

**8-STEP DECISION MAKING PROCESS DOCUMENTATION**

(Decision Making Process under E.O. 11988 and 24 CFR 55.20)

*[Attach additional pages as necessary for any step in the process.]*

**STEP 1 – Determine if the proposed action/project is located in a 100-year floodplain/wetland, or 500-year floodplain for a critical action.**

Attach the FEMA Firmette of the Flood Insurance Rate Map, mark the project site clearly on the map, and complete the following:

**Community Name/Number:** \_\_\_\_\_

**Map Panel and Date of Map Panel:** \_\_\_\_\_

(Continue to Step 2 if the area has been mapped.)

Check here if the area has not been mapped by FEMA, and continue below.

*If the area has not been mapped by FEMA, obtain and attach the best information available from one or more of the following accepted source (check all sources used):*

Community Flood Administrator

US Army Corps of Engineers

US Geological Survey Maps

USDA Natural Resources conservation Service Soils Map

Regional Planning Commission/Regional Council of Governments Mapping

Local flood control or levee district

Other \_\_\_\_\_

**STEP 2 – Involve the public in the decision-making process.**

**Publish the Early Notice and Public Review.**

The Early Notice and Public Review is a notice of the proposal to consider an action in a floodplain/wetland. The Notice must be published in the non-legal section of the newspaper of widest circulation. A minimum 15-day comment period begins the day after publication. Indicate if comments were received. If the RE receives any written comments, the RE must respond in writing, resolve any issues and provide copies to CDBG. A copy of the publication must be enclosed in the ERR.

**Name of Newspaper:** \_\_\_\_\_

**Date of publication:** \_\_\_\_\_

**Were adverse comments received in writing?**                      **Yes**                      **No**  
*(If yes, attach all correspondence.)*

**STEP 3 – Evaluate alternatives to locating the proposed action in a floodplain.**

*Explain in detail* each of the following to determine if the floodplain and/or wetland can be avoided:  
(Attach additional pages if necessary.)

a. Identify and explain if alternative sites suitable for the project exist outside the floodplain/wetland:  
(Refer to the engineer/architect, or engineering/architectural report for alternatives. Other buildings and/or sites and No Action alternatives must be evaluated.)

b. Identify and explain if feasible alternative actions/methods may be used to fulfill the identical project objective: (Can different or modified actions with less chance for impact be used to fulfill the same project?)

c. Identify and explain if threats to lives and property and/or adverse impacts to the floodplain/wetland outweigh benefits of the proposed project: (Explain if impacts are too severe to human and natural environments to complete the project.)

**STEP 4 – Identify indirect and direct impacts associated with occupying or modifying the floodplain/wetland.**

If the RE determines the only practicable alternative for the project/action is occupying or modifying the floodplain/wetland, then impacts to lives and properties and impacts to floodplains and/or wetland, must be identified. If the RE determines an alternative site of the project exists out of the floodplain/wetland, project activities may still have an impact on the nearby floodplain/wetland and must also be identified to determine ways to minimize harm.

Explain in detail how the project/activity will affect the floodplain/wetland regarding the following types of impacts:

Positive or beneficial impacts to the floodplain/wetland, both direct and indirect:

Negative or harmful impacts to the floodplain/wetland, both direct and indirect:

Concentrated impacts – those occurring at or near the floodplain/wetland:

Dispersed or remote impacts occurring distant from the floodplain/wetland:

Short-term impacts to the floodplain/wetland (temporary impacts occurring immediately after an action lasting as short while):

Long-term impacts to the floodplain/wetland (impacts occurring during or after an action that persist for considerable time or indefinitely):

Explain if project encourages development in the floodplain/wetland:

**STEP 5 – Identify mitigation measures to minimize impacts to and to preserve benefits of the floodplain/wetland.** *(Consult project engineer/architect and/or engineering/architectural report.)*

a. Explain how actions will be designed and/or modified to minimize harm to or within the floodplain/wetland.

b. Explain how actions will be designed and/or modified to restore and/or preserve as much of the natural and beneficial floodplain/wetland values as possible.

**STEP 6 – Re-evaluate alternatives identified in Step 3. Take into account all identified impacts & mitigation measures.**

a. Explain whether it is possible to modify or relocate the project/activity and why.

b. If there are no alternatives, explain why the project/activity should occur. Consider impacts determined in Step 4 and minimization efforts identified in Step 5.

**STEP 7 – If re-evaluation results in no practicable alternative to relocate the project out of the floodplain/wetland, the decision must be made public.**

**Publish the Final Notice and Public Explanation**

The Final notice must be published in a non-legal section of the newspaper of widest circulation. A 7-day comment period begins the day *after* publication. This notice may be published concurrently with the Concurrent Notice or the NOI/RROF. (24 CFR Subpart C § 55.20(b)(1).

If the RE receives written comments, the RE must respond in writing, resolve issues and provide copies to CDBG. A copy of the publication must be enclosed in the ERR.

**Name of Newspaper:** \_\_\_\_\_

**Date of publication:** \_\_\_\_\_

<b>Were adverse comments in writing received?</b> <i>(If Yes, attach all correspondence.)</i>	<b>Yes</b>	<b>No</b>
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**STEP 8 – Implement the Project.**

Project implementation can only proceed provided compliance has been demonstrated with respect to all of the prior steps and provided the project has been approved by the state in accordance with HUD regulation 254 CFR part 58.

The Responsible Entity has a continuing responsibility to ensure that the mitigating measures identified in Step 7 are implemented. Mitigation measures must be incorporated, as appropriate, in project contract and all related agreement documents.

**Additional Information/Explanations:**

\_\_\_\_\_  
**Preparer's signature/title**

\_\_\_\_\_  
**Date**