Statutory Checklist – PROGRAMMATIC REVIEW

SHARS No: 20123216
LPA Name: Eileen Powers
Program Name: Chautauqua HOME Rehab Project 2012

*A - Not Applicable to this Project
B - Consultation, Permit and/or Mitigation Required.

Area of Statutory Regulatory Compliance	A*	B	Provide compliance documentation. Additional material may be attached.
Section 4.1			
Flood Disaster Protection Act of 1973	☐	☒	All proposed sites will be located on Flood Insurance Rate Maps to determine potential flood hazard. All projects will be reviewed according to Appendix J, Floodplain Management Guidelines for HOME LPA Programs. Any project sites located in a floodplain will comply with all state and federal floodplain regulations. The Floodplain Management Worksheet will be used to document compliance for each project, and will be submitted to HTFC with the site specific statutory checklist. Flood insurance will be purchased if any project is located in a floodplain zone. No projects located within a "regulatory floodway" are eligible for HOME rehabilitation funding.
Coastal Barrier Resources Act	☒	☐	None in project area
Runway Clear Zones (development)	☒	☐	None in project area
Section 4.2			

Historic Properties	☐	☒	Prior to commencement of any rehabilitation project, a Historic Resource Inventory Form will be completed for buildings 50 years or older, or for any project that will include ground disturbance, as described in the Statutory Checklist and, together with a series of photographs of the project site, principal structure(s) and surrounding area, submitted to the SHPO for an effect determination. Where the SHPO determines that a proposed project will have "No Adverse Impact" with conditions, rehabilitation will be conducted according to SHPO conditions. The LPA might be doing septic or wells (for an individual residence). When such ground disturbance is proposed a request will be submitted to the Tribal Historic Preservation Officer (THPO). The request package forwarded to SHPO will also be used for THPO. If THPO does not respond within 30 days, the THPO review process will be considered closed. An archaeological survey will be completed if requested.
Floodplain Management	☐	☒	All proposed sites will be located on Flood Insurance Rate Maps to determine potential flood hazard. All projects will be reviewed according to Appendix J, Floodplain Management Guidelines for HOME LPA Programs. Any project sites located in a floodplain will comply with all state and federal floodplain regulations. The Floodplain Management Worksheet will be used to document compliance for each project, and will be submitted to HTFC with the site specific statutory checklist. If any project sites will involve substantial improvements as defined by federal and state floodplain regulations, the 8-step public notice procedure will be used prior to any commitment of funds for that project. HTFC will be notified prior to any use of the 8-step public notice procedure. Project sites in the SFHA that are classified as substantial improvements will be built according to regulations in 6NYCRR Part 502. No projects located within a "regulatory floodway" are eligible for HOME rehabilitation funding.
Wetland Protection	☐	☒	Any improvements to infrastructure, such as septic, drainage, and so on, will be constructed so as not to impact any NYS DEC or U.S. Corps of Engineers identified wetlands. Maps of state-protected wetlands will be consulted prior to conducting ground disturbance and/or performing regulated activities that may impact or be located in a state protected wetland or associated buffer or check zone. Maps of federal wetlands will also be consulted. If federal or state regulated wetlands are mapped on, or in proximity of the proposed project location, a formal on-site wetlands investigation or delineation shall be performed by a qualified wetlands biologist or soil scientist to determine the specific location of any wetland boundaries and any applicable buffers thereof. The 8-step public notice procedure will be used prior to commitment of funds for that project, and HTFC will be notified prior to undertaking any such action. Any required permits will be received prior to construction activities as to avoid adverse impacts upon wetland.

Coastal Zone Management	☐	☒	Portions of Chautauqua County lie within the designated Coastal Zone. Projects will be mapped on the Coastal Zone Map, If a project is mapped in the Coastal Zone, the municipality will be contacted to determine if the site lies within the boundaries of a Local Waterfront Revitalization Program. In addition, for all sites within the Coastal Zone, the EAU will be contacted before taking any further action.
Sole Source Aquifers	☒	☐	None in program area
Endangered Species	☐	☒	Some sites will require well or septic repairs. If ground disturbance is conducted on previously undisturbed land, the LPA will consult with the NYS Natural Heritage Program office. Documentation of the consultation will be submitted to HTFC with the site specific statutory checklist. The LPA will also consult with the US Fish and Wildlife Service website: http://nyfo.fws.gov/es/section7.htm to determine whether any listed rare, threatened or endangered species exist on site. The website will be checked every 90 days after site selection up until time of site disturbance. If endangered species are found, no rehabilitation work will be performed using HOME funds.
Wild and Scenic Rivers	☒	☐	None in program area
Air Quality	☒	☐	The proposed project work is not of a size or scope that contributes to air pollution
Farmlands Protection	☒	☐	No farmland will be converted to non-agricultural use
Noise Abatement and Control	☒	☐	Moderate rehabilitation only
Thermal/Explosive Hazards	☒	☐	Moderate rehabilitation only
Runway Clear Zones (development)	☒	☐	None in program area
HUD Environmental Standards	☐	☒	A qualified environmental professional will visit each site to determine that each site is not on or near any hazardous materials or contamination. The site visit report will include a signed certification statement as follows: "I (Name/Title) am a qualified environmental professional as per ASTM 1527".
Environmental Justice	☒	☐	The program will comply with the objectives of Executive Order 12898.

Asbestos & Lead-Based Paint	☐	☒	Properties will be reviewed on a case by case basis to determine if interim controls or stabilization measures are required for lead based paint. Where lead based paint abatement will be required, this activity will be undertaken by a licensed professional in accordance with HUD "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards and Housing" and the EPA Renovation, Repair and Painting Rule. All work involving asbestos will be conducted by a licensed professional according to NYS DOL Part 56 requirements. Asbestos survey and identification will be conducted according to requirements in NYSDOL Part 56-5.1.

"I am the authorized signatory for the HTFC HOME LPA award to the entity named below. I have read the Programmatic Environmental Review Record and Statutory Checklist and by signing these documents agree with the statements made therein and agree that all site specific reviews will be conducted in conformance with the described procedures."

Signed Eileen M Powers

Name EILEEN M POWERS

Title DIR. HOUSING REHAB SERVICES

Group CHRIC

Date 02/21/2013

Prepared by: Chris Colletti Tectonic Engineering

Consultant Signature & Date

2/21/13