



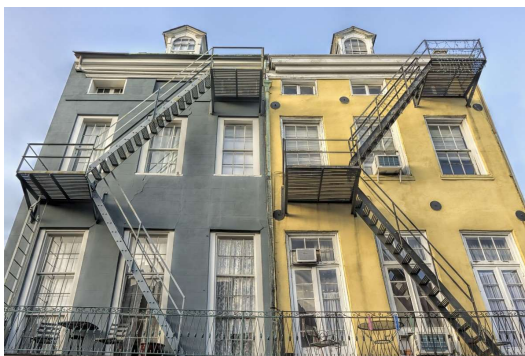
## WELCOME!

Before we start, a few things to note:

- The Environmental Review Process is important!
- All HUD grantees are now required to have all current environmental review forms and related documentation uploaded to ESNAPS
- Included in the Issues and Conditions Submission to execute the next round of HUD contracts



## ENVIRONMENTAL REVIEW HUD CONTINUUM OF CARE PROJECTS



Presented by:

Jeanine Armstrong Guin, PE & Ellen Hart

February 26, 2018

## MEET YOUR PRESENTERS



Jeanine Armstrong Gouin, P.E.  
Civil Engineer & Env. Planner  
B.S. Civil Engineering  
University of Connecticut  
30 Years of NEPA Experience



Ellen Hart  
Environmental Scientist  
M.A. Environmental Management  
Yale University  
12 Years of NEPA Experience

## PURPOSE OF TODAY'S MEETING

- Provide Overview and Guidance on Environmental Review Process
- Explore HUD Program Specifics
- Dive into Detailed Assessment Topics
- Tackle CENST Forms (1<sup>st</sup> half of presentation)
- Tackle CEST Forms (2<sup>nd</sup> half of presentation)

## SOME NOMENCLATURE

- [NEPA](#) – National Environmental Policy Act
- [CE](#) – Categorical Exclusion
- [CEST](#) – Categorical Exclusion Subject To 24 CFR 58.5
- [CENST](#) – Categorical Exclusion Not Subject To 24 CFR 58.5
- [RE](#) – Responsible Entity
- [RROF](#) – Request for Release of Funds
- [ERR](#) – Environmental Review Record

## WHAT IS NEPA?

- The National Environmental Policy Act (NEPA) of 1969 (enacted on January 1, 1970) establishes a process for assessment of environmental impacts as an integral part of major federal actions.
- It is a process of identifying and evaluating potential environmental impacts with the goal of avoiding, minimizing and mitigating them.
- NEPA applies to federal actions, including a variety of actions by HUD.

## WHAT IS A PROJECT vs ACTION?

- [Project](#) means an activity, or a group of related activities, with a specific goal. A project in the context of CoC is typically associated with a funding source (grant).
- [Action](#) means any act that a recipient puts forth as part of an assisted project, regardless of whether it will receive HUD assistance.

## WHAT IS A CATEGORICAL EXCLUSION?

- A [Categorical Exclusion](#) (CE) applies to a category of actions that do not individually or cumulatively have a significant effect on the human environment and therefore are not required to undergo extensive environmental analysis.
- All tenant-based and project-based leasing and rental assistance is categorically excluded, however, must still undergo some environmental review.

[See Handout # 1](#)

## TYPES OF PLACEMENTS

- [Single Site, Multiple Placement](#) – Funding to locate and provide rental or leasing assistance in multiple units at a single location with one or more buildings
- [Scattered Site Placement](#) – Funding to locate multiple units and provide rental assistance or leasing at multiple locations
- [Congregate Placement](#) – Funding to locate and provide renting or leasing assistance at one building or a cluster of buildings that are owned or leased by a non-profit organization

## TYPES OF ASSISTANCE

- [Leasing](#) – Recipient or sub-recipient must:
  - Be the tenant of the landlord or sub-lessor
  - Pay rent directly to the landlord or sub-lessor
  - Be responsible for 100% of the rent
- [Rental Assistance](#)
  - Program participant must be the sole party on the lease
  - Recipient, subrecipient, or rental assistance administrator must:
    - Make rental assistance payments directly to the landlord or sub-lessor based on the difference between the total rent and the amount paid by the program participant.
    - Provide match for the rental assistance funds.

## WHAT IS AN ERR?

### The Environmental Review Record (ERR):

- Documents the environmental review (ex.: CENST Form or CEST Form)
- Contains a description of all activities that are proposed
- Contains an evaluation of the anticipated effects of the action on the human environment and vice versa.
- May be required to make available for public review (to be discussed later)

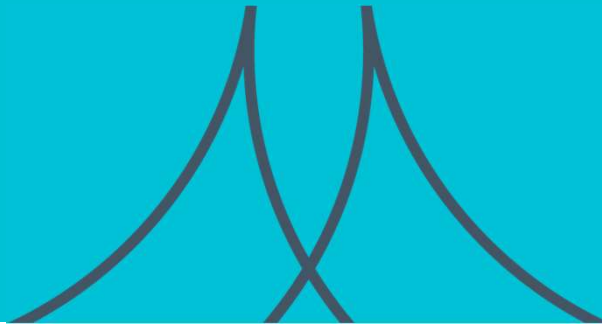
## WHAT IS EXEMPT FROM ERR?

The following planning activities within the CoC realm are categorized as **Exempt**:

- Environmental Studies
- Administrative and management activities
- Public services that will not result in any physical impact (i.e., counseling, child care, drug abuse services)
- Engineering or design costs
- Other activities listed in 24 CFR 58.34

[See Handout #2](#)

## CENST vs CEST



### CENST or CEST?

- CENST – Part 58 Environmental Review for Activities  
Categorically Excluded Not Subject To 24 CFR 58.5 Limited  
Scope Review & Full Scope Review
- CEST – Part 58 Environmental Review for Activities  
Categorically Excluded Subject To 24 CFR 58.5 – Limited Scope  
Review
- CEST – Part 58 Environmental Review for Activities  
Categorically Excluded Subject To 24 CFR 58.5 – Full Scope  
Review *(This form will not be covered in today's training)*

## CENST ELIGIBLE ACTIVITIES

For Exempt and Categorically Excluded & NOT Subject To 24 CFR 58.5:

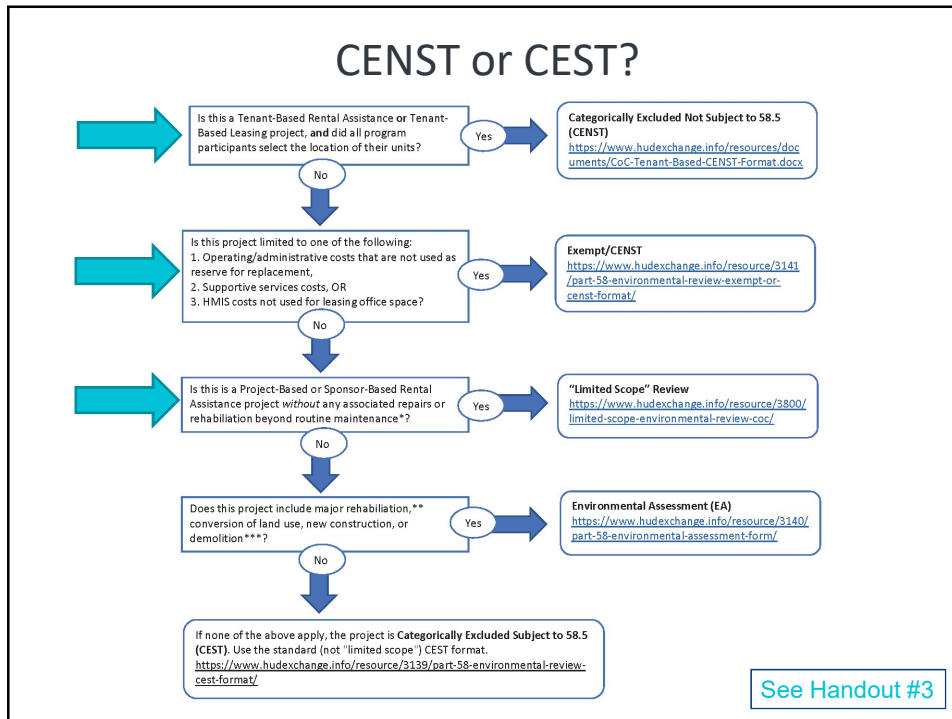
- Tenant-based rental assistance – multiple placements at a single location and scattered placements.
- Tenant-based leasing assistance
- Minor renovations
- Operating costs – (utilities, furnishings, etc.)
- Supportive services – (case management, day care, nutritional services, etc.)

## CEST ELIGIBLE ACTIVITIES

For Exempt and Categorically Excluded & Subject To 24 CFR 58.5 – Limited Scope Review:

- Congregate (project-based) rental assistance
- Congregate (project-based) leasing assistance
- Sponsor-based rental assistance





## CoC Tenant-Based CENST Form

*For Tenant-Based leasing and rental assistance*

U.S. Department of Housing and Urban Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)  
[esportal@hud.gov](mailto:esportal@hud.gov)

### Environmental Review for Continuum of Care (CoC) Rental Assistance Project that is Categorically Excluded Not Subject to Section 58.5 (CENST)

Pursuant to 24 CFR Part 58.35(b)

*This CoC CENST Form is to be used only for tenant-based leasing or rental assistance activities without any associated repairs, rehabilitation, new construction, or other activities with physical impacts funded under the Continuum of Care (CoC) program.*

This format may be used to review a single unit, but Responsible Entities are encouraged to use it to conduct a "programmatic" environmental review covering all tenant-based units within the CoC.

Certain fields have been completed already based on the specifics of these program activities. It is the Responsible Entity's responsibility to ensure that all required fields and analysis are completed. Note that text in red is meant as instructions for the Responsible Entity and may be deleted as the review is completed.

**Project Information**

Project Name:

Responsible Entity:

Grant Recipient (if different than Responsible Entity):

State/Local Identifier:

Preparer:

Project Location: [This review may cover the full range of the CoC or any subset of the CoC that is found appropriate by the Responsible Entity.]

Description of the Proposed Project [24 CFR 58.32; 40 CFR 1508.25]:

Level of Environmental Review Determination:

Page 1 of 4

See Handout #4

## CENST Form

*For Activities listed in §58.5, such as:*

- *Operating costs*
- *Supportive services (different from public services) including day care and nutritional services*

U.S. Department of Housing and Urban Development  
451 Seventh Street, SW  
Washington, DC 20410  
www.hud.gov  
esportal.hud.gov

**Environmental Review  
for Activity/Project that is Exempt or  
Categorically Excluded Not Subject to Section 58.5**  
Pursuant to 24 CFR Part 58.34(a) and 58.35(b)

**Project Information**

Project Name:

Responsible Entity:

Grant Recipient (if different than Responsible Entity):

State/Local Identifier:

Preparer:

Certifying Officer Name and Title:

Consultant (if applicable):

Project Location:

Description of the Proposed Project [24 CFR 58.32; 40 CFR 1508.25]:

**Level of Environmental Review Determination:**

☐ Activity/Project is Exempt per 24 CFR 58.34(a).

☐ Activity/Project is Categorically Excluded Not Subject To §58.5 per 24 CFR 58.35(b).

Page 1 of 3

[See Handout #5](#)

## Limited Scope CEST Form

*For project-based leasing  
and rental assistance*

U.S. Department of Housing and Urban Development  
451 Seventh Street, SW  
Washington, DC 20410  
www.hud.gov  
esportal.hud.gov

**Environmental Review for Continuum of Care Leasing or Rental  
Assistance Project that is Categorically Excluded Subject to  
Section 58.5**  
Pursuant to 24 CFR 58.35(a)(5)

*This CoC Limited Scope Review Form is to be used only for project-based leasing or project-based rental assistance activities without any associated repairs, rehabilitation, new construction, or other activities with physical impacts funded under the Continuum of Care (CoC) program.*

*Certain fields have been completed already based on the specifics of these program activities. It is the Responsible Entity's responsibility to ensure that all required fields (those marked with an asterisk) and analyses are completed. For instructions on completing this form, see <https://www.hudexchange.info/resource/3800/limited-scope-environmental-review-coc/>*

**Project Information**

\*Project Name:

\*Responsible Entity:

Grant Recipient (if different than Responsible Entity):

State/Local Identifier:

\*Preparer:

\*Certifying Officer Name and Title:

Consultant (if applicable):

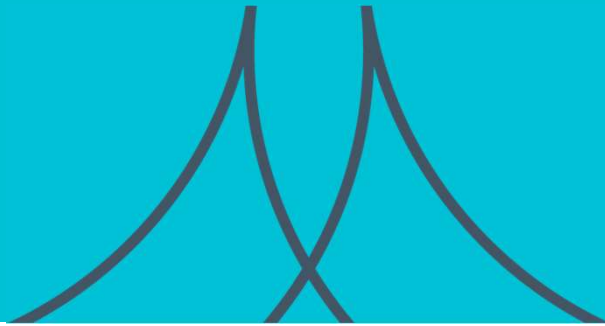
\*Project Location:

\*Description of the Proposed Project [24 CFR 58.32; 40 CFR 1508.25]:

**\*Level of Environmental Review Determination:**

[See Handout #6](#)

## INFORMATION COMMON TO CENST & CEST FORMS



### COMMON MISTAKES

- Using the wrong form
- Providing incomplete information
- Checking multiple boxes when the answer is either/or
- Checking the wrong box
- Inappropriate use of terms/responses (ex. N/A, Exempt, etc.)
- Lack of supplemental documentation

## GENERAL PROJECT INFORMATION

- Project Name
- Responsible Entity
- Grant Recipient
- State/Local Identifier
- Preparer
- Certifying Officer Name and Title
- Consultant
- Direct Comments to (CEST form only)
- Project Location
- Description of Proposed Project
- Level of Environmental Review Determination

## GENERAL PROJECT INFORMATION

- [Project Name](#) – Refer to name used on the project application to HUD.
- [Responsible Entity \(RE\)](#) – The unit of general local government within which the project is located that exercises land use responsibility, or if HUD determines this infeasible, the county, or if HUD determines this infeasible, the State
- [Grant Recipient](#) – This is typically the agency that applied for the funding.

## GENERAL PROJECT INFORMATION

- [State/Local Identifier](#) – Google “town codes ct” Example: Connecticut/Town of Wallingford (148)
- [Preparer](#) – This is the person preparing the form. Include name, title, organization, and address at a minimum.

## GENERAL PROJECT INFORMATION

- [Certifying Officer Name and Title](#) – An Official from the Responsible Entity. Include name, title, organization, and address.
- [Consultant](#) – This will be “N/A” (not applicable) unless a professional consultant has been retained to assist with completion of the form.

## GENERAL PROJECT INFORMATION

- [Project Location](#) – For a single location, this is typically designated by a street address. It is best to also include a site location map, aerial photograph, assessor’s parcel map, and/or photograph attached to the form.
  - Where to find information:
    - ✓ On-line Assessor’s database
    - ✓ Google Maps
    - ✓ Bing
  - For scattered sites, attach a listing of property locations. (Any sensitive locations (i.e., domestic violence shelters or HIV/AIDs housing) should not be listed on public documents.
  - For the CoC Rental Assistance CENST form, Project Location is pre-filled as, *“This review may cover the full range of the CoC or any subset of the CoC that is found appropriate by the Responsible Entity.”*

## GENERAL PROJECT INFORMATION

- [Description of Proposed Project](#) – This should be more than a one-word descriptor. In a few sentences describe the program, facility, location, and project intent/goal. Note whether you are seeking tenant-based or project-based leasing or rental assistance.
  - Must include the maximum anticipated scope of the project or all related activities and not just activity the funding is going toward. (ex: if CoC funding is going toward rental assistance, but matching or leveraged funding is being used to provide case management)
  - Sensitive information such as the location of a domestic violence shelter should be excluded.

## GENERAL PROJECT INFORMATION

### Level of Environmental Review

- CENST Form - Check one of the following:
  - Exempt. Fill in the activity being funded. This activity needs to match one listed in 24 CFR 58.34(a) for exempt activities. [See Handout #2](#).
  - Categorically Excluded. Fill in the activity being funded. This activity needs to match one listed in 24 CFR 58.35(b) for CENST activities. [See Handout #1](#).
- CEST Form – Fill in the activity being funded. This activity needs to match one listed in 24 CFR 58.35(a) for CEST activities. [See Handout #1](#).

## FUNDING INFORMATION

- [Grant Number](#) – This should be listed directly on the grant agreement or database. It usually starts with the letters CT and contains both numbers and letters. For example:  
CT0542L1E041602
- [HUD Program](#) – This should be “Continuum of Care (CoC)”

## FUNDING INFORMATION

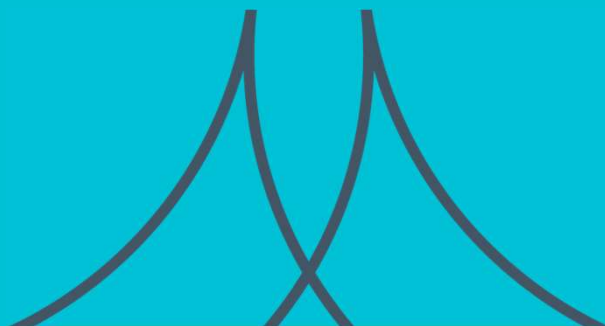
- [Funding Amount](#) – This amount can be found on the grant agreement. There can be more than one grant issued. If so, include all grant numbers and funding amounts on the form.
- [Estimated Total HUD Funded Amount](#) – If there are multiple grants from HUD, put the total funds from all HUD grants.

## FUNDING INFORMATION

- [Funds or assistance from another Federal Agency](#) – If you are receiving funds or assistance from another federal agency disclose that information here. List each source and amount separately.
- [Estimated Total Project Cost](#) – This must include other sources of funding (non-HUD) in combination with HUD funding. In addition, for a multi-year project, you must consider the whole project, including any matching funds



## COMPLETING THE TECHNICAL PORTION OF THE CENST FORM

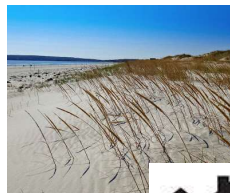


### CENST CATEGORIES

- Airport Runway Clear Zones and Accident Potential Zones



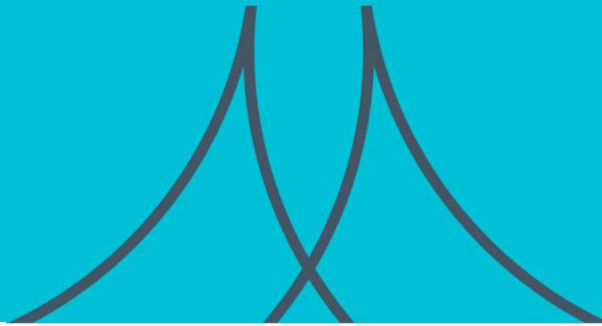
- Coastal Barrier Resources



- Flood Insurance



## AIRPORT RUNWAY CLEAR ZONES & ACCIDENT POTENTIAL



### AIRPORT RUNWAY CLEAR ZONES

#### Why does this matter?

- It is HUD's policy to apply standards to prevent incompatible development around civil airports & military airports.
- If the proposed project is located near an airport or in the immediate area of the landing and approach zones, additional information is necessary to determine whether this issue is a concern and if so, how to mitigate it. (Regulation 24 CFR Part 51 Subpart D)

## AIRPORT RUNWAY CLEAR ZONES

Evaluation of this compliance factor is required for:

- new construction
- substantial rehabilitation
- acquisition of undeveloped land
- or activities that would significantly prolong the physical or economic life of existing facilities that will be frequently used or occupied by people.

## AIRPORT RUNWAY CLEAR ZONES

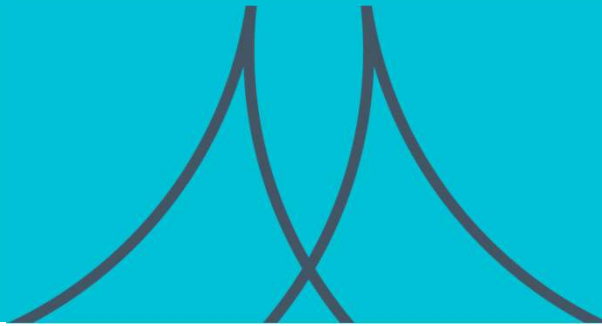
For all leasing or rental assistance projects (tenant and project based), the 'Compliance Determination' field may be completed with the following statement:

*"This project consists of leasing or rental assistance and is in compliance with the HUD's Airport Hazard regulations without further evaluation."*

This statement can be altered and used for other activities such as:

- operating costs
- supportive services costs

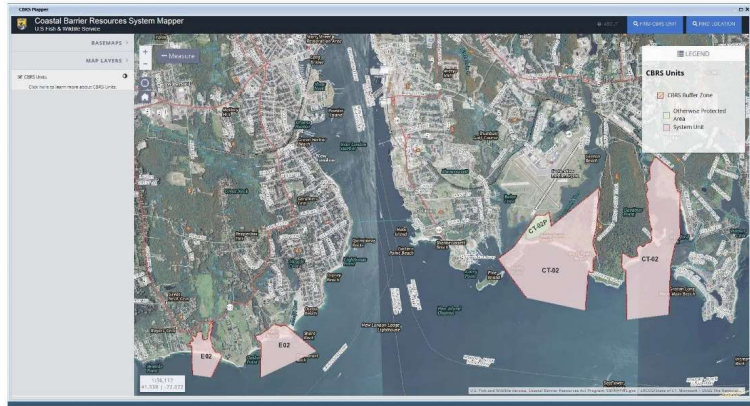
## COASTAL BARRIER RESOURCES



### COASTAL BARRIER RESOURCES

#### Why does this matter?

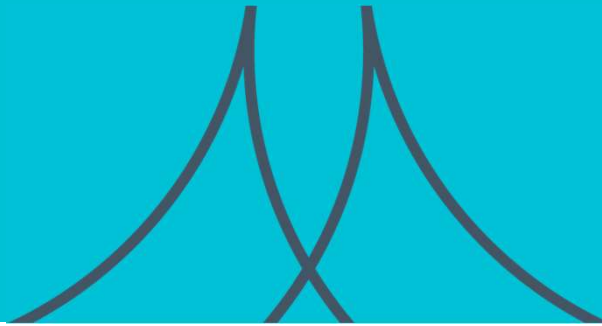
- The Coastal Barrier Resources Act of 1982 protects relatively undeveloped coastal barriers along the Atlantic and Gulf coasts.
- Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans
- Connecticut is a Coastal Zone state



- Print out the map from the Coastal Barrier Resource System (CBRS) Mapper website and mark the location(s) of the unit(s).
- If your site(s) does not lie within one of the highlighted areas, on the CENST form, write the following:

- If your site(s) does lie within one of the highlighted areas, the placement may not be viable. Responsible Entities are directed to reject any project located within the CBRS.

## FLOOD INSURANCE



## FLOOD INSURANCE

### Why does this matter?

- The Flood Disaster Protection Act of 1973 requires that projects receiving federal assistance and located in an area identified by FEMA as being within a Special Flood Hazard Area (SFHA) be covered by flood insurance under the National Flood Insurance Program (NFIP).
- As has been recently witnessed in urban areas like Houston, TX, residential dwellings within a FEMA designated flood zone are at risk in large storm events.

## FLOOD INSURANCE

- For CoC projects, HUD requires that flood insurance protection be purchased for any project located in Special Flood Hazard Areas (SFHA), (a.k.a., the 100-year flood zones), as a condition of the recipient using any HUD funds.
- The building should be covered under a policy obtained by the building owner. Proof of insurance should be obtained.

## FLOOD INSURANCE

Exception to the flood insurance requirement is:

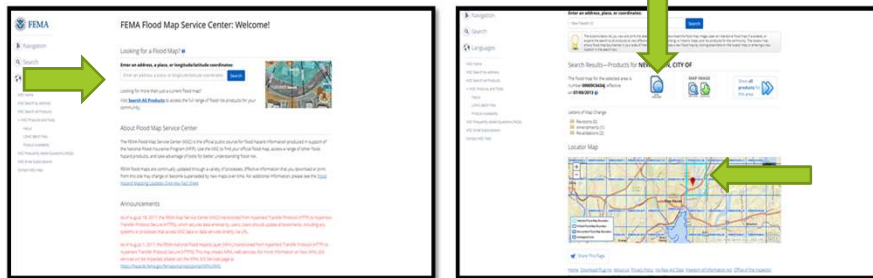
- Leasing or rental assistance that does not involve repairs, improvements, or acquisition.

On the CENST form write the following:

- *This project consists only of rental assistance, and therefore flood insurance is recommended but not required. The project is in compliance with the National Flood Insurance Program without further evaluation.*

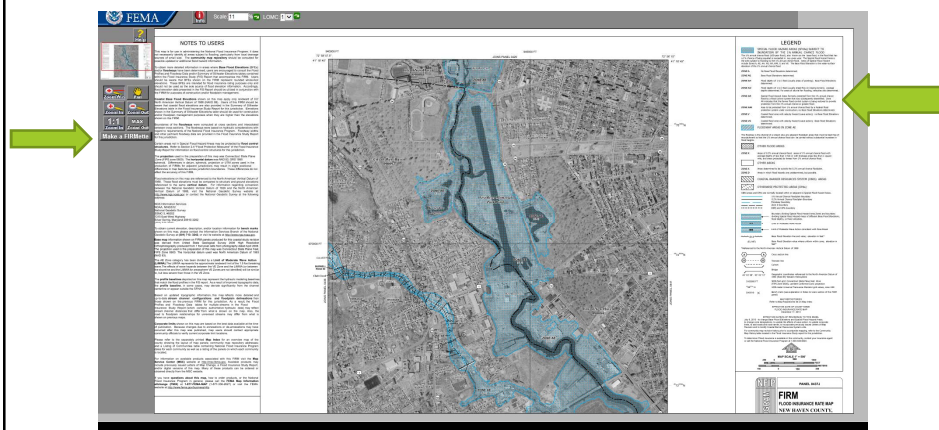
## FLOOD INSURANCE

- Check if your property is within a flood zone here:  
<https://msc.fema.gov/portal>



### Flood Insurance: FEMA Floodzone Map – Print Map

- 100-year flood zone = Special Flood Hazard Areas and all A or V Zones
- 500-year flood zone = Zone X





## FLOODING

- Print out the map from the FEMA website and indicate the location of your facility.
- Determine if your site lies within the SFHA.
  - If the answer is 'no,' state that your site is not within the SFHA and that you are in compliance with the Flood Disaster Protection Act of 1973.
  - If the answer is 'yes,' state that your site is with the SFHA and that either:
    - ☐ The activity is not required to purchase flood insurance. You can also note that individuals will be informed that it is recommended but not required to purchase flood insurance.
    - ☐ Flood Insurance under the National Flood Insurance Program has been purchased (show proof).

## CENST ELEMENTS

For Exempt and Categorically Excluded & NOT subject to 24 CFR 58.5:

- Complete CENST Environmental Review Form
- Compile Environmental Review Record (ERR) with completed CENST form and any supporting documents (i.e., Maps)
- No Request for Release of Funds (RROF) Needed
- Environmental Review is Complete
- Sign-off by Preparer and Responsible Entity

## TIPS

\* For the CoC program, HUD recommends a new review every five years or sooner if/when environmental conditions change.

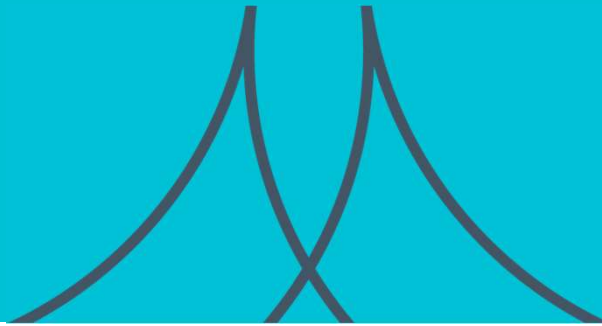


## COMMON QUESTION

For CoC Program leasing and rental assistance projects, is an environmental review required for each new program participant? New lease?

- If a unit is located in a building where an environmental review has been conducted, the reviewer needs to verify that the review was conducted within the last 5 years.
- If the placement is for a scattered site lease and a review has not been conducted within the last 5 years for the building, environmental review is required prior to signing a new lease or committing program funds.

## QUESTIONS, COMMENTS, ON THE CENST FORM



### NEXT STEPS

- Housing Innovations, LLC will be compiling questions for a FAQ. Please send questions to: [kcapone@housinginnovations.us](mailto:kcapone@housinginnovations.us) by March 13, 2018.
- Examples of completed forms will be made available
- Submission of completed forms to Kara Capone by March 29, 2018.
- DMHAS sponsored congregate rental assistance projects (PRA, SRA, and projects leasing a structure) will receive additional assistance from Milone & MacBroom, Inc.

BREAK

COMPLETING THE  
LIMITED SCOPE CEST FORM

Form for Categorically Excluded & Subject to 24 CFR 58.5 (CEST) includes the same three categories as on the CENST form, plus:

- Clean Air
- Coastal Zone Management
- Contamination & Toxic Substances
- Endangered Species
- Explosive & Flammable Hazards
- Farmlands Protection
- Floodplain Management
- Historic Preservation
- Noise Abatement & Control
- Sole Source Aquifers
- Wetlands Protection
- Wild & Scenic Rivers
- Environmental Justice

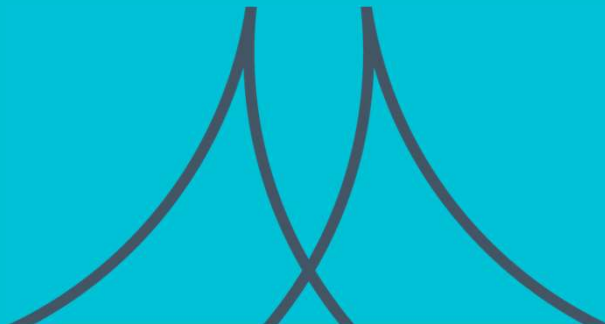
Limited Scope Form for CEST includes [pre-filled](#) answers for the following compliance factors:

- Airport Runway Clear Zones
- Clean Air
- Coastal Zone Management
- Endangered Species
- Explosive & Flammable Hazards
- Farmlands Protection
- Historic Preservation (see Appendix A)
- Noise Abatement & Control
- Sole Source Aquifers
- Wetlands Protection
- Wild & Scenic Rivers

Limited Scope CEST form requires answers for the following 5 compliance factors:

- Coastal Barrier Resources (refer to slides under CENST form)
- Flood Insurance (refer to slides under CENST form)
- Contamination and Toxic Substances
- Floodplain Management
- Environmental Justice

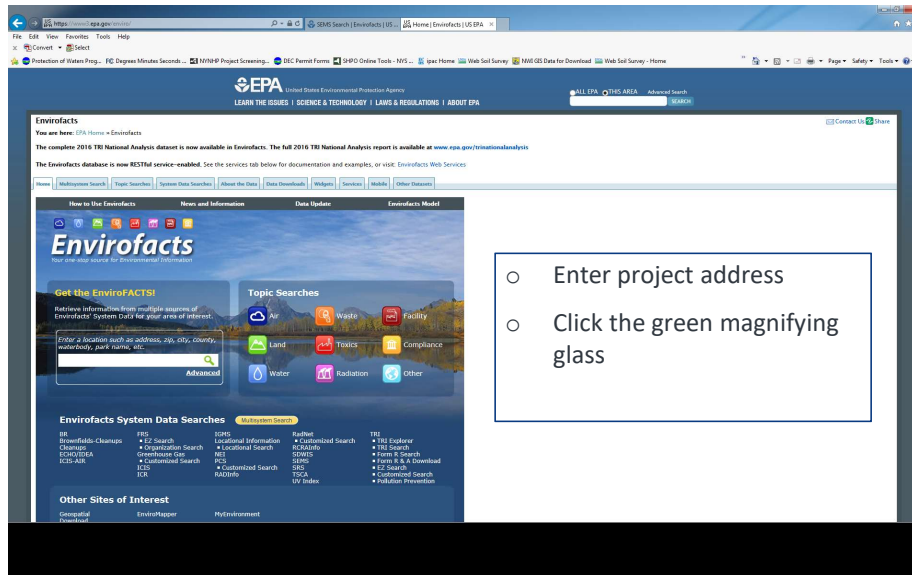
## CONTAMINATION & TOXIC SUBSTANCES



## CONTAMINATION & TOXIC SUBSTANCES

- All property proposed for use in HUD programs must be free of hazardous materials, contamination, toxic chemicals and gasses, and radioactive substances
- Check the EPA Envirofacts website
- The EPA Envirofacts website can be found here:  
<http://www.epa.gov/enviro/index.html>

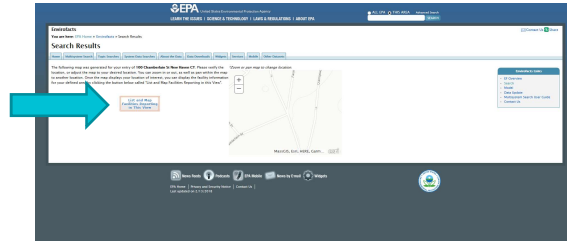
## CONTAMINATION & TOXIC SUBSTANCES



The screenshot displays the EPA Envirofacts website. The header includes the EPA logo and navigation links: "LEARN THE ISSUES | SCIENCE & TECHNOLOGY | LAWS & REGULATIONS | ABOUT EPA". A search bar is located in the top right corner. The main content area features a "How to Use Envirofacts" section with a "Get the Envirofacts!" button. Below this is a "Topic Searches" section with icons for Air, Land, Water, Radiation, and Compliance. A "Get the Envirofacts!" button is also present. The "Envirofacts System Data Searches" section lists various data sources and search options. A callout box on the right side of the page contains the following instructions:

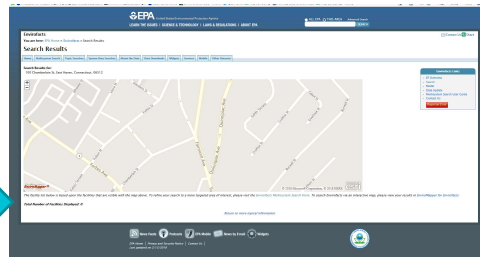
- Enter project address
- Click the green magnifying glass

## CONTAMINATION & TOXIC SUBSTANCES



Example output from  
EPA Envirofacts  
website

- Click 'List and Map Facilities Reporting in this View'
- Zoom out to capture a wider area and click 'update facilities on map.'
- Print map & indicate your location



## CONTAMINATION & TOXIC SUBSTANCES

- For assistance provided to housing with 4 or fewer units, analysis of past use of the site is NOT required.
- If you are not required to provide an analysis of past uses, note that on the CEST Form and include the EPA website search findings; note the distance of any facilities listed on the EPA website from your site location.



## CONTAMINATION & TOXIC SUBSTANCES

- For assistance provided to multi-family housing with 5 or more dwelling units, provide documentation of past uses of the site such as one of the following:
  - [Historic aerial photographs](#) from local library or planning department. Ask for Sanborn Fire Insurance Maps or other historical maps.
  - [A letter from a previous owner](#), local historian, elder in the community, or local planning department. The letter should state: name of writer, date written, how the writer has knowledge of the site, and specifics on previous uses.
  - [A Phase I Environmental Assessment Report](#). (This requires hiring a consultant.)

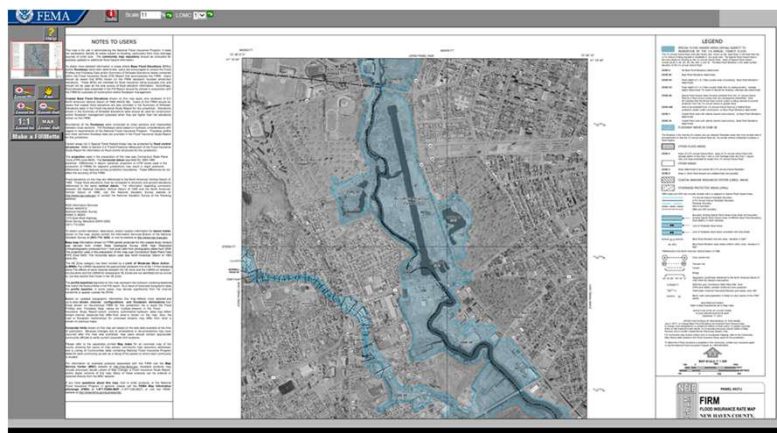
## CONTAMINATION & TOXIC SUBSTANCES

- If there is no evidence of contamination or toxic substances, state this in the Compliance Determinations field on the CEST form and attach all maps, photos or other documentation.
- If there evidence of contamination or toxic substances, include a discussion of how hazards may affect the health and safety of the occupants and how impacts will be mitigated. This may require contacting HUD Field Environmental Field Officer or hiring outside assistance.

# FLOODPLAIN MANAGEMENT

## FLOODPLAIN MANAGEMENT

- Print out a FIRM map to include in your ERR and indicate the location of your facility. (See Flood Insurance above for directions).



## FLOODPLAIN MANAGMENT

- Check FIRM to determine if you are in one of the following:
  - Coastal High Hazard Area (Zone V) – *(projects in this zone must be rejected.)*
  - Floodway – *(projects in this zone must be rejected)*
  - 100-year Floodplain (Zone A1-30, AE, A, AH, AO, AR or A-99)

*See Rules on next slide...*

## FLOODPLAIN MANAGEMENT

- For leasing or rental assistance projects in the 100-year floodplain:
  - Within buildings of one to four units, HUD will not deny assistance, but recommends individuals purchase personal insurance.
  - Within buildings of five or more residential units, an 8-step process is required **unless** the building is fully covered by flood insurance. This process may require contacting your HUD environmental field officer or hiring outside assistance.

## FLOODPLAIN MANAGEMENT

### 8-step decision-making process:

1. Determine if a proposed action is in the base floodplain (that area which has a one percent or greater chance of flooding in any given year).
2. Conduct early public review, including public notice.
3. Identify and evaluate practicable alternatives to locating in the base floodplain, including alternative sites outside of the floodplain.
4. Identify impacts of the proposed action.
5. If impacts cannot be avoided, develop measures to minimize the impacts and restore and preserve the floodplain, as appropriate.
6. Reevaluate alternatives.
7. Present the findings and a public explanation.
8. Implement the action.

## FLOODPLAIN MANAGEMENT

- If the location is not within any of the high risk areas listed above, note that on the CEST form in the Compliance Determination field and [attach FIRM map](#).
- If location is within the 100-year floodplain, but has 4 or fewer units then, note that on the CEST form and [include the FIRM map](#).
- If location is within the 100-year floodplain and has 5 or more units, you will likely need to contact the HUD Field Environmental Officer or hire outside assistance to complete the required documentation.

## ENVIRONMENTAL JUSTICE

### ENVIRONMENTAL JUSTICE

- Include evidence that the site or surrounding neighborhood does not suffer from adverse environmental conditions. A brief discussion of surrounding land uses may suffice (i.e. surrounded by residential and commercial land uses. There are no industrial uses in the immediate vicinity...).
- Include evidence that the proposed action will not create an adverse and disproportionate environmental impact or worsen an existing impact. A brief discussion of, for example, how the site will function as a typical multi-family use and will not generate above normal levels of pollution.



## POTENTIAL OUTCOMES

### Environmental Findings:

1. Project converts to Exempt – process discussed below
2. Project cannot Convert to Exempt – process discussed below
3. Classified as Significant Environmental Impact – *Unusual for CoC program. Can occur if there is Contamination that could significantly endanger residents or if Significant Environmental Justice Issues are raised by area residents.*
  - Prepare an Environmental Assessment
  - Contact HUD Environmental Officer for Assistance.

## FINAL STEPS

### Project Converts to Exempt

- If no mitigation or compliance steps are required for any laws or authorities, the project converts to exempt.
- Environmental review must be signed by preparer and Responsible Entity agency official.
- No public notice or RROF required.
- Once signatures are obtained, funds may be accessed.

## FINAL STEPS

### Project Cannot Convert to Exempt

- If the project cannot convert to Exempt because at least one of the environmental fields requires consultation or mitigation, you must:
  - Complete the mitigation or compliance requirements.
  - Provide public notice (discussed later)
  - Complete Request for Release of Funds
  - Obtain a signed "Authority to Use Grant Funds" (NOTE: In practice, you may not receive this form. Instead, you may receive a contract from HUD and you are then able to spend and distribute the funds).

## FINAL STEPS

### Public Notice for non-Exempt projects:

- Publish Notice of Intent to Request Release of Funds (NOI-RROF) in newspaper of general circulation in affected community.
- See sample here:  
<http://www.hudexchange.info/resource/2754/sample-notice-of-intent-to-request-release-of-funds/> and See Handout # 7
- Public comment must extend for 7 days when published

## FINAL STEPS

### Public Notice Posting:

- If the NOI-RROF is not published, it must be:
  - Prominently displayed in public buildings, such as the local Post Office
  - Prominently displayed within the project area
  - Circulated in accordance with the procedures established as part of the Citizen Participation Process (24 CFR 91.105)
- A 10-day comment period is required following posting.





## FINAL STEPS

- HUD has a second comment period, for 15 days, once RROF is received.
- Prior to using funds, you must obtain a signed “Authority to Use Grant Funds” from HUD.

## TIPS

- Public comment periods cannot start or end on weekends or holidays.
- For CEST forms requiring public review, have your HUD contact review all forms prior to publishing for public comment period. If HUD finds errors after the public comment period, you will be required to re-publish.
- If, due to the complexity of the project, you need to hire a consultant to assist with the review process, the cost incurred for environmental reviews are eligible costs for HUD funding (24 CFR 58.23) under the project administrative line.

## TIPS

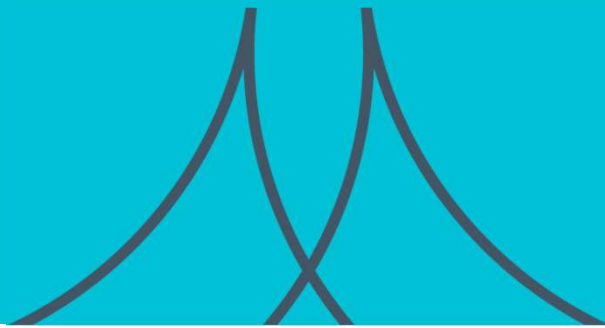
- How to find your HUD Environmental Field Officer (EFO):
  - Check with the Responsible Entity to see if they know the EFO
  - CT is HUD is Region 1

Boston (CT, MA, ME, NH, RI, VT)  
Martha A. Curran  
Regional Environmental Officer  
HUD - Boston Regional Office  
10 Causeway Street, Room 535  
Boston, MA 02222-1092  
[martha.a.curran@hud.gov](mailto:martha.a.curran@hud.gov)  
(617) 994-8363

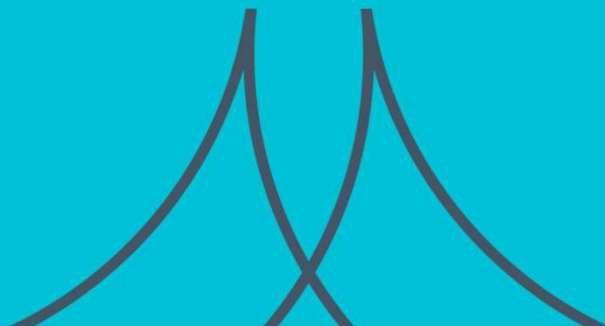
## NEXT STEPS

- Housing Innovations, LLC will be compiling questions for a FAQ. Please send questions to: [kcapone@housinginnovations.us](mailto:kcapone@housinginnovations.us) by March 13, 2018.
- Examples of completed forms will be made available
- Submission of completed forms to Kara Capone by March 29, 2018.
- DMHAS sponsored congregate rental assistance projects (PRA, SRA, and projects leasing a structure) will receive additional assistance from Milone & MacBroom, Inc.

QUESTIONS, COMMENTS,  
THOUGHTS?



PRE-ANSWERED CELLS



## CLEAN AIR

### Limited Scope CEST Form:

- The Compliance Determinations field is completed with the following statement:

*“This project consists of leasing or rental assistance and is in compliance with the Clean Air Act without further evaluation.”*

## COASTAL ZONE MANAGEMENT

### Limited Scope CEST Form:

- The Compliance Determinations field is completed with the following statement:

*“This project consists of leasing or rental assistance and is in compliance with the Coastal Zone Management Act without further evaluation.”*

## ENDANGERED SPECIES

### Limited Scope CEST Form:

- The Compliance Determinations field is completed with the following statement:

*“This project consists of leasing or rental assistance and is in compliance with the Endangered Species Act without further evaluation.”*

## EXPLOSIVE & FLAMMABLE HAZARDS

### Limited Scope CEST Form:

- The Compliance Determinations field is completed with the following statement:

*“This project consists of leasing or rental assistance and is in compliance with HUD’s Explosive and Flammable Hazards standards without further evaluation.”*

## FARMLAND PROTECTION

### Limited Scope CEST Form:

- The Compliance Determinations field is completed with the following statement:

*“This project consists of leasing or rental assistance and is in compliance with the Farmland Protection Policy Act without further evaluation.”*

## HISTORIC PRESERVATION

### Limited Scope CEST Form:

- The Compliance Determinations field is completed with the following statement:

*“HUD has determined that leasing and rental assistance with no associated repairs, rehabilitation, or other activities with physical impacts has No Potential to Cause Effects under 36 CFR 800.3(a)(1) (see [Appendix A](#)). Therefore, this project is in compliance with Section 106 of the National Historic Preservation Act without further evaluation.”*

## NOISE ABATEMENT & CONTROL

### Limited Scope CEST Form:

- The Compliance Determinations field is completed with the following statement:

*“This project consists of leasing or rental assistance. HUD’s Noise Standards do not apply.”*

## SOLE SOURCE AQUIFER

### Limited Scope CEST Form:

- The Compliance Determinations field is completed with the following statement:

*“This project consists of leasing or rental assistance and is in compliance with the Safe Drinking Water Act without further evaluation.”*



## WETLANDS PROTECTION

### Limited Scope CEST Form:

- The Compliance Determinations field is completed with the following statement:

*“This project consists of leasing or rental assistance without any new construction. Executive Order 11990 and Part 55 wetlands provisions do not apply to projects that do not involve new construction in a wetland.”*

## WILD & SCENIC RIVERS

### Limited Scope CEST Form:

- The Compliance Determinations field is completed with the following statement:

*“This project consists of leasing or rental assistance and is in compliance with the Wild and Scenic Rivers Act without further evaluation.”*