

CITY OF BIRMINGHAM, ALABAMA  
DEPARTMENT OF COMMUNITY DEVELOPMENT

ENVIRONMENTAL MONITORING STRATEGY FOR UNSPECIFIED SITES

SINGLE FAMILY RESIDENTIAL REHABILITATION ACTIVITIES

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)  
HOME INVESTMENT PARTNERSHIP PROGRAM (HOME)  
COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-  
DR B-12 AND B-13)  
NEIGHBORHOOD STABILIZATION PROGRAM (NSP AND NSP3)

July 21, 2015

EFFECTIVE DATES: Program Years (PY) 2015-2020 (July 1, 2015-June 30, 2020)

PURPOSE:

To assure that all Single Family affordable housing program activities undertaken by the City of Birmingham's Community Development Department under the Community Development Block Grant Program (CDBG), Home Investment Partnership Program (HOME), Community Development Block Grant Disaster Recovery (CDBG-DR B-12 and B-13), and Neighborhood Stabilization Program (NSP and NSP3) undertaken at sites unspecified prior to the release of funds for these programs are in compliance with environmental laws and authorities as identified in 24 CFR 58.35, the following strategy will be employed.

A description of these programs are included herein, however, they will include the following City Wide activities: Single Family homeowner and renter rehabilitation; unit rehabilitation; single family homeownership assistance (new homebuyer downpayment assistance program) for existing structures; land acquisition, demolition, site improvements, and infrastructure for single family homeownership; and all activities relating to the administration of the City's CDBG, HOME, CDBG-DR, and NSP programs.

AREA COVERED: City Wide-Corporate City limits of Birmingham, Alabama, as amended.

APPLICABLE ACTIVITIES:

Only activities specified at 24 CFR 58.35 as Categorical Exclusions are included in this monitoring strategy. Categorical exclusion refers to a category of activities for which no environmental impact statement or environmental assessment and finding of no significant impact under NEPA is required, except in extraordinary circumstances (see 24 CFR 58.2(a)(3)) in which a normally excluded activity may have a significant impact.

Compliance with the other applicable Federal environmental laws and authorities listed in Sec. 58.5 is required for any categorical exclusion listed at 24 CFR 58.35(a).

The rehabilitation of buildings and improvements are designated as categorically excluded at 24 CFR 58.35(a)(3)(i) 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 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.

The following are also designed as categorically excluded at 24 CFR 58.35(a)(4):

- i. An individual action on up to four dwelling units 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; or
- ii. An individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site.
- iii. Paragraphs (a)(4)(i) and (ii) of this section do not apply to rehabilitation of a building for residential use (with one to four units) (see paragraph (a)(3)(i) of this section).

#### **PROJECT DESCRIPTIONS:**

The following is a summary of the activities included in this strategy that are undertaken by the City of Birmingham under the CDBG, HOME, CDBG-DR, and NSP programs to provide Housing Rehabilitation to low-and moderate income persons. Any adjustments to these programs undertaken during Program Years 2015-2020 will be re-evaluated annually.

#### **Project Name and Identification Number:**

##### **Project Description:**

Community Development Block Grant (CDBG); Community Development Block Grant-Disaster Recovery (CDBG-DR B-12 and B-13); Home Investment Partnership (HOME); Neighborhood Stabilization Program (NSP and NSP3)-HUD; Neighborhood Stabilization Program (NSP)-ADECA. These reflect the City of Birmingham's Proposed Affordable housing programs to be undertaken under anticipated Entitlement Funding to be received during the period July 1, 2015 thru June 30, 2020 under the CDBG and HOME programs and through ongoing Stimulus and Special Allocation Program activities previously

funded and reviewed as a part of the City’s Environmental Record created at the time of award for each of these programs. These ongoing stimulus and special allocation programs presently include CDBG-DR B-12, CDBG-DR B-13, NPS-HUD, NSP3-HUD, & NSP-ADECA for unspecified sites that may receive assistance and receive further site specific review during the timeframe 7/1/2015-6/30/2020. The following detailed information is provided for reference purposes:

**Funding Levels:**

Entitlement Programs (CDBG & HOME) funding levels vary from year to year depending upon Congressional Authorization. Presently, only the PY 2015 Allocations are known for these programs. Stimulus and Special Allocation Program Funding (NSP-HUD, NSP3-HUD, NSP-ADECA, CDBG-DR B-12, and CDBG-DR B-13) are anticipated to be one time only grant awards.

**Entitlement Program Grant Numbers & PY 2010 Allocations:**

CDBG: B-15-MC-01-0002 Thru B-19-MC-01-0002  
 HOME: M-15-MC-01-0002 Thru M-19-MC-01-0002

**Entitlement Programs for PY 2015 (July 1, 2015-June 30, 2020):**

|   |                |
|---|----------------|
| 1. Community Development Block Grant Program: |                |
| PY 2015 Grant                                 | \$5,375,865.00 |
| PY 2015 Anticipated Program Income:           | 1,000,000.00   |
| Returned Grant Funds:                         | 0.00           |
| Prior Year Funds:                             | 0.00           |
|   | \$2,576,151.00 |
|   |                |
| 2. PY 2015 HOME Grant:                        |                |
|   | \$1,009,149.00 |
| PY 2015 Anticipated HOME Program Income       | 100,000.00     |
|   | \$1,109,149.00 |

**Stimulus and Special Allocation Program Grant Numbers and Allocations:**

CDBG-DR B-12: B-12-MT-01-0001: \$6,386,326.00  
 CDBG-DR B-13: B-13-MS-01-0001: \$17,497,000.00  
 NSP-HUD: B-08-MN-01-0001: \$2,580,214.00  
 NSP-ADECA: NSP-GV-08-002: \$ 2,000,000.00  
 NSP3-HUD: B-11-MN-01-0001: \$2,576,151.00

**Summary of Planned Activities:**

The following is a summary of the activities included in the City’s planned Single Family Residential Rehabilitation and New Construction activities to be undertaken by the City under the CDBG, HOME, CDBG-DR, NSP-HUD, and NSP-ADECA Programs to provide affordable housing through rehabilitation and new construction activities to low- and moderate income persons. Any adjustments to these programs undertaken during Program Years 2015-2019 (July 1, 2015-June 30, 2020) will be re-evaluated annually.

**Project Summary/Purpose of the Project:**

**UNSPECIFIED SITE REVIEW STRATEGY FOR HOUSING ACTIVITIES:**

Funding levels for these activities vary from year to year depending on the amount of CDBG and HOME funds awarded to the City of Birmingham by the U.S. Department of Housing and Urban Development. Further, the Stimulus and Special Allocation Programs referenced herein are likely one time allocation awards a portion of which will be undertaken during program years 2015-2019. Generally, these programs provide for the acquisition and rehabilitation of owner-occupied, acquisition and rehabilitation of rental substandard structures and new construction of structures on a City wide basis, non-profit organization housing service provider agreements, and associated program operation costs. Also includes loan processing and servicing costs, inspections, and other services related to assisting owners, tenants, contractors, and other entities, participating or seeking to participate in rehabilitation activities authorized under this section. The locations of each individual property to be acquired, rehabilitated, or newly constructed are not presently known, but will be individually reviewed for Environmental Compliance in accordance with the City's Unspecified Site Review Strategy for Residential Rehabilitation Activities.

Detailed descriptions of these and other housing related programs are available in the Community Development Department-Housing Division, 710 North 20th Street, Room 700; Birmingham, Al 35203. This activity is anticipated to generate program income and is to be administered by the City's Community Development Department-Housing Division on a city wide basis. Proposed programs, activities, and anticipated funding levels follow:

**Proposed Housing Rehabilitation Activities & Descriptions**

**PROJECT: HOUSING REHABILITATION: \$5,172,383**  
**(570.202)**

Project ID/Local ID 6; Project Title: Housing Rehabilitation Activities; Priority Need 1- Provide decent and affordable housing for low and very low-income households; Priority Need 2- Provide down-payment assistance to first-time homebuyers meeting program income guidelines and requirements; Priority Need 3- Provide housing services for populations with special needs; Priority Need 4- Provide housing and supportive services for homeless populations; Eligibility (570.202)-Eligible Rehabilitation and preservation activities; National Objective 570.208 (a)-Activities Benefiting low-and moderate-income persons; Help the Homeless? No; Help people with HIV or AIDS? No; Subrecipient: N/A; Location: City Wide; HUD Matrix Code: 14A-Rehabilitation Single Unit Rehabilitation and 14B-Rehabilitation Multi-Unit Residential: Proposed Accomplishments: See individual activities; Start Date: 7/1/2010; Completion Date: 6/30/2011; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #2-Affordability; Description:

Provides for the rehabilitation of owner-occupied and rental substandard structures on a City wide basis, non-profit organization housing service provider agreements, and associated program operation costs. Also includes loan processing and servicing costs, inspections, and other services related to assisting owners, tenants, contractors, and other entities, participating or seeking to participate in rehabilitation activities authorized under this section. Detailed descriptions of these and other housing related programs are available in the Community Development Department-Housing Division, 710 North 20th Street, Room 700; Birmingham, Al 35203. This activity is anticipated to generate program income and is to be administered by the City's Community Development Department-Housing Division on a city wide basis.

**CDBG funds for the Activities described as follows:**

**Although Entitlement Amounts vary year to year, from 7/1/15 thru 6/30/20 the City anticipates the following approximate annual allocation.**

**Administration: \$1,222,901.00**

These funds provide CDBG support for planning and administration of the City's Consolidated Formula Allocation grants and activities including CDBG, ESG, HOME, HOPWA, CDBG-R, and any other Community Development Activities assisted in whole or in part with CDBG funds. Supportive funds will be allocated towards general program administration, staff and overhead, legal services, planning, environmental reviews, public information, and fair housing.

**Program Costs/Delivery: \$950,000.00**

Costs associated with rehabilitation services including the preparation of work specifications, loan/application processing, inspections, and other services related to assisting owners, tenants, contractors, and other entities participating or seeking to participate in rehabilitation activities authorized under 24 CFR 570.202. Includes staff salaries, legal services, mortgage servicing, and other related costs. Start Date: 7/1/2015; Completion Date: 6/30/2016; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #2-Affordability.

**Rehabilitation Activity Costs: \$2,984,231**

**- Single Family Rehabilitation Program: \$1,884,231**

Provides grants of eligible rehabilitation expenses to low-and moderate income homeowners up to \$15,000 per qualified homeowner. Proposed Accomplishments: 125 Housing Units to be rehabilitated. Start Date: 7/1/2015; Completion Date: 6/30/2016; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #1-Availability/Accessibility.

**-Independent Living Resources of Greater Birmingham: \$225,000**

206 13<sup>th</sup> Street South

Birmingham, AL 35233

Provides assistance to qualified disabled residential tenants and disabled homeowners to enable modifications to be made to their residence. Proposes to modify homes at an average cost of \$3,000. The maximum allowable grant would be up to \$3,500 per household. The agency's Executive Director may grant an exception to the \$3,500.00 maximum in a limited number of cases where the need exists. Proposed Accomplishments: 47 Housing Units to be assisted. Start Date: 7/1/2015; Completion Date: 6/30/2016; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #1-Availability/Accessibility.

-Rising West Princeton Corporation: **\$25,000**  
1708 1<sup>st</sup> Avenue, West  
Birmingham, Al 35208

Provide for and authorize the Mayor to enter into necessary agreements to provide rehabilitation services & support and provide acquisition and rehabilitation activities in Rising West Princeton. Proposed Accomplishments: 10 Housing Units to be assisted. Start Date: 7/1/2015; Completion Date: 6/30/2016; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #2-Affordability.

- Metro Changers, Inc.: **\$600,000**  
750 Montclair Road  
Birmingham, Al 35213

Provide for and authorize the Mayor to enter into necessary agreements to provide housing rehabilitation services through the Worldchangers Rehabilitation Program. Proposed Accomplishments: 130 Housing Units to be assisted. Start Date: 7/1/2015; Completion Date: 6/30/2016; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #2-Affordability.

- Christian Service Mission: **\$150,000**  
3600 3<sup>rd</sup> Avenue South  
Birmingham, Al 35222

Provide for and authorize the Mayor to enter into necessary agreements to provide housing inspection and rehabilitation services. Proposed Accomplishments: 30 Housing Units to be assisted. Start Date: 7/1/2015; Completion Date: 6/30/2016; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #2-Affordability.

- Greater Birmingham Habitat for Humanity: **\$100,000**  
4408 Lloyd Noland Parkway  
Fairfield, Alabama 35064

Provide for and authorize the Mayor to enter into necessary agreements to provide housing rehabilitation services. Proposed Accomplishments: 130 Housing Units to be assisted. Start Date: 7/1/2015; Completion Date: 6/30/2016; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #2-Affordability.

**Proposed HOME Program Activities and Description:**

**Although Entitlement Amounts vary year to year, from 7/1/10 thru 6/30/15 the City anticipates the following approximate annual allocation of HOME funds for the Housing Rehabilitation Activities described as follows:**

**PROJECT: HOME INVESTMENT PARTNERSHIP PROGRAM (HOME):**

Project ID/Local ID 9; Project Title: HOME Investment Partnership Program; Priority Need 1- Provide decent and affordable housing for low and very low-income households; Priority Need 2-Provide down-payment assistance to first-time homebuyers meeting program income guidelines and requirements; Priority Need 3- Provide housing services for populations with special needs; Priority Need 4-Provide housing and supportive services for homeless populations;; Help Prevent Homelessness? Yes; Help the Homeless? No; Help those with HIV or AIDS? No; Eligibility Citation: HOME Program; Objective; Benefit to low and moderate income persons; Subrecipients: No; Location(s): City Wide.; HUD Matrix Code: 21-HOME Program.

The HOME Program is to be administered by the City's Community Development Department-Housing Division.

**HOME Program Activities & Description:**

1) HOME Program Administration Activities: \$110,914

Provision of HOME Administrative costs for PY 2014. The City may allocate up to 10% of the total HOME allocation. Costs include general management, monitoring, and evaluation, staff and overhead related to carrying out of the project, including relocation services, the provision of information to residents and citizen groups, fair housing activities, and indirect costs, consultation and publication costs associated with the submission of the Consolidated Plan. Start Date: 7/1/2015; Completion Date: 6/30/2016; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #2-Affordability.

2) HOME Program CHDO Activities: \$166,373

Community Housing Development Organizations (CHDOS) are a specific type of non-profit organization, that provide decent and affordable housing to low-and very low income persons. Fifteen percent (15%) of the City's HOME program funds have been allocated for CHDO activities. Proposed Accomplishments: 15 Housing Units. Start

Date: 7/1/2015; Completion Date: 6/30/2016; Performance Measure Objective: #2- Decent Housing; Performance Measure Outcome: #2-Affordability.

3) HOME Rental Activities: **\$831,862**

Provision of HOME funds for the acquisition/rehabilitation, rehabilitation, and new construction of substandard or aging housing units that are suitable for rehabilitation. Proposed Accomplishments: 15 Housing Units. Start Date: 7/1/2015; Completion Date: 6/30/2016; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #2-Affordability.

4) Homebuyer Activities:

Provision of HOME funds for the acquisition, new construction, reconstruction, and acquisition/rehabilitation of homes for low and moderate income home buyers. Also provides for downpayment assistance to eligible homeowners. Proposed Accomplishments: 15 Housing Units. Start Date: 7/1/2015; Completion Date: 6/30/2016; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #2-Affordability.

**HOME PROGRAM TOTAL: \$1,109,149.00**

**PROGRAM & ACTIVITIES: COMMUNITY DEVELOPMENT BLOCK GRANT RECOVERY (CDBG-DR) PROGRAM:**

**INTRODUCTION:**

In accordance with notices dated April 16, 2012 and May 29, 2013 issued by the Office of the Assistant Secretary for Community Planning and Development, HUD, grantees that were presidentially declared disaster areas in the notice and eligible to receive funds pursuant to Public Law 112-55 and 113-2 are required to complete a substantial amendment to their Consolidated Plan 2012 and 2013 Action Plans. In the notice the City received a CDBG-DR funding allocation of \$6,386,326.00 and \$17,497,000.00 respectively.

**PROPOSED CDBG-DR PROGRAM ACTIVITIES:**

**B-12 Grant**

Administration of Grant: **\$319,316.30**

The City of Birmingham proposes to use the entire 5% allocation available for administrative costs. Funds will only be used to cover the cost of administering the CDBG-Disaster Recovery Grant. Costs include general management, monitoring and evaluation, staff and overhead to carry out projects.

Rehabilitation of Substandard Housing: \$500,000

The City of Birmingham proposes to use funds to assist residents in the Pratt City area of Birmingham, Alabama who were impacted by the presidentially declared natural disaster. The City will use funds from this program to be the catalyst to stimulate re-building of damaged houses.

Threshold Criteria:

- Funds will be used only for the costs of rehabilitation not covered by other federal, state, or local assistance or insurance claims.
- Only applications received in the Department of Community Development from eligible applicants, as outlined in the department's qualification guidelines, will be considered for assistance.
- Applicant must have an identified need that has not been met through FEMA, SBA, insurance, or private donation.
- Applicant must provide proof that there is an apparent need not being met by other sources.

New Construction within the Affected Area: \$1,367,009.70

The City of Birmingham proposes to use nearly \$1.5 million for the purpose of acquisition and new construction within the Pratt City neighborhood. In order to have a cohesive community and to limit gaps, grant funds will be used to assist with the construction of new replacement housing in the area.

**B-13 Grant**

Administration of Grant: \$874,850.00

The City of Birmingham will use the funds allocated to this activity exclusively toward administration of the CDBG- Disaster Recovery Grant. Up to five percent (5%) of the grant total is allowed to be used to cover the cost of administering the grant.

Start Date: November 1, 2013, End Date: October 31, 2015. CDBG National Objective

Citation: Eligibility 570.206 Administration; National Objective N/A; Performance

Measure Objectives: N/A; Performance Measure Outcomes: N/A

Threshold Criteria: Funds will only be used to cover the cost of administering the CDBG- Disaster Recovery Grant.

Planning and Management Activities for Grant: \$2,624,250.00

The City of Birmingham is allowed to use up to fifteen percent (15%) of the grant for planning and management costs. Funds will only be used to cover the cost of planning and management for the CDBG-Disaster Recovery Grant. Start Date: September 5, 2014, End Date: October 31, 2015; CDBG National Objective Citation: eligibility 570.205-Planning; National Objective N/A; Performance Measure Objective: N/A; Performance Measure Outcome: N/A

**PROGRAM & ACTIVITIES: NEIGHBORHOOD STABILIZATON PROGRAM (NSP-HUD):**

**INTRODUCTION:**

**PROGRAM & ACTIVITIES: NEIGHBORHOOD STABILIZATON PROGRAM (NSP-HUD):**

**INTRODUCTION:**

The U.S. Department of Housing and Urban Development (HUD) has announced a new Neighborhood Stabilization Program (NSP) to provide emergency assistance to state and local governments to acquire and redevelop foreclosed properties that might otherwise become sources of abandonment and blight within their communities. The Neighborhood Stabilization Program provides grants to every state and certain local communities to purchase foreclosed or abandoned homes and to rehabilitate, resell, or redevelop these homes in order to stabilize neighborhoods and stem the decline of house values of neighboring homes. The program is authorized under Title III of the Housing and Economic Recovery Act of 2008 (HERA).

**NSP GRANT AMOUNT:**

On September 29, 2008 the Office of the Secretary, HUD provided notice of the allocation formula and allocation amounts, the list of grantees, alternative requirements, and the waivers of regulations granted to grantees under Title III of Division B of the Housing and Economic Recovery Act of 2008, for the purpose of assisting in the redevelopment of abandoned and foreclosed homes under the Neighborhood Stabilization Program. **In the notice, the City of Birmingham, Alabama received an NSP Grant Allocation of \$2,580,214.00. Additionally the City anticipates the receipt of \$100,000.00 in Anticipated NSP Program Income Receipts for a total estimated budget of \$2,680,214.00.**

**REQUIRED SUBMISSIONS FOR ELIGIBLE NSP GRANTEES:**

Each NSP grantee receiving an allocation of NSP funds must submit to HUD the following by December 1, 2008. (1) Substantial amendment to the City's annual HUD action plan; (2) an SF-424; and (3) signed certifications.

**NATURE OF PROGRAM:**

HUD awards grants to states and local jurisdictions to stabilize communities hardest hit by foreclosures and delinquencies. The regulations for NSP grantees are noted at 73 FR 58330.

NSP grantees develop their own programs and funding priorities. However, NSP grantees must use at least 25 percent of the funds appropriated for the purchase and redevelopment of abandoned or foreclosed homes or residential properties that will be

used to house individuals or families whose incomes do not exceed 50 percent of the area median income. In addition, all activities funded by NSP must benefit low- and moderate-income persons whose income does not exceed 120 percent of area median income. Activities may not qualify under NSP using the “prevent or eliminate slums and blight” or address urgent community development needs” objectives of the Community Development Block Grant program.

**ELIGIBLE USES:**

The use of grant funds must constitute an eligible use under Title III of Division B of the Housing and Economic Act of 2008 (HERA) for redevelopment of abandoned and foreclosed homes and residential properties and provides under a rule of construction that, unless HERA states otherwise, the grants are to be considered Community Development Block Grant (CDBG) funds. The grant program under Title III is commonly referred to as the Neighborhood Stabilization Program (NSP).

In addition to being an eligible NSP use of funds, each activity funded must also be CDBG-eligible under 42 U.S.C. 5305(a) and meet a CDBG national objective. NSP funds may be used for activities which include, but are not limited to:

- Establish financing mechanisms for purchase and redevelopment of foreclosed homes and residential properties;
- Purchase and rehabilitate homes and residential properties abandoned or foreclosed;
- Establish land banks for foreclosed homes;
- Demolish blighted structures;
- Redevelop demolished or vacant properties.

**THE CITY OF BIRMINGHAM’S PROPOSED USE OF NSP FUNDING:**

The City proposes the following eligible uses of its NSP funding allocation as authorized pursuant to the Housing and Economic Recovery Act (HERA) and the Community Development Block Grant (CDBG) program:

**Purchase and Rehabilitation Program for Sale, Rent or Redevelopment:**

Activity Name:

Purchase and Rehabilitation Program for Sale, Rent or Redevelopment.

Activity Type: (includes NSP eligible use & CDBG eligible activity)

NSP Eligible Use:

NSP Eligible Use: Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties.

CDBG Eligible Use:

- As part of an activity delivery cost for an eligible activity as defined in 24 CFR 570.206.
- 25CFR 570.201 (a) acquisition, (b) dispositions, (i) Relocation, and (n) Direct homeownership assistance (as modified below):
- 570.202 eligible rehabilitation and preservation activities for homes and other residential properties (HUD notes that rehabilitation may include counseling for those seeking to take part in the activity).  
.24 CFR 570.201 (a) Acquisition and (b) Disposition.

**National Objective:** (Must be a national objective benefiting low, moderate and middle income persons, as defined in the NSP Notice—i.e.,  $\leq 120\%$  of area median income).

This activity meets the national objective by providing or improving permanent residential structures that will benefit low, moderate and middle income persons, as defined in the NSP Notice--i.e.,  $< 120\%$  of area median income.

**Total Purchase & Rehabilitation Program Budget: \$2,422,193.00**

**PROGRAM & ACTIVITIES: NEIGHBORHOOD STABILIZATON PROGRAM (NSP-ADECA):**

**INTRODUCTION:**

The U.S. Department of Housing and Urban Development (HUD) has announced a new Neighborhood Stabilization Program (NSP) to provide emergency assistance to state and local governments to acquire and redevelop foreclosed properties that might otherwise become sources of abandonment and blight within their communities. The Neighborhood Stabilization Program provides grants to every state and certain local communities to purchase foreclosed or abandoned homes and to rehabilitate, resell, or redevelop these homes in order to stabilize neighborhoods and stem the decline of house values of neighboring homes. The program is authorized under Title III of the Housing and Economic Recovery Act of 2008 (HERA).

**ADECA-NSP GRANT AMOUNT:**

On February 13, 2009 the Alabama Department of Economic and Community Affairs (ADECA) provided notice to the City of Birmingham, Alabama (the City) that it's December 3, 3008 pre-application for State of Alabama NSP program funding has been conditionally approved in the amount of \$2.0 million. ADECA indicated these funds will

be available for the acquisition, rehabilitation, and resale of abandoned and foreclosed upon homes.

The City proposes to undertake the following eligible uses as authorized pursuant to the Housing and Economic Recovery Act (HERA) and the Community Development Block Grant (CDBG) program and as outlined in its Pre-Application to ADECA.

**Purchase and Rehabilitation Program for Sale, Rent, or Redevelopment:**

Activity Name:

Purchase and Rehabilitation Program for Sale, Rent or Redevelopment.

Activity Type: (include NSP eligible use & CDBG eligible activity)

NSP Eligible Use:

NSP Eligible Use: Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties.

CDBG Eligible Use:

- As part of an activity delivery cost for an eligible activity as defined in 24 CFR 570.206.
- 25CFR 570.201 (a) acquisition, (b) dispositions, (i) Relocation, and (n) Direct homeownership assistance (as modified below):
- 570.202 eligible rehabilitation and preservation activities for homes and other residential properties (HUD notes that rehabilitation may include counseling for those seeking to take part in the activity).  
.24 CFR 570.201 (a) Acquisition and (b) Disposition.

**National Objective:** (Must be a national objective benefiting low, moderate and middle income persons, as defined in the NSP Notice—i.e., ≤ 120% of area median income).

This activity meets the national objective by providing or improving permanent residential structures that will benefit low, moderate and middle income persons, as defined in the NSP Notice---i.e., < 120% of area median income.

**Total NSP Purchase & Rehabilitation Project Budget: \$1,900,000.00**

**Administration:**

Activity Name: Administration.

Activity Type: (include NSP eligible use & CDBG eligible activity)

NSP Eligible

NSP Eligible Use: Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties.

CDBG Eligible Use:

- As part of an activity delivery cost for an eligible activity as defined in 24 CFR 570.206.

National Objective: (Must be a national objective benefiting low, moderate and middle income persons, as defined in the NSP Notice—i.e.,  $\leq$  120% of area median income).

This activity meets the national objective by providing or improving permanent residential structures that will benefit low, moderate and middle income persons, as defined in the NSP Notice---i.e.,  $<$  120% of area median income.-  
Administration of the NSP Program.

**Total Administration Budget: \$100,000.00**

**TOTAL ADECA-NSP PROPOSED BUDGET: \$2,000,000.00**  
**PROGRAM & ACTIVITIES: NEIGHBORHOOD STABILIZATON PROGRAM**  
**(NSP3-HUD):**

**INTRODUCTION:**

The U.S. Department of Housing and Urban Development (HUD) announced a third round of Neighborhood Stabilization Program (NSP3) to provide emergency assistance to state and local governments to acquire and redevelop foreclosed properties that might otherwise become sources of abandonment and blight within their communities. The Neighborhood Stabilization Program 3 provides grants to every state and certain local communities to purchase foreclosed or abandoned homes and to rehabilitate, resell, or redevelop these homes in order to stabilize neighborhoods and stem the decline of house values of neighboring homes. The program is authorized under Title III and Section 2301(b) of the Housing and Economic Recovery Act of 2008 (HERA), as amended, and an additional allocation of funds provided under Section 1497 of the Wall Street Reform and Consumer Protection Act of 2010 (Dodd-Frank Act) for additional assistance in accordance with the second undesignated paragraph under the heading ‘Community Planning and Development-Community Development Fund’ in Title XII of Division A of the American Recovery and Reinvestment Act of 2009 (Recovery Act), as amended.

### **NSP GRANT AMOUNT:**

On October 19, 2010 the Office of the Secretary, HUD provided notice of the allocation formula and allocation amounts, the list of grantees, alternative requirements, and the waivers of regulations granted to grantees under Title III of Division B of the Housing and Economic Recovery Act of 2008 as well as those amended and updated by the American Recovery and Reinvestment Act of 2009 and the Dodd-Frank Act of 2010, for the purpose of assisting in the redevelopment of abandoned and foreclosed homes under the Neighborhood Stabilization Program. **In the notice, the City of Birmingham, Alabama received an NSP Grant Allocation of \$2,576,151.00. Additionally the City anticipates the receipt of \$100,000.00 in Anticipated NSP Program Income Receipts for a total estimated budget of \$2,676,151.00.**

### **REQUIRED SUBMISSIONS FOR ELIGIBLE NSP GRANTEES:**

Each NSP grantee receiving an allocation of NSP3 funds was required to submit to HUD the following by March 1, 2011. (1) Substantial amendment to the City's annual HUD action plan; (2) an SF-424; and (3) signed certifications.

### **NATURE OF PROGRAM:**

HUD awards grants to states and local jurisdictions to stabilize communities hardest hit by foreclosures and delinquencies. The regulations for NSP3 grantees are noted at 75 FR 64322.

NSP3 grantees develop their own programs and funding priorities. However, NSP3 grantees must use at least 25 percent of the funds appropriated for the purchase and redevelopment of abandoned or foreclosed homes or residential properties that will be used to house individuals or families whose incomes do not exceed 50 percent of the area median income. In addition, all activities funded by NSP must benefit low- and moderate-income persons whose income does not exceed 120 percent of area median income. Activities may not qualify under NSP using the "prevent or eliminate slums and blight" or address urgent community development needs" objectives of the Community Development Block Grant program.

### **ELIGIBLE USES:**

The use of grant funds must constitute an eligible use under Title III of Division B of the Housing and Economic Act of 2008 (HERA) as well as the American Recovery and Reinvestment Act of 2009 and the Dodd-Frank Act of 2010 for redevelopment of abandoned and foreclosed homes and residential properties and provides under a rule of construction that, unless HERA, ARA, or Dodd-Frank states otherwise, the grants are to be considered Community Development Block Grant (CDBG) funds. The grant program under Title III is commonly referred to as the Neighborhood Stabilization Program (NSP).

In addition to being an eligible NSP3 use of funds, each activity funded must also be CDBG-eligible under 42 U.S.C. 5305(a) and meet a CDBG national objective. NSP3 funds may be used for activities which include, but are not limited to:

- Establish financing mechanisms for purchase and redevelopment of foreclosed homes and residential properties;
- Purchase and rehabilitate homes and residential properties abandoned or foreclosed;
- Establish land banks for foreclosed homes;
- Demolish blighted structures;
- Redevelop demolished or vacant properties.

### **THE CITY OF BIRMINGHAM'S PROPOSED USE OF NSP FUNDING:**

The City proposes the following eligible uses of its NSP funding allocation as authorized pursuant to the Housing and Economic Recovery Act (HERA) and the Community Development Block Grant (CDBG) program:

#### **Purchase and Rehabilitation Program for Sale, Rent or Redevelopment:**

Activity Name:

Purchase and Rehabilitation Program for Sale, Rent or Redevelopment.

Activity Type: (includes NSP eligible use & CDBG eligible activity)

NSP3 Eligible Use:

NSP3 Eligible Use: Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties.

CDBG Eligible Use:

- As part of an activity delivery cost for an eligible activity as defined in 24 CFR 570.206.
- 25CFR 570.201 (a) acquisition, (b) dispositions, (i) Relocation, and (n) Direct homeownership assistance (as modified below):
- 570.202 eligible rehabilitation and preservation activities for homes and other residential properties (HUD notes that rehabilitation may include counseling for those seeking to take part in the activity).  
.24 CFR 570.201 (a) Acquisition and (b) Disposition.

National Objective: (Must be a national objective benefiting low, moderate and middle income persons, as defined in the NSP Notice—i.e., ≤ 120% of area median income).

This activity meets the national objective by providing or improving permanent residential structures that will benefit low, moderate and middle income persons, as defined in the NSP Notice---i.e., < 120% of area median income.

**Total Purchase & Rehabilitation Program Budget: \$2,418,536.00**

**NSP3 Program Administration:**

Activity Name: Administration.

Activity Type: (includes NSP3 eligible use & CDBG eligible activity)

NSP3 Eligible

NSP3 Eligible Use: Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties.

CDBG Eligible Use:

- As part of an activity delivery cost for an eligible activity as defined in 24 CFR 570.206.

National Objective: (Must be a national objective benefiting low, moderate and middle income persons, as defined in the NSP Notice—i.e., ≤ 120% of area median income).

This activity meets the national objective by providing or improving permanent residential structures that will benefit low, moderate and middle income persons, as defined in the NSP Notice---i.e., < 120% of area median income.

**Total Administration Budget: \$257,615.00**

**TOTAL NSP3 GRANT BUDGET: \$2,676,151.00**

**Status of Projects:**

The City's Entitlement Programs and Activities referenced herein (CDBG & HOME) are presently under review by the Mayor and City Council and planned activities will begin on or after July 1, 2015 and on July 1 every year thereafter through June 30, 2020. As previously noted, funding levels for the City's Entitlement Programs vary from year to year depending upon Congressional Appropriations.

The Stimulus and Special Allocation Programs and Activities referenced herein are presently underway. Additional Stimulus funding is not anticipated at this time but

should additional funding become available the City will employ this unspecified site strategy as a means for review of these programs.

**Project and Area Description:**

The project will assist in the provision of affordable housing to eligible City of Birmingham residents on a City Wide Basis. The project area is the corporate city limits of Birmingham, Alabama. Housing activities will include acquisition, rehabilitation, new construction, site improvements, single-family activities, infrastructure improvements, and affordable housing homeownership programs and other eligible activities as authorized under the referenced programs.

**Existing Conditions and Trends:**

The City of Birmingham's population declined over the last two decades. The decline in population led to increased vacant land and abandoned properties. In order to meet the goals of improving and preserving the existing housing stock as described in the City's 2015-2020 Consolidated Plan, as well as provide increased access to affordable housing, the activities described herein will be undertaken. Activities will be undertaken on a City Wide basis.

**Project and Area Maps and Plans:**

As noted, housing activities will include acquisition, rehabilitation, new construction, site improvements, single-family, acquisition, infrastructure improvements, and affordable housing homeownership programs. Activities will be undertaken on a City Wide basis.

**Summary of Findings and Conclusions:**

The proposed Affordable Housing Activities identified herein will benefit the community. The proposed activities will not have an effect on any environmental condition.

**Summary of Environmental Conditions:**

Proposed activities are in compliance with applicable Federal environmental laws and authorities listed in 58.5. No extraordinary circumstances or conditions at or affecting the location of the proposed activity have been identified.

**Project Modifications and Alternatives Considered:**

No modifications to the proposed activities are under consideration.

**Additional Studies Performed:**

City's HUD Approved Consolidated Plan, City's Housing Plan, City's Comprehensive Plan and Environmental Monitoring Strategy for Unspecified Sites Attached: Site specific environmental assessment worksheets for affordable housing programs

**Mitigation Measures Needed: No mitigation measures are needed at this time.**

**Is the project in compliance with applicable laws and regulations? Yes**

**Is an EIS required? No**

**A Finding of No Significant Impact (FONSI) can be made? Yes**

**Project will not significantly affect the quality of the human environment? Yes**

**STATURORY COMPLIANCE DOCUMENTATION:**

The following areas of statutory or regulatory compliance are not applicable or will not have an adverse impact on any proposed federal undertaking or activity as described herein and will not be further reviewed under this strategy:

- a. Coastal Zone Management/Coastal Barriers: The City of Birmingham is not located within a designated State coastal zone nor a coastal barrier.
- b. Water Quality: Sole Source Aquifers: There are not any sole source aquifers in the State of Alabama. Eligible activities will not result in the dredging, filing, and disposal of dredged material into any body of water or wetland, nor result in additional sewage beyond the capacity of the City of Birmingham's existing waste water system.
- c. Wild and Scenic Rivers: There are no Wild and Scenic Rivers within the City of Birmingham.
- d. Prime Farmland: The City of Birmingham is a developed urban area and does not contain prime farmland subject to conversion to non-farmland.
- e. Air Quality: In most cases eligible activities will not adversely impact air quality. Projects that may affect air quality or proposed project that require more than 1000 new parking spaces or 500 additional parking spaces are generally beyond the scope of the activities described herein and accordingly will not trigger the Clean Air Act for new traffic generation.
- f. Environmental Justice: The activities described herein do not have a disproportionate impact on low income persons or minorities. These activities are designed to enhance affordable housing opportunities for low and moderate income persons and no further review of this matter is required.

The following documentation will be maintained in each project file by completing the attached Environmental Assessment Worksheet:

## **HISTORIC PROPERTIES:**

Section 106 of the National Historic Preservation Act of 1966, as amended, mandates that agencies with jurisdiction over federally assisted activities afford the National Advisory Council on Historic Preservation and the relevant State Historic Preservation Officer (SHPO) a reasonable opportunity for comment on the project's impact on historic properties.

The City of Birmingham has a May 13, 2008 Programmatic Agreement for Specified U.S. Department of Housing and Urban Development (HUD) Programs with the Alabama State Historic Preservation Officer (SHPO) in which the City and SHPO agree that all HUD programs will be implemented in accordance with the provisions of that agreement. Further, the City has designated a City Historic Preservation Officer (CHPO) in the Department of Planning, Engineering, and Permits who in certain situations will make determinations as to whether a property is eligible to become listed as a Historic Property in accordance with the referenced agreement.

Documentation of compliance with this agreement will be accomplished through the completion of the Historic Preservation section of the Environmental Assessment Worksheet by Housing staff that will be maintained in each project file

## **FLOODPLAIN MANAGEMENT/ FLOOD INSURANCE REQUIREMENTS:**

Because it is possible that requests for rehabilitation will be received for individual properties located in the 100-year frequency floodplain, established by the Federal Emergency Management Agency (FEMA), the City's Housing Rehabilitation staff will check the flood insurance rate map (FIRM) for each individual property to receive assistance to determine if the site is in the 100-year frequency floodplain.

If the property is determined to be within the 100-year frequency floodplain, then the following actions will be undertaken:

- If the site involves new construction or major rehabilitation, the eight (8) step decision making process is required as described at 24 CFR Part 55.20 and documentation this process has been completed will be attached to the Site Specific Environmental Assessment Worksheet for the individual property located within the 100 year floodplain boundary.
- Flood insurance will be required and proof of flood insurance and a photocopy of the portion of the map that indicates the site is in the 100-year floodplain boundary will be attached.

If the property is determined not to be within the 100-year frequency floodplain, then the following actions will be undertaken:

- A photocopy of the portion of the map that indicates the site is not in the 100-year frequency floodplain will be attached.

Compliance will be documented through the completion of the Floodplain Management section of the Environmental Assessment Worksheet by Housing staff that will be maintained in each project file.

No rehabilitation or reconstruction will take place in the Floodway as determined by FEMA.

### **NOISE:**

HUD's Noise regulation is located at 24 CFR Part 51. The Noise Handbook must be used for major roads, rail roads and airports. For noise thresholds, grantees must consider civilian airports within 5 miles; Military Airports within 15 miles; Railroad within 3,000 ft, and major roadways within 1000 feet.

CDBG and NSP funds are not used for new housing construction but HOME and CDBG-DR funds may be. In the event CDBG, CDBG-DR, HOME, or NSP funds are used for the rehabilitation of existing housing, noise exposure by itself will not result in the denial of HUD support for the resale and purchase of otherwise acceptable existing buildings. However, environmental noise is a marketability factor with will be considered in determining the amount of insurance or other assistance that may be given.

The City must consider the impact of noise on all noise sensitive uses and reject sites for new construction if they do not comply with the HUD Noise Handbook requirements.

Compliance will be documented through the completion of the Noise section of the Environmental Assessment Worksheet by Housing staff that will be maintained in each project file.

### **AIRPORT CLEAR ZONES/AIRPORT CLEAR ZONE NOTIFICATION:**

Airport Clear Zones/Airport Clear Zone Notification: An airport clear zone is the area directly at the end of the runway. HUD will not provide support for new construction in a Clear zone per 24 CFR Part 51. All runway clear zones within the City of Birmingham are located on property owned by the Birmingham International Airport. No activities described herein will be undertaken in a runway clear zone which will be document in each activity file.

### **THERMAL/EXPLOSIVE HAZARDS:**

This category refers to above ground storage tanks of more than 100 gallons storing explosive and flammable liquids. The primary question is if residential properties are located adjacent to subject storage tanks, will this tank blow up and kill/hurt someone.

In the event tanks of 100 gallons or more storing explosive and flammable liquids are located near to residential properties assisted under the CDBG, HOME, CDBG-R, or NSP programs, in accordance with 24 CFR Part 51 Community Development Housing Staff will conduct an analysis in accordance with the HUD handbook that accompanies 24 CFR Part 51 to determine minimum safe distances. For new construction or increased exposure of persons to existing structures, the City must reject the site if it falls within the acceptable separation distance.

24 CFR Part 51 provides for safe separation distances. The subject property is not located near or adjacent to storage tanks of more than 100 gallons storing explosive and flammable liquids.

Compliance will be documented through the completion of the Thermal/ Explosives Hazards section of the Environmental Assessment Worksheet by Housing staff that will be maintained in each project file.

#### **SOLID WASTE DISPOSAL/TOXIC SITES:**

The City of Birmingham will give particular attention to any site activity on or within one mile of areas that contain or may have contained hazard waste, such as dumps, land fills and industrial sites. For all multi-family projects a Phase I environmental audit must be conducted by a qualified professional.

Compliance will be documented through the completion of the Toxic and Hazardous Chemicals section of the Environmental Assessment Worksheet by Housing staff that will be maintained in each project file.

#### **ENDANGERED SPECIES:**

Endangered Species and Fish and Wildlife: As most CDBG, HOME, CDBG-DR, and NSP program rehabilitation activities occur on existing sites, it has been determined that activity will not affect endangered species of critical habitats listed under Section 4 of the Endangered Species Act of 1978. Therefore, requirements of the Endangered Species Act do not apply. In the even of new construction, the Environmental Assessment Worksheet to be completed for all activities will document compliance.

#### **WETLANDS PROTECTION:**

Executive Order 11990 requires all federal executive agencies to refrain from supporting construction in wetlands wherever there is a practicable alternative. Section 10 of Executive order 11990 authorizes that responsibilities applicable to projects covered by Section 104(h) of the Housing and Community Development Act of 1974 may be assumed by the applicant if the applicant has also assumed all of the responsibilities for environmental review. The Executive Order directs the City of Birmingham to take certain steps:

- a) To avoid to the extent possible the long and short term impacts associated with the destruction or modification of wetlands, and;
- b) To avoid direct or indirect support of new construction in wetlands wherever there is a practicable alternative. In the event the City of Birmingham determines that there is no practicable alternative to the use of wetlands for a project, the City of Birmingham must act to reduce the adverse impacts on the wetlands. In this case, an eight (8) step review process required by Executive Order 11990 must be performed.

Since the majority of CDBG, HOME, CDBG-DR, and NSP program rehabilitation activities occur on existing sites, it has been determined that CDBG, HOME, CDBG-DR, and NSP program activities will likely not affect Wetlands. Further, in the unlikely event a Wetland is impacted, the eight (8) step analysis required by Executive Order 11990 has been performed for the City Wide geographic area where residential rehabilitation and related activities may occur under the programs and activities referenced herein. Because residential rehabilitation activities performed under the CDBG, HOME, CDBG-DR, and NSP programs assist in maintaining the health, welfare and safety of citizens in existing floodplain areas, it has been determined that there is not practicable alternative to rehabilitation of properties in floodplain areas, when needed.

Compliance will be documented through the completion of the Wetlands Protection section of the Environmental Assessment Worksheet by Housing staff that will be maintained in each project file.

#### **LEAD BASED PAINT/ASBESTOS:**

The U.S. Department of Housing and Urban Development (HUD) issued a regulation to protect young children from lead-based paint hazards in housing that is financially assisted by the federal government. The regulation, Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance, took effect on September 15, 2000. This regulation applies to housing built prior to 1978, when lead-based paint was banned nationwide for consumer use.

The City will test all properties constructed prior to 1978 for the presence of lead paint prior to providing assistance for rehabilitation under the CDBG, HOME, CDBG-DR, and NSP programs if the assistance will disturb paint. The City will also inspect said properties for the presence of asbestos.

Compliance will be documented through the completion of the Lead Based Paint/Asbestos section of the Environmental Assessment Worksheet by Housing staff that will be maintained in each project file.

**STATE REGULATIONS:**

Except for rehabilitation of historic properties when required by the City’s Programmatic Agreement with the State Historic Preservation Officer, consultation with State authorities will not be required.

Permits are required for dredging and filling in waters of the State, construction and connection of sewage collection and treatment facilities, drainage appurtenances and discharges I waters of the State under Federal and State Laws.

Copies of any needed permits, etc. will be maintained in the Housing Division Project file.

**LOCAL REGULATIONS:**

All proposed rehabilitation activities may not commence until all permits required by the City of Birmingham have been obtained and approved by the appropriate City Department.

Copies of any needed permits, etc., will be maintained in the Housing Division Project file.

**IMPLEMENTATION OF COMPLIANCE:**

City of Birmingham Community Development Housing Division staff, in consultation with appropriate agencies and when other City staff are responsible for implementation of environmental requirements and must assure compliance before obligating or expending funds for any CDBG, HOME, CDBG-DR, or NSP program funded rehabilitation activity.

**DOCUMENTATION OF COMPLIANCE:**

City of Birmingham Community Development Housing Division staff must maintain documentation of all required consultation and permits with each project file. Housing staff will complete an Environmental Assessment Worksheet showing that each proposed activity will comply with the National Environmental Policy Act and other Federal, State and local environmental laws and authorities and a finding which sets forth that implementation of any activity will not affect the original finding of categorical exclusion or assessment.

Activities not in compliance with the National Environmental Policy Act and other Federal, State and local environmental laws and authorities shall not commence until such compliance is achieved.

**ENVIRONMENTAL ASSESSMENT WORKSHEET:**

A copy of the City’s Environmental Assessment Worksheet to be utilized by Housing Division staff is attached hereto for reference purposes.



C. Is the estimated cost of rehabilitation more than 75 percent of the total estimated cost of replacement after rehabilitation? \_\_\_\_\_

**If Yes to ii (A)(B)(C),** this form is not applicable and a Format II Environmental Assessment or EIS must be completed and included in the project file.

**2. Historic Properties Review as per Programmatic Agreement with Alabama SHPO.**

Is the structure on the site or structures adjacent to the site more than 50 Years Old?  
\_\_\_\_\_ Age of structure on your site; \_\_\_\_\_ age of structures 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, \_\_\_\_\_ NO,

**IF Yes to any of the above,** then obtain written concurrence from the City Historic Preservation Officer before proceeding in accordance with the City's Programmatic Agreement with the State SHPO. Concurrence with the State SHPO may also be required. Refer to City's current Programmatic Agreement with the State SHPO.

**3. 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 involves new construction or major rehabilitation, the eight step decision making process is required as described at 24 CFR Part 55.20. Attach documentation this process has been completed.

**If Yes, Flood Insurance is required.** Attach proof of Flood Insurance and a photocopy of the portion of the map that indicates that your site is in the Flood Plain.

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

**4. Noise Abatement:**

Rehabilitation:

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 a Highway within 1,000 feet \_\_\_\_\_ Yes \_\_\_\_\_ No

Is there an Airport within 15 miles \_\_\_\_\_ Yes \_\_\_\_\_ No

**If Yes, Conduct a Noise Assessment according to the HUD noise Guidebook.** If the noise exceeds acceptable levels reject the site or mitigate to achieve acceptable or normally acceptable Noise Levels. **If No, Proceed with the project.**

**YES NO**

**5. Airport Clear Zones/Airport Clear Zone Notification:**

A. Is the property located within the runway clear zone of the Birmingham-Shuttlesworth International Airport?

**If yes, the project must be rejected.**

**6. Thermal and Explosive Hazards:**

A. Is there a fixed above ground hazardous gas or liquid storage tank of more than 100 gallons within the immediate area of the proposed project?

\_\_\_\_\_

**If YES:**

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

For New Construction continue below:

Are there any above ground storage tanks of more than 100 gallon within 1 mile of the site that contain explosive or flammable liquids.

\_\_\_\_\_Yes; \_\_\_\_\_No

If yes, refer to pages 51 and 52 of HUD Hazard Guidebook. Collect information about the size, contents and determine if the tank is under pressure. REJECT or Mitigate any site that falls within the ACCEPTABLE SEPARATION DISTANCE.

**YES NO**

**7. Solid Waste Disposal**

- A. Will the project generate any known solid hazardous waste? \_\_\_\_\_
- B. If yes, will the hazardous waste be accepted at local landfill? \_\_\_\_\_
- C. Is the project located adjacent to a dump or landfill? \_\_\_\_\_
- D. Is the project located within an area identified as a former landfill site or hazardous materials dumping area? \_\_\_\_\_
- E. If yes, have potential hazards been identified? \_\_\_\_\_  
(Complete HUD Toxic Chemical Worksheet and Attach)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**8. 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, past uses of the site.

Were any of the above detected?

\_\_\_\_\_ Yes, \_\_\_\_\_No

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

**YES NO**

**9. Endangered Species:**

- A. Is the project located **in an undeveloped area** that may support a critical habitat for plants listed on the State of Alabama's listing of Threatened and Endangered Species? \_\_\_\_\_
- (If yes, document compliance of all requirements) **YES NO**

10. **Wetlands:**

- A. Is the project located in an area containing soils or plants characteristic of a wetland? \_\_\_\_\_
- B. Is the area listed on the Wetland's Inventory Map? \_\_\_\_\_

If yes, document compliance with EO 11990 before proceeding)

Wetlands Note: Per HUD, this requirement does not apply to rehabilitation unless increasing the footprint of the structure to be rehabilitated **into an undeveloped area**.

11. **Lead-Based Paint/Asbestos:**

- A. What is the approximate age of property? \_\_\_\_\_
- B. Was property built before 1978 \_\_\_\_\_
- C. If built before 1978, has the property been tested for lead-based paint? \_\_\_\_\_
- D. Are there children below the age of 6 living on the premises? \_\_\_\_\_
- E. Is there evidence of asbestos at the property location? \_\_\_\_\_

It has been determined that other statutory regulations concerning Wetland Protection, the Coastal Area Protection and Management, Water Quality – Sole Source Aquifers, Endangered Species, Wild and Scenic Rivers, Farmland Protection, Water Quality, and Fish and Wildlife do not apply or that there is no potential for a significant impact in these subject areas resulting from the implementation of this project.

After field inspection of the proposed project site, is there any indication the above statement is not correct? \_\_\_\_\_

If YES, explain.

12. State/Local Statutes/Requirements:

- A. Have applicable local building codes, permitting processes, etc been met \_\_\_\_\_

If No, Please Provide Additional Explanation:

Other Additional Comments:

Worksheet File name: Environmental Assessment Worksheet Revised 2-2010

Website Posting: [www.birminghamal.gov](http://www.birminghamal.gov)

File Name: PY 2015-2020 Environmental Monitoring Strategy for Unspecified Sites