construction will occur, this activity will not have an impact on wild and scenic rivers. Iowa does not have any designated rivers, but does have 1 study river (1972: upper Iowa: 80 miles. Preservation by state recommended) and 7 potential rivers listed in the NRI (Sections of the Boone River, Cedar River, Maquoketa, Middle Racoon River, Turkey River, Upper Iowa River, Wapsipinicon, Yellow River).</p> <p>Information is in Appendix K and at http://www.nps.gov/ncrc/programs/rtca/nri/states/ia.html</p>

DETERMINATION (check one):

COMPLIANCE IS MET. The project is in compliance with aforementioned authorities and regulations, as documented above.

ACTION REQUIRED. The project will be compliant with the aforementioned authorities and regulations, provided further action is taken. The action is a condition of the environmental review and is described below. (An additional compliance action may include obtaining a license or permit from a state, federal, or local agency, or completing a certain remediation or mitigation measure.)

Required Condition(s):

Radon, Section 106, and Noise

PREPARER

PREPARER SIGNATURE: _____ DATE: 9/8/16

PREPARER NAME & TITLE: Becky Nardy, Transportation/Planner, SICOG _____

RESPONSIBLE ENTITY APPROVING OFFICIAL

SIGNATURE: _____ DATE: 9/12/16

APPROVING OFFICIAL NAME & TITLE: Jeff Lillie, Mayor _____

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

Date of Publication: *September 21, 2016*

*City of Earlham
140 S. Chestnut Avenue, PO Box 518
Earlham, IA 50072
515-758-2281*

On or after *September 29, 2016* the *City of Earlham* will submit a request to the State of Iowa, Iowa Economic Development Authority for the release of Community Development Block Grant funds under Title 1 of the HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 as amended (P.L. 97-35), to undertake the following project:

Project Title: *Earlham Owner-Occupied Housing Rehabilitation Project (Sustainability)*

Purpose: *This project involves rehabilitation of five homes in western Earlham*

Location: *Western Earlham at scattered sites, not yet identified*

Estimated Cost: *Estimated total cost \$230,000 with estimated HUD funding of \$207,500*

The activities proposed: *are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements.* An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at *the City of Earlham City Hall, 140 S. Chestnut Avenue, Earlham, Iowa 50072 from 7 A.M. to 3:30 P.M. Monday-Friday or Southern Iowa Council of Governments, 101 East Montgomery Street, Creston, Iowa 50801 from 8 A.M. to 5 PM Monday-Friday and may be examined or copied during the above times.*

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the *Earlham City Hall at 140 S. Chestnut Avenue, Earlham, Iowa 50072.* All comments received by *September 28, 2016* will be considered by the *City of Earlham* prior to authorizing submission of a request for release of funds.

RELEASE OF FUNDS

The *City of Earlham* certifies to the Iowa Economic Development Authority that *Jeff Lillie* in *his* capacity as *Mayor* consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. The Iowa Economic Development Authority approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the *City of Earlham* to use HUD program funds.

OBJECTIONS TO RELEASE OF FUNDS

The Iowa Economic Development Authority will accept objections to its release of funds and the *City of Earlham's* certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the *City of Earlham*; (b) the *City of Earlham* has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by the Iowa Economic Development Authority; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Iowa Economic Development Authority at 200 East Grand Avenue, Des Moines, IA 50309. Potential objectors should contact the Iowa Economic Development Authority to verify the actual last day of the objection period.

Jeff Lillie, Mayor
