**FINDING OF CATEGORICAL EXCLUSION**

**(subject to 58.5)**

**24 CFR 58.35(a)**

Grantee

Grant No.

I hereby certify that the following activities comprising the       Project have been reviewed and determined to be Categorically Excluded per 24 CFR 58.35(a) as follows:

(1) Acquisition, repair, improvement, reconstruction, or rehabilitation 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 (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).

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

(3) Rehabilitation of buildings and improvements 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 in 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:

1. Unit density is not changed more than 20 percent;
2. The project does not involve changes in land use from residential to non-residential; and
3. The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation.

(iii) In the case of non-residential structures, including commercial, industrial, and public buildings:

1. The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; and
2. The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, of from one industrial use to another.

(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. [This section does not apply to rehabilitation of a building for residential use (with one to four units)].

(4)(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. [This section does not apply to rehabilitation of a building for residential use (with one to four units)].

(5) Acquisition (including leasing) or disposition of, or 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.

(6) Combinations of the above activities.

**The following supporting documentation has been completed and is attached.**

Section 106 State Historic Preservation Office (SHPO) review

Statutory Checklist (Form 5-F)

**DETERMINATION**

This project **converts to Exempt**, per Section 58.34(a)(12) , because it does not require any mitigation for compliance with any listed statutes or authorities , nor requires any formal permit or license; This (now) EXEMPT project may now be initiated; OR

This project **CANNOT convert to Exempt** because one or more statutes/authorities require consultation or mitigation. Complete consultation/mitigation requirements, publish NOI/RROF and obtain Authority to Use Grant Funds from MEDC before initiating the project; OR

The unusual circumstances of this project may result in a significant environmental impact. This project requires preparation of an **Environmental Assessment** (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

Name and Title of Certifying Officer Signature of Certifying Officer Date

Name of person preparing this form Phone #

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| **For State Use Only** | **Reviewed** | **Date** |
| Compliance Specialist |  |  | |