# Site-Specific Environmental Review

Continuum of Care (coC) Site-Specific Environmental Review for Project-Based or Sponsor-Based Rental Assistance – PART 50

without associated physical Activities Beyond Maintenance

## When to Use this form

Note: Project-Based and Sponsor-Based rental assistance provided for 3 months or less is considered *short-term* rental assistance under 24 CFR 50.19(b)(12) and only requires a Categorically Excluded Not Subject To 58.5 (CENST) level of review. Short-term rental assistance may be covered using the CENST format: <https://www.hudexchange.info/resources/documents/CoC-Tenant-Based-CENST-Format.docx>

This form should be used only to initiate site-specific environmental reviews for Continuum of Care (CoC) project-based or sponsor-based rental assistance (PBRA or SBRA) projects without any associated repairs, rehabilitation, construction, or other activities with physical impacts beyond routine maintenance. This tiered review should be used only for Part 50 environmental reviews, completed when no responsible entity can be found to complete a Part 58 review for the reviewed activities.

It is not necessary to complete a site-specific environmental review for CoC tenant-based rental assistance (TBRA) unless the client is limited to units within a specific building specified by the Provider. If that is the case, this form may be used.

Note that when it is possible for a responsible entity to complete a Part 58 environmental review for these types of activities, they should follow the Limited Scope Review procedures outlined at <https://www.hudexchange.info/resource/3800/limited-scope-environmental-review-coc/>.

### Definition of Maintenance

For purposes of environmental review, maintenance is defined in [Notice CPD-16-02](https://www.hudexchange.info/resource/3197/guidance-categorizing-activity-as-maintenance-environmental-regulations-24-cfr-parts-50-and-58/)as activities that slow or halt deterioration of a building, but which do not materially add to its value or adapt it to new uses. General examples of maintenance activities include cleaning activities, protective or preventative measures to keep a building in working order, replacement of appliances that are not permanently affixed to the building, periodic replacement of a limited number of component parts of a building feature or system that is subject to normal wear and tear, and replacement of a damaged or malfunctioning component part of a building feature or system. Refer to [Notice CPD-16-02](https://www.hudexchange.info/resource/3197/guidance-categorizing-activity-as-maintenance-environmental-regulations-24-cfr-parts-50-and-58/) for more information, including specific examples of maintenance activities as compared to rehabilitation activities.

## Environmental Reviews for CoC

An environmental review is an evaluation of a project and its potential environmental risks and impacts to determine whether it complies with all applicable environmental laws and authorities. All HUD-assisted projects are required to undergo an environmental review to evaluate environmental risks and impacts.

Under § 50.3(h), CoC grantees are required to supply HUD with all available, relevant information necessary for HUD to perform an environmental review for each property as required by 24 CFR Part 50. CoC grantees must work with local HUD CPD Field Staff to obtain environmental clearance for PBRA and SBRA activities.

An environmental review may require mitigation measures. Any required environmental conditions and mitigation measures will be included in the Grant Agreement or Housing Assistance Payments (HAP) Contract. If during the course of gathering material, a CoC becomes aware that extensive mitigation measure strategies may be required that may delay the transaction, they should alert their CPD Representative to determine next steps.

For more information on general environmental review requirements, refer to the [Environmental Review page on the HUD Exchange](https://www.hudexchange.info/programs/environmental-review/).

## How to use this form

This form is part of a tiered environmental review and represents one part of a larger, program-level environmental review record. A broad-level environmental review has already established that Part 50 CoC PBRA and SBRA projects without associated repairs beyond maintenance comply with many environmental laws and authorities. The broad-level review also defined protocols to comply with those laws and authorities that require site-specific analysis. This form helps complete that site-specific analysis, and it should not be used for any other program or for projects that anticipate any rehabilitation, construction, or demolition, or otherwise do not conform to the limits established in the broad-level review.

* This form must be completed for **each** site identified for SBRA or PBRA assistance[[1]](#footnote-1). Adjacent buildings or sites may be reviewed together.
* The CoC will complete Part 1 of this form and submit it to HUD. This submission should contain any relevant documents, including floodplain maps, contamination reports, and all other documents specified below. The CoC should determine what environmental review documents, if any, already exist and may be used as part of the submission to HUD. CoCs may need to hire a third-part environmental provider to gather or generate the necessary maps and reports. Third-party providers may also complete Part 1 of this form.
* HUD will complete Part 2 of this form, which may require additional consultation with the CoC.
* When all requirements are met and the form is complete, HUD will notify the CoC that the environmental review is complete and upload both forms and all accompanying documents to SHAREPOINT. Environmental reviews and documentation will be transferred from SharePoint to HEROS (the HUD Environmental Review Online System) on a bi-weekly basis.).

## Part 1 of 2: To be completed by CoC or their third-party provider

**Grant Recipient:** Click or tap here to enter text.

**Project Name:** Click or tap here to enter text.

**Address(es) of building(s) covered by this site-specific review**: Click or tap here to enter text.

**Point of Contact for CoC** (include name, phone number, and email address): Click or tap here to enter text.

**Consultant** (if applicable): Click or tap here to enter text.

**Grant Number:** Click or tap here to enter text.

**Estimated Amount of HUD Funding:** Click or tap here to enter text.

**Estimated Total Project Cost** (HUD and non-HUD funds)**:** Click or tap here to enter text.

**Number of Units:** Click or tap here to enter text.

**Project Description**:

Provide a detailed project description that captures the maximum anticipated scope of the proposal, including descriptions of all leasing and rental activities, the number of buildings and units to rented, location of all affected buildings, and clear descriptions of any proposed physical changes (e.g. repairs or maintenance). Attach any maps, photographs, or other documents that will assist HUD in understanding the nature and scope of this proposal.

Click or tap here to enter text.

Check here that the project is for a project-based or sponsor-based rental assistance (PBRA or SBRA) project without any associated repairs, rehabilitation, construction, or other activities with physical impacts beyond routine maintenance.

### Historic Preservation

HUD has issued a ‘No Potential to Cause Effects’ memo for CoC leasing and rental assistance activities with no associated repairs, rehabilitation, or new construction (see <https://www.hudexchange.info/resources/documents/HUD-Memo-No-Potential-to-Cause-Effects-Historic-Properties-CoC.pdf>). This Determination does not apply to CoC projects that include reasonably foreseeable activities that exceed maintenance; therefore, HUD will confirm that the scope of work does not rise to a level above maintenance as defined in [Notice CPD-16-02](https://www.hudexchange.info/resource/3197/guidance-categorizing-activity-as-maintenance-environmental-regulations-24-cfr-parts-50-and-58/).

Failure to comply with the terms of this memo may result in delays in closing the transaction and additional costs to prepare a full environmental review record.

### Coastal Barrier Resources Act

**HUD must reject any project located in the Coastal Barrier Resources System.** Sites located within units of the Coastal Barrier Resources System (CBRS) are not eligible for HUD assistance. The following states contain CBR units: Alabama, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Jersey, New York, North Carolina, Ohio, Puerto Rico, Rhode Island, South Carolina, Texas, Virgin Islands, Virginia, Wisconsin. **If the project is located in one of the identified states, provide a map** **demonstrating that project is not within a CBRS unit.** Go to <https://www.fws.gov/ecological-services/habitat-conservation/cbra/maps/mapper.html> to generate a map.

**1. Select one of the following:**

Project is not located in a state with CBRS units (**no map required**).

Project is located within one of the states listed above, but project itself is not located in a CBRS unit. (**map required**).

### Flood Insurance and Floodplain Management

All projects in FEMA-designated Special Flood Hazard Areas (SFHAs) will be required comply with Floodplain Management regulations in 24 CFR Part 55 to avoid impacts associated with occupancy and modification of floodplains where there are practicable alternatives. Flood insurance is not required for leasing or rental assistance activities; however, HUD strongly encourages CoCs to maintain flood insurance under the National Flood Insurance Program (NFIP), particularly for units located in SFHAs.

**1.** **Provide a Flood Insurance Rate Map**.

Section 102(a) of the Flood Disaster Protection Act of 1973 requires that most construction, rehabilitation, and acquisition projects receiving federal assistance and located in an area identified by the Federal Emergency Management Agency (FEMA) as being within a Special Flood Hazard Area (SFHA) be covered by flood insurance under the National Flood Insurance Program (NFIP).

It may still be advisable to purchase flood insurance for leasing projects in some cases for contents or the building. Pursuant to the updated regulations at 24 CFR 55.12(b)(5), if units are leased within a building of five or more residential units or any nonresidential properties are leased on one site in a SFHA, the 8-Step Process is not required if the entire building, i.e. all units and common areas, are fully covered by flood insurance. Units leased within one- to four-family buildings do not require a review due to an exception at 55.12(b)(1), since leasing is considered to be a lesser form of purchasing a property.

**Use FEMA’s Flood Map Service Center at** <https://msc.fema.gov/portal> **to generate a FIRMette, and clearly mark the project site on the map**. When FEMA has provided interim flood hazard data, such as Advisory Base Flood Elevations or preliminary maps and studies, the latest of these sources must be included in addition to the effective FIRM.

**2. Indicate whether the project site contains a SFHA**.

Project is not located in a SFHA.

Project site is in (or partially in) a SFHA.

**3. If the project site contains a SFHA:**

* **Indicate whether flood insurance will be maintained for any or all units located in a SFHA**.

Flood insurance will not be maintained.

Flood insurance will be maintained. Include a receipt or policy statement as proof of insurance.

* **Compliance with Part 55 may be required if there is a SFHA on the site.** If the site contains a floodway, it may not be possible to use CoC assistance. Work with HUD to evaluate requirements and impacts and identify practicable mitigation measures as appropriate.

### Contamination

All property proposed for use in HUD programs must be free of hazardous materials, contamination, toxic chemicals and gases and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property. The environmental review of multifamily housing with 5 or more dwelling units must include a review of previous uses of the site or other evidence of contamination on or near the site to assure the proposed occupants are not impacted by any of these hazards. Confirm the proposed site is not near or in the general proximity of facilities such as dumps, landfills, industrial sites, or other locations that contain, or may have contained, hazardous wastes. Based on this initial screening, if evidence of contamination is observed contact the local government to find out if it impacts your project site.

The Environmental Review should contain **all** of the following:

Single and Multifamily -

1. A report of nearby toxic sites and releases using EPA’s Cleanups in My Community at <https://ofmpub.epa.gov/apex/cimc/f?p=cimc:map:0:::71>, NEPAssist at <https://www.epa.gov/nepa/nepassist>, or a similar service such as a State maintained databases. To obtain a map using Envirofacts, insert the project address in the box under the title “Get the Envirofacts” and press enter. Print the map and list of EPA regulated sites. For each EPA regulated site listed, print the compliance report.

Multifamily -

1. If you are providing assistance to multifamily housing with 5 or more dwelling units (even if leasing fewer than 5 units), provide documentation showing past uses of the site. Assistance provided to housing with 4 or fewer units does not require analysis of past uses. Examples of types of documentation could be any of the following:

* Historical aerial photographs of the site showing the status of the site through time. Go back to when the site was first zoned or developed, if the site was developed prior to 1940 you do not need to go back further than 1940. These photos may be available at the local library or the local planning department. Ask if they have access to Sanborn Fire Insurance Maps or other historical mapping data.
* A letter from someone who has specific information on the history of the site, for example the current or previous owner, the local historian, an elder in the community, the local planning department. The letter should indicate who the person is, the date the information is provided, how they have particular knowledge on the site, and the specific information on the previous uses of the site.
* A Phase I Environmental Site Assessment Report. If a Phase I report is provided, none of the above information is needed (the Envirofacts map, historic aerial photographs, and the letter from someone with specific information on the site.) These items will be included in the Phase I.

1. **A discussion of potential adverse impacts, if any.** If hazards were found that could affect the health and safety of the occupants, all impacts must be mitigated, or the site will be rejected.

Click or tap here to enter text.

### Environmental Justice

Environmental justice means ensuring that the environment and human health are protected fairly for all people regardless of race, color, national origin, or income. Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations" (2/94) requires certain federal agencies, including HUD, to consider how federally assisted projects may have disproportionately high and adverse human health or environmental effects on minority and low-income populations.

Environmental justice is an integral part of HUD's mission. The Department works with multiple stakeholders and other federal agencies in its efforts to assure environmental justice concerns are addressed.

HUD will determine whether steps are required to comply with HUD’s environmental justice policies. Environmental justice requirements are triggered when the project would result in adverse environmental impacts that will disproportionately effect a minority or low-income population. Because the communities served by CoC are by definition low-income, the best way to ensure that a project complies with environmental justice considerations is to eliminate all adverse environmental conditions.

**After completing Part 1, CoCs should submit this form along with all supporting documents to the local HUD CPD Field Office.**

## **Part 2: To be completed by HUD**

**This tiered review form may be used only for CoC project-based or sponsor-based rental assistance activities that do not anticipate any repairs, rehabilitation, construction, or demolition beyond routine maintenance, where HUD is conducting the environmental review following the procedures established in 24 CFR Part 50. Confirm that this proposal meets these requirements.**

If the proposal does not meet these criteria (for example, if rehabilitation or new construction is anticipated), HUD should complete a separate environmental review using standard formats in HEROS.

**Name of HUD Preparer**: Click or tap here to enter text.

### Historic Preservation

HUD has issued a ‘No Potential to Cause Effects’ memo for CoC leasing and rental assistance activities with no associated repairs, rehabilitation, or new construction (see <https://www.hudexchange.info/resources/documents/HUD-Memo-No-Potential-to-Cause-Effects-Historic-Properties-CoC.pdf>). This Determination does not apply to CoC projects that include reasonably foreseeable activities that exceed maintenance; therefore, HUD will confirm that the scope of work does not rise to a level above maintenance as defined in [Notice CPD-16-02](https://www.hudexchange.info/resource/3197/guidance-categorizing-activity-as-maintenance-environmental-regulations-24-cfr-parts-50-and-58/).

Failure to comply with the terms of this memo may result in delays in closing the transaction and additional costs to prepare a full environmental review record.

Check here to confirm that this conversion does not include or anticipate any reasonably foreseeable physical impacts beyond maintenance as defined in [Notice CPD-16-02](https://www.hudexchange.info/resource/3197/guidance-categorizing-activity-as-maintenance-environmental-regulations-24-cfr-parts-50-and-58/).

### Coastal Barrier Resources Act

HUD may not provide any assistance within CBRS units. Check here to confirm that site is outside of the CBR system. If the project is in a state with CBRS units, the environmental review record must include a map showing that the project site is outside the CBRS.

### Flood Insurance

Assisted leasing activities that do not include repairs, improvements, or acquisition are excepted from these flood insurance requirements. **Flood insurance is not required for rental assistance or leasing alone**. However, it may still be advisable to purchase flood insurance for leasing projects in some cases for contents or the building.

**Review the information and documentation provided by the CoC and select one of the following:**

Flood insurance will not be maintained.

Flood insurance will be maintained. Include a receipt or policy statement as proof of insurance.

### Floodplain Management

There are several different kinds of floodplains that may affect rented or leased properties. Executive Order 11988 - Floodplain Management requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable. The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). **The Environmental Review must include a FIRM to document whether the project is located in a Coastal High Hazard Area, Floodway, or 100-Year Floodplain. Remember to identify where the project is located on the map.**

**Coastal High Hazard Areas–**The Coastal High Hazard Area is an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal High Hazard Areas are identified in the FIRM map as zone “V”. **HUD must reject any project located in a Coastal High Hazard Area unless the building meets the design criteria in 24 CFR 55.1(c)(3).**[[2]](#footnote-2)

**Floodway–**The Floodway is that portion of the floodplain that is effective in carrying flow and where the flood hazard is the greatest. Floodways are identified in the FIRM map by a “cross hatch.” **HUD must reject any project located in a Floodway.**

**100-year Floodplains–** 100-year floodplains are areas where each year there is a 1 percent chance of flooding. People and property are at risk in the 100-year floodplain and HUD discourages the use of HEARTH Act funds in these areas. The area is designated on a FIRM as Zone A1–30, AE, A, AH, AO, AR, or A99.

* **For leasing or rental assistance within buildings of one to four units:** While HUD will not deny assistance to projects of four or fewer existing units in a floodplain solely on its location in a floodplain, HUD strongly recommends that grantees choosing to place people in these areas encourage participants to maintain personal flood insurance for contents. The 8-Step process is not required.
* **For leasing or rental assistance within buildings of five or more residential units:** The 5-Step Process is generally required for leasing or rental assistance within buildings of five or more units located in the 100-year floodplain. However, if the rented property is within a building of 5 or more units and the building is fully covered by flood insurance, then a 5-Step Process is not required. For information on the 5-Step Process, refer to <https://www.hudexchange.info/programs/environmental-review/floodplain-management/>

The Environmental Review must include **one** of the following:

* + Record of a completed 5- or 8-Step Process, or
  + If a rented property within a building of 5 or more units is fully covered by flood insurance and consistent with 24 CFR 55.12(b)(5), then no 5-Step Process required. Provide proof of insurance in lieu of an 8-Step Process.

**Review the information and documentation provided by the CoC and select one of the following:**

The project site does not contain any SFHAs.

* Environmental review record must include FIRM with the site clearly marked.

There is a SFHA on the site, but the project is exempt from Part 55 pursuant to 24 CFR 55.12(c).

Explain which citation applies here: Click or tap here to enter text.

* Environmental review record must include any relevant maps and plans as appropriate to the requirements in 55.12(c).

The project must be rejected, either because (a) there is a floodway on the site, and 24 CFR 55.12(c)(7) does not apply or (b) units are within a coastal high hazard area on the site, and the building does not meet the design criteria in 24 CFR 55.1(c)(3).

There is a SFHA on the site, but the 8-Step Process is not required pursuant to 24 CFR 55.12(b)(5).

* Provide proof of insurance in lieu of an 8-Step Process.

The 5-Step Process is required pursuant to 24 CFR 55.12(a)(2). (To meet this exception, the community must be in good standing in the National Flood Insurance Program, the number of units is not increased by more than 20%, the action does not meet the threshold for “substantial improvement” under 55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.)

* Work with the CoC to complete the 5-Step Process.
* Environmental review record must include the full 5-Step Process.

The 8-Step Process is required.

* Work with the CoC to complete the 8-Step Process.
* Environmental review record must include the full 8-Step Process, including the early and final public notices.

### Contamination

It is HUD policy, as described in 24 CFR Part 50.3(i), that:

1. All property proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gasses, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.
2. Environmental review of multifamily and non-residential properties shall include evaluation of previous uses of the site and other evidence of contamination on or near the site, to assure that occupants of proposed sites are not adversely affected by the hazards.
3. Particular attention should be given to any proposed site on or in the general proximity of such areas as dumps, landfills, industrial sites, or other locations that contain, or may have contained, hazardous wastes.
4. HUD and its partners shall use current techniques by qualified professionals to undertake investigations determined necessary.

The environmental review record must include all the documents described in Part 1.D. Review the documents provided and confirm that they meet the requirements outlined above.

**Review the information and documentation provided and select one of the following:**

There is no evidence of potential adverse impacts from hazardous materials, contamination, toxic chemicals and gases, or radioactive substances.

* Provide a narrative description of how you concluded that there is no evidence of toxic hazards or contamination.

Click or tap here to enter text.

There is evidence of potential adverse impacts from hazardous materials, contamination, toxic chemicals and gases, or radioactive substances. If hazards were found that could affect the health and safety of the occupants, all impacts must be mitigated, or the site must be rejected.

Note that if the hazard requires mitigation activities that exceed the definition of maintenance, the proposal will no longer meet the scope of this site-specific review form. In this case, a separate Part 50 review will be required.

* Discuss with Program Environmental Specialist or Environmental Clearance Officer to determine the appropriate next steps. This may involve mitigation, further evaluation, or rejection of the project.
* Additional reports may also be required.
* Provide a narrative description of how you concluded that toxic hazards and contamination would not present a concern for this proposal below. This should include a discussion of how contamination was evaluated, what evidence of contamination was found, any mitigation measures or conditions, and how you determined that contamination would not impact the use of the site.

Click or tap here to enter text.

### Environmental Justice

Environmental justice means ensuring that the environment and human health are protected fairly for all people regardless of race, color, national origin, or income. Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations" (2/94) requires certain federal agencies, including HUD, to consider how federally assisted projects may have disproportionately high and adverse human health or environmental effects on minority and low-income populations.

HUD will determine whether steps are required to comply with HUD’s environmental justice policies. Environmental justice requirements are triggered when the project would result in adverse environmental impacts that will disproportionately affect a minority or low-income population. Because the communities served by CoC are by definition low-income, the best way to ensure that a project complies with environmental justice considerations is to eliminate all adverse environmental conditions. If there are disproportionate environmental risks or impacts, HUD must meaningfully inform the affected community of these impacts and involve them in a participatory planning process to address (remove, minimize, or mitigate) the adverse effect from the project.

**Review the findings and conclusions above and select one of the following:**

There are no adverse environmental conditions or impacts that will disproportionately impact the community receiving CoC assistance.

There is potential for adverse effects that will disproportionately impact CoC clients, but the effected community was engaged in a planning process to resolve those impacts. Describe that process below and provide documentation in the environmental review record.

Click or tap here to enter text.

### Finding and Certifications

I certify that I have completed this review and prepared the environmental finding where applicable. If information was supplied by an applicant or contractor, I have independently evaluated the information for accuracy and supplemented it if necessary, to conform to the requirements of 24 CFR 50.

I recommend this project for approval.

I recommend this project for approval, with the following mitigation measures.

Click or tap here to enter text.

Due to extraordinary circumstances or change in project scope, I recommend that a separate environmental review be completed to evaluate environmental impacts beyond the scope of this tiered review.

I recommend this project be rejected.

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HUD Preparer’s Signature

Date: Click or tap here to enter text.

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HUD Certifier’s Signature

Date: Click or tap here to enter text.

**After completing Part 2, HUD will scan and upload this form and all accompanying supporting documents to HEROS.**

1. For example, a Public Housing AMP with 3 buildings that are located on non-adjacent sites would need to have three forms completed. [↑](#footnote-ref-1)
2. For leasing and rental assistance projects, a qualifying project must be in an existing building designed for a Coastal High Hazard Area, meaning that:

   (A) The work met FEMA elevation and construction standards for a coastal high hazard area (or if such a zone or such standards were not designated, the 100-year floodplain) applicable at the time the original improvements were constructed; *or*

   (B) If the original improvements were constructed before FEMA standards for the 100-year floodplain became effective or before FEMA designated the location of the action as within the 100-year floodplain, the work would meet at least the earliest FEMA standards for construction in the 100-year floodplain.

   [↑](#footnote-ref-2)