

# Program Income Disposition

Application



Louisiana Division of Administration

---

**Office of Community Development –  
Disaster Recovery**



## Applicant information and certifications

Please complete and sign below to authorize submittal of this detailed application and certify the accuracy of all information contained herein to the best of your knowledge.

### Applicant (public entity)

Name: Terrebonne Parish Consolidated Government

### Applicant executive or chief elected official

Name: Jason W Bergeron Title: Parish President

Address: PO Box 2768

City: Houma State: LA Zip: 70360

Email: parishpresident@tpcg.org Phone: 985-873-6401

### Applicant authorized representative (delegate)

Name: Kelli Varnado Title: Director of Housing and Human Services

Address: PO Box 2768

City: Houma State: LA Zip: 70360

Email: kvarnado@tpcg.org Phone: 985-219-2931

### Additional point of contact (optional)

Name: Antoine Foret Title: Assistant Director of Housing and Human S

Address: PO Box 2768

City: Houma State: LA Zip: 70360

Email: aforet@tpcg.org Phone: 985-219-2905

Clear and reset form



## Problem definition

Please fill out the sections below or provide attachments with the requested information.

Provide a comprehensive description of the problem this project will address including, but not limited to:

- What are the expected results?
- Is this a new or existing problem?
- What was the previous use of the site?
- Does the problem affect a historic area?

The expected result of this project is to provide 90 units of affordable rental housing at Parkwood Place Subdivision, Houma, Louisiana 70363. The original Parkwood Place Gustav-Ike CDBG-DR infrastructure project funded the development of a 144 lot subdivision. This additional grant will allow for the expansion of new affordable rental housing at this location. There are currently 20 single family homes being occupied by low income families within Parkwood Place Subdivision. This is an existing problem that can be resolved with the additional funds being requested. The use of site will not change and will not affect a historic area. An explanation of the timeline, delays and issues related to the original grant is attached.

### Disaster recovery activity information

Does the proposed project have a tie to the disaster? ☒ Yes ☐ No

Which disaster does the project tie back to? Gustav-Ike

Explain the project rationale for the tie-back to the disaster(s):

The goal of the original project was to create at least 72 units of affordable housing. Due to issues stated in the attachment, only 20 units have been created to date. As of today, 4 years following Hurricane Ida, over 500 units of public housing owned by the Houma-Terrebonne Housing Authority remain uninhabitable. This project will help meet Terrebonne Parish's tremendous need for affordable housing.



## Detailed scope of work

Please fill in the following sections or attach a detailed scope of work document.

Provide a detailed description of the scope of work (what you are planning to do). The detailed scope of work must describe existing conditions, the change being implemented, as well as the expected outcome. Recommended elements include but are not limited to:

- Project description identifying any construction activities that are to be included, the objectives of the project, and the expected results.
- Project context – Is this part of a larger plan or project? Is it separate, in the sense that it doesn't rely on those other projects and does not trigger CDBG requirements on the other parts of the plan or project?
- Target beneficiaries and area – Who are the beneficiaries? What are the benefits to low- and moderate-income persons? How does the project protect those members of protected classes, vulnerable populations, and underserved communities from the risks identified?
- Acknowledgement of compliance with the Uniform Relocation Act regulations if the project involves acquisition activities.
- Description of construction or rehabilitation involved – How intrusive is the proposed construction? Is there earthwork involved? Internal or external construction? For rehabilitation, is the expansion of the footprint greater than 20 percent?
- Mitigation plan - Describe how the design of the project considers and proposes a mitigation plan to minimize damage in the event of future disasters.

This project will provide the gap funding needed to construct a \$28 million dollar project being developed by Saint Bernard Project (SBP). The project will provide for the construction of 90 units of affordable housing. The Program Income Disposition funding being requested is part of a larger plan, however CDBG does not fund any other part of the plan and does not trigger CDBG requirements on the other funding sources. However, it will trigger HUD requirements as it is also funded the HOME Entitlement and HOME-ARP funding. Beneficiaries include households at 60%, 30% and 20% of median area income. HOME-ARP funding must benefit, vulnerable populations that include extremely low income, homeless, and at-risk of homeless households. The proposed project will construct units on empty lots and will not trigger URA requirements. The project includes external and internal construction and the environmental review that includes the additional CDBG-DR funds being requested is underway by the Louisiana Housing Corporation. There will be minimal ground disturbance, with only 1 to 2 feet for electrical and plumbing services. The units being constructed will be built to the Institute for Business and Home Safety Fortified Gold Standards and will be elevated one foot above the FEMA requirement.



Describe acquisition involved, if applicable.

- Describe the type of acquisition, such as demolition, disposition, or easement. Does the acquisition relate to a mitigation activity?
- Is this a purchase or long-term lease? Who is the current owner or tenant?
- What is the size of property? Are there any improvements?

SBP will purchase 48 vacant lots within the Parkwood Place Subdivision from the owner, GEM Builders. The acquisition does not relate to a mitigation activity. The average lot size is 50 X 100 (5,000 sq.ft). There are no improvements on the vacant lots. CDBG-DR funds will not be used for the purchase of the property.

Describe long-term plans for purchased properties. Include information regarding what entity will own and maintain the purchased properties, the inspection process, and if there is cause for wear and tear. If you are not purchasing outright, answer N/A.

The property that will include 90 units of affordable rental housing will be owned and maintained by SBP. All Federal, State and local inspection requirements will be performed by Terrebonne Parish Consolidated Government. SBP began its operations in the months after Hurricane Katrina. Since those early years, hundreds of thousands of generous volunteers, AmeriCorps members, investors, donors, and tireless employees have helped SBP become a national leader in disaster resilience and recovery.



Provide a brief description of how you plan to carry out the long-term operations and maintenance of the project.

SBP will own, operate and maintain the project. Terrebonne Parish Consolidated Government and SBP will execute a Regulatory Agreement, Mortgage, and a Assignment of Leases, Rents and Security Agreement that will hold SBP accountable for long-term operations and maintenance.

## Project location and type

Please complete the following section and provide requested attachments.

### Project street address

Please input the primary street address of the project. If the project does not have a definite street address, please input the approximate street address or nearest cross-street to the central point of the project.

Address: Saints Circle

City: Houma Parish: Terrebonne State: LA Zip: 70360

If your project includes multiple street addresses, please attach a spreadsheet including all addresses.

### Project GPS coordinates

Please input primary GPS coordinates of the project (decimal degrees).

Latitude: 29.590881 Longitude: -90.688406

Coordinate description: <https://gps-coordinates.org/my-location.php?lat=29.590881&lng=-90.688406>

If your project includes more than ten locations, please attach a spreadsheet including all latitude and longitude coordinates.



## Project map and existing conditions

Attach documents that meet the following mapping requirements. A single map may meet more than one need. Required maps are marked with an asterisk (\*).

- Project location map (\*): A city- or parish-scale map that shows the full project area. Mark the project site and any improvements or features.
- Aerial photo: An aerial photograph of the entire project area.
- Ground disturbance map (if applicable): Show where ground will be disturbed and indicate the depth.
- Parcel map: Include property ID numbers and show which parcels will be directly affected by construction.
- Attach photos of each project site.

Photos should represent the full project area. Clearly label all parts of the site so they're easy to identify. For each photo, include:

- A short description
- The date it was taken
- The location

## Funding overview and budget

Please list the total dollar amount expected from each funding source, rounded to the nearest dollar in the table on the next page. The total must equal the full project cost. For each funding source, include its name, current status (such as committed or applied for), the specific use of the funds, and attach any documentation of commitment.

If multiple sources are involved, you must coordinate program design and funding to avoid duplication of benefits and ensure compliance with all applicable regulations. All sources of funding must be clearly identified. For example, if \$200,000 in local funds will support construction of a treatment facility for a new sewerage system, you must specify that in the funding overview.



<b>Funding source (CDBG-DR, federal-other, state, local, etc.)</b>	<b>Amount</b>	<b>Use of funds (construction, A/E, etc.)</b>	<b>Status of funds (committed, applied for, etc.)</b>	<b>Documentation of commitment (yes, no, or n/a)</b>
American Rescue Plan	\$ 3,000,000	construction	committed	yes
HOME Entitlement	\$ 1,095,000	construction	committed	yes
HOME-ARP	\$ 1,050,000	construction	committed	yes
TPCG local funds	\$ 205,000	construction	committed	yes
LIHTC	\$ 11,288,000	construction	committed	yes
NHTF-LHC	\$ 2,000,000	construction	committed	yes
Traditional Loan	\$ 4,300,000	acquisition of lots, professional	committed	yes
Deferred Developer Fee	\$ 2,000,000		committed	yes
CDBG-DR	\$ 3,000,000	construction	committed	yes
<b>Total funds</b>	<b>\$ 27,938,000</b>			





## Estimated project budget

Each program income application must include a detailed budget that shows project activities and the funding breakdown for each activity. LOCD-DR will confirm that the total budget matches the amount of program income available at the state level.

The budget must include costs for materials, labor, equipment, fees, and any other project-related expenses. List each project activity as a separate line item with an estimated cost. Activities should be specific to your project.

Examples of project activities include:

- Acquisition
- Construction, reconstruction, or rehabilitation
- Environmental review and permitting
- Construction oversight and inspections
- Activity delivery costs (such as staff time)

The total estimated cost of all activities must not exceed your CDBG-DR allocation and any other confirmed funding listed in the application.

### For projects with construction activities

You may submit a preliminary cost estimate to receive application approval. This estimate can be high-level, but must clearly describe the proposed work. We strongly recommend hiring a licensed engineer or architect to prepare this estimate.

Include architectural and engineering fees as separate line items by type. Examples include basic design and engineering services, topographic surveys, geotechnical investigations and testing, and other related services.

Before bidding begins, a final detailed construction estimate must be prepared by a Louisiana-licensed Professional Engineer or Architect. This estimate must include a list of construction items (as in a bid proposal), estimated quantities and units, and unit prices and total amounts.

Include a contingency amount that fits the current stage of project design. You must have written approval before advertising for bids.

### For projects with acquisition activities

Include the estimated cost for each stage of the acquisition process and the expected number of parcels to be acquired.



Expected annual operating and maintenance cost of the project: \$ 600,000.00

What is the expected project useful life, in years? 75+

Please describe how the project may be scaled if estimated costs increase during project implementation.

The only option would be to decrease the number of units built. It is the intent of SBP to build the units in phases.

Are there funds pledged to this project from FEMA? ☐ Yes ☒ No

**If yes, please provide the Project Worksheet (PW).**

**Please also attach an estimated project budget.**

## Project schedule

Attach a project schedule that outlines the activities needed to complete the proposed project, along with a timeline. Include all major project activities. These can be general descriptions that cover multiple tasks. Examples include acquisition/closing, procurement, citizen participation, engineering and design, environmental review, land rights, bid advertisement, and construction.

For each activity, list the proposed start and end dates and the estimated duration. Also include major milestones. Milestones mark key points in the project (such as “permit received” or “30% design complete”) and have a duration of zero days.

Include time for project closeout, which begins after construction ends. Closeout includes final reimbursements and confirming that the project meets a national objective. We recommend allowing at least three months for this phase.

**Please attach a project schedule.**



## National objectives

A national objective is required to be met for each project funded with CDBG funds. Please review the national objectives below and select the best fit for your project.

Applicants should be familiar with the eligible national objectives associated with the program this application is being submitted to for funding.

- ☒ Benefiting low- and moderate-income persons (LMI)
- ☐ Preventing or eliminating slums or blight
- ☐ N/A – planning/study

### Activities benefiting low- and moderate-income persons (LMI)

Complete this question if the national objective is LMI. The criteria for how an activity may be considered LMI is divided into four subcategories. Which subcategory is most applicable to your project?

- ☐ Area benefit
- ☐ Limited clientele
- ☐ Employment (jobs)
- ☒ Housing

Depending on your selection of national objective or LMI subcategory, additional documentation may be required during application review or for application approval.



## Eligible activities

Eligible Activities are designed to address a variety of needs, including; Economic Development, Infrastructure, Public Services, and Housing. This list includes all potential eligible activities for program income: 105(a) 1, 2, 4, 5, 7, 8, 9, 11, 14, 15, and 16.

There are certain compliance regulations and guidelines that apply to each eligible activity. Please see the program income policy and procedure for more information. Review HUD's [CDBG Categories of Eligible Activities](#) for details on the eligible activities.

### **Which eligible activities does your project include?**

- ☐ Section 105(a)(1): acquisition of real property
- ☐ Section 105(a)(2): public facilities and improvements
- ☐ Section 105(a)(3): code enforcement in deteriorated/deteriorating areas
- ☐ Section 105(a)(4): clearance, rehabilitation, reconstruction, and construction of buildings
- ☐ Section 105(a)(5): removal of architectural barriers to access by the elderly and handicapped
- ☐ Section 105(a)(6): payments to housing owners for losses of rental income
- ☐ Section 105(a)(7): disposition of real property, including costs associated with maintenance and transfer of acquired properties
- ☐ Section 105(a)(8): provision of public services, such as job training
- ☐ Section 105(a)(9): payment of the non-federal share of other federal matching grant programs
- ☐ Section 105(a)(10): payment of the cost of completing a project funded under Title 1 of the Housing Act of 1949
- ☐ Section 105(a)(11): relocation associated with projects that utilize one or more of the other eligible activities listed here
- ☐ Section 105(a)(12): activities necessary to develop a comprehensive community development plan and develop a policy-planning-management capacity



- ☐ Section 105(a)(13): payment of reasonable administrative costs related to establishing and administering federally approved enterprise zones
- ☐ Section 105(a)(14): activities carried out through nonprofits
- ☐ Section 105(a)(15): assistance to neighborhood-based organizations, local development corps, and nonprofits serving the development needs of communities
- ☐ Section 105(a)(16): energy efficiency/conservation programs
- ☐ Section 105(a)(17): assistance to private, for-profit entities, to carry out an economic development project
- ☒ Section 105(a)(18): the rehabilitation or development of housing assisted under Section 17 of the United States Housing Act of 1937
- ☐ Section 105(a)(19): ) provision of technical assistance to public or nonprofit entities to increase the capacity of such entities to carry out eligible neighborhood revitalization or economic development activities
- ☐ Section 105(a)(20): housing services, such as housing counseling, in connection with tenant-based rental assistance and affordable housing projects
- ☐ Section 105(a)(21): provision of assistance by recipients under this title to institutions of higher education
- ☐ Section 105(a)(22): provision of assistance to public and private organizations, agencies, and other entities to enable such entities to facilitate economic development
- ☐ Section 105(a)(23): activities necessary to make essential repairs and to pay operating expenses necessary to maintain the habitability of housing units acquired through tax foreclosure proceedings in order to prevent abandonment and deterioration of such housing in primarily low- and moderate-income neighborhoods
- ☐ Section 105(a)(24): provision of direct assistance to facilitate and expand homeownership among persons of low and moderate income
- ☐ Section 105(a)(25): The construction or improvement of tornado-safe shelters for residents of manufactured housing
- ☐ Section 105(a)(26): Lead-based paint hazard evaluation and reduction



## Applicant/subrecipient statement of assurances

This applicant/subrecipient hereby assures and certifies that:

1. It possesses legal authority to apply for a Community Development Block Grant (“CDBG”) and to execute the proposed CDBG program.
2. Its governing body has duly adopted, or passed as an official act, a resolution, motion, or similar action authorizing the filing of the CDBG application and directing and authorizing the person identified as the official representative of the applicant/subrecipient to act in connection with the application, sign all understandings and assurances contained therein, and to provide such additional information as may be required.
3. It has facilitated citizen participation by providing adequate notices containing the information specified in the program instructions and by providing citizens an opportunity to review and submit comments on the proposed application.
4. Its chief executive officer, or other officer or representative of applicant/subrecipient approved by the State:
  - a. Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 (42 U.S.C.A. §4321, et seq.) insofar as the provisions of such Act apply to the proposed CDBG Program; and
  - b. Is authorized and consents, on behalf of the applicant/subrecipient and themselves, to submit to the jurisdiction of the federal courts for the purpose of enforcement of applicant/subrecipient’s responsibilities and their responsibilities as an official.
5. It will develop the CDBG program and use CDBG funds so as to give maximum feasible priority to the following activities, as necessary for establishing eligibility under the applicable funding source, (1) activities that will benefit low and moderate income persons, or (2) activities that aid in the prevention or elimination of slums or blight.
6. It will comply with the following applicable federal grant management regulations, policies, guidelines, and/or requirements as they relate to the application, acceptance, and use of federal funds: 2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards).
7. It will administer and enforce the labor standards requirements set forth in 24 CFR 570.603 and any other regulations issued to implement such requirements.



8. It will comply with the provisions of Executive Order 11988, as amended by Executive Order 12148, relating to evaluation of flood hazards, and Executive Order 12088, as amended by Executive Order 12580, relating to the prevention, control and abatement of water pollution.
9. It will require every building or facility (other than a privately owned residential structure) designed, constructed, or altered with funds provided to applicant/subrecipient to comply with any accessibility requirements, as required by Title III of the Americans with Disabilities Act of 1990 (42 U.S.C.A. § 12101 et seq.). The applicant/subrecipient will be responsible for conducting inspections to ensure compliance with these specifications by the contractor.
10. It will comply with:
  - a. Title VI of the Civil Rights Acts of 1964, 42 U.S.C. §2000d et seq., as amended, and the regulations issued pursuant thereto (24 CFR Part 1), which provide that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant/subrecipient receives federal financial assistance and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of federal financial assistance extended to the applicant/subrecipient, this assurance shall obligate the applicant/subrecipient, or in the case of any transfer of such property, any transferee, for the period during which the property or structure is used for another purpose involving the provision of similar services or benefits.
  - b. Section 104 (b) (2) of Title VIII of the Civil Rights Act of 1968 (Fair Housing Act, 42 U.S.C.A. §3601, et seq.), as amended, which requires administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing. Title VIII further prohibits discrimination against any person in the sale or rental of housing, or the provision of brokerage services, including in any way making unavailable or denying a dwelling to any person, because of race, color, religion, sex, national origin, handicap or familial status.



- c. Section 109 of Title I of the Housing and Community Development Act of 1974 (42 U.S.C. §5309), and the regulations issued pursuant thereto (24 CFR 570.602), which provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds provided under that Part. Section 109 further prohibits discrimination to an otherwise qualified individual with a handicap, as provided under Section 504 of the Rehabilitation Act of 1973, as amended, and prohibits discrimination based on age as provided under the Age Discrimination Act of 1975. The policies and procedures necessary to ensure enforcement of section 109 are codified in 24 CFR Part 6.
  - d. Executive Order 11063, as amended by Executive Order 12259, and the regulations issued pursuant thereto, which pertains to equal opportunity in housing and non- discrimination in the sale or rental of housing built with federal assistance.
  - e. Executive Order 11246, as amended by Executive Order 11375 and Executive Order 12086, and the regulations issued pursuant thereto, which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of federal or federally assisted construction contracts. Further, contractors and subcontractors on federal and federally assisted construction contracts shall take affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training and apprenticeship.
  - f. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 701, et seq.), as amended, which provides that no otherwise qualified individual shall, solely, by reason of his or her handicap be excluded from participation, denied program benefits or subjected to discrimination on the basis of age under any program or activity receiving federal funding assistance.
11. The work to be performed by applicant/subrecipient is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered





by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

Applicant/subrecipient agrees to comply with HUD's regulations in 24 CFR part 135, which implement Section 3. Applicant/subrecipient also certifies that they are under no contractual or other impediment that would prevent it from complying with the part 135 regulations.

Applicant/subrecipient agrees to send to each labor organization or representative of workers with which the applicant/subrecipient has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the applicant/subrecipient's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

Applicant/subrecipient agrees to include this Section 3 clause in every subrecipient agreement and contract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of such contract or in this Section 3 clause, upon a finding that the subrecipient or contractor is in violation of the regulations in 24 CFR part 135. Applicant/subrecipient will not contract with any subrecipient or contractor where the applicant/subrecipient has notice or knowledge that the subrecipient or contractor has been found in violation of the regulations in 24 CFR part 135.

The applicant/subrecipient will certify that any vacant employment positions, including training positions, that are filled (1) after the applicant/subrecipient is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the applicant/subrecipient's obligations under 24 CFR part 135.

Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this agreement for default, and debarment or suspension from future HUD assisted contracts.



With respect to work performed in connection with Section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 5307) also applies to the work to be performed under this agreement. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this agreement that are subject to the provisions of Section 3 and section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

12. It will minimize displacement of persons as a result of activities assisted with CDBG funds. In addition, it will:
  - a. Comply with Title II (Uniform Relocation Assistance) and Sections 301-304 of Title III (Uniform Real Property Acquisition Policy) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. Chapter 61), and HUD implementing instructions at 24 CFR Part 42 and 24 CFR 570.606; and
  - b. Inform affected persons of their rights and of the acquisition policies and procedures set forth in the regulations at 24 CFR Part 42; and
  - c. Provide relocation payments and offer relocation assistance as described in Section 205 of the Uniform Relocation Assistance Act to all persons displaced as a result of acquisition of real property for an activity assisted under the CDBG Program. Such payments and assistance shall be provided in a fair, consistent and equitable manner that ensures that the relocation process does not result in different or separate treatment of such persons on account of race, color, religion, national origin, sex or source of income; and
  - d. Assure that, within a reasonable period of time prior to displacement, comparable decent, safe and sanitary replacement dwellings will be available to all displaced families and individuals and that the range of choices available to such persons will not vary on account of their race, color, religion, national origin, sex, or source of income; and
  - e. Assure that if displacement is precipitated by CDBG funded activities that require the acquisition (either in whole or in part) of real property, all appropriate benefits required by the Uniform Relocation Assistance and Real Property



Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq., Pub. L. 91-646) and amendments thereto shall be provided to the displaced person(s). Persons displaced by rehabilitation of “Non-Uniform Act” acquisition financed (in whole or in part) with CDBG funds shall be provided relocation assistance in accordance with one of the following: (1) the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as required under 24 CFR Section 570.606 (a) and HUD implementing regulations at 24 CFR Part 42; (2) the requirements in 24 CFR Section 570.606 (b) governing the Residential Anti-Displacement and Relocation Assistance Plan under Section 104 (d) of the Housing and Community Development Act of 1974; (3) the relocation requirements of Section 104 (k) of the Act; (4) the relocation requirements of 24 CFR Section 570.606 (d) governing optional relocation assistance under Section 105(a)(11) of the Act.

13. It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties, in accordance with CDBG regulations.
14. It will comply with the provisions of the Hatch Act that limit the political activity of employees and the HUD regulations governing political activity at 24 CFR 570.207.
15. It will give the State and HUD, and any of their representatives or agents, access to and the right to examine all records, books, papers, or documents related to the grant.
16. It will ensure that the facilities under applicant/subrecipient’s ownership, lease or supervision utilized in the accomplishment of the CDBG Program are not listed on the Environmental Protection Agency's (EPA) list of violating facilities and that it will notify HUD of the receipt of any communication from the EPA Office of Federal Activities indicating that a facility to be used in the CDBG Program is being considered for listing by the EPA as a violating facility.
17. With regard to environmental impact, it will comply with the National Environmental Policy Act of 1969 (42 U.S.C. §4321-4347), and Section 104(f) of the Housing and Community Development Act of 1974 (42 U.S.C. §5304(d)).
18. It will comply with the National Historic Preservation Act of 1966 (Title 54 of the United States Code.), as amended, Executive Order 11593, and the Preservation of



Archaeological and Historical Data Act of 1966 (Title 54 of the United States Code), as amended, by:

- a. Consulting with the State Historic Preservation Office to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800) by the proposed activity; and
  - b. Complying with all requirements established by the State to avoid or mitigate adverse effects upon such properties.
19. It will comply with the provisions in 24 CFR 570.200(c) regarding special assessments to recover capital costs.
20. It will adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individual engaged in non-violent Civil Rights demonstrations and will enforce applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
21. It certifies that no federally appropriated funds will be used for any lobbying purposes regardless of the level of government.
22. It will abide by and enforce the conflict of interest requirement set forth in 24 CFR 570.489(h).
23. It will comply with HUD rules prohibiting the use of CDBG funds for inherently religious activities, as set forth in 24 CFR 570.200(j).
24. Activities involving new building construction, alterations, or rehabilitation will comply with the Louisiana State Building Code.
25. In relation to labor standards, it will comply with:
  - a. Section 110 of the Housing and Community Development Act of 1974, as amended and as set forth in 24 CFR 570.603.
  - b. Davis-Bacon Act, as amended (40 U.S.C. §3141 et seq.).
  - c. Contract Work Hours and Safety Standards Act (40 U.S.C. §3701 et seq.).
  - d. Federal Fair Labor Standards Act (29 U.S.C. §201 et seq.)
26. It will comply with the flood insurance purchase requirement of Section 102(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. §4001 et seq., which requires the purchase of flood insurance in communities where such insurance is available as a



condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of HUD as an area having special flood hazards. The phrase “federal financial assistance” includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect federal funding. It will comply with 42 USC § 4012a, which requires that if the federal financial assistance is provided in the form of a loan or an insurance or guaranty of a loan, the amount of flood insurance required need not exceed the outstanding principal balance of the loan and need not be required beyond the term of the loan. If the federal financial assistance is in the form of a grant, the requirement of maintaining flood insurance on any dwelling on any part of the property in an amount equal to the lesser of 1) the value of the property less land costs or 2) the maximum amount of flood insurance available under the National Flood Insurance Program to the extent coverage can be obtained under the National Flood Insurance Program, shall apply during the life of the property, regardless of transfer of ownership of such property.

27. It will comply with the Farmland Protection Policy Act, 7 U.S.C.A. §4201 et seq., which requires recipients of federal assistance to minimize the extent to which their projects contribute to the unnecessary and irreversible commitment of farmland to nonagricultural uses.
28. It will comply with Sections 1012 and 1013 of Title X of the Housing and Community Development Act of 1992 (Public Law 102–550, as amended). The regulation appears within Title 24 of the Code of Federal Regulations as part 35 (codified in 24 CFR Part 35). The purpose of this regulation is to protect young children from lead-based paint hazards in housing that is financially assisted by the Federal government or sold by the government. This regulation applies only to structures built prior to 1978.
29. It will comply with the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §6901, et seq.).
30. It will comply with the Clean Air Act (42 U.S.C. §7401, et seq.), which prohibits engaging in, supporting in any way, or providing financial assistance for, licensing or permitting, or approving any activity which does not conform to the State implementation plan for national primary and secondary ambient air quality standards.
31. In relation to water quality, it will comply with:



- a. The Safe Drinking Water Act of 1974 (42 U.S.C. §§ 201, 300(f) et seq. and U.S.C. §349), as amended, particularly Section 1424(e) (42 U.S.C. §§ 300h-303(e)), which is intended to protect underground sources of water. No commitment for federal financial assistance can be entered into for any project which the U.S. Environmental Protection Agency determines may contaminate an aquifer which is the sole or principal draining water source for an area; and
  - b. The Federal Water Pollution Control Act of 1972, as amended, including the Clear Water Act of 1977, Public Law 92-212 (33 U.S.C. §1251, et seq.) which provides for the restoration and maintenance of the chemical, physical and biological integrity of the nation's water.
32. It will comply with HUD Environmental Standards (24 CFR, Part 51 and 44 F.R. 40860-40866, July 12, 1979).
33. With regard to wildlife, it will comply with:
- a. The Endangered Species Act of 1973, as amended (16 U.S.C. §1531 et seq.). Federally authorized and funded projects must not jeopardize the continued existence of endangered and threatened species or result in the destruction of or modification of habitat of such species which is determined by the U.S. Department of the Interior, after consultation with the state, to be critical; and
  - b. The Fish and Wildlife Coordination Act of 1958, as amended, (16 U.S.C. §661 et seq.) which requires that wildlife conservation receives equal consideration and is coordinated with other features of water resource development programs.

Signing these assurances means that applicant/subrecipient agrees to implement its program in accordance with these provisions. Failure to comply can result in serious audit and/or monitoring findings that require repayment of funds to the State or expending applicant/subrecipient funds to correct deficiencies.

### **Applicant/subrecipient certification**

Please check this box to certify that you have read and accept the above assurances. ☐

**Applicants/subrecipients must sign this application with an official digital signature.**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Date signed: \_\_\_\_\_