

**STEPS FOR DEVELOPING AN
Unspecified Site Strategy for Housing Related Activities**
as identified in 24 CFR Part 58.35(a)
Updated March 2010



Project Identification:

Neighborhood Stabilization Program 3 (Scattered Sites)
Contract Number: 12DB-Q5-04-64-01-F06

Preparer:

J. Corbett Alday, VP, COO, Guardian CRM, INC.
Typed Name and Title

Responsible Entity:

Putnam County, Florida
Name of Local Government

Month/Year:

January 2013

**STEPS FOR DEVELOPING AN
Unspecified Site Strategy for Housing Related Activities
Subject to 24 CFR Part 58.35(a)**

- Step 1. Describe the project in writing listing all related housing activities. List all funding sources and the approximate amount of funding. Include maps and other information to define the covered functional or geographic area. Depending on how your community allocates funds, the geographic area may be city-wide or by target areas. Use the consolidated plan (currently covers 2005-2010) to indicate the number of years that you plan to carry out the activities specified. (Refer to 24 CFR Part 58.32 on Project Aggregation and 24 CFR Part 58.38 (a) on the Environmental Review Record (ERR) requirements.)
- Step 2. Determine the Level of Review required by reviewing the activities listed in the project description and make a written determination certifying that the project is Categorical Exclusion using the form titled "Certification of Categorical Exclusion Subject to 58.5". Only activities listed at 24 CFR Part 58.35 (a)(3), (4), (5), or (6) should be included. The type of activities may include various "eligible housing activity classifications" under the listed HUD Programs.
- Step 3. Conduct the "Broad Review" of environmental impacts on the overall project or service area. A project is a group of related activities (24 CFR Part 58.2(a)(1), which can be functionally (all single family actions) or geographically related (the unincorporated areas of a region). Address as many of the compliance factors and provide documentation on the Laws and Authorities on HUD's Statutory Worksheet (24 CFR Part 58.5 and 6). Place the Statutory Worksheet and all related documentation supporting your determinations in the ERR (24 CFR Part 58.38(a)(3). Be sure to include all map documentation and use the acceptable floodplain map if applicable. For items that need more specific site information, indicate "see the Written Strategy" in the documentation section of the Statutory Worksheet.
- Example: For properties over 50 years old, you would need to contact SHPO and the documentation submitted with the ERR. Once compliance is documented, no further action is required for the compliance factor.
- Step 4. Develop a "Written Strategy" for addressing the compliance factors that could not be addressed for the entire functional or geographic area. This document is written so that it explains how each compliance factor will be complied with as each site is identified. (Example strategies provided: The Written Strategy must be modified for local conditions.)
- Step 5. Based on the information in the Written Strategy, develop a "Site Specific Review Checklist" which will be used to evaluate the individual sites and contains only the items that could not be documented in compliance during the "Broad Review". Make it very specific and user friendly so that staff without specific environmental knowledge can observe conditions at the site and provide information to the individual who will conduct the technical analysis, if required. Please note that when the rehab costs meet or exceed 50% of the market value of the structure, a Statutory Worksheet (with supporting documentation) must be completed for each unit.
- Step 6. Publish or post the Notice of Intent to Request Release of Funds (NOI/RROF). In the NOI/RROF, indicate that the project is for multiple years, the funding sources with approximate amount if funding, the geographic or functional area and the activities covered. Upon conclusion of the waiting period, sign, date and submit the Request for Release of Funds (RROF) (7015.15) to the Department. Do not commit funds until an Authority to Use Grant Funds (ROF) (7015.16) is issued from the Department. Submit the original documentation in Steps 1-6 to the Department of Community Affairs.
- Step 7. Proceed with mitigation of the project. If any of the laws and authorities are triggered, those issues must be addressed. Upon receipt or notification of the ROF, implement the Written Strategy by conducting the "Site Specific Review" as sites are identified. Do not commit funds for a site until the site specific review is complete, documentation is attached, and the form is signed and dated.
- Step 8. Place the site specific checklist and supporting documentation in the ERR, and submit a copy to the Department. Continue to implement the strategy for all activities that are included in the project description.

Step 9. Repeat these steps at the end of the project period as described or if environmental conditions change (24 CFR Part 58.47).

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Step 1
Unspecified Site Strategy
The Project Description

Describe the service area and or geographic area, include maps, if necessary.

The general area is described as Putnam County, FL.

Putnam County was created in 1849. It was Florida's 28th County created from sections of St. Johns, Alachua, Orange, Duval, and Marion counties. The County was named for Benjamin A. Putnam, who was a soldier in the First Seminole War, a lawyer, Florida legislator, and the first president of the Florida Historic Society. The entire County makes up the [Palatka Metropolitan Statistical Area](#) (MSA). The County has a total area of 827.16 square miles (2,142.3 km²), of which 721.89 square miles (1,869.7 km²) (or 87.27%) is land and 105.27 square miles (272.6 km²) (or 12.73%) is water.

The County received notice on January 17, 2013 from the Florida Department of Economic Opportunity that two of the new Areas of Greatest Need (AGN's) that were requested in Modification 2, dated October 23, 2012 were approved by U.S. Department of Housing and Urban Development. See the attached maps for the City of Palatka AGN and the Satsuma area AGN. The maps indicate that areas of water are included in the AGN's. No activity is planned in areas of water. This Unspecified Site Strategy for Housing Related Activities is being reviewed and revised to include those two (2) areas.

List housing related activities.

The County plans to use the funds for the acquisition and rehabilitation of eligible foreclosed properties to rent to qualified households. As per HUD and State requirements, 25% of the funds (\$276,611.00) will be set aside to purchase properties and rent them to households whose incomes are not more than fifty percent (50%) of the Area Median Income (AMI). It is estimated that this will address seven (7) or more properties. The remaining funds (\$683,204.00), except for Program Administration, will be used to purchase properties and rent them to households whose incomes are between 51% and 120% of AMI. It is estimated that this would address five (5) or more properties.

List funding sources and projected dollar amount for the project period.

Neighborhood Stabilization funds \$959,815.00 (minimum of 25% for VLI housing)

List number of years this strategy covers.

2 years

Step 2
Determine the "Level of Review"
CERTIFICATION OF CATEGORICAL EXCLUSION (subject to 58.5)
Per 24 CFR 58.35 (a)

Contract Number: 12DB-Q5-04-64-01-F06
Housing Related Activities Unspecified Site Strategy

I hereby certify that the following activities comprising the **Putnam County Neighborhood Stabilization Program 3 Housing Grant** have been reviewed and determined Categorical Excluded Activity per 24 CFR 58.35 (a) as follows:

(1) Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20% (e.g. replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).

(2) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons.

(3) Rehabilitation of buildings and improvements when the following conditions are met:

(i) In the case of a building for residential use (with one to four units) the density is not increased beyond four units, the land use is not changed, and the footprint of the building is not increased in a floodplain or in a wetland;

(ii) In the case of multifamily residential buildings:

(A) Unit density is not changed more than 20%;

(B) The project does not involve changes in land use from residential to non-residential; and

(C) The estimated cost of rehabilitation is less than 75% of the total estimated cost of replacement after rehabilitation.

(iii) In the case of non-residential structures, including commercial, industrial, and public buildings:

(A) The facilities and improvements are in place and will not be changed in size or capacity by more than 20%; and

(B) The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.

(4) **An individual action on a one-to-four family dwelling or an individual action on a project of five or more units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four units on any one site.**

(5) Acquisition or disposition of an existing structure or acquisition of vacant land provided that the structure or land acquired or disposed of will be retained on any one site.

(6) Combination of the above activities.

Responsible Entity Certifying Official Signature:

Signature _____ Date _____

Printed Name **Rick Leary** Title **County Administrator**

Step 3
Unspecified Site Strategy Process
Conduct the "Broad Review" Using the Statutory Worksheet

Tiering, or Unspecified Site Strategy, as it is sometimes called, should be used for projects when sites have not been identified. The Tiered review allows the Responsible Entity (RE) to review broad environmental impacts at the early stage of the project and the site-specific impacts when the sites are identified. It also allows the RE to obtain a release of funds for a particular project and timeframe prior to identification of the individual sites. (24 CFR Part 58.15)

To begin the environmental review for a project where the sites are not yet known, the "level of review" must be determined by completing the Statutory Worksheet. Each compliance factor should be evaluated. The compliance factors that can be documented not to occur in the service area or project area should be eliminated when developing the site-specific strategy and checklist. For example, since Coastal Zones do not occur in Macon, Georgia; the Coastal Zone element for Macon, GA can be determined to have "no effect", and the documentation for that determination submitted with the Environmental Review Record to the Department of Community Affairs. Please note: Each community has different physical, environmental and geographic conditions and your documentation may be different from this example. Refer to 24 CFR 58.38 (a) and (b).

The site-specific review checklist (of the now identified sites) must be completed for each site and should contain all elements that were not documented to be in compliance at the broad level of the review (statutory worksheet).

STATUTORY WORKSHEET
24 CFR §58.5 STATUTES, EXECUTIVE ORDERS & REGULATIONS

Use this worksheet only for projects that are **Categorically Excluded** per 24 CFR § 58.35(a).

NOTE: Compliance with the laws and statutes listed at 24 CFR §58.6 must also be documented.

PROJECT NAME and DESCRIPTION - Include all contemplated actions that logically are either geographically or functionally part of the project: **Putnam County Neighborhood Stabilization Program 3 Housing Grant.**

The County plans to use the funds for the acquisition and rehabilitation of eligible foreclosed properties to rent to qualified households. As per HUD and State requirements, twenty-five percent (25%) of the funds (\$276,611.00) will be set aside to purchase properties and rent them to households whose incomes are not more than fifty percent (50%) of the Area Median Income (AMI). It is estimated that this will address two (2) or more properties. The remaining funds (\$683,204.00), except for Program Administration, will be used to purchase properties and rent them to households whose incomes are between 51% and 120% of AMI. It is estimated that this would address five (5) or more properties.

This proposal is determined to be **Categorically Excluded** according to: **24 CFR 58.35 (A)**

DIRECTIONS - Write "A" in the Status Column when the proposal, by its scope and nature, does not affect the resources under consideration; or write "B" if the project triggers formal compliance consultation procedures with the oversight agency, or requires mitigation (see Statutory Worksheet Instructions). Compliance documentation must contain verifiable source documents and relevant base data.

Compliance Factors:

STATUTES, EXECUTIVE ORDERS AND REGULATIONS LISTED AT 24 CFR §58.5	A/B	COMPLIANCE DETERMINATION AND DOCUMENTATION
<p>HISTORIC PRESERVATION 36 CFR PART 800</p>	A	Unspecified Site Strategy below.
<p>FLOODPLAIN MANAGEMENT 24 CFR §55 & EXECUTIVE ORDER 11988</p>	A	Unspecified Site Strategy below. It might also be noted that some of the boundary for the Palatka map extends into the St. John's River. There will be no activity in the St. John's River.
<p>WETLAND PROTECTION EXECUTIVE ORDER 11990</p>	A	Unspecified Site Strategy below.
<p>COASTAL ZONE MANAGEMENT ACT SECTIONS 307(c) & (d)</p>	A	Coastal Zone Compliance has been documented by a Clearinghouse and Planning Council letter. The activity is compliant and exempt. No new development will be addressed.
<p>SOLE SOURCE AQUIFERS 40 CFR 149</p>	A	Most of the new Satsuma Area of Greatest Need does lie within the Volusia Sole Source Aquifer. The activity is housing rehab work that will occur on existing, developed, single family housing sites only. The footprint will not be expanded. There will be no impact on the aquifer. Map attached. http://epa.gov/region4/water/groundwater/r4ssa.html#s_hills
<p>ENDANGERED SPECIES ACT 50 CFR 402</p>	A	Work will occur on existing developed, single-family residential sites only. No endangered species. Pre construction pictures will be taken of each site.
<p>WILD AND SCENIC RIVERS ACT SECTIONS 7(b) & (c)</p>	A	There are only two in Florida; neither in the area of the work. See http://www.floridaconservation.org/fishing/reg-map.html
<p>CLEAN AIR ACT SECTIONS 176(c)(d) & 40 CFR 6, 51, 93</p>	A	No new development. http://www.floridaconservation.org/fishing/reg-map.html
<p>FARMLAND PROTECTION POLICY ACT 7 CFR 658</p>	A	Work will occur on existing developed, single family residential sites only. No farmland will be affected. Pre construction pictures will be taken of each site.
<p>ENVIRONMENTAL JUSTICE EXECUTIVE ORDER 12898</p>	A	Work will occur on existing developed, single family residential sites only. No off site impacts.
<p>NOISE ABATEMENT & CONTROL 24 CFR §51B</p>	A	There will be no new projects exposing more persons to potential hazards. All units will be single family rehabilitation or 1-for-1 replacement on site.
<p>EXPLOSIVE & FLAMMABLE OPERATIONS 24 CFR §51C</p>	A	Unspecified Site Strategy Below.
<p>HAZARDOUS, TOXIC OR RADIOACTIVE MATERIALS & SUBSTANCES</p>	A	Unspecified Site Strategy Below.
<p>AIRPORT CLEAR ZONES & ACCIDENT POTENTIAL ZONES 24 CFR 51D</p>		Unspecified Site Strategy Below.

Other Factors	A/B	Source or Documentation
Flood Disaster Protection Act [Flood Insurance - §58.6(a)]	A	Flood Insurance is required for any units within the 100 year flood plain.
Coastal Barrier Resources Act [Coastal Barrier Improvement Act - §58.6(c)]	A	Not in the project area. Will not be addressed with Federal funds.
Airport Runway Clear Zone or Clear Zone Disclosure [§58.6(d)]	A	Airport, Regional Planning Agency, County Planning and Homeowner will be Notified. Any comments will be addressed.

Determination:

- This project converts to Exempt, per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license (Status "A" has been determined in the status column for all authorities); **Funds may be committed and drawn down** for this (now) EXEMPT project; **or**
- This project cannot convert to exempt status because one or more statutes or authorities require formal consultation or mitigation. 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 funds; **or**
- The unusual circumstances of this project may/will result in a significant environmental impact. This project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

 PREPARER SIGNATURE

J. Corbett Alday III, VP/COO, Guardian CRM, Inc.
 PREPARER NAME & TITLE

 DATE

 RESPONSIBLE ENTITY AGENCY OFFICIAL SIGNATURE

Rick Leary, County Administrator
 NAME & TITLE:

 DATE

Step 4
Unspecified Site Strategy Process
“The Written Strategy”
EXAMPLE

Instructions for Step 4 and Step 5

After you have completed the Statutory Worksheet, which is considered the broad review of the entire jurisdiction, you may find that some of the environmental factors do not apply. (For example, the jurisdiction may not contain any floodplains or wetlands.) If factors are identified that do not apply anywhere in the jurisdiction, your site strategy and site specific checklist will not need to reflect that factor. The site specific review must be used ONLY for activities described in the attached project description.

The Site Specific Review Checklist should only reflect environmental factors that could not be eliminated during the broad review and should be completed for each unit addressed. It is not necessary to complete the Statutory Worksheet for each unit if you conduct an unspecified site review and use the Statutory Worksheet during your broad review.

Please remember that all checklists and other documents related to the environmental review process must be contained in the Environmental Review Record (ERR). The grant manager will monitor the project on-site to ensure that a checklist was prepared for each unit before funds were expended on that unit for rehab costs. The grant manager will also monitor mitigation activities (SHPO coordination, flood insurance, acknowledgement by home owner/occupant that unit is located within a clear zone, etc.). Should the grant manager discover that the process has not been fully carried out, a finding will be made and funds may have to be returned to the department.

Step 4

Unspecified Site Strategy Process
“The Written Strategy”
EXAMPLE

This written strategy describes the method for the phased environmental review of housing related activities as described in the project description. The sites will be evaluated using the site specific review checklist. All documentation for the compliance factors included in the site specific review must be completed prior to committing funds for the individual sites.

1. Flood Plain Management

In response to Executive Order 11988, Floodplain Management as interpreted in HUD regulations at 24 CFR Part 55, and the Flood Disaster Act of 1973. Each site will be reviewed to determine if the site is in the 100 year flood plain. For activities not excluded at 24 CFR Part 55.12 the “Eight Step Decision” making process will be conducted to determine if there is an alternative to funding the project in the flood plain. If there is no alternative to funding the site in the floodplain mitigating measures will be developed to minimize the effect. All actions located in the flood plain require Flood Insurance as a condition to funding.

2. Historic Preservation

The National Historic Preservation Act of 1966, as amended, particularly Section 106 and Section 100, mandate that agencies with jurisdiction over Federal assisted, licensed or approved activities afford the Advisory Council on Historic Preservation and the State Historic Preservation Officer’s reasonable opportunity to comment on the project’s impact to historic properties. All projects that have the potential to effect a historic property will be submitted to the State Historic Preservation Office for comment.

3. Hazardous Operations

Noise and Hazardous Operations

For new construction projects or projects that increase the number of persons exposed to hazards. The Noise study and the hazard study will be conducted as required at 24 CFR Part 51.

Toxics

Each site will be observed for evidence to contamination to soil or water. Information about prior uses of the site will also be considered as required at 24 CFR Part 58.5(1).

Step 5

Sample Site Specific Review Checklist

This checklist is for categorically excluded activities as listed in the unspecified site strategy.

Address of Site _____
Signature of Person Who Inspected Site _____
Final Signature _____
Date of Completed Review _____

If there are more than 4 new construction units together, this form cannot be used. Refer to 24 CFR Part 58.35 (a)(4).

Develop the Site Specific Review checklist which contains only the items that could not document compliance on the Broad Review.

What is the estimated cost of rehabilitation or renovation? _____

Indicate the estimated value of the improvement(s)

- 0 to 39.9% of the market value of the structure
- 40 to 49.9% of the market value of the structure
- 50 to 74.9% of the market value of the structure *
- 75%+ (and above) of the market value of the structure *

Please note that when the rehab costs meet or exceed 50% of the market value of the structure, a Statutory Worksheet (with supporting documentation) must be completed for each unit.

1. Floodplain Management:

Check the Flood Insurance Rate Map (FIRM) to determine if the site is in the Floodplain (500 year for critical actions, 100 year for all other activities) _____ yes _____ no

If yes, and site involved new construction or major rehabilitation, the eight step decision making process is required as described at 24 CFR Part 55.20.

If no, attach a photocopy of the portion of the map that indicates your site is not in the Flood Plain.

2. Historic Preservation:

Is the structure on the site or structure adjacent to the site more than 50 years old?

_____ age of structure on your site _____ age of structure on adjacent sites
_____ yes, _____ no, OR

Is the site in a historic district?

_____ yes, _____ no, OR

If you are disturbing the soil, does your site have potential to contain archeological properties?
_____ yes, _____ nor, OR

If yes to any of the above, then contact State Historic Preservation Office (SHPO) to determine if the property is eligible for the National Register of Historic Places.

3. Hazardous Operations

a. Noise

For rehabilitation, consideration of noise is all that is required. If the rehabilitation involves activities that would potentially reduce noise (such as new windows or insulation) then consider modifying the activity to reduce noise.

For new construction:

Is there a Rail Road within 3,000 feet _____ yes, _____ no

Is there is Highway within 1,000 feet _____ yes, _____ no

Is there an Airport within 15 miles _____ yes, _____ no

(You may be able to address airport noise for the whole City and not have to on the site specific review)

The Noise policy does not apply to any action or emergency assistance for actions under Disaster Recovery grants as indicated at 24 CFR Part 51.101(a)(3).

If yes, conduct a Noise assessment according to the HUD Noise Guidebook.

If the noise exceeds acceptable levels reject the site or migrate to achieve acceptable or normally acceptable Noise levels.

If no, proceed with the project.

b. Hazardous Operations

For rehabilitation, determine the acceptable separation distance ONLY if increasing the number of individuals subjected to potential hazard.

For new construction, continue below:

Are there any above ground storage tanks of more than 100 gallons within 1 mile of the site that contain explosive or flammable liquids? _____ yes _____ no

If yes, refer to page 51 and 52 of HUD Hazard Guidebook. Collect information about the size, contents and determine if the tank is under pressure. **A site located at a distance less than the ACCEPTABLE SEPARATION DISTANCE should be rejected or mitigated.**

For example, if the separation distance is 150 feet, a site that is located at 125 feet should be rejected.

c. Toxics

Observe the site for any evidence that a toxic material could be present on the site such as: distressed vegetation, vent or fill pipes, storage tanks, pits, ponds or lagoons, stained soil or pavement, pungent, foul or noxious odors, or past uses of the site. _____ yes _____ no

Reject any site that has a presence of Toxics or require cleanup prior to purchasing the site.