**STATUTORY CHECKLIST**

**Use this worksheet only for projects that are CATEGORICALLY EXCLUDED SUBJECT TO (CEST) Related Federal Statutes and Authorities [24 CFR §58.35(a)]**

**GRANTEE:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ GRANT#\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

A “Determination of Level of Review” form should be provided as a cover to this checklist.

This checklist is a component of the Environmental Review Record (ERR) [§58.38]. In addition the “Requirements listed at 24 CFR §58.6” form must also be completed. Supplement the ERR, as appropriate, with photographs, site plans, maps, narrative and other information that describe the project.

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| **24 CFR §58.5 – NEPA-Related Federal Statutes and Authorities** | | | |
| **DIRECTIONS – For each authority, check either Box “A” or “B” 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**  **A B** | | **Compliance Documentation** |
| **1. Air Quality**  [Clean Air Act sections 176(c) & (d), and 40 CFR 6, 51, 93] |  |  |  |
| **2. Airport Hazards**  (Clear Zones and Accident Potential Zones) [24 CFR 51D] |  |  |  |
| **3. Coastal Zone Management**  [Coastal Zone Management Act sections 307(c) & (d)] |  |  | No coastal zone management programs exist in the States of HUD Region VII, as established by Nat’l Oceanic & Atmospheric Administration, Office of Ocean and Coastal Resource Management. No exhibit attached. Source: (http://www.ocrm.nos.noaa.gov/czm/czmsitelist.html) |
| **4. Contamination and Toxic Substances**  [24 CFR 58.5(i)(2)] |  |  |  |
| **5. Endangered Species**  [50 CFR 402] |  |  |  |
| **6. Environmental Justice**  [Executive Order 12898] |  |  |  |
| **7. Explosive and Flammable Operations**  [24 CFR 51C] |  |  |  |
| **8. Farmland Protection**  [7 CFR 658] |  |  |  |
| **9. Floodplain Management**  [24 CFR 55, Executive Order 11988] |  |  |  |
| **10. Historic Preservation**  [36 CFR 800]  State Historic Preservation Office and  Tribal Historic Preservation Office or  Tribal contacts [24 CFR Part 58] <https://egis.hud.gov/TDAT/> |  |  |  |
| **11. Noise Control**  [24 CFR 51B] |  |  |  |
| **12. Water Quality (Sole Source Aquifers)**  [40 CFR 149] |  |  | The project is not located in an area where water is secured from a sole source aquifer, as no sole source aquifers exist in EPA Region VII (which includes Nebraska). No exhibit attached. Qualified Data Source: Project Description & https://epa.maps.arcgis.com/apps/webappviewer/index.html |
| **13. Wetland Protection**  [24 CFR 55, Executive Order 11990] |  |  |  |
| **14. Wild and Scenic Rivers**  [36 CFR 297] |  |  |  |

**DETERMINATION:**

**Box** **“A” has been checked for all authorities.** The project can convert to Exempt, per §58.34(a)(12), since the project does not require any further compliance measure (e.g. consultation, mitigation, permit, or approval) with respect to any law or authority cited at §58.5. Complete Finding of Exempt Activity and document in writing per §58.34(a)(12) & (b); OR

**Box “B” has been checked for one or more authorities.** The project cannot convert to Exempt since one or more authorities require compliance, 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. Complete pertinent compliance requirement(s), publish NOI/RROF, request release of funds (HUD-7015.15), and obtain HUD’s Authority to Use Grant Funds (HUD-7015.16) per §§58.70 & 58.71 before committing funds: OR

The unusual circumstances of this project may result in a significant environmental impact. The project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

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Preparer Name Preparer Signature

Date: \_\_\_\_\_\_\_\_\_\_

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RE Certifying Officer Name RE Certifying Officer Signature

Date: \_\_\_\_\_\_\_\_\_\_