HUD ENVIRONMENTAL REVIEW FAQ

Updated November 2023

Prepared by Housing Innovations on behalf of the
Department of Mental Health and Addiction Services and
the Connecticut Balance of State Continuum of Care

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A. Background

According to the Department of Housing and Urban Development (HUD), "an environmental review is the process of reviewing a project and its potential environmental impacts to determine whether it meets federal, state, and local environmental standards. The environmental review process is required for all HUD-assisted projects to ensure that the proposed project does not negatively impact the surrounding environment and that the property site itself will not have an adverse environmental or health effect on end users. Not every project is subject to a full environmental review (i.e., every project's environmental impact must be examined, but the extent of this examination varies), but every project must be in compliance with the National Environmental Policy Act (NEPA), and other related Federal and state environmental laws."

The Department of Mental Health and Addiction Services (DMHAS) asked Housing Innovations(HI) to create a Frequently Asked Questions (FAQ) guide. This FAQ is intended to help services providers that receive funding through the CT Balance of State CoC process remain in compliance with NEPA.

B. Filling Out the Forms

1. **Does my CoC project need to complete an ER (Environmental Review) form?**
   All CoC projects require Environmental Review. Most projects will need to complete their own Environmental Review. The following types of projects are covered under the Nationwide Environmental Review that is completed by HUD, and they do not need to complete their own review: Planning, HMIS, & Supportive Services Only (Coordinated Entry and Street Outreach). DMHAS typically hires a consultant to complete Environmental Reviews for DMHAS CoC Project-Based and Sponsor-Based Rental Assistance Projects.

2. **Which form does my project need to complete?**
   To determine which form you should complete, please click on the following link for the CoC Program Environmental Review Flow Chart:
3. **How many forms should I fill out?**
   - The vast majority of organizations would fill out one ER form per grant number.
   - If you have one grant but locations that fall within multiple towns and need signatures from different Responsible Entities (RE), you may need to fill out multiple forms.
   - If you have multiple grants, you will need to fill out a form per each grant at minimum.

4. **How do I complete the fields listed under "Project Information"?**
   a. **What is the Project Name?**
      - That is the project name used in the most recent ESNAPS project application.
   b. **Who is the Responsible Entity?**
      - 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.
   c. **Who is the Grant Recipient?**

  - The agency that applied for funding and that is listed in ESNAPS as the grant recipient should also be listed on the ER forms as the grant recipient.

  d. **Is the State/local Identifier the location of the housing?**
     - The identifier refers to the location of the housing. Many organizations do separate forms for each town (and include multiple locations within the town). This simplifies the process since the Responsible Entity is typically at the town/city level.
     - You can certainly list multiple towns on one form. However, multiple versions of documentation will still be needed in the attached materials. If the answers are different (i.e. say one location is in the floodplain and others are not), it may get a bit confusing to use a single form.
     - It should appear as ‘Connecticut/City of New Haven (093).’ The number, or local identifier, can be found by searching for ‘Connecticut town codes’ online.
  e. **Preparer:**
     - This is the person preparing the form. Include Name, Title, Organization, and address at minimum.
     - There are no specific qualifications needed to be the preparer.
     - This will often be a staff member at the LMHA, Housing Authority or non-profit.
  f. **Certifying Officer Name and Title:**
     - An official from the Responsible Entity
     - Include Name, Title, Organization, and address
     - This cannot be an LMHA or non-profit agency staff person.
  g. **Consultant**
     - This will be N/A unless you have hired a consultant to complete the form.
  h. **Project Location**
     - Please see the presentation for detailed instructions. (Slide #27)
  i. **Description of Proposed Project**
     - Please see the presentation for detailed instructions (Slide #28)

5. **How do I complete the fields listed under “Funding Information”?**
  a. **Grant Number**
     - The grant number listed on your grant agreement and/or in ESNAPS
  b. **HUD Program:**
     - This should be Continuum of Care
  c. **Funding Amount**
     - The amount of the HUD award found on the grant agreement or most recent Award announcement from HUD.
  d. **Estimated Total HUD Funding Amount**
     - If there are multiple grants from HUD in the project, put the total funds from all HUD grants being used to fund the project.
  e. **Estimated Total Project Cost:**
     - Include HUD funding plus non-HUD funding sources used in the project. This includes but is not limited to the matching funds you listed in your project application.
     - For example, if you receive $100,000 from the HUD CoC program, you match that with $25,000 from DMHAS and you also use another $30,000 in public and

private funds to support the project, list estimated project costs at $155,000 with other assistance listed in the appropriate space on the form.

6. **How do I complete the Airport Runway Clear Zones and Accident Potential Zones item?**
    a. Evaluation of this compliance factor is only required for: new contruction, 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.
    b. For most projects, this Compliance Determination field may be completed with the following statement: "This project consists of (INSERT RELEVANT BUDGET LINE ITEMS, E.G., LEASING, RENTAL ASSISTANCE, OPERATING, SUPPORTIVE SERVICES) and is in compliance with HUD'S airport hazard regulations without further evaluation."

7. **How do I complete the Coastal Barriers Resources item?**
    a. Connecticut is a Coastal Zone state; however, the CT BOS CoC includes only three coastal counties: New Haven, Middlesex, and New London.
    b. If your project includes units located in one of those counties (or Fairfield County) use this website: the U.S. Fish and Wildlife Service – Costal Barrier Resource Maps - Connecticut to determine if units are located in a Coastal Barriers Resource Unit (CBRU) such units cannot be assisted using CoC resources. Responsible Entities are directed to reject any project located within a CBRU.
        1. Print a map demonstrating that your units are not located in a CBRU and attach the map to your ER form (see #8 below).
        2. The Compliance Determination field may be completed with the following statement: "This project is in compliance with the Coastal Barriers Resources Act because the area served does not include any Coastal Barrier Resources. See attached map demonstrating that no projects covered under this review are located within a Coastal Barrier Resource Unit."

        ii. If units are located in a coastal county but not in any specific communities that include coastal barrier areas (see 7b above to determine), the Compliance Determination field may be completed with the following statement: "This project is in compliance with the Coastal Barriers Resources Act because the area served does not include any Coastal Barrier Resources."
    c. If your project does not include units located in Fairfield, New Haven, Middlesex, or New London counties, the Compliance Determination field may be completed with the following statement: "This project is in compliance with the Coastal Barriers Resources Act because the area served does not include any coastal counties or Coastal Barrier Resources."
    d. It's possible that, regardless of where your units are located, your Responsible Entity will want to see maps indicating that no units are located in a Coastal Barrier Resource Unit. In that case, follow the instructions above and below for accessing and printing maps.

8. **The Coastal Barrier Resources System maps are hard to print. By the time I zoom out, everything is blurred. Am I doing it right?**
    The map doesn't have to show the shaded areas. The legend appears next to the map and the absence of shading on your map is sufficient to show that you are not within a CBRA. To mark

your location, you can draw an arrow, mark it with an 'X,' or even use Word to insert a circle shape over your site. It is important that your site be clearly marked, but the manner in which that identification occurs is not critical, so long as it is clear. It helps if the demarcation is shown in a color.

9. How do I complete the Flood Insurance item?

a. For CoC projects, as a condition of the recipient using any HUD funds, HUD requires that flood insurance protection be purchased for any project located in Special Flood Hazard Areas (SFHA), which is also known as the 100-year flood zones.
b. The building should be covered under a policy obtained by the building owner. Proof of insurance should be obtained and maintained on file.
c. An exception to the flood insurance requirement is leasing or rental assistance projects that do not involve repairs, improvements, or acquisition, may write on the CENST form: "This project consists only of leasing/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."
d. To check if a property is within a flood zone go to: https://msc.fema.gov/portal/search
e. If the exception above does not apply to your project, print the map from the FEMA website above and indicate your project's location on the map. Obtain proof of flood insurance if required.

10. I'm concerned about listing HIV/AIDS housing addresses and/or Domestic Violence program/property addresses on a form that can be made public. What should I do?

- List the addresses as "confidential location – available for HUD review upon request"
- Keep the addresses on file and do not make the addresses public. Make sure all documentation is available if/when requested by HUD.

11. If a project participant moves to a location with a completed ER, can that ER be used?
Yes, it can, as long as it was completed in the past 5 years and the environmental conditions have not changed. There is currently no system or a database of locations that exists to track this. CANs may wish to track this information and make it available. Please check with your local CAN to see if a system or database is currently under development.

12. Do you have to physically visit and walk around each property to complete the ER form?
No.

C. Updating the Forms

1. Do ER forms need to be filled out once every 5 years only or do they need to be filled out every time a unit at a new location is assisted (e.g. when a tenant moves or enters the project)?

- If you have someone moving into a property where an ER form has already been completed, then no you do not have to fill out a new form. For example, if a client moves into a multifamily property that already has a completed CENST or CEST form on file and it is current, meaning it has been completed within the last 5 years and the environment conditions have not changed, a new form does not need to be filled out. If it has been over 5 years or the environmental conditions have changed, a new form must be completed.

- If you have someone moving into a new property that has never had an ER form completed, and the new location has not been checked for applicable fields (e.g., Airport runway clear zones, Coastal barrier resources or for the location of the floodplain, that will need to be done and maps for the new property will have to be kept on file.
- If the unit is located in a coastal county (i.e., Fairfield, New Haven, Middlesex of New London) then follow the instructions in Section B #7 on page 4. A new location can be added to an existing CENST form if the project involves scattered site tenant-based rental/leasing assistance.
- All projects will need to complete ER forms at least every five years.

2. **If you have to fill out a new ER form when a new unit is leased, does:**
    a. **The new form need to be uploaded to ESNAPS?**
        - No.
    b. **The address list need to be updated with the new information?**
        - Yes
    c. **The form with the updated address list need to be re-signed by the Responsible Entity?**
        - Yes. However, some providers have reported that their RE's have authorized them to update the address list without continuously coming back for a new signature.
3. **What if the newly leased unit falls within the parameters of the original maps?**
    - If the new unit falls under a funding source and program for which a form has been completed within the last five years and the location falls within the previously reviewed area, the new address can be added to the list of addresses and then the review is complete.

4. **If the ER form was incorrectly filled out or if I filled out the wrong form, do I have to re-do it?**
    - If the form was incorrectly completed, you should make the necessary corrections.
    - If you filled out a CENST form and needed to fill out a CEST form, information is missing since the shorter form was completed, and you should complete the correct form.
    - If you correctly filled out CEST form instead of a CENST form, all the required information is covered on the CEST form and you do not need to complete the correct form. When you update the form, use the correct version.

5. **Do I have to fill out a form again if something substantially changed in the environment?**
    - Yes. For example, a natural disaster, like the one seen in Houston, that significantly impacts the area may necessitate completing the form again. Another example would be if there is new ground contamination, like an oil leak from an oil tank, that may necessitate completing the form again as well.

D. Responsible Entity (RE)

1. **Who signs as the 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

2. **What happens if the town/city (Responsible Entity) refuses to sign the forms?**
   The current process is as follows:
   a. Document due diligence with trying to get the Responsible Entity (RE) to sign off on the Environmental Review (RE) forms.
   b. Submit documentation via email to Steve DiLella at DOH (steve.dilella@ct.gov) and cc Alice Minervino at DMHAS (alice.minervino@ct.gov)
   c. This is being offered to all projects, not just state funded projects.
   d. Notify the HUD field office in writing that you are asking the State to sign-off as the RE was unwilling.

3. **Can DOH be a Responsible Entity?**

- Yes, but only as a last resort. See #2 above.

E. Uploading the Forms

1. **What is the process for uploading ER forms into ESNAPS?**
   - If there is no specific Environmental Review Form area identified in ESNAPS, the general attachment screen should be used.
   - If this is the case, upload the ER form in the Terms and Conditions section of ESNAPS.
   - In the Adjustments section, click on Yes and include a blurb in the text box about submitting the Environmental Review Form. For example, "Environmental Review Form is attached in the Attachment section."
   - Once that is done, the ER form can be attached in the Attachments section.
   - Providers are responsible for uploading their forms into ESNAPS.

2. **Do all of the attachments need to be uploaded or just the forms?**
   - The completed and signed forms along with the address list(s) need to be uploaded. If all addresses are listed on the form, you do not need a separate address list.
   - The rest of the attachments, like maps or other documentation, do not need to be uploaded but should be kept on file and available for HUD review if/when requested.
   - The uploaded document can be in a word or PDF format. It must be smaller than 5 MB for it to upload. It will not upload if it is larger than 5MB.

F. Projects that Include Multiple Locations

1. **How should projects that include multiple locations under a single grant (e.g. CT BOS 193 and 134) handle ER documentation?**
   a. **Should the site location map, costal barrier and flood zone map for each participant be included and attached to the main CENST form?**

- Ideally, the maps should be attached to and included with the form. They can be kept on file in the client file or in a separate ER file, as long as they are available if/when HUD visits and for review by your RE. You can use one map and mark the locations of multiple clients.

b. Are pages 2, 3 and 4 of the CENST form completed for each participant and should the RE sign off on the separate pages?

- No. If the answers are all the same, you list the addresses on one form.
- Alternately, you can group address based on responses. For example, if you had 3 addresses that fell in a flood zone, they would be on a separate list.
- If you have many addresses under a single project, you may refer to an attached listing, rather than trying to insert them within the confines of the form.

2. What do I do if I have a project with units located in multiple towns?

- One form is completed per project, though multiple sets of documentation will be required by location (i.e. location map, FEMA documentation, etc.). The project location may cover the full range of the CoC services or any subset of the COC that is found appropriate by the Responsible Entity.
- In some cases, it may make sense for there to be multiple forms completed if there are multiple Responsible Entitles.
- The location of units should be included on the form or as an attachment. If your project covers multiple locations, it may make sense to list the addresses by town/city.

3. I have one congregate project (one grant) with two different locations. Should I fill out one form or two?

- You could do either. If the answers to the questions on the form are the same for both locations, you can use one form. If they are not, you can use separate forms.

G. Projects that Include Multiple Providers

1. How should projects that include multiple providers under a single grant (e.g. CT BOS 193 and 134) handle ER documentation?

- Each provider is responsible for completing their environmental review documentation for the units they manage and for keeping the documentation on file
- Check with your local DMHAS representative for specific instructions on documentation submission to DMHAS and upload instructions to ESNAPS

H. Multiple CoC Grants

1. If I have multiple CoC grants, does each project that receives CoC funds need a separate RE form?

- Yes, unless you have multiple grants in a single congregate project. In that case, list all grants on the same form.

I. Additional Resources

1. **Can I get an electronic copy of the PowerPoint and handouts from the February 2018 training on completing Environmental Review forms?**
   Yes, an electronic version of the PowerPoint and handouts is available at http://www.ctbos.org/resources/ under the section titled Environmental Review.

2. **Where can I find word documents of the forms?**

CENST (for tenant-based rental & leasing assistance) - click 'CoC Tenant-based CENST format' link at bottom of page
https://www.hudexchange.info/resource/4045/coc-program-environmental-review-flow-chart/

CENST (for operating costs, supportive services): Click link at bottom of the page
https://www.hudexchange.info/resource/3141/part-58-environmental-review-exempt-or-censt-format/

Limited Scope CEST form (for project-based rental & leasing assistance) click 'CoC Program 'CEST' Limited Scope Review' link at bottom of page
https://www.hudexchange.info/resource/4045/coc-program-environmental-review-flow-chart/

3. **Where can I find the Environmental Review Flow Chart?**

https://www.hudexchange.info/resource/4045/coc-program-environmental-review-flow-chart/

4. **Where can I find Limited Scope Environmental Review instructions from HUD?**

https://www.hudexchange.info/resource/3800/limited-scope-environmental-review-coc/

5. **Where can I find the HUD video on how to complete Environmental Reviews for Continuum of Care programs?**

https://www.youtube.com/watch?v=84HRDYgNbmQ

6. **When did HUD make changes to the Environmental Review Process?**

HUD released a memo on April 18, 2016. The following is an excerpt from that memo:

Operating Instructions for Fiscal Year 2015 Continuum of Care Program Grants–New and Renewal

2. Environmental Review

a. HUD made two important changes for projects categorized as exempt/Categorically Excluded not Subject to 24 CFR 58.5 (CENST) from the environmental review:

> **(1)** All scattered site projects, where participants choose the location of their own unit, are categorized in 24 CFR Part 58.35(b) (1) as exempt/CENST. This now includes **both** tenant-based rental assistance and tenant-based **leasing** projects. Previous guidance included only Tenant Based Rental Assistance as eligible exempt/CENST projects.
> **(2)** The Exempt/CENST form is only required for each project, **not** every unit. Previous guidance instructed recipients to complete an Exempt/CENST form for each unit.

b. For all projects requiring a Categorically Excluded Subject To 24 CFR 58.5 (CEST), "Limited Scope," or Environmental Assessment (EA) review; the environmental review is required unless a unit is located in a building that has already received a review (LS or EA) within the last 5 years.

c. See the flowchart titled: What Level of Environmental Review is Needed for CoC Program Projects? This one-page guidance provides step-by-step instructions and links to all the required forms, located at https://www.hudexchange.info/resource/4045/coc-program-environmentalreview-flow-chart/.

d. CoC environmental reviews should be performed by the state or unit of general local government (known as the "responsible entity"). However, the responsible entity may object in writing to performing the environmental review under 24 CFR part 58. Should this occur, HUD may make a finding in accordance with 24 CFR 58.11(d) and perform the environmental review under the provisions of 24 CFR part 50.

e. Regardless of whether a state, unit of general local government, or HUD performs the environmental review; the recipient must supply all available, relevant information necessary for the responsible entity to perform for each the environmental review. The recipient also may be required to carry out mitigating measures required by the responsible entity (or HUD, if applicable) or select an alternate eligible property. HUD may eliminate from consideration any application that would require an Environmental Impact Statement (EIS).

f. Neither the recipient nor its partners or contractors may spend or commit HUD funds on a project until an environmental review has been completed. For projects under 24 CFR part 58, environmental reviews will not be considered complete until (1) HUD has approved the form HUD-7015.15, Request for Release of Funds, or (2) the responsible entity has made a valid determination that the project is exempt under 24 CFR 58.34 or CENST under 24 CFR 58.35(b) and does not require form HUD-7015.15. For projects under 24 CFR part 50, the environmental review is complete when the HUD Approving Official certifies the review.

J. ESNAPS Uploading Instructions

Instruction on Uploading Environmental Review Forms into ESNAPS

1) If there is no specific Environmental Review Form area identified in ESNAPS, the general attachment screen should be used. If this is the case, upload the Environmental Review forms in Terms and Conditions. Please see note under Additional Conditions.

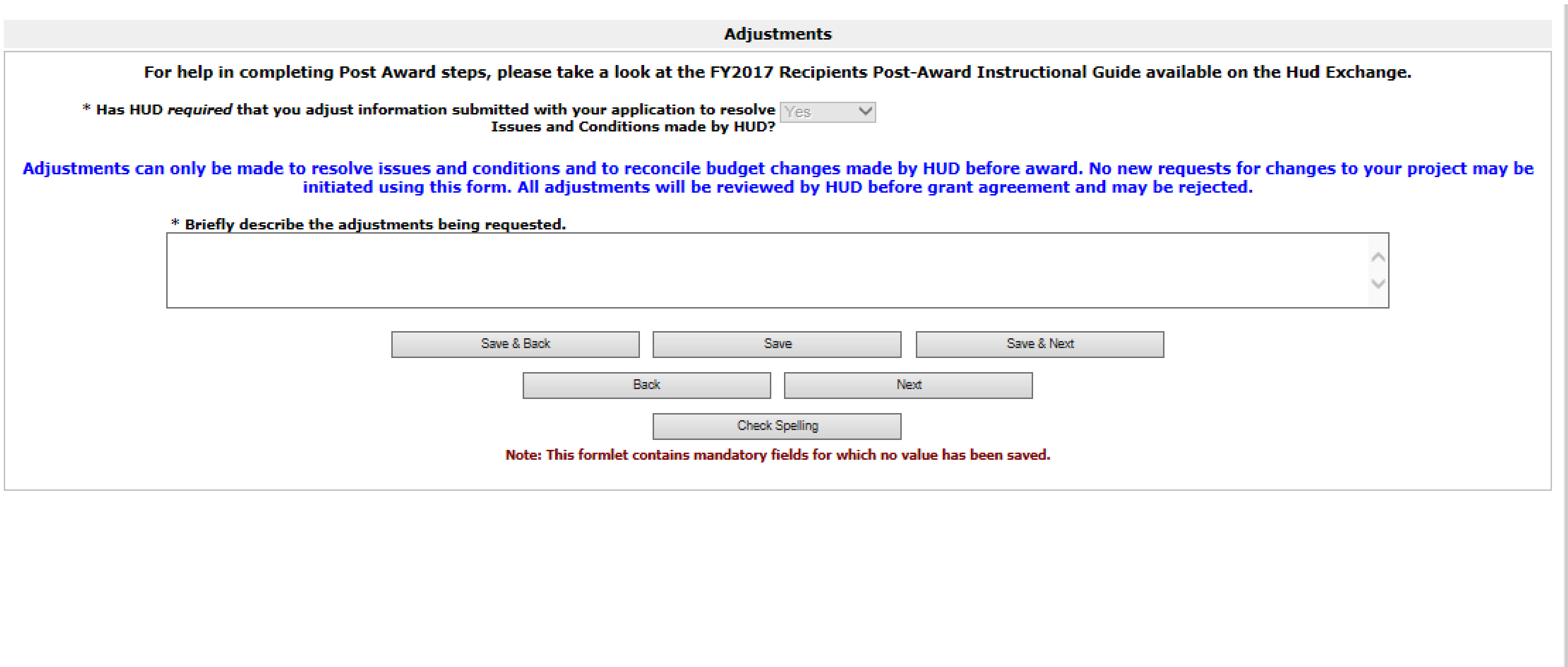
*

HUD Award	Recipient Acknowledgement	***Conditions Applicable to ALL Projects***
☐	☐	**1. Incomplete Recipient Disclosure/Update Report (HUD form 2880).**
☐	☐	**2. Code of Conduct not on file with HUD or does not comply with 2 CFR part 200.**
☐	☐	**3. No active record in the System of Award Management (SAM).**
☐	☐	**4. HMIS Lead does not match the HMIS Lead listed in the CoC Applicant Profile.**
		5. Special performance/capacity.
		Before grant agreement execution, the recipient must provide a written, comprehensive management plan addressing the capacity concern(s) listed below.
☐	☐	a. Outstanding obligation to HUD that is in arrears or no payment schedule established.
☐	☐	b. Unresolved construction delays, or monitoring or audit findings.
☐	☐	c. History of poor financial management/drawdown issues.
☐	☐	d. History of low occupancy levels.
☐	☐	e. Lack of experience in administering the project type.
☐	☐	f. Other capacity issues (specified below).
		6. APR Submissions:
☐	☐	a. APRs consistently submitted late.
☐	☐	**7. Confirm eligibility of proposed project participants.**
		The recipient must maintain records documenting that participants meet the applicable eligibility requirements, including the standard for being considered homeless, as provided under 24 CFR 578.103.
		8. Special award PH project participant requirements:
☐	☐	a. All PH-PSH projects awarded through the PSH Bonus in FY 2012, FY 2013, FY 2014, FY 2015 and FY 2016 must be 100% Dedicated to CH or Dedicated Plus
☐	☐	b. All PH-PSH projects awarded through reallocation in FY 2013, FY 2014, FY 2015 and FY 2016 must be 100% Dedicated to CH or Dedicated Plus
☐	☐	**9. CH dedicated bed requirements.**
		14. Coordinated Entry.
☐	☐	b. Inappropriate SSO project-type.
☐	☐	c. Awarded in FY 2012, FY 2015 and FY 2016 for coordinated entry
☐	☐	**18. Insufficient Match.**
☐	☐	**19. In-Kind Match MOU Required.**
		20. Other policy and program related conditions:
☑	☑	Other 1
☐	☐	Other 2
☐	☐	Other 3
☐	☐	Other 4
☐	☐	Other 5
☐	☐	Other 6

Additional issues and conditions:
Other 1

Please submit the Environmental Review for the selected project. Environmental Reviews may be acceptable for a five-year period. If you need to complete an Environmental Review for the project, please reference the following link and contact your CPD Representative.
https://www.hudexchange.info/resources/documents/CoC-Program-Environmental-Review-Flow-Chart.pdf

2) In the Adjustments section, click on Yes and include a blurb in the text box about submitting the Environmental Review Form. For example, "Environmental Review Form is attached in the Attachment section."



Adjustments

For help in completing Post Award steps, please take a look at the FY2017 Recipients Post-Award Instructional Guide available on the Hud Exchange.

*** Has HUD *required* that you adjust information submitted with your application to resolve Issues and Conditions made by HUD?** Yes

Adjustments can only be made to resolve issues and conditions and to reconcile budget changes made by HUD before award. No new requests for changes to your project may be initiated using this form. All adjustments will be reviewed by HUD before grant agreement and may be rejected.

*** Briefly describe the adjustments being requested.**

Save & Back | Save | Save & Next

Back | Next

Check Spelling

Note: This formlet contains mandatory fields for which no value has been saved.

3) Once that is done, the ER forms can be attached in the Attachments section

Attachments

For help in completing Post Award steps, please take a look at the FY2017 Recipients Post-Award Instructional Guide available on the Hud Exchange.

Delete	Document Type	Required?	Download	Document Description	Date Attached
	01) Attachment(s)	No		--	No Attachment
	02) Attachment(s)	No		--	No Attachment
	03) Attachment(s)	No		--	No Attachment
	04) Attachment(s)	No		--	No Attachment
	05) Attachment(s)	No		--	No Attachment
	06) Attachment(s)	No		--	No Attachment
	07) Attachment(s)	No		--	No Attachment
	08) Attachment(s)	No		--	No Attachment
	09) Attachment(s)	No		--	No Attachment
	10) Attachment(s)	No		--	No Attachment

Back Next

4) What to Upload:
- The completed and signed forms along with the address list(s) need to be uploaded. If all addresses are listed on the form, you do not need a separate address list.
- The rest of the attachments, like maps or other documentation, do not need to be uploaded but should be kept on file and available for HUD review if/when requested.
- The uploaded document can be in a word or PDF format. It must be smaller than 5 MB for it to upload. It will not upload if it is larger than 5MB.