



**U.S. Department of Housing and Urban
Development**
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

**Tiered Environment Review
for Activity/Project that is
Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)**

Project Information

Project Name: 2017-18-RTD-Homeowner-Home-Repair-&-Accessibility-Program

**HEROS
Number:** 900000010111155

**Responsible Entity
(RE):** DAYTON, 101 W 3rd St Dayton OH, 45402

**State / Local
Identifier:** CT_____

**RE Prepare
r:** Peter Thornburgh

**Certifying
Officer:** Todd. M. Kinskey

**Grant Recipient (if different than Responsible
Entity):**

Point of Contact:

**Consultant (if
applicable):**

Point of Contact:

Project Location: Dayton, OH 45405

Additional Location Information:

Various locations yet to be determined within the City of Dayton. Locations will be identified in a Tier 2 site specific review as they are identified.

Direct Comments

to:

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

Subrecipient will use all funds granted hereunder to operate the Home Repair and Accessibility Program, through December 31, 2021. The program will result in the repair of up to 24 income eligible households within the City of Dayton corporate limits. Subrecipient will provide urgent home repairs or accessibility modifications as a grant with a maximum contribution of \$7,500.00 per household. The housing repair component provides for the repair of a single housing component that poses a threat to the health and safety of the household and the accessibility component provides for housing modifications that eliminate barriers for an impaired occupant.

Maps, photographs, and other documentation of project location and description:

[Exhibit1_CorpBoundary20170919.pdf](#)

Approximate size of the project area: more than 1 square mile

Length of time covered by this review: 5 Years

Maximum number of dwelling units or lots addressed by this tiered review:
24

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:

58.35(a)(2)

58.35(a)(3)

58.35(a)(6)

Determination:

	Extraordinary circumstances exist and this project may result in significant environmental impact. This project requires preparation of an Environmental Assessment (EA); OR
✓	There are no extraordinary circumstances which would require completion of an EA, and this project may remain CEST.

Approval Documents:

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer

on:

Funding Information

Grant Number	HUD Program	Program Name
B17MC390010	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)
B18MC390010	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)

Estimated Total HUD Funded Amount: \$200,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$275,000.00

Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Was compliance achieved at the broad level of review?	Describe here compliance determinations made at the broad level and source documentation.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The project does not involve new construction or sale of property. The project is in compliance with this factor. See attached airfield maps.
Coastal Barrier Resources Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The project activity area is not within a Coastal Barrier Resource System. The project is in compliance with this factor. See attached USFW map.
Flood Insurance	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The project activity does not involve acquisition, construction, or rehabilitation of structures located in a FEMA identified Special Flood Hazard area. The project is in compliance with this factor.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Montgomery County is not a nonattainment area for criteria pollutants. The activities are in

		compliance with this factor. See attachments.
Coastal Zone Management Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Montgomery County is not a coastal county and no coastal counties are within 130 miles of the city. The activities are in compliance with this factor. See attached ODNR map.
Contamination and Toxic Substances	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Endangered Species Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Project activities do not include development, construction, or rehabilitation that will increase residential density or land use conversion. The activities are in compliance with this factor.
Explosive and Flammable Hazards	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Project activities do not include development, construction, or rehabilitation that will increase residential density or land use conversion. The activities are in compliance with this factor.
Farmlands Protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The project area is heavily urbanized. Project areas broach no farmlands; this includes the conversion of farmlands. The activities are in compliance with this factor.
Floodplain Management	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Historic Preservation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Noise Abatement and Control	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The project activities do not trigger the HUD noise guidelines. This project is in compliance with this factor.
Sole Source Aquifers	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Much of the activity area is above the Great Miami Aquifer Buried SSA. The activity is presumed to be exempt per page 14 of the attached 2018 EPA-HUD Memorandum of Understanding. All structures are connected to city water and sewer, however renovation activities may be avoided if found to have an adverse impact on the Miami Aquifer. Also see COD's Well Field Protection Map (on file). Project will comply with R.C.G.O. Sec. 150.363. The activities are in compliance with this factor. See attachments.
Wetlands Protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The project activities (renovation and

		accessibility modifications) do not include new construction as defined in EO 11990 and is excluded. The project is in compliance with this factor.
Wild and Scenic Rivers Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	There are no Designated Wild and Scenic Rivers (W&SR) within 5 miles of the project area. The project is in compliance with this factor. See the attached W&SR proximity map
ENVIRONMENTAL JUSTICE		
Environmental Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The renovation and accessibility modifications will improve the project area and the household's lives by removing blight, improving homes, and making homes accessible. The project is in compliance with this factor.

Supporting documentation

- [4bCleanAirMC.pdf](#)
- [4aCleanAirMC.pdf](#)
- [2 CBRS USFW.jpg](#)
- [5 CZMgmt ODNr.pdf](#)
- [3 NFHL DaytonPng 001.png](#)
- [8a EPA HUD MOU SSA 20180816.pdf](#)
- [8 greatmiami-ssa.pdf](#)
- [9 Dayton Ohio Wetlands.pdf](#)
- [10 USFW WaS RiversDetail 001.jpg](#)
- [1a CorpLimit and WPAFB Distance.pdf](#)
- [1 CorpLimitMuniAirportDist.pdf](#)

Written Strategies

The following strategies provide the policy, standard, or process to be followed in the site-specific review for each law, authority, and factor that will require completion of a site-specific review.

1	Contamination and Toxic Substances
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	<p>The Subrecipient will investigate if hazardous waste generators are in the area of potential effect. The Subrecipient should generate for each project a printout from the U.S. EPA's RCRAInfo Facility website to determine if the project is within 3,000 feet of an area that contains or may have contained hazardous waste (Superfund Clean-up site, Brownfields). If this is the case the Subrecipient should determine if the generator would have an adverse effect on the project. In order to make this determination the Subrecipient must make a determination as to if there is a Recognized Environmental Condition (REC) on the Property. The Subrecipient should evaluate whether Superfund Sites or Brownfields in proximity contain hazardous substances which may pose a health and safety risk to the property and have a clear pathway of exposure to the property. This can be done through the use of contour maps and a records search of past uses of the nearby facilities. If the Responsible Entity determines there is an adverse effect to health and safety at the projects location and no effective mitigation measures can be applied, the project site will be declined. Subrecipient will also follow the evaluation of lead-based paint and asbestos hazards as described in the attached Asbestos-Lead based paint document.</p>
<p>2</p>	<p>Floodplain Management</p> <p>The Subrecipient must generate a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for each project location to determine if the property is located in a special Flood hazard area a 100 year or 500 year floodplain. Should the project be located in a 100 year or 500 year floodplain, the site specific project must undergo a 5 step process. The Subrecipient will identify potential direct and indirect impacts of flooding on the structure to be repaired and the safety of the occupants. After evaluating the impacts and exploring mitigation measures, the Responsible Entity will evaluate alternatives to the action, including choosing not to undertake the proposed activity at the site. FIRM documents may be obtained at: https://msc.fema.gov/portal/home .</p>
<p>3</p>	<p>Historic Preservation</p> <p>A Tier 2 Review of individual sites will use the Protection of Historic Properties Form, will comply with the Programmatic Agreement between City of Dayton and the Ohio State Historic Preservation Office (OHPO), and use the COD's Historic Properties Lists on file in the Planning Department. A determination of no effect on, or no adverse effect on Historic properties must be made in writing by the Secretary to the Landmarks Commission; or the scope of work must be approved and a determination of no adverse effect on historic properties must be made in writing by the OHPO. Renovation that may have an adverse impact on historic structures will not be undertaken.</p>

Supporting documentation

- [lead based paint and asbestos hazard evaluation.docx](#)
- [_17-18 RTD RepairAccessibilityTier2ChklstCESTcdbg.doc](#)
- [HistoricPPForm.doc](#)
- [7 OHPO PA 20200130.pdf](#)

APPENDIX A: Site Specific Reviews