Form 2-4
NEPA Classification Checklist

CDBG Project Number: _____ Date _____

Name and Title of Certifying Officer: _____ Title _____

Name of Responsible Entity: _____

Address (e.g., Street No. or P.O. Box): _____

Co/C/T/V, State, Zip Code+4: _____ NY _____

Telephone Number of Responsible Entity: _____

Exempt Activities (24CFR58.34)
Select only one or more of the following that apply:

☐ Environmental and other studies, resource identification and development of plans and strategies [58.34(a)(1)].

☐ Information and financial services [58.34(a)(2)].

☐ Administration and management activities [58.34(a)(3)].

☐ Public services that will not have a physical impact or result in physical changes, such as services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs [58.34(a)(4)].

☐ Inspections and testing of properties for hazards or defects [58.34(a)(5)].

☐ Purchase of insurance [58.34(a)(6)].

☐ Purchase of tools [58.34(a)(7)].

☐ Engineering or design costs [58.34(a)(8)].

☐ Technical assistance and training [58.34(a)(9)].

☐ Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair or restoration activities necessary only to control or arrest the effects from physical disasters, imminent threats or physical deterioration [58.34(a)(10)].

☐ Payment of principal and interest on loans made or obligations guaranteed by HUD [58.34(a)(11)].

☐ Any of the categorical exclusions listed in 58.35(a), provided that there are no circumstances which require compliance with any other federal laws and authorities cited in 58.5 [58.34(a)(12].

_____ _____
Signature of Certifying Officer Date

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CATEGORICALLY EXCLUDED ACTIVITIES [24 CFR 58.35(a)]

Activities in this section require compliance with related laws and authorities at 24 CFR 58.5 and 58.6

Select only one of the following:

☐ Acquisition, repair, construction, reconstruction, rehabilitation or installation 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 percent. Examples of this type of activity include replacement of water and sewer lines, reconstruction of curbs and sidewalks, street repaving [58.35(a)(1)].

☐ Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons [58.35(a)(2)].

☐ Rehabilitation of buildings and improvements for residential use (with one to four units), where the density is not increased beyond four units, the land use is not changed, and the footprint of the building isn't increased in a floodplain or in a wetland [58.35(a)(3)(i)].

☐ Rehabilitation of multifamily residential buildings (with five or more units), when the following conditions are met: a) unit density is not changed more than 20 percent, 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 percent of the total estimated cost of replacement after rehabilitation [58.35(a)(3)(ii)].

☐ Rehabilitation of non-residential structures, including commercial, industrial, and public buildings when the following conditions are met: a) the facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent, 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 [58.35(a)(3)(iii)].

☐ An individual action on up to four dwelling units [not including rehabilitation (see 58.35(a)(3)(i) above)] where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between [58.35(a)(4)(i)].

☐ Acquisition (including leasing) or disposition of an existing structure, equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed or disposed of will be retained for the same use [58.35(a)(5)].

☐ Any combination of the above activities [58.35(a)(6)].

_____ _____

Signature of Certifying Officer Date

CATEGORICALLY EXCLUDED ACTIVITIES [24 CFR 58.35(b)]

*Activities in this section require compliance with related laws and authorities at 24 CFR 58.6 only**

Select only one of the following:

☐ Tenant-based rental assistance [58.35(b)(1)].

☐ Supportive services including, but not limited to, health care, housing services, permanent housing placement, day care, nutritional services, short-term payments for rent/mortgage/utility costs, and assistance in gaining access to local, state and federal government benefits and services [58.35(b)(2)].

☐ Operating costs including maintenance, equipment, supplies, staff training, staff recruitment, security, operation, utilities, furnishings and other incidental costs [58.35(b)(3)].

☐ Economic development activities, including but not limited to, equipment purchase, inventory financing, interest subsidy, operating expenses and similar costs not associated with construction or expansion of existing operations [58.35(b)(4)].

☐ Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction**, including closing costs and down payment assistance, interest buy downs, and similar activities that result in the transfer of title [58.35(b)(5)].

☐ Affordable housing pre-development costs including legal, consulting, developer and other costs related to obtaining site options, project financing, administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact [58.35(b)(6)].

☐ Approval of supplemental assistance (including insurance or guarantee) to a project previously approved under this part, if the approval is made by the same responsible entity that conducted the environmental review on the original project and re-evaluation of the environmental finding is not required under 58.47 [58.35(b)(7)].

*If a responsible entity determines that an activity or project identified above, because of extraordinary circumstances or conditions at or affecting the location of the activity or project may have a significant environmental effect, an environmental assessment must be prepared and a determination of significance made.

**This exclusion applies only to financial assistance for purchase of existing for-sale homes or homes under construction. Homebuyer assistance for units not under construction is classified as Categorically Excluded. In all cases, for this exclusion to apply, the prospective buyer must have discretion regarding selection of properties within the target area.

_____ _____

Signature of Certifying Officer Date

Instructions for
Form 2-4 NEPA Classification Checklist

Under 24 CFR 58.5 and 58.6, CDBG Recipients must review their projects using the same regulations HUD would otherwise be subject to under the National Environmental Policy Act. The Certification of NEPA Classification is used to classify the project for compliance requirements at CFR Part 58.

Recipients are strongly encouraged to check individual regulations directly for applicability and compliance measures.

Project Information

1. CDBG No.
    a. Provide the OCR assigned CDBG Project Number, 555PR999-14.
2. Date is the date the form is completed.
3. Certifying Officer Name and Title
    a. Provide the name and title of person identified in the Designation of Certifying Officer
4. Responsible Entity
    a. This is the entity identified in the Designation of Certifying Officer
    b. Provide the complete address of the Responsible Entity.

Name of the CDBG Grant Recipient

1. This is the County, City, Town or Village that has been awarded NYS CDBG funds.

Funding Year

1. This is the Program Year in which NYS CDBG are awarded, for example, if the last two digits of the CDBG Project Number is "14", the Program Year is 2014.

Program Name

1. An example would be "*Town of Upstate Water District #1 Improvements".*

This is a three page document; ALL three pages must signed by the Certifying Officer and returned
Some projects may have Classifications under one or more classification

Exempt Activities

1. Select **ALL** classifications that apply
    a. For all projects, Administration and Management Activities will apply regardless of the source of funds that will be used for these costs.

Categorically Excluded Activities at 24 CFR 58.35(a)

1. Only one classification may be checked on this page
2. If more than one classification applies to the project, select the last box.

Categorically Excluded Activities at 24 CFR 58.35(b)

1. Only one classification may be checked on this page

Signature of Certifying Officer

1. To be signed at the time the documentation is complete, each page must be signed and returned