

## **Announcement of Changes to Grant Administration Manual**

### **February 29, 2016**

Chapter 2, Environmental Review has been updated to reflect the utilization the Cultural Resource Information System (CRIS) for SHPO reviews. Guidance has also been updated for completing THPO reviews.

Chapter 5, General Provisions has been updated to reflect revised guidance for completing a Request for Waiver to a Conflict of Interest, including two new Exhibits, 5-16 Conflict of Interest Disclosure and 5-17, Conflict of Interest Waiver Request Checklist.

### **August 8, 2015**

Chapter 2, Environmental Review has been updated. Substantial changes to NEPA compliance on Scenic and Wild Rivers have been made; please refer to pages 23-24 for the revisions, which is in effect immediately.

### **March 19, 2015**

Chapter 2, Environmental Review, Exhibits 2-10 and 2-11 have been updated, and now include timelines for publication and comment periods.

1. Exhibit 2-10 Early Notice and Public Review of a Proposed Activity in the 100 Year floodplain
  - a. Total 15 day comment period
  - b. Date of publication is considered to be Day “0”
  - c. Day 1 and Day 15, the beginning and end of public comment cannot fall on a weekend or holiday.
2. Exhibit 2-11 Final Notice and Public Explanation of a Proposed Activity in the 100 Year floodplain
  - a. Total 8 day comment period
  - b. Date of publication is considered to be Day “0”
  - c. Day 1 and Day 8, the beginning and end of public comment cannot fall on a weekend or holiday.

### **December 8, 2014**

Chapter 5, General Program Requirements has been updated with two new exhibits.

1. Exhibit 5-13 is a sample Notice Under the Americans with Disabilities Act.
2. Exhibit 5-14 is a sample Grievance Procedure Under the Americans with Disabilities Act.

Contact your assigned OCR Community/Economic Developer with any questions.

### **October 1, 2014**

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*New! LMI Data is available by County, City, Town and Village and is available under the Eligible Communities tab under Program Information, <http://www.nyshcr.org/Programs/NYS-CDBG/EligibleCommunities.htm>*

### ***Revised Forms and Exhibits***

All OCR Environmental Review Record Forms have been revised.

*New! Designation of Certifying Officer is now available as Form 2-1*

### ***Revised!***

1. Form 2-3 Certification of NEPA Classification (updated 10/2014)
2. Form 2-3A Certification of SEQRA Classification (updated 10/2014)
3. Form 2-4 NEPA Classification Checklist (updated 10/2014)
4. Form 2-6 Environmental Assessment (updated 5/2014)

HUD has recently modified the Statutory Checklist for NEPA reviews, there are now two separate Statutory Checklists:

Form 2-5: Applies to Categorically Excluded activities subject to Section 58.5, pursuant to 24CFR58.35(a) (updated 9/2014)

Form 2-5A: Applies to Categorically Excluded activities not subject to Section 58.5 pursuant to 24CFR Part 58.34(a) and 58.35(b) (updated 9/2014)

The Office of Community Renewal will no longer accept prior versions of all ERR forms. Any forms submitted on or after October 1, 2014 that use the prior versions will be rejected and returned.

### **New Exhibits**

#### **Exhibit 2-3 Sample Notice of Intent to Request a Release of Funds**

#### **Exhibit 2-4 Sample Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds**

HUD has recently revised the Notice of Intent to Request Release of Funds and the Finding of No Significant Impact and Notice of Intent to Request a Release of Funds; this can be found in the OCR Grant Administration Manual Chapter 2, Exhibit 2-3 NOIRROF and Exhibit 2-4 FONSI/NOIRROF.

The Office of Community Renewal will no longer accept prior versions of NOIRROF or the FONSI/NOIRROF. Any projects publishing a NOIRROF or FONSI/NOIRROF on or after October 1, 2014 that uses the prior version will be required to republish using the new format.

**August 18, 2014**

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## *Chapter 2, Environmental Review*

All web based links throughout Chapter 2 have been updated.

### June 2, 2014

#### *Chapter 2, Environmental Review*

- a. Updates to the requirements for 24 CFR Part 55, Floodplain and Wetland Management to comply with new HUD guidance.
- b. An updated Environmental Assessment Form (Form 2-6). The updated form is available on the website and can be found at: <http://www.nyshcr.org/Forms/NYS-CDBG/>

#### *Chapter 5, General Provisions*

- a. The OCR has updated the requirements for Lead Based Paint (LBP) Compliance as it applies at 24 CFR Part 35 and the EPA regulations as adopted by HUD at 40 CFR Part 745.
- b. To better assist with compliance of LBP rules, the OCR will begin requiring Lead Based Paint Compliance Plans for all CDBG funded projects involving any housing activity and has developed two new forms to assist with this:
  - i. Form 5-1 CDBG LBP Compliance Plan Certification-Rehabilitation which is to be used for all projects where any housing rehabilitation occurs
  - ii. Form 5-2 CDBG LBP Compliance Plan Certification-Acquisition (No rehabilitation) which is to be used for all projects where housing acquisition assistance only and **NO REHABILITATION** will occur.
- c. The OCR has provided an updated Exhibit 5-9 Federal Rehabilitation Assistance, and Updates to the guidance for the calculation for the Federal Rehabilitation Assistance. This includes updates to Exhibit 5-9, the Federal calculation form, which is now provided as fillable Form 5-9.

## **2. Chapter 10 Grant Closeout**

- a. The OCR has revised the grant closeout process. The OCR will determine when a project is deemed ready to be closed out and will issue a Grant Closeout Transmittal Form when the project is ready to be closed.
  - i. Upon receipt, the CEO of the Recipient will be asked to certify the accuracy of the Grant Closeout Transmittal Form and the Recipient will be required to return the new closeout form electronically to the assigned Community/ Economic Developer.
  - ii. Recipients should no longer be using the prior forms 10-1 through 10-5, these forms are no longer being accepted and will be rejected.

### May 8, 2013

#### *Chapter 2, Environmental Review*

Exhibit 2-10 **EARLY NOTICE AND PUBLIC REVIEW OF PROPOSED ACTIVITY LOCATED IN A 100-YEAR FLOODPLAIN**

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Exhibit 2-11 **FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN THE 100-YEAR FLOODPLAIN AND WETLAND**, language has been included regarding the publication schedule of the notices.

### ***Chapter 4, Procurement Standards***

Exhibit 4-1, the threshold for the minimum contract amount for applicability of **Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330)** has been revised to \$100,000 and language regarding the applicability to federally funded or assisted projects has been included.

### **January 19, 2013**

#### ***Chapter 3, Financial Management:***

- a. Page 6, Administrative Costs – language regarding eligible administrative costs has been revised to more clearly define what administrative costs are and what may be eligible for NYS CDBG reimbursement.
- b. Page 7, Program Delivery Costs– language regarding eligible program delivery costs has been revised to more clearly define what program delivery costs are and what may be eligible for NYS CDBG reimbursement. A schedule of potential program delivery costs by activity has been provided.
- c. Page 9, Direct and Indirect Costs – an expanded explanation on direct and indirect costs has been provided