

WASHINGTON, DC 20410-7000

Guidance for Documenting the Environmental Review Record (ERR) for Community Project Funding (CPF) Grants

Table of Contents

For	CP	F Projects under Part 58	2
_	l. van	A Responsible Entity (RE) agrees to do a Part 58 review on behalf of a non-profit but does not to use HEROS.	2
2	2.	An RE is the CPF grant recipient, but does not want to use HEROS?	2
	3. Grai	Which CPF projects require a Request for Release of Funds (RROF) and Authorization to Use nt Funds (AUGF)?	
4	Į.	Who processes the Request for Release of Funds (RROF) for CPF grants?	2
5	5.	How to document a CEST or EA level review that has been completed by the Grantee's RE?	3
	5. com	How to document a CEST review that converts to Exempt (no RROF/AUGF) that has been pleted by the Grantee's RE?	3
7	7.	How to document Exempt or CENST review that has been completed by the Grantee's RE?	3
	3. Grai	How to document a review for Supplemental Assistance (SA) that was completed by the ntee's RE?	4
9).	Who is responsible for implementing mitigation requirements under Part 58?	4
	LO. oca	What kind of environmental review should be conducted for projects involving multiple tions that have not yet been identified?	4
For	СР	F Projects under Part 50	5
1	L.	Who should start/prepare the Part 50 review in HEROS?	5
2	<u>2</u> .	How to document a Part 50 CEST or EA review that was completed by HUD?	5
3	3.	How to document a CEST review that converts to Exempt that was completed by HUD?	5
4	ŀ.	How to document a Part 50 Exempt or CENST review that was completed by HUD?	5
5	5.	How to document the environmental review when a project has multiple HUD funding sources	?6
ϵ	5.	Who is responsible for implementing mitigation requirements under Part 50?	6
Res	ou	rces	7
	C	ongressional Appropriations Bill:	7
	С	PF Program Resources:	7
	С	PF Environmental Review Resources:	7
	G	eneral Environmental Review Resources:	7
	Н	LID's Nationwide Part 50 Programmatic Environmental Review for CPF Soft Costs:	7

COMMUNITY PLANNING

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-7000

For CPF Projects under Part 58

A unit of general local government Responsible Entity (RE) conducts the environmental review.

NOTE: HUD does not do upfront monitoring of Part 58 reviews. The Office of Environment and Energy (OEE) and the Congressional Grants Division (CGD) do not look at the content of Part 58 reviews in HEROS until a monitoring visit takes place.

- 1. A Responsible Entity (RE) agrees to do a Part 58 review on behalf of a non-profit but does not want to use HEROS.
 - We'll work on these on a case-by-case basis.
 - If an Environmental Review (ER) is completed outside of HEROS, please reference the "outside of HEROS" instructions in the Q&As below.
- 2. An RE is the CPF grant recipient, but does not want to use HEROS?
 - They need to use HEROS.
- 3. Which CPF projects require a public notice, Request for Release of Funds (RROF) and Authorization to Use Grant Funds (AUGF)?
 - The public notice, RROF, and AUGF are required for projects under Part 58 with the following levels of review:
 - Categorically Excluded Subject To 58.5 (CEST)
 - Environmental Assessment (EA)
 - The RROF and AUGF are NOT required for projects with the following levels of review:
 - Exempt
 - Categorically Excluded Not Subject to 58.5 (CENST)
 - CEST that has converted to Exempt
 - Please coordinate with your <u>RROF POC for CPF Grants</u> for instructions on drafting your public notice, including which point of contact to list in the HUD objections section of the notice.
- 4. Who processes the Request for Release of Funds (RROF) for CPF grants?
 - Please coordinate with your <u>RROF POC for CPF Grants</u> for instructions on drafting your public notice, including which point of contact to list in the HUD objections section of the notice.
 - All RROFs for CPF grants should be submitted to the local CPD Field Office.
 - Each CPD Field Office has a designated RROF POC for CPF Grants.
 - If the ER was completed in HEROS:
 - The RE will identify the RROF POC for their area and assign the environmental review to them in HEROS.
 - If the ER was completed outside of HEROS:
 - Reach out to the project's RROF POC for submission instructions.
 - Once the RROF has been submitted, HUD initiates a 15-day objection period. If no objections are received, the CPD Director will sign and issue the AUGF to the grantee.



WASHINGTON, DC 20410-7000

5. How to document a CEST or EA level review that has been completed by the Grantee's RE?

- If the review was completed in HEROS:
 - The completed project review will automatically be captured in the Weekly CPF HEROS Report and CGD's Liaison will run the report and enter the RROF and AUGF dates into the CPF Tracking sheets on a weekly basis.
- If the review was completed outside of HEROS:
 - Upon receipt, the grantee should provide a copy of the AUGF to their <u>CGD Grant</u>
 Officer and copy their HUD Environmental Officer.
 - The CGD Grant Officer will provide CGD's Liaison with a copy of the AUGF to enter the dates into the CPF Tracking sheets.
- 6. How to document a CEST review that converts to Exempt (no RROF/AUGF) that has been completed by the Grantee's RE?
 - If the review was completed in HEROS:
 - The completed project review will automatically be captured in the Weekly CPF HEROS Report and CGD's Liaison will run the report and enter the ER signature date into the CPF Tracking sheets on a weekly basis.
 - If the ER was completed outside of HEROS:
 - The grantee will need to provide a copy of the Part 58 ER signature page to the CGD Grant Officer and copy their HUD Environmental Officer showing that the review converts to exempt. No need to share the entire Part 58 ERR.
 - The CGD Grant Officer will provide CGD's Liaison with a copy of the ER signature page to enter the date into the CPF Tracking sheet.

7. How to document Exempt or CENST review that has been completed by the Grantee's RE?

- If the CPF project only involves planning, management, administrative, and/or maintenance activities covered by one of HUD's nationwide Part 50 programmatic review for CPF soft costs:
 - Upon confirming the project description, the CGD Grant Officer will notify the CPF grantee that a programmatic environmental review has already been completed under Part 50. No new/additional ER is needed under Part 58.
 - The CGD Grant Officer will share a copy of the programmatic ERR with the CPF grantee for their records.
 - The CGD Grant Officer will provide the grant # to CGD's Liaison and indicate that the project only involves soft costs.
 - CGD's Liaison will enter one of the following dates into the CPF Tracking sheet:
 - o For FY22 CPF Grants: 3/15/22
 - o For FY23 CPF Grants: 12/29/22
 - o For FY24 CPF Grants 3/9/24
- If the project involves **any** activities **not** covered by one of HUD's nationwide Part 50 programmatic review for CPF soft costs:
 - The project will require its own project-specific environmental review.
 - o If the project-specific ER was completed in HEROS:

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U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-7000

- The project will automatically be captured in the Weekly CPF HEROS Report and CGD's Liaison will enter the completion date into to CPF Tracking sheet.
- If the ER was completed outside of HEROS:
 - The grantee will need to provide the CGD Grant Officer and copy the HUD Environmental Officer a copy of the Part 58 ER signature page showing that the review was completed. No need to share the entire Part 58 ERR.
 - The CGD Grant Officer will provide CGD's Liaison with the ER signature page to enter the date into the CPF Tracking sheet.

8. How to document a review for Supplemental Assistance (SA) that was completed by the Grantee's RE?

- Supplemental Assistance is a CENST activity that is limited to the addition of funds to a
 project previously approved by HUD. The project must involve the same responsible
 entity that conducted the original environmental review and re-evaluation of the
 environmental findings must not be required under 58.47.
- If the Part 58 review for the original project was completed in HEROS:
 - The corresponding SA review should be completed in HEROS and must reference and be added to the original project review.
 - Once the review is complete:
 - The CPF grantee will provide a copy of the ER signature page to the CGD Grant Officer and copy the HUD Environmental Officer.
 - The CGD Grant Officer will provide CGD's Liaison with the ER signature page to enter the date in the CPF Tracking sheet.
- If the Part 58 review for the original project was completed outside of HEROS:
 - The corresponding SA review may be completed outside of HEROS but must reference and be added to the original project review.
 - Once the review is complete:
 - CPF grantee will notify and provide a copy of the ER signature page to the CGD Grant Officer and copy the HUD Environmental Officer.
 - The CGD Grant Officer will provide CGD's Liaison with the ER signature page to enter the date in the CPF Tracking sheet.

9. Who is responsible for implementing mitigation requirements under Part 58?

- Grantees are responsible for implementing mitigation requirements for the project.
- Grantees must coordinate with their Responsible Entity and notify them when mitigation has been implemented.

10. What kind of environmental review should be conducted for projects involving multiple locations that have not yet been identified?

- A Tiered Review may be appropriate for projects involving activities across multiple locations that are not yet known.
- For more information on the tiered review process, visit HUD's <u>Tiered Review page on</u> the HUD Exchange.

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U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-7000

For CPF Projects under Part 50

HUD conducts the environmental review.

NOTE: All Part 50 reviews for CPF projects are completed in HEROS by HUD (OEE) Staff.

Part 50 reviews do not require a RROF or AUGF and are considered complete after they've been signed/certified. CEST and EA level reviews must be certified by the CPD Field Office Director as the Approving Official.

1. Who should start/prepare the Part 50 review in HEROS?

- Grantees should reach out to their HUD Environmental Officer for instructions on who should initiate/prepare the Part 50 review in HEROS and what information the grantee will need to provide.
- The Environmental Officer may request that the CPF grantee and/or their environmental consultant initiate/prepare the environmental review, then assign to their HUD Environmental Officer when all the information has been provided.

2. How to document a Part 50 CEST or EA review that was completed by HUD?

- The completed project review will automatically be captured in the Weekly CPF HEROS report and CGD's Liaison will enter the Certification date into the CPF Tracking sheet on a weekly basis.
- Once the review is complete, the HUD Environmental Officer will maintain ownership of the review in HEROS.
- The HUD Environmental Officer will also notify and provide a copy of the ERR to the CGD Grant Officer.
- The CGD Grant Officer will notify and provide a copy of the ERR to the grantee.

3. How to document a CEST review that converts to Exempt that was completed by HUD?

- The completed project review will automatically be captured in the Weekly CPF HEROS
 report and CGD's Liaison will enter the ER signature date into the CPF Tracking sheet on
 a weekly basis.
- Once the review is complete, the HUD Environmental Officer will maintain ownership of the review in HEROS.
- The HUD Environmental Officer will also notify and provide a copy of the ERR to the CGD Grant Officer.
- The CGD Grant Officer will notify and provide a copy of the ERR to the grantee.

4. How to document a Part 50 Exempt or CENST review that was completed by HUD?

- If the CPF project only involves planning, management, administrative, and maintenance activities covered by one of HUD's nationwide Part 50 programmatic review for CPF soft costs:
 - Upon confirming the project description, the CGD Grant Officer will notify the CPF grantee that the environmental review has been completed by HUD.
 - The CGD Grant Officer will share a copy of the programmatic ERR with the CPF grantee for their records.



WASHINGTON, DC 20410-7000

- The CGD Grant Officer will provide the grant # to CGD's Liaison and indicate that the project only involves soft costs.
- CGD's Liaison will enter one of the following dates into the CPF Tracking sheet:

For FY22 CPF Grants: 3/15/22
 For FY23 CPF Grants: 12/29/22
 For FY24 CPF Grants: 3/9/24

- If the project involves **any** activities **not** covered by HUD's nationwide Part 50 programmatic review for CPF soft costs:
 - The project will require its own environmental review in HEROS.
 - The completed project review will automatically be captured in the Part 50 Program Reviews Report and CGD's Liaison will enter "Completed (DATE)" for that grant into Column M of the CPF Tracking sheet on a weekly basis.
 - Once the review is complete, the HUD Environmental Officer will maintain ownership of the review in HEROS.
 - The HUD Environmental Officer will also notify and provide a copy of the ERR to the CGD Grant Officer.
 - The CGD Grant Officer will notify and provide a copy of the ERR to the grantee.
- 5. How does HUD document the environmental review when a project involves multiple HUD funding sources under Part 50 or when supplemental funding is being added to an existing project that HUD has already completed and approved a Part 50 review for under a different funding program?
 - When one Part 50 review is used for two or more HUD funding programs, an approving official representing each HUD program office must review and certify the Environmental Review Record. However, the HUD Environmental Review Online System (HEROS) only allows one approving official to certify a review electronically, so the approving official(s) from the other office(s) must complete the Environmental Review Signature Page for Supplemental Funding of HUD-assisted Projects under 24 CFR Part 50 form and upload to the Project Summary screen in HEROS before assigning the review back to the originating program office.
 - Once the review is complete with all necessary HUD program office approvals:
 - The HUD Environmental Officer will notify the CGD Grant Officer and the CGD Liaison that the Part 50 review for the grant has been completed and approved.
 - CGD's Liaison will enter the date of CPD's supplemental funding signature page to the CPF Tracking sheet.
- 6. Who is responsible for implementing mitigation requirements under Part 50?
 - Grantees are responsible for implementing mitigation requirements for the project.
 - Grantees must coordinate with their HUD Environmental Officer and notify them when mitigation has been implemented.



WASHINGTON, DC 20410-7000

Resources

Congressional Appropriations Bill:

CPF Laws and Regulations

CPF Program Resources:

CPF Landing Page

CPF Grant Officer Portfolio Assignments

Community Project Funding Grant Guide

CPF Cost Eligibility Chart

CPF Frequently Asked Questions

CPF Environmental Review Resources:

CPF ER Guidance & Scenarios

HUD Environmental Contacts

CPF Environmental Review FAQ

CPF Environmental Review Training Series

Guidance for Documenting the Environmental Review for CPF Grants

Request for Release of Funds (RROF) Point-of-Contact for CPF Grants

Ask A Question (AAQ) Help Desk for CPF

Sample MOA between a Responsible Entity and CPF Non-profit Grantee

General Environmental Review Resources:

24 CFR Part 58: Procedures for Entities Assuming HUD Environmental Responsibilities

HEROS - HUD Environmental Review Online System

HUD Environmental Review Landing Page

HUD's Nationwide Part 50 Programmatic Environmental Review for CPF Soft Costs:

Part 50 CPF-Soft-Costs-Nationwide-Programmatic ERR