

2008 DCA Qualified Allocation Plan General Questions and Answers Posting #3

1. Section XVI (A)(6) of the scoring section, relating to Financial Assistance/Leveraging of Resources/Reduction of Risk states that "only loans which are cash flow or below AFR will be considered for points (Federal loans that must be set at AFR in order to receive the tax credit 'Boost' for projects located in a QCT or DDA are also eligible for these points)." Ordinarily, federal loans must be set at AFR in order to be able to remain in basis at all, and still be eligible for the 9% credit. The exception is HOME, where the AFR/QCT rule is explicitly stated in Section 42. So, in this section, is it correct to read it to mean that only HOME funds for a project in a QCT would be eligible for these points if set at AFR; all other federal funding must be below AFR or a cash flow note?

Only the following loans are eligible for points under this section: loans which are cash flow; loans below AFR; or HOME loans set at AFR in order to receive the tax credit "boost" for projects located in a QCT or DDA. However, other federal funding may be utilized for points even if it has an interest at or above AFR if it meets the underlying policies behind Section XVI. Federal funds in this section such as USDA 538 loans and HUD 221 loans have been determined to be eligible for points. If you are not sure whether a source is eligible, DCA would recommend that you submit that source to DCA for approval.

2. Would a project that is utilizing a HUD 221(d)3 or 221(d)4 guaranteed loan need to submit any of the "Additional HOME / HUD Requirements" (i.e. the "MBE / WBE Outreach Plan Guide Form", "Affirmative Fair Housing Marketing Plan", "Site and Neighborhood Standards Certification" etc...)?

At application, DCA does not require you to submit the "MBE / WBE Outreach Plan Guide Form" and the "Affirmative Fair Housing Marketing Plan", which are required by the HOME program. You are required to submit and meet Site and Neighborhood Standards and Environmental Requirements.

3. If claiming Targeted Populations/PBRA points, do the Site and Neighborhoods review have to be completed?

Yes.

4. On the organizational chart for Performance, where do I list my percentages of Ownership?

The separate/dedicated boxes for the ownership percentages were inadvertently deleted when we tried to make room for more members/principals boxes overall. However, we do want that percentage information provided. If you have already started your forms, please put the percentages in the 1st line of each member/principal box, spaced over from the last character of the entity name. Please enclose the percentage in parenthesis. Please be sure it will appear in the printed version. If you need to use the 2nd or 3rd line in a particular member/principal box instead (due to space limitations in the 1st line), that will be

2008 DCA Qualified Allocation Plan General Questions and Answers Posting #3

acceptable. Also, for those who have not yet downloaded the Performance Workbook, we have posted a replacement version that includes a revised organizational chart that now has percentage boxes, as well as new Applicant Comment lines for clarifications.

5. Regarding rural smart growth points...on a two phase master planned development does phase one need to touch the residential or can we claim rural smart growth points if our second phase touches the development? This residential piece would be part of a mixed use planned unit development in a rural area.

No. DCA will look at the entire project's site boundaries of the Master Planned Community in evaluating rural smart growth points.

6. The questionnaire (for compliance w/multi-state) it asks for project number. It is not on our 2530 - where would you find it? Since that item is due April 1 and the remainder of the package is due April 15 I would not be able to send everything in one package. Would sending everything by 4/15 be acceptable?

This is the project number assigned to the project by the funding Agency. If a project is not assigned a project number, you do not need to include it. DCA will accept information submitted by 4/15.

7. Will DCA allow restructuring of deals if HOME is in high demand?

No. There as been no change in DCA policy as to requests for HOME funds. As with prior competitive rounds, DCA will not allow deals to be restructured if there are insufficient HOME funds for allocation. Once all HOME funds are utilized, projects requesting HOME funds will not be selected for funding.

8. Can we get a building permit on just one building or does it need to be for the entire property? The subject property has is an acquisition/rehab deal with 6 buildings, each with the same number of units, but not the same unit mix. All buildings have the same basic construction.

In order to claim Readiness to Proceed points, a building permit for all buildings must be submitted with the Application.

9. The section for PHA Community Initiatives states that to be eligible for points the PHA investment must be eligible to claim points under Government financial assistance and in addition the PHA has to have an additional 5% investment to claim points under this category, which means that the PHA investment must be 15% of the total development costs. If we have tax exemption on a project are we able to count the tax exemption for points under government financial assistance? Could we then claim points for PHA Community Initiatives with a PHA investment of only 10% of the TDC or do we still have to have 15% investment from the PHA to claim points?

**2008 DCA Qualified Allocation Plan General Questions and Answers
Posting #3**

No, the total 15% investment must be funded by the PHA to claim these points. A tax exemption would not be an investment funded by the PHA.

10. We were looking over the Accessibility Section of the Scoring Criteria (page 11 of 12, Item D) and comparing it to the Accessibility Manual (Page 9 and 10 of 29) and I have a question. In reference to the item on page 10 that says "Provide at least one accessible means of egress/egress for each unit." We assume that is supposed to be ingress/egress. Please define "ingress/egress". To us, that means they must be able to get in and out of the entry door of each unit in a wheelchair. For a multi-story, Family, project though, does that also mean there must be an elevator to provide access to the 2nd Floor or is it strictly the accessible entry door to each unit?

You are correct that the Accessibility Manual page 10 of 29 should read "ingress/egress" rather than "egress/egress." In addition to requiring 32 inch clear openings in all bathrooms and interior doorways, visitability requires at least one accessible means of ingress/egress for each unit. Therefore, in regard to the points available for "visitability", where all units on all floors would have to be modified to be eligible for these points (not available for Senior projects), a multi-story, Family project would have to have an elevator so that all unit entries on all floors are accessible. If no elevator was provided, there would no means to get beyond the 1st floor and those units above the first floor could not be visitable. Please note this is threshold criteria for Senior projects. The Manual will be corrected to reflect ingress/egress.

11. On page 16 of Appendix I of the QAP, Item 12.B. Unit Amenities, one of the items says "Carbon Dioxide Fire Suppression system installed above the range cook top". I checked into that particular product and the carbon dioxide systems are more for restaurants. They have tubes and tanks of carbon dioxide to put out fires. I think what you really want for the units is the Range Queen fire suppression system that we always specify. It is now called Stove Top FireStop and uses sodium bicarbonate as the extinguishing powder. I verified this with Ray Harris at WilliamsPyro (817-870-8016). He thought he may have recently spoken with someone at your office about this same question, possibly Michael Collins. We wanted to be sure that the Stove Top FireStop will meet your requirement for the fire suppression system. If you have found another system that better suits your needs, please let me know the manufacturer and product so we can put it in our Project Manual when the time comes.

DCA will not endorse a specific product although this product appears to meet the requirements of this threshold criterion. To meet threshold, DCA will look to see if there are fire suppression systems installed above the range cooktop. It does not necessarily have to be a "carbon dioxide" system, but a system that will extinguish fires if a range fire occurs.

12. Does every aspect of a site with a calculated value of over 65 but under 75db have to mitigated, for example the parking areas? If an additional amenity is provided,

2008 DCA Qualified Allocation Plan General Questions and Answers Posting #3

beyond those required for threshold or taken for points, can it be in an area with a calculated db of over 65?

No. Areas of the project site that include buildings and/or amenities must be mitigated for noise to the acceptable levels. DCA is not concerned about parking lots, as it should not be a major outdoor congregation area. However, outside use areas where people congregate, such as playgrounds, picnic areas, gazebos, pools, etc. should be no more than 65 DNL whether or not funded by HOME. Therefore, an additional amenity, even if provided beyond those required for threshold or scoring, can not be in an area with a calculated db of over 65.

13. Each compliance summary form must list all projects in which an entity or principal has participated in the ownership, development or management in the State of Georgia and in any other state. Last year this was in the surrounding states of Georgia. This means any and every state, correct?

Yes. All projects must be listed.

14. In the QAP, on Page 16 of Appendix I – Threshold Criteria, under Required Amenities, A. Project Amenities, it lists the required on-site amenities. The first two are “community room or building” with a comma after it and on the next line it says “an exterior gathering area...”. Here it seems to be as last year in that both are required along with the 2 other items. On the matching page of the application it says 12.A. 1) Community Building... and then there is an “OR” with exterior gathering area on the next line. The “OR” shows a choice but the QAP shows a requirement. Which is it?

A community room/building and an exterior gathering area are required. There is a mistake in the Application. We will correct the application to match the QAP requirements.

15. Are there any special circumstances under which we can claim CHDO points, such as having to have applied for predevelopment funds or anything else? I have heard that there might be some special conditions under which one could claim those points. However, I always believed if you were certified as a CHDO, one could legitimately claim the points on the tax credit application without special circumstances.

DCA does not give a preference for projects that have received a CHDO predevelopment loan. Per the QAP, CHDOs may qualify for points if they meet the criteria set forth in Appendix XIII CHDO/Nonprofit.

16. Regarding the 75 units rule for rural renovations, does that rule pertain to physical units or residential units? We plan on seeking to renovate two projects. One consists of 26 units; the other consists of 50 units. They are located directly across the street from one another. Can I submit one application to cover these proposed renovations? If I plan on seeking a waiver request, can I proceed with that now or must that be part of the April 15 process?

2008 DCA Qualified Allocation Plan General Questions and Answers Posting #3

The rural points are based on residential units. Yes, you may submit as one application, but DCA cannot say with certainty whether the proposed project meets the requirements for a scattered site project. You should consult your professional advisor for that information. Please note that Section 42 requires that all units be considered affordable in scattered site projects. DCA will accept requests for waivers at any time prior to April 15.

17. In the Core Plan of the QAP, p. 42 of 45, is listed the pre-application deadlines. All the submission deadlines for determinations and waivers are 4/15, except the market determination, which is listed as 4/1/08. Is this a typo, and the deadline for the market study really 4/15?

Yes, this is a typo. The market study deadline is April 15, 2008.

18. In regards to the Targeted Populations Support Service Provider Pre-Application approval, the QAP states that applicants should submit service provider information and list the source of PBRA. The Pre-Application Submission checklist states that applicants should submit the PBRA contract. However some Housing Authorities, such as the Atlanta Housing Authority will not have announced their PBRA awards by that date. We would plan to include evidence of PBRA in the application submitted by June 5th. In our Pre-Application, included with the service provider information, should we submit correspondence indicating the source of PBRA and that our application for PBRA is pending?

Per the Target Populations Support Service Provider Pre-Application, applicants need only indicate the source of the PBRA for the project. If applicants have an existing contract, they can, but are not required to submit a copy with their pre-application submission. DCA is requesting the source of the PBRA to ensure that the PBRA allows the special needs population to receive priority on a waiting list. If you are looking at utilizing USDA or HUD as opposed to PHA Section PBRA, DCA would also recommend that you submit whatever documentation you have that sufficiently explains how you will give preference to special need tenants when a unit is available.

19. For the Targeted Populations Support Service Provider Pre-Application, if the service provider was approved by DCA last year and this organization has not materially changed since then, it is our understanding that applicants should submit correspondence to DCA of the services to be offered by the provider for this year's application and that the documentation requested in the Pre-Application is not necessary to be submitted. If the service provider has not had material changes to its organization, could you please confirm what DCA needs in the Pre-Application in order to approve service providers that were already approved by DCA last year?

Applicants seeking pre-approval of a Support Service Provider that was approved by DCA in the 2007 funding round may submit the completed 2007 form rather

2008 DCA Qualified Allocation Plan General Questions and Answers Posting #3

than the 2008 form. Applicants would also need to provide evidence of DCA approval of the provider as well as a letter from the service provider indicating that they will provide the required referrals, that there has been no material changes in the documentation submitted last year and that the proposed project is within their service area.

20. Thank you for allowing us to submit the environmental reports and request for market studies in the pre-application phase. What is DCA's timeline goal to return results of your review of these reports to the applicants?

Because we do not know how many submissions we will receive, it is impossible for us to determine how long it will take for us to complete our review. However, we have made completing our review a top priority during the months of April and May. We should receive the market studies three to four weeks after receipt of a pre-application. We will forward a copy of the market studies immediately upon receipt. This will allow applicants to determine if the market analyst has identified any problems. The sooner you submit your pre-application, the sooner you will receive DCA's determination.

21. In Tab 26 "Preservation" of the Tabs Checklist in the Core Application, applicants are asked to submit tax returns for the 1st and 15th years. However, some applicants may be submitting properties that are currently in their 15th year and therefore, tax returns are not available yet. The QAP states that "the partnership's tax returns for the first and last years in which credits were claimed must be provided..." Could you please clarify which is correct? We assume that DCA wants tax returns for the 1st and last year (typically 10th year) that the Tax Credits were claimed.

You need to submit the tax returns for the 1st and last full year claiming LIHTC. For example a tax credit project started its first year of the credit period in 1993, assuming that the LIHTC was claimed over a 10-year period, that the tax year started in January 1, and that credits were claimed only for Sept – December of 1993 (no credits claimed for Jan. 93 thru Aug. 93), you will need to submit the tax returns for 1993, 1994, 2003, and 2004. If a property is in its 15th year of the compliance period with remaining credits but the tax return is not yet available, then you should submit the most recent tax return claiming LIHTC, in addition to the first year tax return.

22. Under section XII.A. of the scoring criteria, "the greater of three (3) units or five percent (5) of the total units" must be set aside for special needs target units for two years to earn three (3) points. When calculating the five percent, I understand that we should round down if we plan to use PBRA from DCA. For example, 5% of a 72 unit development is 3.6 units. Please confirm that we should round down and set aside three (3) units in this example.

2008 DCA Qualified Allocation Plan General Questions and Answers Posting #3

Applicants seeking DCA PBRA for targeted population units should round down when calculating the number of units that would receive DCA PBRA. Your example is correct.

23. Again, under section XII.A. of the scoring criteria, Applicant must designate a local service provider. During the Feb 14 workshop, I understood that DCA would issue a list of acceptable DHR Core Providers. Please let me know where I can locate the list.

DCA has requested a copy of the DHR Core Providers and will publish it upon receipt.

24. To qualify for points under section XII.A., "applicants must include documentation of Section 8 PBRA or comparable rental assistance...." During the Feb 14 workshop, I understood that DCA serves as the PHA in 149 counties. For projects in one of the 149 counties, how do we show that PBRA assistance for special target tenants will come from DCA? Where do we indicate that on our core application form? For the pre-application, I assume we note "DCA PBRA" under the Type of Rental Assistance on the Request for Approval of Service Provider form.

If you are requesting PBRA from DCA for special needs tenants, you simply need to check the appropriate box on the pre-application form. DCA will notify you when you are selected for funding whether you have been awarded the PBRA.

25. Finally, in section XII.A. of the scoring criteria, "Applicants must select and designate which Targeted Population it will serve...." Do we select from a list? How do we go about selecting and designating a targeted population? Do we need a narrow target or can we have a relatively wide target?

Applicants seeking points for Targeted Population units must select the targeted population from which the service provider will provide referrals. Please note that fair housing laws may prohibit you from excluding a special need tenant that seek housing at your project.

26. In section XV.B., two points are awarded for a DCA Community of Opportunity. Please let me know where I can obtain a list of the DCA Communities of Opportunity.

For Communities of Opportunity, the following communities have committed to be Co-Op participants and participate in the pilot program: Burke, Glascock, Hancock, Jefferson, Jenkins, Lincoln, McDuffie, Taliaferro, Warren, Washington and Wilkes and Elbert.) Projects in these communities will be eligible for points.

27. Under section 16. of the threshold criteria, "at least 2% of the total units...must be equipped for hearing and sight-impaired residents." When calculating the two percent, I understand that we should round up. For example, 2% of a 72 unit development is 1.44

2008 DCA Qualified Allocation Plan General Questions and Answers Posting #3

units. Please confirm that we should round up and set aside two (2) units in this example.

Yes, you must round up.

28. We are pursuing funding of a project that will be using Low-Income Housing Tax Credits, no HOME loan funding, but will be pursuing 3 project-based rental assistance vouchers for special needs units. Do these 3 PBRA vouchers trigger the need to do the HUD 8-step process for floodplains and wetlands as part of our Phase I Environmental?

Yes.

29. I am not clear on the DCA requirements for Explosive and Flammable/Hazardous Industrial Operations. According to the HOME/HUD questionnaire, compliance with 24 CFR Part 51, Subpart C and the HUD Hazards Guide is required if industrial facilities handling explosive or fire-prone materials such as liquid propane, gasoline or other storage tanks are adjacent to or visible from the project site. According to the HOME and HUD Environmental Questionnaire and Environmental Review Process Guidance, the project applicant must confer with the local authorities and conduct site reviews of a 2,000 foot radius from the site to determine the evidence of such hazards on or near the site, to assure that occupants of proposed sites are not adversely affected by the above hazards. If a facility is identified within a 2,000 foot radius from my site, but is not adjacent to or visible from my site, is compliance with 24 CFR Part 51, Subpart C or other action required?

Yes, compliance is required. DCA would caution that utilizing HOME in view of these circumstances should be evaluated carefully. You should contact your tax credit professional to ensure that your project will qualify for HOME.

30. In 2007, we were approved as service providers for special needs tenants. Are we still considered to be approved service providers, or will we need to resubmit them for approval in 2008?

See answer to Question 22 above.

31. Can PBRA units that are designated as units for special needs tenants with 50% Gross Rent Restrictions and 50% Income Restrictions also count towards the Deeper Targeting unit count?

Yes. Double counting for special needs and deeper targeting is permitted.

32. For the 50% rent and income restricted units with PBRA, is the 50% rent restriction only on the tenant portion of the rent or on the full rent?

It is the tenant portion of the rent.

2008 DCA Qualified Allocation Plan General Questions and Answers Posting #3

33. We are submitting applications for two adjacent senior facilities. Can we provide an equipped walking path as an indoor amenity for one of the buildings under the QAP? If not, can it be approved by an optional amenity waiver?

An indoor equipped walking path is not covered in the QAP or by the Amenities Guide. You would need to submit an Optional Amenities Pre-Approval along with the appropriate fee and back up documentation by April 15, 2008. While DCA will review all pre-approval requests, this does not appear to be an appropriate amenity.

34. In past years there has been a requirement to submit photographs and a narrative of the area surrounding a site under the heading, "Site Characteristics Surrounding Neighborhoods". I have not been able to find any information regarding this in the 2008 QAP. Am I missing something, or has this requirement been removed this year?

DCA does not understand the question. If you are referring to the "Site Information Form", this form was eliminated for the 2007 round when most of the information formerly gathered on this form was combined into the Threshold and Scoring sections of the Application itself. A Desirable/Undesirable Form must still be submitted and was recently posted on the website. Please also refer to the Architectural Submittal Manual, the Threshold and Scoring sections of the QAP and Application, and the Application Tabs Checklist for more information on what needs to be submitted with regard to site information and characteristics. You must still submit aerial photos of the site and surrounding uses, desirable and undesirable characteristics, site plan, location/vicinity plan, etc.)

35. We received architectural waivers last year for (three projects). However, we did not submit applications for those projects last year. In 2007 two of the projects were envisioned to be one project; however for the 2008 application they will be two separate projects. In addition the ownership entity for all three deals has changed slightly from 2007. We are going to submit applications for those projects this year. Are we required to submit new waivers for these three projects? Would a copy of last years waivers submitted in this year's application be acceptable?

You need to submit new requests for waivers. However, DCA recommends that you also provide the approvals issued by DCA with your request. It may expedite our review.

36. We want to set aside some units for targeted populations (homeless, HIV/AIDS persons, abused spouses, persons with disabilities or persons with drug additions). We're in one of the 149 counties that DCA covers as a PHA, so we're covered with regard to rental assistance (PBRA). However, I seem to be spinning my wheels in trying to find a DHR core provider to garner referrals. Will DCA issue a list of approved DHR core providers? In the meantime, we'll continue to look for wrap-around groups

2008 DCA Qualified Allocation Plan General Questions and Answers Posting #3

but I'm spending an inordinate amount of time on this and would greatly appreciate some advice.

DHR has a list of approved core providers. DCA has requested a copy and will post it upon receipt.

37. I hope you can help me with a question I have from the "2008 Pre-Application Submission Checklist." About half way down the checklist on the first page, the 5th item listed is "Targeted Population service provider and PBRA approval." The documentation required is "2008 Request for Approval of Service provider and required documentation; PBRA contract (if applicable). My question is this: where do I obtain the 2008 Request for Approval of Service provider? Is this a document I need to fill out? And what is the EXACT required documentation that I need? The Appendix I – Scoring XII section of the QAP is not very clear. In other words, what do I need to do in order to complete this item on the checklist?

The 2008 Target Population Service Provider Approval Form can be found on the DCA website at:

<http://www/housing/HousingDevelopment/programs/QAP2008docs.asp>

38. For the eight-step process, do public notices go to DCA, the Owner, the administrator of the HOME funds for the project, if not DCA, or the agency from which we are receiving PBRA?

DCA would need to be listed as an agency for public comment in the notices. However, since DCA does not have the environmental record for public review, you would need to be listed as the location of the environmental record (e.g., the Phase I, Phase II, if necessary, and all other supporting environmental documentation). DCA can not speak for the other agencies and their environmental review process. You will need to check with them as well to see if they should also be listed as a duplicate receiver of public comments.

39. For the special needs target population, can we check more than one target group? Or, are we allowed to check only one group?

You can select more than one special needs target population.

40. In Part VI - Revenues & Expenses of the Core App, there is no "MF" designation for building type. Please confirm that we simply designate number of stories for our proposed multifamily development.

Yes.

2008 DCA Qualified Allocation Plan General Questions and Answers Posting #3

41. I have a few questions for DCA staff regarding the 2008 QAP environmental pre-application: 1. Does the \$1,500 environmental waiver fee apply only to projects with unacceptable noise levels?

The \$1500.00 fee is for environmental (noise) waivers. Please note that there is also a \$2000.00 environmental pre-application determination fee. The \$2000 fee will be credited towards your application fee.

42. If an applicant needs to request additional time for the submission of an environmental report, should that request be submitted by April 15? If additional time is requested, when is the pre-application environmental determination fee due?

Yes, the extension request must be submitted by April 15th. The pre-application fee will be due at submittal of the Environmental Assessment package.

43. In past years there has been a requirement to submit "Site information and certification" and "public transportation information" I have not been able to find any information regarding this in the 2008 QAP. Am I missing something, or has this requirement been removed this year?

The QAP Tab Checklist reflects the information required. If you are referring to the "Site Information Form", this form was eliminated for the 2007 round when most of the information formerly gathered on this form was combined into the Threshold and Scoring sections of the Application itself. A Desirable/Undesirable Form must still be submitted and was recently posted on the website. Please also refer to the Architectural Submittal Manual, the Threshold and Scoring sections of the QAP and Application, and the Application Tabs Checklist for more information on what needs to be submitted with regard to site information and characteristics. You must still submit aerial photos of the site and surrounding uses, desirable and undesirable characteristics, site plan, location/vicinity plan, etc.).

44. We have a project with DeKalb County HOME funds and 40% of the units are set aside for tenants at or below 50% of AMI can we count these units for points under Deeper Targeting/Rent and Income Restrictions?

Yes.

45. If a project is comprised of both historic rehabilitation and new construction, would the project qualify for the Energy Efficiency section EarthCraft points if only the new construction portion met the program requirements?

DCA can not answer this question with the information provided. We will need project specific information to answer this question. You should consider setting up a consultation with DCA to discuss this issue.

2008 DCA Qualified Allocation Plan General Questions and Answers Posting #3

46. If a project is contemplating 100% new construction townhomes, would each townhome need to be on the accessible route?

If you are referring to 100% new construction 2 story townhomes, each townhome would not need to be on an accessible route as 2 story townhomes are exempted from the Fair Housing Amendment Act. However, Section 504's requirement of 5% mobility impaired units being on an accessible route would apply as DCA has adopted this standard. Please note that, if HOME funds are requested, the federal 504 provisions would also apply.

47. Page 26 of the Core reads: "Community buildings and amenities located on one phase cannot be oversized to meet expected use by tenants of other phases (if the community building is claimed in eligible basis); all amenities and services which are meeting Threshold criteria or Points criteria as listed in Appendix I and II of the QAP must be located on the Phase which is submitting the Application and cannot be used in previous or future Applications for funding for other Phases." On a master plan project, how will this policy be viewed where a walking path built in the phase to be funded would be for use by the entire master plan development? How could a project receive the points for Off Site Improvements in Master Plan Communities without violating this policy?

This is a Section 42 question involving the interpretation of Section 42 requirements. The answer depends on what is included in basis. DCA suggests that you consult your tax credit professional for advice.

48. Does each phase in a master plan community have to have a clubhouse?

No. DCA requires, at threshold (Section 12) a community room or building. Therefore, Applicants are encouraged to distribute their amenities across the master plan in accordance with their common planning document.

49. The Physical Needs Assessment Manual states: "The Physical Needs Assessment investigation and immediate work scope must be completed by a third party and not by the applicant, sponsor, or owner of the property. What is meant by "sponsor"? Can the project architect perform the Assessment?

A sponsor means the entity or entities which fund the construction or rehabilitation of the project. Yes, the project architect can perform the Assessment as long as the Architect is not a sponsor.

50. A site has wetlands and/or floodplain within the boundaries, but it will remain undisturbed. The conceptual site plan will clearly show that the area will not be disturbed or impacted. An opinion letter from an environmentalist can provide confirmation. Will the 8 Step process be required, if no Federal Funds are involved? What if Federal Funds are involved?

2008 DCA Qualified Allocation Plan General Questions and Answers Posting #3

If no federal funds (HUD funds, including, but not limited to PBRA) are involved, then the eight step process is not required. If federal funds are involved, then compliance with 24 CFR 55.12(c)(6) is required, which requires that the proposed construction and landscaping activities do not occupy or modify the floodplain, an appropriate provision is made for site drainage and a covenant or comparable (deed) restriction is placed on the property's continued use to preserve the floodplain/wetland. This will have to be carried out prior to the final commitment for funding. If these steps are followed, then the eight-step process will not be required if wetlands or floodplains located on your project site will not be disturbed. The environmental professional should include an opinion as to what impact, if any, the development would have on the floodplain or wetland. However, DCA reserves the right to evaluate the site plan and make its own determination as to whether there is an impact.

51. A stream crossing or wetland impact of less than a .10 acre is necessary to build a project. These can and will be done under a nationwide permit. No actual permit number can be obtained or is required, just Corp notification. What if anything must be provided to DCA prior to the application deadline? Does this by itself kick in the 8 step process?

Generally, DCA does not allow the disturbance of wetlands in excess of one tenth (1/10th) of one acre for any proposed project. This is a USACE (Corp. of Engineer) provision. DCA will grant exceptions to this policy if the proposed development will disturb more than one tenth (1/10th) of one acre and the Applicant has documentation of the Corp. of Engineer approval. You should submit the approval letter from the Corp of Engineer at application. However, this 1/10th of an acre rule is not part of the eight-step process. Regardless of whether the project disturbs any wetlands, you must still comply with Executive Order 11990 which requires the eight-step decision making process be completed prior to project funding. For DCA, if federal funds (HUD funds, including, but not limited to PBRA) are involved, then the eight step process is required. Please note that, if it is not on the NWI map, you don't have to complete the eight-step process.

52. I am looking at the other Q&A posting and I am still confused as to what is required and not required a pre-application. Can you please clarify DCA's requirements?

Please note the following:

- **Performance Workbook.** This is required at pre-application only if you are requesting a pre-application compliance score. If you are not, it can be submitted at Application Submission. You should include it on your electronic file as well as in your application binder.
- **Environmental Review.** This is required prior to April 15. If it is not complete, you can submit a request for additional time.

2008 DCA Qualified Allocation Plan General Questions and Answers Posting #3

- **Market study pre-application.** This is not required prior to April 15. If you do want to submit a pre-application, you will need to submit the pre-application form to DCA by April 15. DCA will order the market study.
- **Non profit documentation.** This is not a required pre-application.
- **Approval of Neighborhood Redevelopment Plans** is not a required pre-application.
- **Approval of Service Provider and PBRA Source for Special Needs points** is required at pre-application. The form is on the DCA website.
- **HOME/HUD Site and Neighborhood Standards review** is not a required pre-application.
- **All waiver requests, all requests for approvals of unrelated third party entity funding (page 18 of 32), Approval of other optional amenities and architectural options not listed in the QAP** are required at pre-application if an Applicant will seek points.
- **Applicants seeking points for Offsite Improvements or Sustainable Communities Certification** are also required to submit a pre-application.