LEE COUNTY

2013-2017

US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT CONSOLIDATED PLAN

FORMAT II ENVIRONMENTAL ASSESSMENT AND

ENVIRONMENTAL REVIEW RECORD

October 1, 2013 – September 30, 2017

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Format II: Housing Activities

ENVIRONMENTAL REVIEW RECORD

FORMAT II

ENVIRONMENTAL ASSESSMENT

PROJECT: Housing Activities

PROGRAM: Lee County Florida Consolidated Plan FY 2013-2017 CDBG Program (B-13-UC-12-0013) HOME Program (M-13-UC-12-0210) ESG Program (E-13-UC-12-0023)

C6a

7-30-13

PROJECT ABSTRACT

FORMAT II

Name of Grantee

Lee County Florida

ENVIRONMENTAL ASSESSMENT

Application/Grant Numbers

B-13-UC-12-0013/M-13-UC-12-0210/E-13-UC-12-0023)

From October 1, 2013 to September 30, 2017

Original

Х

Revisions

Amendments

Name and Title of Certifying Officer: Cecil L Pendergrass, Chairman

Lee County Board of County Commissioners

2115 Second Street Fort Myers, FL 33901

Project Name: Housing Activities

Locations of Physical Development (s): Countywide (Includes all incorporated and unincorporated areas)

Lead Agency:

Lee County Department of Human Services

Address:

2440 Thompson Street

Fort Myers, FL 33901

Project Representative:

Shawn Tan

Telephone: (239) 533-7941

Address:

2440 Thompson Street

Fort Myers, FL 33901

Project Information:

Cyndy Cook

Telephone: (239) 533-7958

Address:

2440 Thompson Street

Fort Myers, FL 33901

Project Summary Description:

CDBG Funds

HOME Funds (Projected)

ESG Funds

\$10,000,000

\$3,000,000

\$825,000

The project consists of countywide functionally aggregated and tiered housing activities, which are of a continuing nature pertaining to acquisition, lease, rehabilitation, new construction, site improvements, , demolition, loans, and rapid re-housing.

²ROJEC	CT SUMMARY	 ☑ Original (each year) October 1, 2013 to September 30, 2017 ☐ Revision, Dated ☐ Amendment, Dated 							
			•		JNDING (in	thousands	of \$)		
Env. Review Status	Project Name: Housing Activities Component Activities: Listed Below Locations of Physical Development Activities: Countywide* Housing Activities Acquisition or lease of vacant, improved and/or unimproved land for the development of housing Acquisition, lease, rehabilitation and/or relocation of existing buildings and/or improvements for the development of housing Construction of new buildings and/or improvements for the development of housing Rehabilitation of existing structures to include new construction of wells and septic systems where applicable Demolition of vacant existing structures and/or improvements Loans for housing and/or related activities	Total Estimated Cost \$13,825,000	Year \$2,765,000	Year II \$2,765,000	Year III \$2,765,000	Year IV \$2,765,000	Year V \$2,765,000		

Location of the exact sites have not been determined, however, an unspecified sites checklist will be completed for each site once a location has been established.

ENVIRONMENTAL ASSESSMENT

PROJECT DATA

PURPOSE OF THE PROJECT:

The purpose of this project is to provide countywide housing activities related to acquisition, rehabilitation, new construction, site improvements, demolition, loans and rapid re-housing. The project is multi-year, tiered, and intended to functionally aggregate all HUD funded CDBG, HOME, and ESG related housing activities within Lee County. The project is in conformance with Lee County's Consolidated Plan and reflects the Needs Assessment for affordable housing. The project includes Community Housing Development Organizations (CHDOs), as well as all other public and assisted housing providers. The project is also intended to assist in reducing the barriers to affordable housing within Lee County.

STATUS OF THE PROJECT:

Housing activities related to acquisition, rehabilitation, new construction, site improvements, demolition, loans and rapid re-housing have been carried out within Lee County in one form or another since being initially environmentally cleared December 20, 1990. The County's current housing program is implemented countywide. In addition, the Lee County Department of Human Services works closely with Community Housing Development Organizations (CHDOs) and other public and assisted housing providers. A summary of previous environmental reviews pertaining to housing activities is available at the lee County Department of Human Services.

PROJECT AND AREA DESCRIPTION:

The project consists of the following housing activities:

- Acquisition or lease of vacant, improved and/or unimproved land for the development of housing
- Acquisition, lease, rehabilitation and/or relocation of existing buildings and/or improvements for the development of housing
- Construction of new buildings and/or improvements for the development of housing
- · Rehabilitation of existing structures to include new construction of wells and septic systems where applicable
- Demolition of vacant existing structures and/or improvements
- · Loans for housing and/or related activities
- Rapid re-housing activities

Project activities will be conducted countywide including both incorporated and unincorporated areas. The location of exact sites have not been determined, however, an unspecified sites checklist will be completed for each site once a location has been established.

EXISTING CONDITIONS AND TRENDS:

Existing conditions and housing statistics contained in the Lee County Consolidated Plan indicate that much of the population is below the moderate-income level and that affordability of housing is a prime issue. Affordability is especially important to renters, since there is an inadequate supply of this type of housing as indicated by the waiting lists for public and assisted housing and for seasonal/migrant farm workers and their families. Multicultural families and persons with special needs also require attention. The non-institutionalized, disabled population exceeds available housing in supportive housing. Therefore, as Lee County continues to develop and grow, more housing will be needed to accommodate all types of new residents. Some re-sales may be affordable if the type and size of housing unit is what a family needs. Rehabilitation of housing is also needed, with over half of the housing stock built prior to strict building codes, especially for hurricanes. Therefore, the demand for affordable homeownership, rental housing and supportive housing is accomplishable through new construction, acquisition and supportive housing is accomplishable through new construction, acquisition and rehabilitation of lower-cost homes, rental assistance, and the building of multi-family rental units.

PROJECT AND AREA MAPS AND PLANS:

A map of Lee County, Florida is provided in the attachments.

ENVIRONMENTAL ASSESSMENT

Project Name and Identification No. STATUTORY CHECKLIST

Housing Activities: CDBG, HOME, and ESG Programs

Area of Statutory Regulatory	Not Applicable To This Project	Consultation Required	Review Procedures Required	Permits Procedures Required	Determine Approvals Permits Obtained	Condition Mitigating Action Required	Reference to Notes Providing Documentation Sources and Correspondence
Historic							See Environmental
Properties		X					Monitoring Strategy
Floodplain	1						See Environmental
Management	-		X				Monitoring Strategy
Wetlands							See Environmental
Protection			X*				Monitoring Strategy
Coastal Areas							See Environmental
Coastal Zone Management Coastal Barrier			×		111100000000000000000000000000000000000		Monitoring Strategy
Resources					<u> </u>		There are no sole source
Water Quality Sole Source Aquifers	X						aquifers in Lee County. See Environmental Monitoring Strategy.
Endangered Species		X*					See Environmental Monitoring Strategy
Wild and Scenic Rivers	x						There are no scenic river designations in Lee County. See Environmental Monitoring Strategy.
Air Quality			Х				See Environmental Monitoring Strategy
Farmlands Protection			х				See Environmental Monitoring Strategy
Noise			X				See Environmental Monitoring Strategy
Runway Clear Zones, Clear Zones and Accident Potential Zones	X						See Environmental Monitoring Strategy
Thermal and Explosive Hazards			х				See Environmental Monitoring Strategy
Toxic Sites			x				See Environmental Monitoring Strategy
Environmental Justice	х						No project will be funded that would adversely impact minority or low- income communities. See Environmental Monitoring Strategy.
Water Quality			X*				See Environmental Monitoring Strategy

^{*} Environmental reviews are also conducted by the appropriate regulatory agencies (typically DEP, SFWMD, and COE) prior to the issuance of applicable construction and development permits. Coordination with FGFWFC and USFWS will occur as necessary in conjunction with the permitting process.

ENVIRONMENTAL ASSESSMENT STATUTORY CHECKLIST (Continued)

Checklist of Applicable Statutes and Regulations

Permits, Licenses, Forms of Compliance **Under Other Laws**

(Federal, State, and Local Laws)

Other Areas of Statutory & Regulatory Compliance Applicable To Project	Not Applicable To This Project	Consultation Required	Review Procedures Required	Permits Procedures Required	Determine Approvals Permits Obtained	Conditions Mitigating Action Required	Reference to Notes Providing Documentation Sources and Correspondence
Solid Waste Disposal		-	х				See Environmental Monitoring Strategy
Fish and Wildlife		X*					See Environmental Monitoring Strategy
State or Local Statutes (to be added by Local Community)				X**			See Environmental Monitoring Strategy

^{*} Environmental reviews are also conducted by the appropriate regulatory agencies (typically DEP, SFWMD, and COE) prior to the issuance of applicable construction and development permits. Coordination with FGFWFC and USFWS will occur as necessary in conjunction with the permitting process.

Summary of Findings and Conclusions:

Housing activities will normally take place in existing structures, and/or within a developed or platted area. No adverse environmentally impacts are anticipated due to the limited scope and size of the individual project activities and the fact that such activities will be conducted countywide and therefore spread over a large geographical area. Lee County's Environmental Monitoring Strategy For Unspecified Sites will be utilized in conjunction with the Unspecified Sites Checklist to ensure full environmental review and compliance with the Statutory Checklist.

Summary of Environmental Conditions:

Environmental conditions will be assessed for each individual project site based on Lee County's Environmental Monitoring Strategy For Unspecified Sites and Unspecified Sites Checklist.

Project Modifications and Alternatives Considered:

There are no project modifications or alternatives that were considered as a result of the statutory checklist review other than those that may be required if a specific project site is located within a coastal or floodplain management area, exceeds noise standards or is exposed to thermal or explosive hazards.

Additional Studies Performed (Attach Study or Summary):

There are no additional studies performed that are applicable to this review other than the Lee County Consolidated Plan.

Mitigation Measures Needed:

There are no mitigating measures needed for this project other than compliance with applicable mitigation requirements contained in the Unspecified Sites Checklist and regulations required for the issuance of necessary construction and development permits as noted in the Statutory Checklist. All surface water management and wetland protection regulations will be complied with to ensure that no adverse impacts will occur. Best management practices will be used during all construction activities to reduce both on-site and off-site impacts.

Prepared by:

Cyndy Cook

Title: Neighborhood Relations Coordinator

Lee County Department of Human Services

^{**} Permitting for all projects is subject to compliance with the requirements of the appropriate local government.

ENVIRONMENTAL ASSESSMENT CHECKLIST

Project Name and Identification No. Housing Activities: B-08-UC-12-0013/M-08-UC-12-0210

Impact Categories	No Impact Anticipated	Potentially Beneficial	Potentially Adverse Requires Documentation Only	Potentially Adverse Requires More Study	Needs Mitigation	Requires Project Modification	Source or Documentation (Note date of contact or page ref). Additional Material May Be Attached.
Land Developme	nt						
Conformance with Comprehensive Plans and Zoning	x						Projects will all be done in accordance with current Plans and Zoning.
Compatibility and Urban Impact	×					:	Projects will be compatible with surrounding areas and not increase urban impact.
Slope	x						Projects include existing structures or infill lots and will not adversely impact slope.
Erosion	х						Projects include existing structures or infill lots and will not adversely impact erosion.
Soil Suitability	x						Projects include existing structures or infill lots and will not adversely impact soils.
Hazards and Nuisances, including Site Safety			х				See Environmental Monitoring Strategy
Energy Consumption	×						Average consumption anticipated. Energy Efficiency Codes will be compiled with as applicable.
Noise							
Contribution to Community Noise Levels			X				See Environmental Monitoring Strategy

Categories	Anticipated	Beneficial	Adverse Requires Documentation Only	Adverse Requires More Study	Mitigation	Project Modification	Documentation (Note date of contact or page ref). Additional Material May Be Attached.
Air Quality		<u> </u>					<u>' </u>
Effects of							See Environmental
Ambient Air							Monitoring Strategy
Quality on							
Project &	X						
Contribution to							
Community				-			
Pollution Levels							
Environmental D	esign and Hist	oric Values					
Visual Quality –							These factors will
Coherence,	v						be compatible in
Diversity,	X						design to
Compatible Use,							surrounding neighborhood/area.
and Scale Historic,							See Environmental
Cultural, &							Monitoring Strategy
Archaeological			x				monitoring curatogy
Resources							
Socioeconomic	<u> </u>	l			L		
Demographic/		}					Projects include
Character							existing structures
Changes	X						or infill lots and will
							not adversely
							impact
							demographics.
Displacement			:				There is no planned displacement due
•	×						to activities
	_ ^						undertaken.
Employment &							Projects include
Income Patterns							existing structures
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	l x		1				or infill lots and will
							not adversely
							impact employment
							or income.
Community Faci	lities and Servi	ces					
Educational					!		Projects include
Facilities							existing structures
	X						or infill lots and will
							not adversely
							impact educational facilities.
Commercial					-		Projects include
Facilities]		existing structures
1 acinties	X						or infill lots and will
	^						not adversely
							impact commercial
							facilities.
Health Care							Projects include
						•	existing structures
	X]		or infill lots and will
					1		not adversely
					1		impact health
							facilities.
Social Services							Projects include
	•				1		existing structures or infill lots and will
	X						not adversely
	ļ				1		impact social
							services.
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Impact Categories	No Impact Anticipated	Potentially Beneficial	Potentially Adverse Requires Documentation Only	Potentially Adverse Requires More Study	Needs Mitigation	Requires Project Modification	Source or Documentation (Note date of contact or page ref). Additional Material May Be Attached.
Solid Waste	Х						Projects include existing structures or infill lots and will not adversely impact solid waste.
Waste Water	X						Projects include existing structures or infill lots and will not adversely impact waste water.
Storm Water	X						Projects include existing structures or infill lots and will not adversely impact storm water.
Water Supply	X						Projects include existing structures or infill lots and will not adversely impact water supply.
Public Safety							
Police	Х						Projects include
Fire	Х						existing structures
Emergency Medical	Х						or infill lots and will not adversely impact public safety.
Open Space & R	ecreation	<u>. </u>					
Open Space	X						Projects include existing structures or infill lots and will not adversely impact open space.
Recreation	×		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				Projects include existing structures or infill lots and will not adversely impact recreation.
Cultural Facilities	X						Projects include existing structures or infill lots and will not adversely impact cultural facilities.
Transportation	X					,	Projects include existing structures or infill lots and will not adversely impact transportation.

Categories	Anticipated	Beneficial	Adverse Requires Documentation Only	Adverse Requires More Study	Mitigation	Project Modification	Documentation (Note date of contact or page ref). Additional Material May Be Attached.
Natural Feature	S	,				*	
Water Resources			X*				See Environmental Monitoring Strategy
Surface Water			X*				See Environmental Monitoring Strategy
Flood Disaster Protection Act (Flood Insurance)	•		x				See Environmental Monitoring Strategy
Wetlands			X*				See Environmental Monitoring Strategy
Unique Natural Features & Agricultural Lands	X						Projects include existing structures or infill lots and will not adversely impact unique features or lands.
Vegetation and Wildlife			X*				See Environmental Monitoring Strategy

^{*} Environmental reviews are also conducted by the appropriate regulatory agencies (typically DEP, SFWMD, and COE) prior to the issuance of applicable construction and development permits. Coordination with FGFWFC and USFWS will occur as necessary in conjunction with the permitting process.

Summary of Findings and Conclusions:

No adverse environmental, socioeconomic, community facility impacts are anticipated from the project based on the fact that the individual projects are limited in scope and size and will be conducted countywide and therefore spread over a large geographical area. Housing activities will normally occur within an already existing and developed area and/or relate to an existing structure or platted lot. Lee County's Environmental Monitoring Strategy For Unspecified Sites will be utilized in conjunction with the Unspecified Sites Checklist to ensure full environmental review and compliance with the Environmental Assessment Checklist. All permits will be issued in conformance with existing comprehensive plans, zoning and related land development regulations. The Unspecified Sites Checklist will ensure compatibility with environmental design, historic values and natural features.

Summary of Environmental Conditions:

Environmental conditions will be assessed for each individual project site based on Lee County's Environmental Monitoring Strategy For Unspecified Sites and Unspecified Sites Checklist.

Project Modifications and Alternatives Considered:

There are no project modifications or alternatives that were considered as a result of the Environmental Assessment Checklist Review other than those that may be required if a specific project site is located within a coastal or floodplain management area, exceeds noise standards or is exposed to thermal or explosive hazards. All due consideration will be given to avoid wetlands and to minimize the environmental impacts of development on the site and the surrounding area. (See Unspecified Sites Checklist.

Additional Studies Performed (Attach Study or Summary):

There are no additional studies performed that are applicable to this review other than the Lee County Consolidated Plan.

Mitigation Measures Needed:

There are no mitigation measures needed for this project other than compliance with applicable mitigation requirements contained in the Unspecified Sites Checklist and regulations for the issuance of necessary construction and development permits as noted in the Environmental Assessment Checklist. All surface water management regulations will be complied with to ensure that no adverse impacts will occur. Best management practices will be used during all construction activities to reduce both on-site and off-site impacts.

1.	Is project in co	mpliance with applicable laws and regu	lations?		\boxtimes	Yes		No
2.	Is an EIS requi	red?				Yes	\boxtimes	No
3.		Significant Impact (FONSI) can be madect the quality of the human environme		ect will not		Yes		No
ſ	Prepared By:	Cyndy Cook Lee County Department of Human Services	Title:	Neighborhood Relati	ions C	oordinator		
Ţ	Date:	7/30/13	_					
\$	Signature:	Cypely Cook	=			į.		

ENVIRONMENTAL REVIEW FINDINGS	
On the basis of the environmental assessment of the above p	roject I have made the following finding.
X	A FINDING OF NO SIGNIFICANT IMPACT
I find that this project is not a major federal action which will have request to HUD for the release of project funds will not require	
7/30/13	Cecil L Pendergrass, Chairman
(Date)	Lee County Board of County Commissioners
APPROVED AS TO FORM	
= lola = lola	
OFFICE OF COUNTY ATTORNEY	Signature, Title and Address of Certifying Officer
	orgination of the area reasons of building of the area.
	Į.
	A FINDING OF SIGNIFICANT IMPACT
I find that this project is a major federal action which may or w that a request to HUD for the release of project funds will requ	
(Date)	
	Address of Certifying Officer
	Signature and Title of Certifying Officer
egged Finance	
nded Pub Res	
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Format II: Public Facilities/Improvement Activities

ENVIRONMENTAL REVIEW RECORD

FORMAT II

ENVIRONMENTAL ASSESSMENT

PROJECT: Public Facility/Improvement Activities

PROGRAM: Lee County Florida Consolidated Plan FY 2013-2017 CDBG Program (B-13-UC-12-0013) ESG Program (E-13-UC-12-0023)

C6a

7-30-13

PROJECT ABSTRACT

FORMAT II

Name of Grantee

Lee County Florida

ENVIRONMENTAL ASSESSMENT

Application/Grant Numbers

B-13-UC-12-0013/E-13-UC-12-0023)

From October 1, 2013 to September 30, 2017

Original

Х

Revisions

Amendments

Name and Title of Certifying Officer: Cecil L Pendergrass, Chairman

Lee County Board of County Commissioners

2115 Second Street Fort Myers, FL 33901

Project Name: Public Facility/Improvement Activities

Locations of Physical Development (s): Countywide (Includes all incorporated and unincorporated areas)

Lead Agency:

Lee County Department of Human Services

Address:

2440 Thompson Street

Fort Myers, FL 33901

Project Representative:

Cyndy Cook

Telephone: (239) 533-7958

Address:

2440 Thompson Street

Fort Myers, FL 33901

Project Information:

Cyndy Cook

Telephone: (239) 533-7958

Address:

2440 Thompson Street

Fort Myers, FL 33901

Project Summary Description:

CDBG Funds

ESG Funds (Projected)

The project consists of countywide functionally aggregated and tiered public facility/improvement activities, which are of a continuing nature pertaining

to acquisition, lease, rehabilitation, new construction,

site improvements, demolition, and loans.

\$10,000,000

\$825,000

PROJEC	CT SUMMARY	⊠ Origi	nal (each y	ear) October	1, 2013 to Se	ptember 30, 2	2017		
		Revi	sion, Dated	I					
		☐ Amendment, Dated							
		TIMIT	NG AND ES	TIMATED F	UNDING (in	thousands	of \$)		
Env. Review Status	Project Name: Public Facility/Improvement Activities Component Activities: Listed Below Locations of Physical Development Activities: Countywide*	Total Estimated Cost	Year I	Year II	Year III	Year IV	Year V		
*	Public Facility/Improvement Activities Acquisition or lease of vacant, improved and/or unimproved land Acquisition, lease, rehabilitation and/or relocation of existing buildings and/or improvements Construction of new buildings and/or improvements Rehabilitation of existing structures Demolition of vacant existing structures and/or improvements Loans	\$10,825,000	\$2,165,000	\$2,165,000	\$2,165,000	\$2,165,000	\$2,165,000		

^{*} Location of the exact sites have not been determined, however, an unspecified sites checklist will be completed for each site once a location has been established.

ENVIRONMENTAL ASSESSMENT

PROJECT DATA

PURPOSE OF THE PROJECT:

The purpose of this project is to provide countywide public facility/improvement activities related to acquisition, rehabilitation, new construction, site improvements, demolition, and loans. The project is multi-year, tiered, and intended to functionally aggregate all HUD funded CDBG and ESG related public facility/improvement activities within Lee County. The project is in conformance with Lee County's Consolidated Plan and reflects the Needs Assessment. The project includes public facility needs, infrastructure improvements, accessibility needs, and economic development needs.

STATUS OF THE PROJECT:

Public facility/improvement activities related to acquisition, rehabilitation, new construction, site improvements, demolition, and loans have been carried out within Lee County in one form or another since being initially environmentally cleared December 20, 1990. The County's current program is implemented countywide, but predominantly projects occur in areas of low to moderate income. A summary of previous environmental reviews pertaining to public facility/improvement activities is available at the lee County Department of Human Services.

PROJECT AND AREA DESCRIPTION:

The project consists of the following activities:

- · Acquisition or lease of vacant, improved and/or unimproved land
- Acquisition, lease, rehabilitation and/or relocation of existing buildings and/or improvements
- Construction of new buildings and/or improvements
- Rehabilitation of existing structures
- · Demolition of vacant existing structures and/or improvements
- Loans

Project activities will be conducted countywide including both incorporated and unincorporated areas. The location of exact sites have not been determined, however, an unspecified sites checklist will be completed for each site once a location has been established.

EXISTING CONDITIONS AND TRENDS:

Projects meeting these descriptions have been undertaken countywide, but there has been an emphasis on neighborhood revitalization projects such as community centers, sidewalks, bus shelters, and park improvements in low to moderate income areas. Other activities that have been undertaken include nonprofit organization capital improvement projects. These typically serve a special population or low income clients. Projects are undertaken to stabilize neighborhoods, encourage growth and development, and to better serve county residents. Similar projects are planned for the next five year cycle.

PROJECT AND AREA MAPS AND PLANS:

A map of Lee County, Florida is provided in the attachments.

Project Name and Identification No. STATUTORY CHECKLIST

Public Facility/Improvement Activities: CDBG and ESG Programs

Area of Statutory Regulatory	Not Applicable To This Project	Consultation Required	Review Procedures Required	Permits Procedures Required	Determine Approvals Permits Obtained	Condition Mitigating Action Required	Reference to Notes Providing Documentation Sources and Correspondence
Historic							See Environmental
Properties		X		1			Monitoring Strategy
Floodplain							See Environmental
Management			Х				Monitoring Strategy
Wetlands							See Environmental
Protection			X*				Monitoring Strategy
Coastal Areas							See Environmental
Coastal Zone Management Coastal Barrier			×				Monitoring Strategy
Resources							
Water Quality Sole Source Aquifers	X						There are no sole source aquifers in Lee County. See Environmental Monitoring Strategy.
Endangered Species		X*					See Environmental Monitoring Strategy
Wild and Scenic Rivers	x						There are no scenic river designations in Lee County. See Environmental Monitoring Strategy.
Air Quality			Х				Strategy. See Environmental Monitoring Strategy
Farmlands Protection			Х				See Environmental Monitoring Strategy
Noise			X				See Environmental Monitoring Strategy
Runway Clear Zones, Clear Zones and Accident Potential Zones	Х						See Environmental Monitoring Strategy
Thermal and Explosive Hazards			Х				See Environmental Monitoring Strategy
Toxic Sites			Х				See Environmental Monitoring Strategy
Environmental Justice	Х						No project will be funded that would adversely impact minority or low- income communities. See Environmental Monitoring
Water Quality			X*				Strategy. See Environmental Monitoring Strategy

^{*} Environmental reviews are also conducted by the appropriate regulatory agencies (typically DEP, SFWMD, and COE) prior to the issuance of applicable construction and development permits. Coordination with FGFWFC and USFWS will occur as necessary in conjunction with the permitting process.

Permits, Licenses, Forms of Compliance Under Other Laws

(Federal, State, and Local Laws)

Other Areas of Statutory & Regulatory Compliance Applicable To Project	Not Applicable To This Project	Consultation Required	Review Procedures Required	Permits Procedures Required	Determine Approvals Permits Obtained	Conditions Mitigating Action Required	Reference to Notes Providing Documentation Sources and Correspondence
Solid Waste							See Environmental
Disposal			X				Monitoring Strategy
Fish and							See Environmental
Wildlife		X*					Monitoring Strategy
State or Local	-					1	See Environmental
Statutes (to be				X**	İ		Monitoring Strategy
added by Local							"
Community)							1

^{*} Environmental reviews are also conducted by the appropriate regulatory agencies (typically DEP, SFWMD, and COE) prior to the issuance of applicable construction and development permits. Coordination with FGFWFC and USFWS will occur as necessary in conjunction with the permitting process.

Summary of Findings and Conclusions:

Public facility/improvement activities will normally take place in existing structures, and/or within a developed or platted area. No adverse environmentally impacts are anticipated due to the limited scope and size of the individual project activities and the fact that such activities will be conducted countywide and therefore spread over a large geographical area. Lee County's Environmental Monitoring Strategy For Unspecified Sites will be utilized in conjunction with the Unspecified Sites Checklist to ensure full environmental review and compliance with the Statutory Checklist.

Summary of Environmental Conditions:

Environmental conditions will be assessed for each individual project site based on Lee County's Environmental Monitoring Strategy For Unspecified Sites and Unspecified Sites Checklist.

Project Modifications and Alternatives Considered:

There are no project modifications or alternatives that were considered as a result of the statutory checklist review other than those that may be required if a specific project site is located within a coastal or floodplain management area, exceeds noise standards or is exposed to thermal or explosive hazards.

Additional Studies Performed (Attach Study or Summary):

There are no additional studies performed that are applicable to this review other than the Lee County Consolidated Plan.

Mitigation Measures Needed:

There are no mitigating measures needed for this project other than compliance with applicable mitigation requirements contained in the Unspecified Sites Checklist and regulations required for the issuance of necessary construction and development permits as noted in the Statutory Checklist. All surface water management and wetland protection regulations will be complied with to ensure that no adverse impacts will occur. Best management practices will be used during all construction activities to reduce both on-site and off-site impacts.

Prepared by: Cyndy Cook

Title: Neighborhood Relations Coordinator

Lee County Department of Human Services

ENVIRONMENTAL ASSESSMENT CHECKLIST

^{**} Permitting for all projects is subject to compliance with the requirements of the appropriate local government,

Impact Categories	No Impact Anticipated	Potentially Beneficial	Potentially Adverse Requires Documentation Only	Potentially Adverse Requires More Study	Needs Mitigation	Requires Project Modification	Source or Documentation (Note date of contact or page ref). Additional Material May Be Attached.
Land Developme	ent						·
Conformance with Comprehensive Plans and Zoning	X						Projects will all be done in accordance with current Plans and Zoning.
Compatibility and Urban Impact	X						Projects will be compatible with surrounding areas and not increase urban impact.
Slope			X				As projects are indentified and any slope issues will be identified and/or corrected in the permitting process.
Erosion			X				As projects are indentified and any erosion issues will be identified and/or corrected in the permitting process.
Soil Suitability			X				As projects are indentified and any soil issues will be identified and/or corrected in the permitting process.
Hazards and Nuisances, including Site Safety			X				See Environmental Monitoring Strategy
Energy Consumption	Х						Average consumption anticipated. Energy Efficiency Codes will be compiled with as applicable.
Noise							
Contribution to Community Noise Levels		***	x				See Environmental Monitoring Strategy
Air Quality Effects of Ambient Air Quality on Project & Contribution to Community Pollution Levels	X	7		10000			See Environmental Monitoring Strategy

Categories	Anticipated	Beneficial	Adverse Requires Documentation Only	Adverse Requires More Study	Mitigation	Project Modification	Documentation (Note date of contact or page ref). Additional Material May Be Attached.
Environmental D	esign and Histo	oric Values		****		<u> </u>	7 (((0)))001
Visual Quality – Coherence, Diversity, Compatible Use, and Scale	х						These factors will be compatible in design to surrounding neighborhood/area.
Historic, Cultural, & Archaeological Resources			· x			,	See Environmental Monitoring Strategy
Socioeconomic							
Demographic/ Character Changes	Х						It is expected that projects will not adversely impact demographics.
Displacement	х						There is no planned displacement due to activities undertaken.
Employment & Income Patterns	х				W.		It is expected that projects will not adversely impact employment or income patterns.
Community Facil	ities and Service	ces	<u> </u>				The second secon
Educational Facilities	Х						It is expected that projects will not adversely impact educational facilities.
Commercial Facilities	х						It is expected that projects will not adversely impact commercial facilities.
Health Care	х						It is expected that projects will not adversely impact health care.
Social Services	Х						It is expected that projects will not adversely impact
Solid Waste	Х						social services. It is expected that projects and will not adversely impact solid waste.
Waste Water	Х				1144		It is expected that projects and will not adversely impact waste water.
Storm Water	X						It is expected that projects and will not adversely impact storm water.

Impact Categories	No Impact Anticipated	Potentially Beneficial	Potentially Adverse Requires Documentation Only	Potentially Adverse Requires More Study	Needs Mitigation	Requires Project Modification	Source or Documentation (Note date of contact or page ref). Additional Material May Be Attached.
Water Supply	X						It is expected that
							projects and will not adversely impact water supply.
Public Safety					I		
Police	X						It is expected that
Fire Emergency	X						projects and will not adversely impact
Medical							public safety.
Open Space & R							· · · · · · · · · · · · · · · · · · ·
Open Space	X						It is expected that projects and will not adversely impact open space.
Recreation	X						It is expected that projects and will not adversely impact recreation.
Cultural Facilities	X				•		It is expected that projects and will not adversely impact cultural facilities.
Transportation	X						It is expected that projects and will not adversely impact transportation.
Water Resources			X*				See Environmental Monitoring Strategy
Surface Water			X*				See Environmental Monitoring Strategy
Flood Disaster Protection Act (Flood Insurance)			х				See Environmental Monitoring Strategy
Wetlands				_			See Environmental
•			X*		1		Monitoring Strategy
Unique Natural Features & Agricultural Lands	х						It is expected that projects and will not adversely impact unique features or lands.
Natural Feature	\$ 				1		0, 5
Vegetation and Wildlife			X*			(See Environmental Monitoring Strategy

^{*} Environmental reviews are also conducted by the appropriate regulatory agencies (typically DEP, SFWMD, and COE) prior to the issuance of applicable construction and development permits. Coordination with FGFWFC and USFWS will occur as necessary in conjunction with the permitting process.

Summary of Findings and Conclusions:

No adverse environmental, socioeconomic, community facility impacts are anticipated from the project based on the fact that the individual projects are limited in scope and size and will be conducted countywide and therefore spread over a large geographical area. Public facility/improvement activities will normally occur within an already existing and developed area and/or relate to an existing structure or platted lot. Lee County's Environmental Monitoring Strategy For Unspecified Sites will be utilized in conjunction with the Unspecified Sites Checklist to ensure full environmental review and compliance with the Environmental Assessment Checklist. All permits will be issued in conformance with existing comprehensive plans, zoning and related land development regulations. The Unspecified Sites Checklist will ensure compatibility with environmental design, historic values and natural features.

Summary of Environmental Conditions:

Environmental conditions will be assessed for each individual project site based on Lee County's Environmental Monitoring Strategy For Unspecified Sites and Unspecified Sites Checklist.

Project Modifications and Alternatives Considered:

There are no project modifications or alternatives that were considered as a result of the Environmental Assessment Checklist Review other than those that may be required if a specific project site is located within a coastal or floodplain management area, exceeds noise standards or is exposed to thermal or explosive hazards. All due consideration will be given to avoid wetlands and to minimize the environmental impacts of development on the site and the surrounding area. (See Unspecified Sites Checklist.

Additional Studies Performed (Attach Study or Summary):

There are no additional studies performed that are applicable to this review other than the Lee County Consolidated Plan.

Mitigation Measures Needed:

There are no mitigation measures needed for this project other than compliance with applicable mitigation requirements contained in the Unspecified Sites Checklist and regulations for the issuance of necessary construction and development permits as noted in the Environmental Assessment Checklist. All surface water management regulations will be complied with to ensure that no adverse impacts will occur. Best management practices will be used during all construction activities to reduce both on-site and off-site impacts.

1.	Is project in co	ompliance with applicable laws and regu	ılations?		\boxtimes	Yes		No
2.	Is an EIS requ	iired?				Yes	\boxtimes	No
3.		o Significant Impact (FONSI) can be ma ffect the quality of the human environme		ect will not		Yes		No
	Prepared By:	Cyndy Cook Lee County Department of Human Services	Title:	Neighborhood Relati	ons C	oordinator		
	Date:	7/30/13	_					
	Signature:	apply Cook	9					

ENVIRONMENTAL REVIEW FINDINGS

On the basis of the environmental assessment of the above	project I have made the following finding.
X	A FINDING OF NO SIGNIFICANT IMPACT
I find that this project is not a major federal action which will I request to HUD for the release of project funds will not require	nave a significant effect on the human environment and that a e an Environmental Impact Statement.
7/30/13 (Date)	Cecil L Pendergrass, Chairman Lee County Board of County Commissioners
APPROVED AS TO FORM	
OFFICE OF COUNTY ATTORNEY	Signature, Title and Address of Certifying Officer
8	
	A FINDING OF SIGNIFICANT IMPACT
I find that this project is a major federal action which may or with the request to HUD for the release of project funds will request to the release of th	
(Date)	
	Address of Certifying Officer
	Signature and Title of Certifying Officer
Logged Finance Sectioned Linked Linked Linked	
ISYS Verified	

Attachments Maps, Consultation Letters



AREA WIDE COMPLIANCE PROCESS FOR FLOODPLAIN MANAGEMENT

Executive Order 11988 – Floodplain Management Lee County, Florida Valid Through August 24, 2014

The area wide compliance process for floodplain management obviates the requirement for projectby project floodplain compliance determinations (commonly called the "Eight-Step Process") for current and future activities proposed in the 100-year floodplain over an indefinite period of time.

Lee County is in full compliance with the regular program of the National flood Insurance Program.

Every action will be taken to minimize impacts to the functions and values of the "100-year" floodplain. Compliance with local, federal, and state standards will be achieved. Planned development for residential and other uses will adhere to Floodplain Protection Ordinance 90-23, as amended and should, in the long run, benefit the floodplain much more than unregulated, scattered, and detrimental development. This demonstrates Lee County's commitment to floodplain management standards.

To protect lives and property and to ensure that floodplain values will be enhanced, the area wide compliance strategy contains certain conditions to which all proposals must adhere. The area wide compliance strategy conditions are:

- 1. This strategy applies only to federally assisted activities in Lee County including the incorporated cities and is subject to the acceptance by HUD, EDA, FEMA, or other federal agencies, when appropriate;
- 2. This area wide compliance strategy does not address wetlands subject to Executive Order 11990 or any areas designated as a preserve, conservation area, or park. Such areas must be separately evaluated by the County;
- 3. There will be no assistance to activities located or to be located in a regulatory floodway as designated by FEMA;
- 4. Construction will be in compliance with the Floodplain Protection Ordinance 90-23, as amended, prepared by the County and incorporated cities as a part of their participation in the National Flood Insurance Program. This ordinance must meet FEMA requirements as they may be amended from time to time;
- 5. All residential or commercial structures, projects, or developments assisted with federal funds must have flood insurance;
- 6. The use of federal funds will be prohibited for re-establishing structures or facilities that have suffered periodic flood damage because of their floodplain location or condition, since their occupancy is hazardous to life as well as property;
- 7. If feasible, substandard buildings will be demolished to reduce exposure to flood hazards;

- 8. All proposed activities will meet planning, permitting, and zoning requirements of the County and Cities;
- 9. Whenever possible urban infrastructure (i.e., streets, city or county water, connection to the county or cities sewage treatment plants, etc.) will be required for all new construction or where substantial rehabilitation will take place;
- 10. Proposed construction will not displace or redirect flood waters in such a way that would seriously impact other areas;
- 11. Structures should be elevated and/or floodproofed where required when substantial improvement is planned;
- 12. Structures should be protected against periodic floodings by the construction of flood protection works or other water retention facilities where appropriate;
- 13. Individual sites should be floodproofed with perimeter embankments or other techniques to stop flooding from reaching homes or other buildings where appropriate; and
- 14. There will be minimal disruption of the native flora and fauna and their habitats.
- 15. Whenever possible, the functions and values of floodplains should be protected and/or restored during project construction.

The main focus of environmental assessments is that of compliance and mitigation rather than evaluation of alternative sites outside the "100-year" floodplain. As each project is proposed, it will be reviewed to determine if it is in a suitable site within the floodplain. No project will be approved that has an adverse impact on the functions and values of the "100-year" floodplain or that provides a threat to lives or property.

This area wide compliance strategy is applicable to all CDBG, HOME and HUD assisted housing programs without regard to specific program, category, or activity. The Environmental Review Record for each project shall so state if this area wide compliance determination is adopted for that project, and as a separate document, it will be appended to the Environment Assessment or the Environmental Impact Statement.

The controls detailed in this strategy will be implemented and enforced in a timely manner. If necessary, additional requirements or other treatments or stipulations may be placed on development or projects as a condition for the County providing federal assistance to the project or development. The full "Eight-step Process" shall be initiated for a project if requested by its developer or builder, an effected property owner, or at the option of the County.



FLORIDA DEPARTMENT OF STATE DIVISION OF HISTORICAL RESOURCES

MINIMUM REVIEW DOCUMENTATION REQUIREMENTS

- Division Involvement Provide the name of the federal, state or local authority and the applicable law, ordinance, license or permit requiring the Division of Historical Resources (DHR) and/ or the State Historic Preservation (SHPO) review. Please be as specific as possible, examples: US Department of Housing and Urban Development Community Development Block Grant.
- Project Address/Location Provide the street address, city, zip code, section-township-range (coordinates from legal description) and the Tax Parcel identification number
- Location Map(s) Provide a general property location map. Also provide a USGS Quadrangle location map and/or a parcel location map from the County Property Appraisers web site.
- Photographs Provide photographs of the building(s) to be acquired under this program (photographs all four sides of the building(s) preferred). In addition, photographs of specific elements of the building(s) that could be or will be affected by the project if applicable (rehabilitation work, e.g., window replacements, new siding).
- Record Search Provide correspondence from the sources:
 - Florida Master Site File at 850.245.6440 to determine if the building(s) are listed in the National Register of Historic Places.
 - County or City planning offices, Certified Local Government offices, and historical societies or organizations to determine if the building(s) are locally designated or determined to be historically significant and/or if building(s) are contributing to an identified/recognized historic district or neighborhood.
- Historic Districts -Please indicate if the project is located within a designated historic district or a historic neighborhood of house all of the same time period (majority 50 years of age or older).
- Building Description Provide a description of the subject property, including year of construction, previous alteration or additions.
- Project Description Provide a detailed written description of the proposed project, including related activities, which will be carried out in conjunction with the project. Indicated whether the project will include rehabilitation, demolition and/or new construction
 - Rehabilitation Description Provide a detailed written description of the rehabilitation project including interior and exterior descriptions
 - Demolition Description Provide a statement of justification (be specific) for the demolition and detailed written description of the condition of the subject property (accompany with photographs). Provide a date for the proposed demolition
 - New Construction Description Provide information of the new construction. If within a historic district drawings may be required
- Finding of Effect Describe what effect the undertaking will have on historic properties. Provide a finding of effect ("No historic properties affected" or "No adverse effect" or "Adverse Effect") as described in 36 CFR Part 800.
- Contact Information Name of contact, return address, and phone number.

Please note that the review time for projects is approximately thirty days. If you have any questions, please contact the Review and Compliance Section at 850.245.6333 or visit our web site at http://www.flheritage.com/preservation/compliance/review.

Please submit documentation to:

State Historic Preservation Officer Compliance & Review Section 500 South Bronough Street – 4th Floor R. A. Gray Building – MS #8 Tallahassee, Florida 32399-0250

Tribal Directory Assessment Information



Contact Information for Tribes of Lee County, Florida



		Tribal	Tribal Name									County Name				
Seminole Nation of Oklahoma								Lee								
This tribe's cont	act i	nformati	on:													
Contact Name	Titl	e		Mailing Address	Worl	Phone	Fax N	umber	Cell Phone	Em	Email Address		тнро			
Ibiatalia Flagra:	Env POC	ironment	:al	,		303-				nde	deere@seminolenation.com		N			
Leonard Harjo	Prin			P.O. Box 1498 Wewoka, OK 74884	(405) 6287			257-		pri	principalchief@seminolenation.com		N			
i		Semin	ole T	ribe of Florida						Lee	3					
This tribe's cont	act i	nformati	on:													
Contact Nam	e T	itle	Maili	ng Address	,	Work Pl	ione	Fax Nu	ımber	Cell Phon	e	Email Address	тнро			
James E. Billie	c	hairman	6300 3302) Stirling Road Hollywood, FL 24		(954) 96 6300	966- (954) 3463		(954) 967- 3463			bdiamond@semtribe.com	N			
Willard S. Steele				51 Box 21-A Clewiston, FL 33440		(863) 90 1113			3) 902- 17			wsteele@semtribe.com	Υ			



John E. Manning District One

Cecil L Pendergrass District Two

Larry Kiker District Three

Tammy Hall District Four

Frank Mann District Five

Doug Meurer Interim County Manager

Andrea R. Fraser Interim County Attorney

Diana M. Parker County Hearing Examiner July 5, 2013

James E. Billie, Chairman bdiamond@semtribe.com

Mr. Billie,

Lee County is consulting with your tribe, the Seminole Tribe of Florida, in order to comply with U.S. Department of Housing and Urban Development (HUD) regulations.

As described in 24 CFR 58.4. Lee County has environmental review responsibilities for entitlement funded projects, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

This consultation is part of a review to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how projects might affect them. If projects might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

At this time, specific addresses cannot be provided as activities are identified on an annual basis, but enclosed is a map that shows the potential project area. Projects may consist of:

- 1. Neighborhood community centers in low to moderate income residential areas.
- 2. Infill lot development of new housing.
- 3. Floodplain management/drainage improvement projects in low to moderate income residential areas, or in areas declared slum/blighted.
- 4. Recreational facilities, including neighborhood park facilities, trails, or other like improvements, in low to moderate income residential areas.
- 5. Non-profit agency capital improvements that serve low to moderate income residential areas or clients.

Your review of any adverse effects of these type of projects is appreciated. Please let me know of your desire to consult on any projects by Wednesday, July 31, 2013. You were listed in HUD's Tribal Directory Assessment Information database for Lee County, Florida, however, if you wish another person to consult, please include in your reply the name and contact information for the tribe's principal representative in the consultation. Thank you very much!

Sincerely, Cyndy Oan

Cyndy Cook, Neighborhood Relations Coordinator Lee County Department of Human Services

EC: Willard S. Steele, THPO



John E. Manning District One

Decil L Pendergrass

District Two

arry Kiker
District Three

Fammy Hall District Four

Frank Mann District Five

Doug Meurer Interim County Manager

Andrea R. Fraser Interim County Attorney

Diana M. Parker County Hearing Examiner July 5, 2013

Willard S. Steele, THPO wsteele@semtribe.com

Mr. Steele,

Lee County is consulting with your tribe, the Seminole Tribe of Florida, in order to comply with U.S. Department of Housing and Urban Development (HUD) regulations.

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Sincerely,

Cyndy Cook, Neighborhood Relations Coordinator Lee County Department of Human Services

EC: James E. Billie, Chairman



John E. Manning District One

Decil L Pendergrass

_arry Kiker District Three

Fammy Hall District Four

Frank Mann District Five

Doug Meurer Interim County Manager

Andrea R. Fraser Interim County Attorney

Diana M. Parker County Hearing Examiner July 5, 2013

Natalie Deere, Environmental POC ndeere@semnolenation.com

Ms. Deere,

Lee County is consulting with your tribe, the Seminole Nation of Oklahoma, in order to comply with U.S. Department of Housing and Urban Development (HUD) regulations.

As described in 24 CFR 58.4. Lee County has environmental review responsibilities for entitlement funded projects, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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Sincerely,

Cyndy Cook, Neighborhood Relations Coordinator Lee County Department of Human Services

EC: Leonard Harjo, Principal Chief



John E. Manning District One

Decil L Pendergrass

_arry Kiker District Three

Fammy Hall District Four

Frank Mann District Five

Doug Meurer Interim County Manager

Andrea R. Fraser Interim County Attorney

Diana M. Parker County Hearing Examiner July 5, 2013

Leonard Harjo, Principal Chief principalchief@seminolenation.com

Mr. Harjo,

Lee County is consulting with your tribe, the Seminole Nation of Oklahoma, in order to comply with U.S. Department of Housing and Urban Development (HUD) regulations.

As described in 24 CFR 58.4. Lee County has environmental review responsibilities for entitlement funded projects, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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Sincerely,

Cyndy Cook, Neighborhood Relations Coordinator Lee County Department of Human Services

EC: Natalie Deere, Environmental POC

₹rom:

Cook, Cyndy

3ent: 「o: Friday, July 05, 2013 2:47 PM 'bdiamond@semtribe.com'

Co: Bubject: 'wsteele@semtribe.com'

Attachments:

Lee County Tribal Consultation for HUD Funding Tribal Consultation J.Billie.pdf

Good afternoon,

Please find attached an official notice/request for consultation. If you have any questions, please do not hesitate to contact me (see below). Thank you!

Cyndy Cook
Veighborhood Relations Coordinator
Lee County Department of Human Services
2440 Thompson Street
Fort Myers, FL 33901
239-533-7958
Fax 239-533-7960
Cookcl@leegov.com

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This e-mail, including any attachments, may contain confidential or privileged information intended solely for the individual to whom it is addressed. If rou believe you received this e-mail in error, please notify the sender and then delete this email immediately. Florida has a very broad public records aw. Most written communications to or from County Employees and officials regarding County business are public records available to the public and nedia upon request. Your e-mail communication may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by shone or in writing.

²rom:

Cook, Cyndy

Bent:

Friday, July 05, 2013 2:48 PM 'wsteele@semtribe.com'

Го: Эс:

'bdiamond@semtribe.com'

Subject:

Lee County Tribal Consultation for HUD Funding

Attachments:

Tribal Consultation W.Steele.pdf

Good afternoon.

Please find attached an official notice/request for consultation. If you have any questions, please do not hesitate to contact me (see below). Thank you!

Cyndy Cook
Neighborhood Relations Coordinator
Lee County Department of Human Services
2440 Thompson Street
Fort Myers, FL 33901
239-533-7958
Fax 239-533-7960
cookcl@leegov.com

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This e-mail, including any attachments, may contain confidential or privileged information intended solely for the individual to whom it is addressed. If you believe you received this e-mail in error, please notify the sender and then delete this email immediately. Florida has a very broad public records aw. Most written communications to or from County Employees and officials regarding County business are public records available to the public and nedia upon request. Your e-mail communication may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail addresses released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From:

Cook, Cyndy

Sent: 「o: Friday, July 05, 2013 2:48 PM 'ndeere@seminolenation.com'

Cc:

'principalchief@seminolenation.com'

Subject:

Lee County Tribal Consultation for HUD Funding

Attachments:

Tribal Consultation N.Deere.pdf

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Please find attached an official notice/request for consultation. If you have any questions, please do not hesitate to contact me (see below). Thank you!

Cyndy Cook
Neighborhood Relations Coordinator
Lee County Department of Human Services
2440 Thompson Street
Fort Myers, FL 33901
239-533-7958
Fax 239-533-7960
Lookcl@leegov.com

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-rom:

Cook, Cyndy

3ent: Γo: Friday, July 05, 2013 2:49 PM 'principalchief@seminolenation.com'

Cc:

'ndeere@seminolenation.com'

Subject:

Lee County Tribal Consultation for HUD Funding

Attachments:

Tribal Consultation L. Harjo pdf

Good afternoon.

Please find attached an official notice/request for consultation. If you have any questions, please do not hesitate to contact me (see below). Thank you!

Cyndy Cook
Neighborhood Relations Coordinator
Lee County Department of Human Services
2440 Thompson Street
Fort Myers, FL 33901
239-533-7958
Fax 239-533-7960
cookcl@leegov.com

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This e-mail, including any attachments, may contain confidential or privileged information intended solely for the individual to whom it is addressed. If you believe you received this e-mail in error, please notify the sender and then delete this email immediately. Florida has a very broad public records aw. Most written communications to or from County Employees and officials regarding County business are public records available to the public and nedia upon request. Your e-mail communication may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

₹rom: Γo: postmaster@sno-nsn.gov ndeere@seminolenation.com

Bent:

Friday, July 05, 2013 2:49 PM

3ubject:

Undeliverable: Lee County Tribal Consultation for HUD Funding

Delivery has failed to these recipients or distribution lists:

ndeere@seminolenation.com

The recipient's e-mail address was not found in the recipient's e-mail system. Microsoft Exchange will not try to redeliver this message for you. Please check the e-mail address and try resending this message, or provide the following diagnostic text to your system administrator.

Diagnostic information for administrators:

Generating server: sno-nsn.gov

ndeere@seminolenation.com

#< #5.1.1 smtp;550 5.1.1 RESOLVER.ADR.RecipNotFound; not found> #SMTP#

Original message headers:

Received: from co9outboundpool.messaging.microsoft.com (207.46.163.25) by mail.sno-nsn.gov (10.101.4.102) with Microsoft SMTP Server id 14.0.639.21;

Fri, 5 Jul 2013 13:48:36 -0500

Received: from mail126-co9-R.bigfish.com (10.236.132.237) by

CO9EHSOBE026, bigfish.com (10.236.130.89) with Microsoft SMTP Server id

14.1.225.22; Fri, 5 Jul 2013 18:48:28 +0000

Received: from mail126-co9 (localhost [127.0.0.1]) by

mail126-co9-R.bigfish.com (Postfix) with ESMTP id 743B0B4034D; Fri, 5 Jul

2013 18:48:28 +0000 (UTC)

X-Forefront-Antispam-Report: CIP:208.89.76.57;KIP:(null);UIP:(null);IPV:NLI;H:ex07.leegov.com;RD:lcfehc02.lee-county-

1.gov;EFVD:NLI

X-SpamScore: 0

X-BigFish:

VPS0(zzc85fhdbeeh12d5Iddc2hde40hzz1f42h1ee6h1de0h1fdah2073h1202h1e76h1d1ah1d2ah1fc6hzz1d7338h17326ah18 c673h1c8fb4h18602eh8275bh8275dhz2fh793h2a8h668h839h8e2h8e3hd25hf0ah1288h12a5h12bdh137ah1441h14ddh150 4h1537h153bh15d0h162dh1631h1758h18e1h1946h19b5h1b0ah1bceh1d0ch1d2eh1d3fh1dc1h1dfeh1dffhbe9i34h1155h)

Received-SPF: TempError (SNO-Exchange.sno.gov: error in processing during

lookup of COOKCL@leegov.com: DNS timeout)

Received-SPF: pass (mail126-co9; domain of leegov.com designates 208.89.76.57 as permitted sender) client-

p=208.89.76.57; envelope-from=COOKCL@leegov.com; helo=ex07.leegov.com; 7.leegov.com;

Received: from mail126-co9 (localhost.localdomain [127.0.0.1]) by mail126-co9

(MessageSwitch) id 1373050105675429 21501; Fri, 5 Jul 2013 18:48:25 +0000

(UTC)

Received: from CO9EHSMHS017.bigfish.com (unknown [10.236.132.230]) by mail126-co9.bigfish.com (Postfix) with ESMTP id 906FFC40075; Fri, 5 Jul 2013 18:48:25 +0000 (UTC)

Received: from ex07.leegov.com (208.89.76.57) by CO9EHSMHS017.bigfish.com (10.236.130.27) with Microsoft SMTP Server (TLS) id 14.1.225.23; Fri, 5 Jul

2013 18:48:22 +0000

Received: from EXCHVS6.lee-county-fl.gov ([10.110.1.33]) by lcfehc02

([10.232.42.3]) with mapi; Fri, 5 Jul 2013 14:48:21 -0400

From: "Cook, Cyndy" < COOKCL@leegov.com>

fo: "ndeere@seminolenation.com" < ndeere@seminolenation.com >

CC: "principalchief@seminolenation.com" < principalchief@seminolenation.com >

Date: Fri, 5 Jul 2013 14:48:19 -0400

Subject: Lee County Tribal Consultation for HUD Funding Thread-Topic: Lee County Tribal Consultation for HUD Funding

Thread-Index: Ac55sDezBSeRx5h7TKKccwhyvTl5nw==

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MIME-Version: 1.0

Return-Path: <u>COOKCL@leegov.com</u> K-OriginatorOrg: leegov.com



Lee County Tribal Consultation...

USFWS Clearance to Proceed with Department of Housing and Urban Development (HUD) Loan Project Requests

Background

The U.S. Fish and Wildlife Service is the lead Federal agency charged with the protection and conservation of Federal Trust Resources, such as threatened and endangered species and migratory birds, in accordance with section 7 of the Endangered Species Act of 1973, as amended (Act) (87 Stat. 884; 16 U.S.C. 1531 et seq.), the Bald and Golden Eagle Protection Act, (16 U.S.C. 668-668d) (Eagle Act), and the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 701 et seq.).

The passage of the American Recovery and Reinvestment Act of February 2009 (ARRA) by Congress created an economic stimulus package which provided Federal tax cuts and funds to many Federal agencies for education, health care, expansion of social welfare provisions, and increased infrastructure spending which includes the energy and transportation sector. Agencies such as the Department of Housing and Urban Development (HUD), Department of Energy (DOE), and Federal Highway Administration (FHA) have quickly activated projects that have resulted in an increased consumer demand to initiate projects through federally backed loans and grants, all of which require those Federal agencies to comply with Section 7 of the Endangered Species Act. Consequently, the South Florida Ecological Services Office has experienced a significant increase in the number of requests for review of these government loan projects.

To help us fulfill the Act's statutory obligations in a timely and consistent manner, and to assist Federal agencies, State and local governments, and consultants in addressing Section 7 and NEPA environmental impact review requirements, we provide the following guidance and clearance relative to the criteria stated below for HUD project requests in all cities and unincorporated areas throughout our 19-county geographic area, with the exception of Monroe County (available at http://www.fws.gov/verobeach/index.cfm?method=aboutus.map).

Description of Projects Covered

- All HUD funded project requests for existing commercial, industrial, and residential
 structures, to include multi-family and single-family housing, and various utilities
 projects to include but not limited to, water and wastewater treatment facilities
 undergoing demolition, rehabilitation, renovations, and/or rebuilding that may be
 completed without requiring additional clearing of undisturbed habitat beyond the
 original footprint of the existing project in order to complete the action request.
- All HUD loan transfers where the original lending or mortgage institutions for existing
 projects are no longer holding the loans and the properties are being transferred via HUD
 backed loans.

We believe these activities will have "no effect", and in few cases would be "not likely to adversely affect" any federally-listed species protected under the Endangered Species Act, based on the criteria referenced above.

Bald Eagle Nest Issues

If any of the above-referenced activities (rehabilitation, demolition, or rebuilding) are proposed to occur within 660 feet of an active or alternate bald eagle's (Haliaeetus leucocephalus) nest during the nesting season which occurs from October 1 through May 15; we recommend the applicant or their designated agent coordinate with Ulgonda Kirkpatrick, Bald Eagle Management Plan Coordinator, Florida Fish and Wildlife Conservation Commission at 352-260-8699 or by e-mail at ulgonda.kirkpatrick@MyFWC.com. Guidance will be provided regarding monitoring options or other suggestions regarding construction timing relative to the distance the project is located to the bald eagle's nest and according to any vegetative buffers that may be present between the nest and the construction activities.

Clearance to Proceed

For ALL projects that meet the criteria described above, <u>NO</u> further coordination with the Service is necessary.

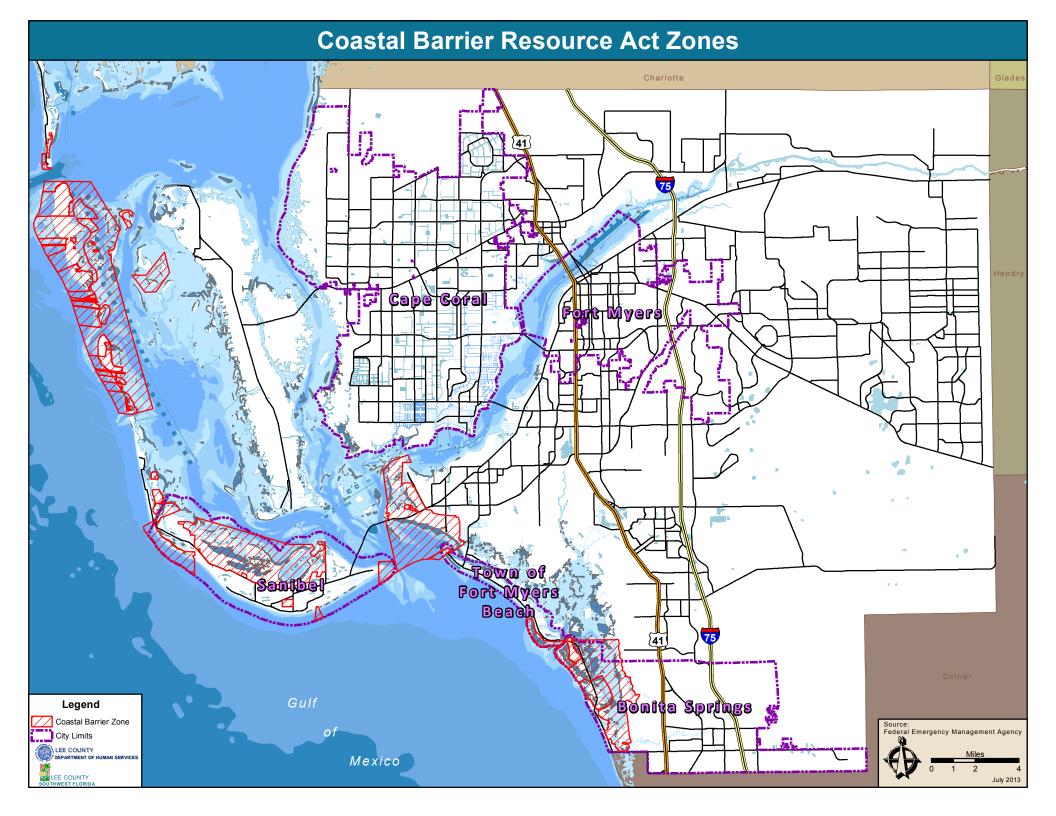
If modifications are made to the project that do not meet the criteria described above, if additional information involving potential effects to listed species becomes available, or if a new species is listed, reinitiation of consultation may be necessary.

If you have any questions, please contact us at 772-562-3909. Our agency appreciates your cooperation in the protection of federally-listed species in Florida.

Sincerely yours,

/s/

Paul Souza Field Supervisor South Florida Ecological Services Office



Previous Environmental Review Summary

PREVIOUS ENVIRONMENTAL REVIEW SUMMARY LEE COUNTY FLORIDA OCTOBER 1990 THROUGH JULY 2013

<u>October 31, 1990</u>: An original Environmental Review Strategy for Unspecified Sites for the following activities was completed October 31, 1990 for the CDBG Program:

- Housing Rehabilitation in selected areas
- Temporary Relocation in selected areas
- Demolition in selected areas
- Economic Development

Lee County updated and amended its CDBG Program Multi-Year Environmental Assessment for Unspecified Sites by adding the following activities:

- Direct Homeownership Assistance
- Housing Rehabilitation in all unincorporated areas
- Temporary Relocation in all unincorporated areas
- Demolition in Dunbar, Charleston Park, Pine Manor, Suncoast Estates, Palmona Park, and Page Park.

The grant conditions were removed by HUD, December 20, 1990, and December 19, 1992, respectively indicating that these activities had been environmentally cleared.

October 5, 1992: An original Environmental Assessment (EA) for the Lee County Housing Development Corporation was completed October 5, 1992, for the acquisition of vacant land and onsite/offsite improvements. The removal of environmental grant conditions for these activities was issued by HUD, December 22, 1992.

<u>January 7, 1993</u>: An original Environmental Assessment (EA) for the HOME Program was completed January 7, 1993, for the following activities:

- Tenant Based Rental Assistance
- Downpayment Assistance

The project area was countywide excluding the Cities of Fort Myers and Cape Coral. Reference to completion of an Unspecified Sites Checklist for each site to be used in the program was stated in the EA. An Environmental Monitoring Strategy and Unspecified Sites Checklist to be used for this purpose was included along with the EA. The Environmental Review finding was signed by John Manning, Chairperson of the Lee County Board of County Commissioners on March 5, 1993.

<u>January 7, 1993</u>: An Original Environmental Assessment (EA) for the HOME Program was completed January 7, 1993, for the following activities:

- Housing Rehabilitation
- New Construction

• Downpayment Assistance with New Construction

The project area was countywide including the City of Sanibel but excluding the Cities of Fort Myers and Cape Coral. The EA noted that funds would be used for new construction of rental units and that single-family construction would take place only on platted lots. Housing rehabilitation would be for both owner-occupied and rental units. It was also noted that rental housing production would be a joint project with Lee County using HOME funds and the City of Fort Myers using CDBG funds. Reference to the use of an Unspecified Sites Checklist was included in the EA. The Environmental Review finding was signed by John Manning, Chairperson of the Lee County Board of County Commissioners on March 5, 1993.

<u>April 20, 1993</u>: An amended Environmental assessment for the HOME Program was completed April 20, 1993, for the following activities:

- Housing Rehabilitation
- New Construction
- Downpayment Assistance with New Construction
- Acquisition of Existing Housing

No changes were made in the FY 1992-1993 Environmental Assessment except to add the acquisition of existing housing activity. The Environmental Review finding was signed by John Manning, Chairperson of the Lee County Board of County Commissioners on July 28, 1993. A public notice, in accordance with HUD Environmental Notes No. 91-92-T along with a memorandum dated April 20, 1993 to the Environmental Review Record (ERR), was also provided to document the amended assessment based on multi-year project activities for FY 1993-1994.

February 1994: The Unspecified Sites Checklist and Environmental Monitoring Strategy referred to above were revised February 1994, to provide for additional information on the checklist and to coordinate the checklist review with the various County agencies responsible for certain environmental regulatory functions.

<u>July 20, 1994</u>: An Area Wide Compliance Process for Floodplain Management was prepared for Lee County July 20, 1994. The process was approved by HUD August 24, 1994 and is effective for ten (10) years from the HUD approval date. The area wide compliance process for floodplain management obviates the Federal requirement for project-by-project floodplain compliance determinations for activities proposed within the 100-year floodplain subject to compliance with the area wide compliance strategy conditions.

<u>September 1995</u>: The Unspecified Sites Checklist and Environmental Monitoring strategy was revised again September 1995, to provide for updated information and coordinated environmental review procedures. The September 1995, document served as the basis for the FY 1995-1996 Housing, Economic Development and Public Facilities Infrastructure Improvements Format II Environmental Assessments for Fiscal Year 1995-1996.

October 25, 1995: An environmental review was prepared by the HUD Atlanta Environmental Office for Lee County's FY 1995 HOPE 3 Program. The review was prepared in the categorically excluded projects format for the following activity:

• Purchase of vacant housing for affordable housing

All HOPE 3 sites were required to be screened per the Lee County CDBG and HOME screening strategy. The environmental review was prepared by Harry Walls, HUD Environmental Specialist and signed by Thomas A. Ficht HUD Supervisory Environmental Officer October 25, 1995.

<u>November 10, 1995</u>: Fiscal Year 1995-1996 Format II Environmental Assessments were prepared for each of the following CDBG, HOME and other HUD funded activities:

- Housing activities
- Economic development activities
- Public facilities/improvement activities

The environmental assessments included the following countywide components:

- Acquisition of vacant, improved and/or unimproved land
- Acquisition, rehabilitation and/or relocation of existing buildings and/or improvements
- Construction of new buildings and/or improvements
- Site improvements for existing structures and/or new construction including individual wells and septic systems
- Public facilities and/or improvements for existing structures and/or new construction
- Activities to assist in the construction of new buildings and/or improvements
- Temporary and permanent relocation activities
- Demolition of vacant existing structures and/or improvements
- Loans for housing, economic development and public facility/improvement and/or related activities

The request for release of funds and certification specified that the project consisted of county-wide functionally aggregated activities of a continuing nature and that the exact sites had not been determined but that an unspecified sites checklist would be completed for each site once a location was established. HUD issued a Removal of Grant Conditions effective November 10, 1995 for the activities for as long as the related environmental reviews are valid.

May 12, 1997: The Lee County environmental monitoring strategy statement and checklist to be used as a screening device for projects with unspecified sites was discussed with Tony Amato, HUD Environmental Specialist. The County was informed by HUD May 12, 1997 that after a Format II assessment is completed, in order for funds to be drawn down for the project; the screening checklist is employed as the specific sites are identified during the program year. Then, each completed, signed and dated checklist is placed in the project's Environmental Review Record (ERR) as evidence that the site was environmentally screened.

<u>January 2000</u>: The Unspecified Sites Checklist was updated January, 2000 to reflect the following general changes:

Items deleted from the September 1995 Checklist

- Temporary Relocation and Loans As Types Of Projects
- Community Redevelopment Agency (CRA) Project Locations
- Properly Zoned Sites For Proposed Use
- Coastal Areas Protection And Management

Items added to the September 1995 Checklist

- Supportive Housing Program As Funding Source
- Historic Preservation As Type Of Project
- Public water system connection
- Air quality provisions
- Lead based paint
- Underground storage tanks
- Protection of aquifers
- Man-made hazards
- Runway clear zones and accident potential zones
- Unique natural features

April 2000: The Lee County Environmental Monitoring Strategy for Unspecified Sites was revised April 2000 to provide for the following:

- Lease of a building, rental assistance and supportive services for sponsored-based, project-based and other leased or owned specific type of project sites
- Environmental justice provisions

<u>April 2000</u>: The Unspecified Sites Checklist was updated April, 2000 to reflect the following general changes:

- Sponsor based rental assistance was added as a type of project
- Provision for review of CHDO Project

<u>March 2001</u>: The Unspecified Sites Checklist and Environmental Monitoring Strategy was revised March 2001. The documents provided updated information and coordinated environmental review procedures. Specifically the Lee County Environmental Monitoring Strategy for Unspecified Sites was revised to provide for the following:

- Loans for housing and/or related activities
- Historic preservation
- Noise compliance requirements for designated airport hazard districts, major roadways and railroads.
- Toxic site characteristics, clean-up or rejection.
- Land development review for compatibility and impact on community facilities and services

The Unspecified Sites Checklist was revised to reflect the following general changes.

Items deleted from the April 2000 checklist:

- Air quality
- Lead-based paint
- Underground storage tanks
- Protection of aquifers for drinking water systems
- Man-made hazards
- Runway clear zones and accident potential zones
- Economic development as a type of activity

Items revised or added to the April 2000 checklist:

- Loans as a type of project
- Site potential for archeological properties
- Designated coastal barriers zone
- Land development
- Proper zoning
- Land use compatibility
- Impact on existing community facilities and services
- Toxic sites
- Phase I Environmental Audit for multi-family projects
- Designated coastal management zone letter of consistency

<u>April 2001:</u> The Lee County HUD Consolidated Plan Fiscal Years 2000-2002 Format II Environmental Assessments were prepared for each of the following CDBG and HOME Program activities:

- Housing activities
- Public facilities/improvement activities

The request for release of funds and certification specified that the project consisted of countywide functionally aggregated and tiered activities of a continuing nature. The exact sites were not determined but an unspecified sites-checklist is to be completed for each site once a location is established. HUD issued the authority to use grant funds effective May 31, 2001 for the activities for as long as the related environmental reviews are valid.

<u>September 2003:</u> The Lee County Environmental Monitoring Strategy for Unspecified Sites was revised September 2003 to include a summary of the factors that were considered in order to avoid funding projects that would adversely affect the quality of the human or natural environment of Lee County.

September 2005: The Lee County Environmental Monitoring Strategy for Unspecified Sites was revised September 2005 in response to HUD's Remote Environmental Monitoring Review ("the HUD Review"), dated September 9, 2005. The corrective actions were taken by DHS to address the two (2) findings and one (1) concern cited in the HUD Review.

- DHS revised the Unspecified Sites Checklist to be consistent with Attachment A of the HUD review and to be fully compliant with the aforementioned standards.
- DHS created the Unspecified Sites Checklist for Subrecipients to be consistent with Attachment A of the HUD review and to be fully compliant with the aforementioned standards.
- DHS developed the role of an Environmental Compliance Officer.

<u>December 2005:</u> The Lee County HUD Consolidated Plan Fiscal Years 2004-2005 Format II Environmental Assessments were prepared for each of the following CDBG and HOME Program activities:

- Housing activities
- Public facilities/improvement activities

The request for release of funds and certification specified that the project consisted of countywide functionally aggregated and tiered activities of a continuing nature. The exact sites were not determined but an unspecified sites-checklist is to be completed for each site once a location is established. HUD issued the authority to use grant funds effective May 31, 2001 for the activities for as long as the related environmental reviews are valid.

<u>April 2007:</u> The Lee County HUD Consolidated Plan Fiscal Years 2005-2006 Format II Environmental Assessments were prepared for each of the following CDBG and HOME Program activities:

- Housing activities
- Public facilities/improvement activities

The request for release of funds and certification specified that the project consisted of countywide functionally aggregated and tiered activities of a continuing nature. The exact sites were not determined but an unspecified sites-checklist is to be completed for each site once a location is established. HUD issued the authority to use grant funds effective May 31, 2001 for the activities for as long as the related environmental reviews are valid.

<u>November 2007:</u> The Lee County HUD Consolidated Plan Fiscal Years 2006-2007 Format II Environmental Assessments were prepared for each of the following CDBG and HOME Program activities:

- Housing activities
- Public facilities/improvement activities

The request for release of funds and certification specified that the project consisted of countywide functionally aggregated and tiered activities of a continuing nature. The exact sites were not determined but an unspecified sites-checklist is to be completed for each site once a location is established. HUD issued the authority to use grant funds effective May 31, 2001 for the activities for as long as the related environmental reviews are valid.

<u>September 2008:</u> The Lee County HUD Consolidated Plan Fiscal Years 2008-2012 Format II Environmental Assessments were prepared for housing activities and public facilities/improvement activities, covering the CDBG, HOME, and ESG programs.

The request for release of funds and certification specified that the project consisted of countywide functionally aggregated and tiered activities of a continuing nature. The exact sites were not determined but an unspecified sites-checklist is to be completed for each site once a location is established. HUD issued the authority to use grant funds for the activities for as long as the related environmental reviews are valid.

<u>November 2009</u>: The Fiscal Year 2009 Environmental Review Record was updated to reflect projects listed in the 2009 Annual Action Plan.

<u>November 2010</u>: The Fiscal Year 2010 Environmental Review Record was updated to reflect projects listed in the 2010 Annual Action Plan.

October 2011: The Fiscal Year 2011 Environmental Review Record was updated to reflect projects listed in the 2011 Annual Action Plan.

October 2012: The Fiscal Year 2012 Environmental Review Record was updated to reflect projects listed in the 2012 Annual Action Plan.

<u>July 2012:</u> The Lee County HUD Consolidated Plan Fiscal Years 2013-2017 Format II Environmental Assessments were prepared for housing activities and public facilities/improvement activities, covering the CDBG, HOME, and ESG programs.

Prepared By:	appely Cook	
Tropulou By.	Cyndy Cook, Neighborhood Relations Coordinator Department of Human Services	
	7/24/13	

Environmental Monitoring Strategy

LEE COUNTY ENVIRONMENTAL MONITORING STRATEGY For Fiscal Years 2013-2017

Lee County Department of Human Services (DHS) will employ the following strategy to assure that housing, public facility and improvement activities at sites unspecified prior to the release of HUD funds are in compliance with environmental laws and authorities as required. Examples of the type of housing and public facility and improvement activities subject to unspecified site review are as follows:

- Acquisition or lease of vacant, improved and/or unimproved land
- Acquisition, lease, rehabilitation and/or relocation of existing buildings and/or improvements
- Construction of new buildings and/or improvements
- Site improvements for existing structures and/or new construction, including individual wells and/or septic systems
- Public facilities and/or improvements for existing structures and/or new construction
- Activities to assist in the construction of new buildings and/or improvements
- Demolition and clearance of vacant existing structures and/or improvements
- Loans for housing and/or related activities
- Rental assistance and supportive services for sponsor-based, project-based, and other leased or owned specific type project sites

I. POLICY AND REQUIREMENTS

DHS adheres to national standards applicable to Community Development Block Grant (CDBG), HOME, Emergency Solutions Grant (ESG), and other HUD-funded programs to ensure environmental quality within the jurisdiction, to protect citizens against excessive noise and other hazards in their homes and communities, and to avoid any activities that would have adverse environmental impacts. This encourages the modification of projects in order to enhance environmental sustainability and minimize environmental harm. Projects must comply with environmental statutes, regulations, and Executive Orders as applicable. In addition, all state and local requirements must be satisfied.

A. Historic Properties

Section 106 of the National Historic Preservation Act of 1966, as amended, mandates that agencies with jurisdiction over a Federally-assisted activity will afford the National Advisory Council on Historic Preservation and the State Historic Preservation Officer (SHPO) a reasonable opportunity for comment on the project's impact on historic properties.

DHS will consult with SHPO in the identification and evaluation of any structure more than 50 years old scheduled for project activities, or for properties that are in historic districts, or for properties where historic or culturally significant events have taken place, even if they are

less than 50 years old. DHS will use the Minimum Review Documentation Requirements as provided by SHPO (attached) in preparing the submission to SHPO.

The SHPO will use such information to make a determination of project effects and a preliminary assessment of significance in terms of the criteria of eligibility for listing in the National Register of Historic Places. Additional information may be requested to complete the SHPO assessment of some projects. Projects involving properties listed, or eligible for listing in the National Register, will require further consultation with the SHPO. SHPO generally has 30 days to respond to submissions of projects. Projects will not proceed until a response from SHPO has been received.

If the property is determined to be historically significant, the SHPO must approve the proposed improvements, in conformance with the Secretary of Interior Standard for Rehabilitation, before the project can proceed.

If the SHPO does not consider the project eligible for listing in the National Register, the activities may proceed as planned.

B. Floodplain Management

Project activities may be located in a 100-year floodplain, as provided under Executive Order 11988 and 24 CFR 55. Documentation of floodplain location must be provided.

If the project involves an existing structure and is located in the 100-year floodplain, the following action must be taken:

- 1. The owner/occupant must agree to purchase and maintain flood insurance for the life of the structure, or as long as the structure is occupied. (Verification must include the insurance company name, date insurance will be purchased, and the amount of the first year's premium.)
- 2. All rehabilitation work must comply with the local building code and floodplain regulations (i.e. flood-proof or elevate the structure). Verification must include a description of what will be done to the structure.

If the project consists of new construction and is located in a 100-year floodplain, the project will be reviewed for compliance with Lee County's area-wide compliance process for floodplain management to determine if it is in a suitable site within the floodplain. No project will be approved that has an adverse impact on the 100 year floodplain or that provides a threat to lives or property. If applicable, the Environmental Review Record for such project shall state that the area-wide compliance determination is applicable and as a separate document, it will be appended to the Environmental Assessment for the project.

C. Coastal Zone Management

The Coastal Zone Management Acts of 1972, as amended, requires that all Federal grant activities that "directly affect" the zone be consistent with the approved State Coastal Zone Management Plans. Coastal zone impact assessment is important so the proposed activities do not cause, and are not affected by, problems associated with inappropriate coastal development. The County will consult the appropriate State coastal zone management agency for advice if it is believed that a project may in any way directly affect land or water

of the coastal barrier resources and coastal zone. A map showing the Coastal Barrier Resources Areas is attached.

D. Wild and Scenic Rivers

According to the National Wild and Scenic Rivers System (http://www.nps.gov/rivers/), there are two listed rivers in Florida: the Loxahatchee River and the Wekiva River, neither of which are in Lee County. Therefore, a finding has been made that the project is not located within one mile of a listed wild and scenic river, and further compliance is not required.

E. Wetland Protection

New Construction projects adversely impacting a wetland are subject to Executive Order 11990 (Protection of Wetlands). HUD's implementing regulations at 24 CFR Part 55-- Floodplain Management, prescribe a process suitable for protecting wetlands. For proposed financial assistance for activities that will fill or degrade a wetland, HUD will require 8 Step processing (See 24 CFR 55.20) that may be performed concurrently with floodplain processing if applicable. Under the executive order, HUD must avoid financial support for covered activities (new construction or filling of wetland areas), unless it can demonstrate that there are no practicable alternatives outside the wetlands. Where wetland-free sites are available within the community or housing market area, these are considered practicable.

For projects involving new construction, each property will be individually assessed to determine applicability and regulatory compliance will be undertaken and noted in the checklist in the activity file.

F. Water Quality

Project activities are not anticipated to result in the discharge of effluent into navigable waters nor result in the dredging, filling, and disposal of dredged materials into any body of water or wetland, nor result in additional sewage beyond the capacity of the County's existing wastewater system. A project that is connected to a public sanitary sewer system is considered acceptable. However, if a private or individual system is to be used, an evaluation will be made to ensure that no adverse affects to water quality will occur.

G. Sole Source Aquifers

According to the EPA (http://www.epa.gov/region4/water/groundwater/r4ssa.html), there are two sole source aquifers in Florida: the Biscayne Aquifer and the Volusia-Floridan Aquifer, neither of which are in Lee County. Therefore, a finding has been made that proposed properties are not located on nor affect a sole source aquifer designated by EPA, and further compliance is not required.

H. Air Quality

According to the EPA (http://www.epa.gov/airquality/greenbook/anayo_fl.html), The nonattainment or maintenance areas in Florida are located in Broward County, Duval County, Hillsborough County, Miami-Dade County, Palm Beach County, and Pinellas County. Therefore, a finding has been made that projects are not located in a nonattainment or maintenance area of the State Implementation Plan (SIP), and no further compliance is required.

I. Farmlands Protection

A finding of compliance with the requirements of the Farmland Protection Policy Act of 198 must be made for assisted new construction activities and the acquisition of undeveloped land. The USDA-Natural Resources Conservation Service was consulted in preparation of this review, and they found that there are no Prime Farmland soils in Lee County. There are 10 types of soil that meet the requirements of Farmland of Unique Importance (see below).

Prime and other Important Farmlands

Lee County, Florida

Map symbol	Map unit name	Farmland classification
10	Pompano fine sand	Farmland of unique importance
11	Myakka fine sand	Farnland of unique importance
13	Boca fine sand	Farmland of unique importance
14	Valkaria fine sand	Farmland of unique importance
26	Pineda fine sand	Farmland of unique importance
28	immokalee sand	Farmland of unique importance
33	Oldsmar sand	Farmland of unique importance
34	Malabar fine sand	Farmland of unique importance
35	Wabasso sand	Farmland of unique importance
42	Wabasso sand, limestone substratum	Farmland of unique importance

Therefore, if government money is used in the project AND the land is not in urban use, the FPPA requirements must be met. This requires completing the Farmland Conversion Impact Rating form (AD-1006).

J. Fish and Wildlife

Project activities are not anticipated to be located within or near a fish or wildlife refuge located on Federal lands. Project sites will, however, be reviewed to determine if they could affect or be affected by any such fish or wildlife areas, as required under 24 CFR 55.

K. Endangered Species

The Endangered Species Act (ESA) of 1973 requires protection of listed or proposed endangered or threatened species or critical habitats. Projects that can affect listed endangered or threatened species or critical habitats require consultation with the Department of Interior in compliance with the procedure of Section 7 of the ESA. Only for new construction and conversion activities does the ESA authority apply.

If the grantee proposes new construction or conversion activities, Lee County will obtain a finding made by a qualified data source that the project is not likely to affect any listed or proposed endangered or threatened species or critical habitat. The finding shall indicate whether the project is located within a critical habitat, and if so, explain why the project is not likely to affect the species or habitat.

L. Noise

All projects shall be subject to and in compliance with the requirements of designated airport noise zones as provided for in the Lee County Land Development Code Airport Hazard Districts Regulations. Sites located within 1,000 feet of a major roadway should be evaluated to determine the sites exposure to roadway noise. Sites located within 3,000 feet of a railroad should also be evaluated to ensure that the site does not exceed acceptable noise levels.

Five-decibel attenuation above attenuation provided by standard construction is required for HUD-assisted projects in the DNL 65 to 70 zone and 10-decibel additional attenuation is required in the DNL 70 to 75 zone. For HUD to approve housing or other noise sensitive projects in the normally unacceptable noise zone, additional environmental assessment requirements, as well as noise attenuation measures, must be met. Areas in which the noise levels exceed DNL 75 are considered unacceptable. Consultation with appropriate County staff is required when activities are implemented on a noise sensitive site.

M. Thermal and Explosive Hazards

Properties that are located near hazardous industrial operations handling fuels or chemicals of an explosive or flammable nature are subject to HUD safety standards (24 CFR 51, Subpart C). In the case of tanks containing common liquid fuels, the requirement for an acceptable separation distance (ASD) calculation only applies to storage tanks that have a capacity of more than 100 gallons.

Lee County will obtain a finding by a qualified data source stating: (1) that the grantee's proposed property is located within the immediate vicinity of hazardous industrial operations handling fuel or chemicals of an explosive or flammable nature; (2) the type and scale of such hazardous operations; (3) the distance of such operations from the proposed property; (4) a preliminary calculation of the acceptable separation distance (ASD) between such operations and the proposed property; and (5) a recommendation as to whether it is safe to use the property in accord with 24 CFR Part 51, Subpart C.

Or, Lee County will obtain a finding from a qualified data source that the grantee's proposed property is not located within the immediate vicinity of hazardous industrial operations handling fuel or chemicals of an explosive or flammable nature by citing data used and the maps used.

N. Toxic Sites

It is HUD policy that "(1)... all property proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gasses, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property. (2) HUD environmental review of multifamily and non-residential properties shall include evaluation of previous uses of the site and other evidence of contamination on or near the site, to assure that occupants of proposed sites are not adversely affected by the hazards..." Sites known or suspected to be contaminated by toxic chemicals or radioactive materials include but are not limited to sites: (i) listed on an EPA Superfund National Priorities or CERCLA List, or equivalent State list; (ii) located within 3,000 feet of a toxic or solid waste landfill site; or (iii) with an underground storage tank.

As there are listed properties by query on the EPA site, each property will be individually assessed to determine applicability and regulatory compliance will be undertaken and noted in the checklist in the activity file.

O. Solid Waste Disposal

Project activities are not anticipated to be located near a sanitary landfill or hazardous waste disposal site. The requirements of the Resource Conservation and Recovery Act of 1976, as amended, prohibit Federally assisted projects in ecologically sensitive areas that have been affected by hazardous waste disposal sites that do not satisfy EPA criteria. Project sites will be reviewed to determine if they could affect or be affected by any such hazardous waste disposal sites. It is anticipated that all solid waste created by the type of small scale projects funded with HUD funds within Lee County can be accommodated by the community's existing solid waste disposal facilities.

P. Airport Clear Zones

There are no military airfields in Lee County. Southwest Florida International Airport is the only civil airport within Lee County that is designated by the FAA as a commercial service airport under the National Plan for Integrated Airport Systems. All Airport Clear Zones (Runway Clear Zones) at Southwest Florida International Airport are located on airport property and therefore, do not impact off-airport property. Therefore, this requirement is not applicable and written notification is not required.

Q. Local Regulations

No project activity shall commence until all applicable permits required by the appropriate local government have been obtained and approved. Issuance of such permits shall indicate the project's compliance with local environmental review and approval procedures.

R. Land Development

The proposed project will be reviewed to ensure that it is consistent with Lee County's overall comprehensive plan in that the site is properly zoned and the proposed use is generally compatible with the surrounding area. In addition, the project will be reviewed to determined if the proposed use, in and of itself, will adversely impact existing community facilities and services.

S. Environmental Justice

The acquisition of housing, land for development, and new construction in low income or minority neighborhoods will not have disproportionate adverse health or environmental impacts on those populations. Public facility projects, including neighborhood center improvements, sidewalk installation, bus shelter installation, park facility installation or improvement, housing rehabilitation, new housing construction, and the provision of public services (including some for health assessment and care when possible) all benefit the residents of the neighborhoods where funds are invested. Therefore, a finding has been made that projects are not likely to raise environmental justice issues, and further compliance is not required.

T. Summary

The environmental monitoring strategy for unspecified sites in projects funded by HUD reflects the fact that such projects are not anticipated to adversely affect the quality of the human or natural environment based on the following factors:

- 1. Project activities will normally take place in regard to an existing structure and/or within an already developed or platted area.
- No adverse environmental impacts are anticipated due to the limited scope and size of the individual project activities and the fact that such activities will be conducted countywide and therefore spread over a large geographical area.
- 3. DHS's Environmental Monitoring Strategy For Unspecified Sites will be utilized in conjunction with the Unspecified Sites Checklist to ensure full environmental review and compliance with the Statutory and Environmental Assessment Checklists.
- 4. All permits will be issued in conformance with existing comprehensive plans, zoning and related land development regulations. The Unspecified Sites Checklist will ensure compatibility with environmental design, historic values and nature features,
- 5. No action will be taken that will represent an irretrievable commitment of resources.
- 6. Adverse impacts are of short-term duration (related to construction and/or rehabilitation) and are not of significant magnitude.
- 7. Appropriate safeguards will be applied to minimize the effect of the project activities.
- 8. The project activities are not of sufficient size, scale, or mass to have a significant impact on the human or natural environment.

II. IMPLEMENTATION OF COMPLIANCE

DHS, in consultation with appropriate agencies, will be responsible for implementing the requirements under 24 CFR 58 and assuring that each project adheres to Federal, state and local environmental standards prior to committing funds. DHS staff will be responsible for the following roles and responsibilities:

A. Environmental Compliance Officer

The DHS Environmental Compliance Officer (ECO) will coordinate with DHS staff and appropriate agencies to satisfy requirements for environmental compliance. Implementation measures include the following:

- 1. Obtaining environmental information to document and determine compliance for each project.
- 2. Making site visits and consulting with appropriate experts on an as-needed basis to make environmental compliance determinations.

- 3. Identifying and notifying appropriate personnel of any required mitigation measures to ensure compliance.
- 4. Selecting alternate eligible property, if the project on the proposed project site is deemed to be out of compliance.
- 5. Compiling and maintaining environmental review records (ERRs) for each approved project.
- 6. Compiling data for, preparing and submitting any required compliance report to HUD.

B. Housing, Contracts, and Neighborhood Building Programs

DHS staff will be responsible for conducting site visits for Housing Program projects, and contract or neighborhood building projects as applicable. Site visit details will be included with the site checklist and submitted to the ECO for review. In the event a subrecipient completes the site visit, a representative of the subrecipient will provide DHS staff with details and property information to include address, strap number, and/or a copy of the Property Appraiser's report for the parcel. DHS staff will be responsible for completing the appropriate checklist, depending on the level of review, and submitting the completed checklist with any pertinent attachments to the ECO, which will be the project ERR. The ECO will review the ERR, sign for compliance, and return to DHS staff to be included in the project files.

III. PROJECTS IN NON-COMPLIANCE

DHS's HUD-funded activities not in compliance under 24 CFR 58 and other Federal, state, and local environmental laws and authorities shall not commence until such compliance has been achieved.

Prepared by:	
apply Con	1/04/13
Cyndy Cook, Neighborhood Relations Coordinator	Date
Department of Human Services	

Public Notice (FONSI/RROF)

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

July 29, 2013

Lee County Florida PO Box 398 Fort Myers, FL 33902 (239) 533-7930

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by Lee County.

REQUEST FOR RELEASE OF FUNDS

On or about September 1, 2013, Lee County will submit a request to the US Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant (CDBG) Program and the HOME Investment Partnership (HOME) Program and the Emergency Solutions Grant (ESG) Program funds to undertake the Housing and Public Facility/Improvement and Emergency Shelter Projects and Activities described below:

Purpose: The projects consist of countywide functionally aggregated and tiered

housing, public facility/improvement, and emergency shelter activities which are of a continuing nature pertaining to acquisition, lease,

rehabilitation, new construction, site improvements, demolition, loans,

and rapid re-housing.

Scope: Acquisition or lease of vacant, improved, or unimproved land;

Acquisition, lease, rehabilitation, and/or relocation of existing buildings

and/or improvements; Construction of new buildings and/or

improvements; Site improvements for existing structures and/or new construction, including individual wells and septic systems; Public facilities and/or improvements for existing structures and/or new construction; Activities to assist in the construction of new buildings and/or improvements; Demolition of vacant existing structures and/or improvements; Loans for housing and public facility/improvement

projects and related activities; and Rapid re-housing activities.

Location: Countywide, including incorporated and unincorporated areas. Location

of exact sites have not been determined, however, a site-specific analysis will be conducted as each site is identified in order to establish compliance with 24 CFR Parts 58.5 and 58.6 in accordance with the Lee County Florida Environmental Monitoring Strategy for Unspecified Sites. Completion of the Unspecified Sites Checklist will determine if any further compliance actions are necessary, such as the satisfaction

of Executive Orders 11988 and 119890, or Section 106 Historic

Preservation Requirements or the Coastal Zone Management Act. Compliance with the National Flood Insurance Program, the Coastal Barrier Resources Act, and local airport runway protection zones will be required, if applicable.

Estimated Funding: The request for release of funds will cover five fiscal years

(FY 2013-2017). It is estimated that the following amounts will be used for these project activities each

year.

FUNDS	ACTIVITY	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
HOME	Housing	\$600,000	\$600,000	\$600,000	\$600,000	\$600,000
CDBG	Housing/Public	\$2 million				
	Facilities/Improvements					
ESG	Shelter Facility/Improvement	\$165,000	\$165,000	\$165,000	\$165,000	\$165,000

The specific amounts will be identified annually through the annual action plan update process for the Lee County Consolidated Plan update process.

FINDING OF NO SIGNIFICANT IMPACT

Lee County has determined that the above project activities will not constitute actions significantly affecting the quality of the human environment and accordingly, Lee County has decided that an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA, 42 USC 4321) is not required.

The reasons for the decision not to prepare an Environmental Impact Statement are as follows:

- a) Project activities will normally take place in regard to an existing structure and/or within an already basically developed or platted area.
- b) No adverse environmental impacts are anticipated due to the limited scope and size of the individual project activities and the fact that such activities will be conducted countywide and therefore spread over a large geographical area.
- c) Lee County's Environmental Monitoring Strategy for Unspecified Sites will be utilized in conjunction with the Unspecified Sites Checklist to ensure full environmental review and compliance with the Statutory and Environmental Assessment Checklists.
- d) All permits will be issued in conformance with existing comprehensive plans, zoning, and related land development regulations. The Unspecified Sites Checklist will ensure compatibility and environmental design, historic values, and natural features.
- e) No action will be taken that will represent an irretrievable commitment of resources.
- f) Adverse impacts are of short term duration (related to construction and/or rehabilitation) and are not of significant magnitude.

- g) Appropriate safeguards will be applied to minimize the effect of the project activities.
- h) The project activities are not of sufficient size, scale, or mass and do not exceed the threshold criteria established for the preparation of a statement nor will the project activities have a significant impact on the human environment under NEPA.

Environmental Review Records (ERR) respecting the project activities have been prepared by Lee County which document the environmental review of the projects and more fully set forth the reasons why an Environmental Impact Statement is not required. The ERRs are on file in the Lee County Department of Human Services, 2440 Thompson Street, Fort Myers, Florida 33901, telephone number 239-533-7930, and are available for public examination and copying, upon request, during the weekday hours of 8:00 AM to 5:00 PM.

No further environmental review of such project activities is proposed to be conducted prior to the release of Federal funds.

PUBLIC COMMENTS

Any individual group or agency disagreeing with this determination or wishing to comment on the project activities may submit written comments to the Lee County Department of Human Services, 2440 Thompson Street, Fort Myers, Florida 33901. All written comments received by 5:00 PM, August 15, 2013, will be considered prior to Lee County's submission of a request for release of funds. Comments should specify which Notice they are addressing.

Este aviso público es con respecto a un análisis ambiental completado para cumplir con fondos otorgados por el Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos. Traducción de este aviso puede ser solicitado llamando al 533-7930 (This public notice is regarding an environmental review completed for compliance with funding from the U.S. Department of Housing and Urban Development. Translation of the notice may be requested by calling 533-7930.).

RELEASE OF FUNDS

Lee County certifies to HUD that Cecil L Pendergrass, in his capacity as Chairman of the Lee County Board of County Commissioners, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows Lee County to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and Lee County's certification for a period of 15 days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases:

- a) The certification was not executed by the Certifying Officer of Lee County.
- b) Lee County has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58.
- c) The grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD.
- d) Another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to HUD Region IV Miami Field Office, Brickell Plaza Federal Building, 909 SE First Avenue, Room 500, Miami, Florida, 33131-3208, Attn: Ubaldo A. Cazzoli, Environmental Officer. The HUD telephone number is (305) 536-5765. Potential objectors should contact HUD to verify the actual last day of the objection period.

Cecil L Pendergrass, Chair Lee County Florida Board of County Commissioners Certifying Officer Request for Release of Funds (RROF) and Certification

Request for Release of Funds and Certification

u.s. Department of Housing and Urban Development Office of Community Planning and Development (exp. 10/31/2014)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

1. Program Title(s)	2. HUD/State Identification Number	3. Recipient Identification Numbe	
CDBG, HOME, and ESG	Please see #11*	(optional)	
4. OMB Catalog Number(s) 14.218, 14.239, 14.231 6. For information about this request, contact (name & phone number) Cyndy Cook, 239-533-7958	5. Name and address of responsible entity Lee County 2115 Second Street Fort Myers, FL 33901		
8. HUD or State Agency and office unit to receive request HUD Environmental Officer/Region IV, Miami Field Office, 909 SE First Ave., Room 500, Miami, FL 33131	7. Name and address of recipient (if different than responsible entity)		
The recipient(s) of assistance under the program(s) listed above a grant conditions governing the use of the assistance for the follow		removal of environmental	
9. Program Activity(ies)/Project Name(s)	10. Location (Street address, city, cou	inty, State)	
Housing, public facilities/improvements	Unspecified sites, please see #11**		

^{11.} Program Activity/Project Description

The project consists of countywide functionally aggregated and tiered housing and public facility/improvement activities, which are of a continuing multi-year nature, pertaining to acquisition, lease, rehabilitation, new construction, demolition, loans, and rapid re-housing.

*CDBG: B-13-UC-12-0013 HOME: M-13-UC-12-0210 ESG: E-13-UC-12-0023

**A site specific analysis will be conducted as each site is identified in order to establish compliance with 24 CFR Part 58, in accordance with the Lee County Environmental Monitoring Strategy. Completion of site specific checklist will determine if further compliance actions are necessary, such as the satisfaction of Executive Orders 11988 and 11990, Section 106 Historic Preservation Requirements, or Coastal Zone Management Act. Compliance with the National Flood Insurance Program, the Coastal Barrier Resources Act, and local airport runway protection zones will be required if applicable.

Part 2. Environmental Certification (to be completed by responsible entity)				
With reference to the above Program Activity(ies)/Project(s), I, th	e undersigned officer of the responsible entity, certify that:			
The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.				
The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.				
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.				
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did did not require the preparation and dissemination of an environmental impact statement.				
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.				
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.				
 In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project. 				
As the duly designated certifying official of the responsible entity, I a	ulso certify that:			
8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.				
 I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity. 				
Signature of Certifying Officer of the Responsible Entity	Title of Certifying Officer			
	Chair			
	Date signed			
x 6 8-20-13				
Address of Certifying Officer				
Lee County, 2115 Second Street, Fort Myers, FL 33901				
Part 3. To be completed when the Recipient is not the Responsible Entity				
The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).				

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Part 3. To be completed when the Recipient is not the Responsibl	e Entity			
The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).				
Signature of Authorized Officer of the Recipient	Title of Authorized Officer			
	Date signed			
X				
Warning: HUD will prosecute false claims and statements. Conviction may res 3729, 3802)	cult in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C.			

Previous editions are obsolete

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

form HUD-7015.15 (1/99)