



Homeownership Pool (HOP) Program

Florida Housing Finance Corporation

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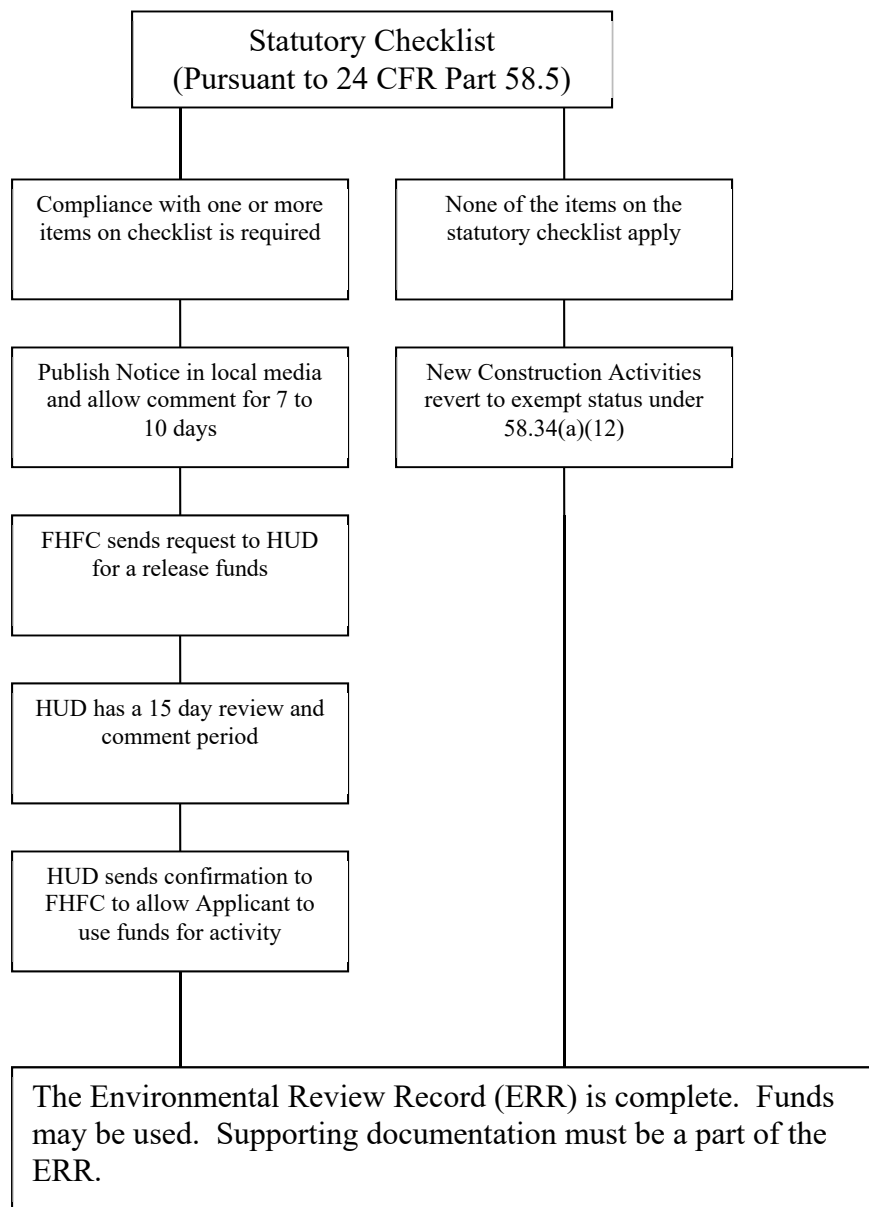
HOP Self-Help Checklist & Procedures for Members Utilizing Self Help Under USDA-RD Section 502

(Categorical Exclusion under 24 CFR Part 58.35(a))

The purpose of the environmental analysis is to ensure that the property contains no imminent threat to the health and safety of the household or the structural integrity of the dwelling itself. All development activities financed fully or in part with federal resources are required to undertake an environmental review process pursuant to 24 CFR Part 58. There are certain activities that are exempt or excluded from some of the provisions outlined in 24 CFR Part 58.

This categorical exclusion does not exempt the Member from completing and properly documenting an Environmental Review Record (ERR) for each property. A “compliance determination” analysis using the **HOP SELF-HELP (HOPSelfHelp302 (5/01/08))** (Checklist), pursuant to 24 CFR Part 58.5 and 58.6, will be used to determine whether or not a further environmental review is needed. The Checklist identifies several federal laws and authorities found in 24 CFR Part 58.5. If compliance with any item on the checklist is required, a further review must be completed along with certain publication requirements and authorizations mandated by HUD before the “compliance determination” can be considered finished. If a further review is required, the Member should immediately notify Florida Housing for direction. Please note that if compliance with the federal laws or authorities is required, the environmental review process may take up to sixty (60) days to complete. Please reference the left portion of the diagram on the next page.

The Checklist must be completed for **each** property. **Funds cannot be committed and work cannot begin prior to completion of the compliance determination.** If it is determined that compliance with the federal laws and authorities listed on the Checklist is not required, the property will revert to an exempt property according to 24 CFR Part 58.34(a)(12), and certain typical environmental processes are excluded. The diagram on the next page portrays an accurate picture of what needs to occur in order to document the ERR for each property. Florida Housing will require documentation to support each Member’s compliance determination with the federal laws and authorities.



****Emphasis:** If one or more of the Checklist statutes are invoked after performing the review, a more in depth analysis will need to be performed, after which the procedures on the left of the diagram will need to be followed. Please contact Florida Housing if at least one of the statutory requirements is invoked.

Compliance Determination Instructions

The **HOP SELF-HELP CHECKLIST (HOPSelfHelp302 (4/1/19))** (Checklist) is attached and made a part of these instructions. Please use the following instructions and background information for completion of the Checklist. Supporting documentation is required for each of the statutory requirements. Acceptable forms of documentation are reference maps, correspondence from appropriate regulatory authorities, documented site visits and observances from inspectors, memorandums to the file, website information, specialized reports or tests, etc.

All Members are required to maintain copies of the Checklist and necessary documentation to support and/or explain decisions made and steps taken in the environmental process. Please note that each Member must document all answers to the Checklist and keep the documentation in the file as well as forward all information to Florida Housing prior to commencing construction. Members may devise and utilize the most efficient manner to complete the Checklist, so long as the documentation supports the decision made.

Note: Pursuant to rule chapter 67-57.070(8): Members using Self Help under USDA-RD Section 502 financing can make reservations four (4) weeks prior to the homebuyer closing. Within ten (10) Calendar Days of receiving the reservation, the borrower analysis package, must be sent to Loan Servicing for review and approval. In addition, the **HOP SELF-HELP CHECKLIST (HOPSelfHelp302 (4/1/19))**, which is adopted and incorporated into this rule chapter by reference and which is available on our website at <http://www.floridahousing.org/Home/Developers/HomeownershipPrograms/HOP>, or other acceptable documentation must be sent to the Corporation within fourteen (14) days of the reservation date. Upon approval, the closing can occur and funds will be held in escrow by the Corporation.

If you have any questions regarding this environmental review, please contact Florida Housing's Homeownership Department at (850) 488-4197.

Specific Instructions:

****Note:** The numbers beside each section correspond to the numbers on the attached Checklist.

Historic Properties (1)

The National Historic Preservation Act, Executive Order 11593 and other historic preservation regulations require that certain districts that are classified as “historic” be preserved. Properties 50 years or older typically fall into this category. You can determine if a site is listed on the National Register of Historic Places or located in a historic district by checking the website at www.nr.nps.gov. If a site is not located on or near a historic district, please document the ERR proving such.

If the property is 50 years or older or is located in a historic district or near a district that is on the National Register of Historic Places, please contact the Division of Historical Resources, the State’s Historic Preservation Office (SHPO) at www.flheritage.com. A letter of clearance from SHPO will be needed prior to activity commencing. SHPO will need photos of the structure, the address of the property, a map showing the site’s location and any other relevant information. SHPO has thirty (30) days in which to respond.

Coastal Zone Management (2)

The purpose of the Coastal Zone Management Act of 1972 is to preserve, protect, develop, and where possible, to restore or enhance, the resources of the coastal zones. This encompasses such analyses that would seek to provide protection of natural resources, including wetlands, floodplains, estuaries, beaches, dunes, barrier islands, coral reefs, and fish and wildlife and their habitat within the coastal zone.

If the property is located in a coastal management zone, the State Coastal Zone Management (CZM) agency must ensure consistency with the approved State CZM program. Please check with the Department of Environmental Protection at www.dep.state.fl.us for more information. Details concerning the Coastal Management Zone Program may be found at <http://www.dep.state.fl.us/cmp/default.htm>.

Please note that in order to locate Coastal Management Zones, Floodplain Maps will need to be consulted.

Flood Plain Management and Wetlands Protection (3 and 5)

If the property is located in a floodplain, the homeowner will have to carry flood insurance and the district would need to be a participant in the National Flood Insurance Program (NFIP).

Development in the wetlands is discouraged where there is a practicable alternative in order to preserve wetland areas. Documentation complying with the above provisions is required. FEMA maps are the best references for determining whether a property is located in a flood plain. For information on how to read the FEMA Insurance Rate Map (FIRM), is also available at the website noted below.

Wetland information and maps can also be referenced at the National Wetland Inventory’s website at www.msc.fema.gov. Utilize the “Wetland Mapper” to determine if the proposed activity site is within a designated wetland area. Further detailed maps and information may be viewed at www.fws.gov/nwi. Maps located at this site will include incidental wetlands and other unnamed wetlands present in Florida.

Documentation verifying whether or not an activity is located in a floodplain or wetland is required. Documentation may be easily created through the Create Your Own FIRMette Tutorial at www.msc.fema.gov .

Coastal Barrier Resources (4)

According to the Florida Department of Environmental Protection, only properties that are in direct contact with any tidal body of water have influence on coastal barrier resources, with the exception of certain areas. If a property is located inland, chances are that the proposed activity will not influence coastal barrier resources.

Check with the most recent version of the FEMA flood map or the Department of Interior's coastal barrier resources map to see if the property is located in a coastal barrier zone. You may also visit The Department of Fish and Wildlife's website at www.myfwc.com as well as the Coastal Barriers Resource site at www.fws.gov/habitatconservation/coastal_barrier.htm for more information.

The law prohibits federal funding of any activity in designated coastal barriers.

Endangered Species (6)

Endangered species are protected under the Endangered Species Act of 1973 which was implemented to provide for the conservation of endangered species and threatened species of fish, wildlife and plants that have esthetic, ecological, educational, historical, recreational, and/or scientific value to the community.

The Member will need to provide documentation that the property is not identified as being an area where endangered species exist. There is a joint publication authored by the Department of Fish and Wildlife and the Department of Commerce for determination of location in one of these areas or visit the Florida Department of Fish and Wildlife's website at www.myfwc.com for more information. Endangered Species lists and information is also available at www.fws.gov/endangered/ and www.fnai.org/trackinglist.cfm .

A letter verifying compliance is needed to document the ERR.

Wild and Scenic Rivers (7)

The Wild and Scenic Rivers Act, as amended, declares that certain selected river systems possess outstanding/remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations.

There are very few classified Wild and Scenic Rivers in Florida. The Wekiva and Loxahatchee Rivers have this special designation. Please visit the Nation Wild and Scenic River System's website at www.nps.gov/rivers/wildriverslist.html for more information.

Manmade Hazards: (thermal explosives, noise, airport clear zones, toxic sites) (8)

If the property is situated in close proximity to a major hazard, such as stationary container which stores, handles, or processes hazardous substances of an explosive or fire prone nature, an “acceptable separation distance” (ASD) must be calculated in accordance with the ASD guidelines in HUD Guidebook, “Urban Development Siting With Respect to Hazardous Commercial/Industrial Facilities.” A copy of this guidebook may be requested via the HUD website located at www.hud.gov/offices/cpd/energyenviron/environment/compliance/forms/trngmanual/appendixb.cfm. Check the Agency for Toxic Substances and Disease Registry (ATSDR) Interet HazDat – Site Activity Query at www2.atsdr.cdc.gov/gsql/siteact.script . Check EPA’s Envirofacts Multiple Area Query www.epa.gov/epahome/commsearch.htm.

If the calculations demonstrate that the property is too close to a particular hazard and nothing has been or can be done to shield the Unit, then the use of HUD funds is prohibited.

Farmlands Protection (9)

The Farmland Protection Act of 1981 seeks to minimize the extent to which Federal programs contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses. One of its primary purposes is to protect resources suitable for producing food and fiber in sufficient quantities to meet domestic needs and the demands of export markets.

The United State Department of Agriculture (USDA) has designed policies and procedures for complying with this Act. Any proposed activity to be undertaken with respect to farmland needs to comply with any provisions outlined under the Act and USDA. Please contact the Florida Department of Agriculture and Consumer Services or visit their website at www.doacs.state.fl.us or the National Resources Conservation Service’s website at www.fl.nrcs.usda.gov for further information.

Noise and Airport Runway Clear Zones (10 and 12)

This section requires the Member to determine if the property is located in an airport runway clear zone or clear zone. These zones are areas immediately beyond the end of runways.

Runway clear zones are located at the end of civil airport runways. These zones are trapezoidal in shape with a maximum length of 3,000 feet. The base (end of runway) has a maximum width of 1,000 feet. The opposite end widens out to the maximum width of 1,750 feet.

Clear zones are at the end of military airports and are normally 3,000 feet wide and may be as much as 9,000 feet in length.

Runway clear zones may be found by contacting local airports and obtaining clear zone maps. Military clear zones must be sited either from data obtained from the military base or county in which the military base is located.

Noise data may be obtained and calculated using the HUD Noise Guidebook at <http://www.hud.gov/offices/cpd/environment/training/guidebooks/noise/index.cfm> .

Water Quality – Aquifers (11)

Compliance with the Safe Drinking Water Act of 1974 and 40 CFR Part 149 relating to sole source aquifers is mandated to ensure that the public water systems are free of toxins and contaminants. This Act establishes program standards and treatment requirements for drinking water, controls underground injection of wastes that may contaminate water supplies and protects ground water.

These regulations are also concerned with preventing the contamination of sole source aquifers and to ensure that the construction activities would not affect the aquifer.

There are currently three (3) sole source aquifer designations in Florida's region. These aquifer systems are as follows:

- Biscayne Aquifer System connected in Broward, Dade, Monroe and Palm Beach Counties
- Volusia-Floridan Aquifer connecting Flagler and Putnam Counties
- Southern Regional Aquifer System that is jointly managed by all states in the region, not specifically applicable to Florida

Check with your local environmental agency or designee or the Department of Environmental Protection at www.dep.state.fl.us/mainpage/sitemap.htm to determine whether or not the property is subject to the provisions of the statutory requirement.

Sole Source Aquifer maps are also available through the EPA Source Water Protection website at <http://cfpub.epa.gov/safewater/sourcewater/sourcewater.cfm?action=SSA> .

Environmental Justice (13)

Pursuant to Executive Order 12898, agencies must, to the greatest extent practicable and permitted by law, identify and address disproportionately high and adverse human health or environmental effects of programs, policies, and activities on minority and low income populations. The Department of Environmental Protection is responsible for regulating compliance with the environmental justice requirement.

State and Local Rules (14)

All construction activities must conform to Florida Building Code (latest edition) and the local building code and other rules and regulations as applicable.

Homeownership Pool (HOP) Program
HOP SELF-HELP (HOPSelfHelp302 (4/1/19))
(Pursuant 24 CFR Part 58.5)

Member:				

Homeowner's Name:				

Property Address:				

Compliance Determination			Yes	No
1	Historic Properties <i>Is the site listed on or eligible for the National Register of Historic Places? Is it located in a historic district or more than 50 years old? Reference www.nr.nps.gov for more information. If yes, contact the State Historic Preservation Office (SHPO) and attach clearance letter.</i>			
2	Coastal Zone Management <i>Is the site located along a coastal area? If so, a letter from the Coastal Zone Management agency needs to be provided to ensure consistency with the approved State CZM program. Visit www.dep.state.fl.us.</i>			
3	Flood Plain Management <i>Is the site located in a 100-year floodplain? Regardless of the zone status, attach copy of the FIRM (Flood Zone) map with site location identified. Visit FEMA for determination of status at www.msc.fema.gov.</i>			
4	Coastal Barrier Resources <i>Does the site have any direct contact with a tidal body of water? If so, activity is prohibited using federal funds. Visit www.myfwc.com for more information. Please attach a map for verification.</i>			
5	Wetlands Protection <i>Is the site located in a wetland area according to the Army Corps of Engineers or a jurisdictional Fish and Wildlife Wetland Map? Visit the National Wetlands for more information at http://wetlandsfws.er.usgs.gov/wtlnds/launch.html</i>			
6	Endangered Species <i>Does the site have the potential to affect any endangered species? Visit http://www.fnai.org/trackinglist.cfm for more information.</i>			
7	Wild and Scenic Rivers <i>Does the site have the potential to affect water resources of any wild and scenic rivers? Please visit www.nps.gov/rivers/wildriverslist.html to verify status.</i>			
8	Manmade Hazards <i>Is the site located near any dumps, landfills, industrial sites or other land area containing toxic waste and or radioactive materials? Check EPA's Envirofacts Multiple Area Query, at www.epa.gov/epahome/commsearch.htm; print a copy and keep it in your records.</i>			
	<i>Is the site located in close proximity to any thermal and/or explosive hazards?</i>			
9	Farmland Protection <i>Does the site have the potential to affect any prime or unique farmland? Contact the County's U.S. Natural Resources Conservation Service Office if you need guidance or visit www.fl.nrcs.usda.gov for more information. Please contact the Florida Department of Agriculture and Consumer Services or visit their website at www.doacs.state.fl.us; attach a map for verification.</i>			
10	Noise <i>Is the site located:</i>			
	<i>Within 3,000 feet of a railroad</i>			
	<i>Within 1,000 feet of a heavily traveled roadway</i>			
	<i>In close proximity to any major noise producer</i>			
	<i>Within 5 miles of a commercial airport</i>			
	<i>Within 15 miles of a military airport</i>			

11	Water Quality – Aquifers <i>Is the site connected to a public water system? If not, please contact Florida Housing for more information.</i>		
12	Runway Clear Zones or Clear Zones <i>Is the site located near an:</i> <i>Airport Runway Clear Zone</i>		
13	Environmental Justice <i>Does the site suffer from a disproportionate number of adverse environmental effects relative to the community at large?</i>		
14	State and Local Rules <i>Does the site meet all requirements for state and local statutes?</i>		

Notes: _____

DETERMINATION:

- This property 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 (Status "A" has been determined in the status column for all authorities); OR
- This property 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 (HUD 7015.16) per Section 58.70 and 58.71 before drawing down funds; OR
- The unusual circumstances of this property may result in a significant environmental impact. This property requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

PREPARER SIGNATURE: _____ DATE: _____

PREPARER NAME & TITLE (please print): _____

RESPONSIBLE ENTITY CERTIFYING OFFICIAL SIGNATURE: _____

NAME & TITLE (please print): _____ DATE: _____