

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-8000



OFFICE OF HOUSING

MEMORANDUM FOR: All Multifamily Regional Directors
All Multifamily Production Directors
All Multifamily Operations Officers
Multifamily FHA MAP Lenders

FROM: Patricia M. Burke, Director, Office of Multifamily Production *PMB 8/21/19*

SUBJECT: MAP Guide Standard Update, ECO Review in Normally Unacceptable Zones

On July 29, 2019, the Office of Community Planning and Development (CPD) published Notice CPD-19-06 entitled "Defining 'Special Environmental Clearance' as used in 24 CFR Part 51 Subpart B, Noise Abatement and Control." The Noise Guidebook (HUD-953-CPD (1)) is the Department's primary guidance document on compliance with 24 CFR Part 51 Subpart B. The Guidebook instructs readers to substitute Environmental Assessment (with ECO¹ concurrence) wherever the phrase Special Clearance exists.

This Notice, which applies only to new construction projects or projects that convert nonresidential properties to residential, amends the "Special Environmental Clearance" definition to mean that projects triggering a Special Environmental Clearance no longer automatically require Environmental Clearance Officer (ECO) concurrence unless an Environmental Impact Statement (EIS) is required under 51.104(b)(1), or ECO concurrence is otherwise required by regulation or program guidance.

Chapter 9.2.B.4 of the 2016 MAP Guide requires ECO review and comment for certain Environmental Assessment level reviews. Review and comment is a formal process in HEROS that must take place at the very end of the environmental review.

In response to Notice CPD-19-06, the guidance set forth in Section 9.2.B.4 of the MAP Guide requiring REO/FEO review and comment on an environmental assessment level review in HEROS for a project 200 units or less in the normally unacceptable noise range (65-75 DN) is no longer applicable. New construction or conversion projects over 75 DNL will still require REO/FEO review and comment as part of the noise waiver process, as will projects that meet the other criteria outlined at Section 9.2.B.4.

¹ ECO stands for Environmental Clearance Office. This is typically the Field Environmental Officer (FEO) or Regional Environmental Officer (REO) covering the jurisdiction where the project is located. When the FEO And REO are not available, the Program Environmental Clearance Officer (PECO) may also take this responsibility.

HUD's ECO staff remain the regional experts on noise and MF staff are still strongly encouraged to request Technical Assistance early in the process for projects in the normally unacceptable noise zone.

Authority for the guidance memorandum is found in Chapter 9.1 of the MAP Guide, which states that HUD is required to rely on the most recent standards and guidance to meet environmental responsibilities.

This guidance memo is effective immediately and will be reflected in the next version of the MAP Guide. Please contact Thomas A. Bernaciak, Deputy Director, Office of Multifamily Production with any question or comments at (202)402-3242, or Thomas.a.bernaciak@hud.gov.