

**A-16: CERTIFICATION OF CATEGORICAL EXCLUSION (SUBJECT TO 58.5)**

**Categorical Exclusion Subject to §58.5 Determination for Activities Listed at 24 CFR §58.35(a)**

Grant Recipient: \_\_\_\_\_ Project Name: \_\_\_\_\_

Project Description (Include all actions which are either geographically or functionally related):  
 \_\_\_\_\_  
 \_\_\_\_\_

Location: \_\_\_\_\_

Funding Source: CDBG HOME ESG HOPWA EDI Capital Fund Operating Subsidy Hope VI Other  
 Estimated Funding Amount: \_\_\_\_\_ Grant Number: \_\_\_\_\_

I have reviewed and determined that the above mentioned project is a Categorical Excluded activity (subject to §58.5) per 24 CFR §58.35(a) as follows:

<input type="checkbox"/>	58.35(a) (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);
<input type="checkbox"/>	58.35(a) (2). Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons;
<input type="checkbox"/>	58.35(a) (3). Rehabilitation of buildings and improvements when the following conditions are met:
<input type="checkbox"/>	58.35(a) (3) (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;
<input type="checkbox"/>	58.35(a) (3) (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.
<input type="checkbox"/>	58.35(a) (3) (iii). In the case of non-residential structures, including commercial, industrial, and public buildings: (A) The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; <b>AND</b> (B) The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.
<input type="checkbox"/>	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
<input type="checkbox"/>	58.35(a) (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. 58.35(a) (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).
<input type="checkbox"/>	58.35(a) (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.
<input type="checkbox"/>	58.35(a) (6). Combinations of the above activities.

The responsible entity must also complete and attach a **§58.5 Statutory Worksheet and a §58.6 Compliance Checklist**. By signing below the Responsible Entity officially determines in writing that all activities covered by this determination are Categorically Excluded (subject to §58.5) and meets the conditions specified for such exclusion under section 24 CFR §58.35(a). This document must be maintained in the ERR.

AUTHORIZED RESPONSIBLE ENTITY OFFICIAL:

\_\_\_\_\_  
Authorized Responsible Entity Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Responsible Entity Name (printed)

\_\_\_\_\_  
Title (printed)