



**U.S. Department of Housing and  
Urban Development**  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)  
[espanol.hud.gov](http://espanol.hud.gov)

**Environmental Review for Activity/Project that is  
Categorically Excluded Subject to Section 58.5  
Pursuant to 24 CFR 58.35(a)**

**This is a suggested format that may be used by Responsible Entities to document completion of a  
Categorically Excluded Subject to Section 58.5 environmental review.**

**Project Information**

**Project Name:**

**Responsible Entity:**

**Grant Recipient** (if different than Responsible Entity):

**State/Local Identifier:**

**Preparer:**

**Certifying Officer Name and Title:**

**Grant Recipient** (if different than Responsible Entity):

**Consultant** (if applicable):

**Direct Comments to:**

**Project Location:**

**Description of the Proposed Project** [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

**Level of Environmental Review Determination:**

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:

**Funding Information**

| <b>Grant Number</b> | <b>HUD Program</b> | <b>Funding Amount</b> |
|---------------------|--------------------|-----------------------|
|                     |                    |                       |
|                     |                    |                       |

**Estimated Total HUD Funded Amount:**

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:**

**Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

| <b>Compliance Factors:</b><br>Statutes, Executive Orders,<br>and Regulations listed at 24<br>CFR §58.5 and §58.6  | Are formal<br>compliance<br>steps or<br>mitigation<br>required? | Compliance determinations |
|---|---|---------------------------|
| <b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.6</b>   |   |                           |
| <b>Airport Hazards</b><br>24 CFR Part 51 Subpart D  | Yes    No<br><input type="checkbox"/> <input type="checkbox"/>  |                           |
| <b>Coastal Barrier Resources</b><br>Coastal Barrier Resources Act, as<br>amended by the Coastal Barrier<br>Improvement Act of 1990 [16<br>USC 3501]             | Yes    No<br><input type="checkbox"/> <input type="checkbox"/>  |                           |
| <b>Flood Insurance</b><br>Flood Disaster Protection Act of<br>1973 and National Flood<br>Insurance Reform Act of 1994<br>[42 USC 4001-4128 and 42 USC<br>5154a] | Yes    No<br><input type="checkbox"/> <input type="checkbox"/>  |                           |

**STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5**

|  |  |  |
|--|--|--|
| <p><b>Clean Air</b><br/>Clean Air Act, as amended,<br/>particularly section 176(c) &amp; (d);<br/>40 CFR Parts 6, 51, 93</p>                                   | <p>Yes    No<br/><input type="checkbox"/>   <input type="checkbox"/></p> |  |
| <p><b>Coastal Zone Management</b><br/>Coastal Zone Management Act,<br/>sections 307(c) &amp; (d)</p>   | <p>Yes    No<br/><input type="checkbox"/>   <input type="checkbox"/></p> |  |
| <p><b>Contamination and Toxic Substances</b><br/>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</p>  | <p>Yes    No<br/><input type="checkbox"/>   <input type="checkbox"/></p> |  |
| <p><b>Endangered Species</b><br/>Endangered Species Act of 1973,<br/>particularly section 7; 50 CFR<br/>Part 402</p>   | <p>Yes    No<br/><input type="checkbox"/>   <input type="checkbox"/></p> |  |
| <p><b>Explosive and Flammable Hazards</b><br/>24 CFR Part 51 Subpart C</p>   | <p>Yes    No<br/><input type="checkbox"/>   <input type="checkbox"/></p> |  |
| <p><b>Farmlands Protection</b><br/>Farmland Protection Policy Act<br/>of 1981, particularly sections<br/>1504(b) and 1541; 7 CFR Part<br/>658</p>              | <p>Yes    No<br/><input type="checkbox"/>   <input type="checkbox"/></p> |  |
| <p><b>Floodplain Management</b><br/>Executive Order 11988,<br/>particularly section 2(a); 24 CFR<br/>Part 55</p>   | <p>Yes    No<br/><input type="checkbox"/>   <input type="checkbox"/></p> |  |
| <p><b>Historic Preservation</b><br/>National Historic Preservation<br/>Act of 1966, particularly sections<br/>106 and 110; 36 CFR Part 800</p>                 | <p>Yes    No<br/><input type="checkbox"/>   <input type="checkbox"/></p> |  |
| <p><b>Noise Abatement and Control</b><br/>Noise Control Act of 1972, as<br/>amended by the Quiet<br/>Communities Act of 1978; 24<br/>CFR Part 51 Subpart B</p> | <p>Yes    No<br/><input type="checkbox"/>   <input type="checkbox"/></p> |  |

|   |                                 |                                |  |
|---|---------------------------------|--------------------------------|--|
| <b>Sole Source Aquifers</b><br>Safe Drinking Water Act of 1974,<br>as amended, particularly section<br>1424(e); 40 CFR Part 149 | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |  |
| <b>Wetlands Protection</b><br>Executive Order 11990,<br>particularly sections 2 and 5   | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |  |
| <b>Wild and Scenic Rivers</b><br>Wild and Scenic Rivers Act of<br>1968, particularly section 7(b)<br>and (c)                    | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |  |
| <b>ENVIRONMENTAL JUSTICE</b>  |                                 |                                |  |
| <b>Environmental Justice</b><br>Executive Order 12898   | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |  |

**Field Inspection** (Date and completed by):

**Summary of Findings and Conclusions:**

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

| <b>Law, Authority, or Factor</b> | <b>Mitigation Measure</b> |
|----------------------------------|---------------------------|
|                                  |                           |
|                                  |                           |
|                                  |                           |
|                                  |                           |

**Determination:**

- This categorically excluded activity/project converts to Exempt, per 58.34(a)(12) because there are no circumstances which require compliance with any of the federal laws and authorities cited at §58.5. **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR
- This categorically excluded activity/project cannot convert to Exempt because there are circumstances which require compliance with one or more federal laws and authorities cited at §58.5. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain “Authority to Use Grant Funds”** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
- This project is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title/Organization: \_\_\_\_\_

Responsible Entity Agency Official Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title: \_\_\_\_\_

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).