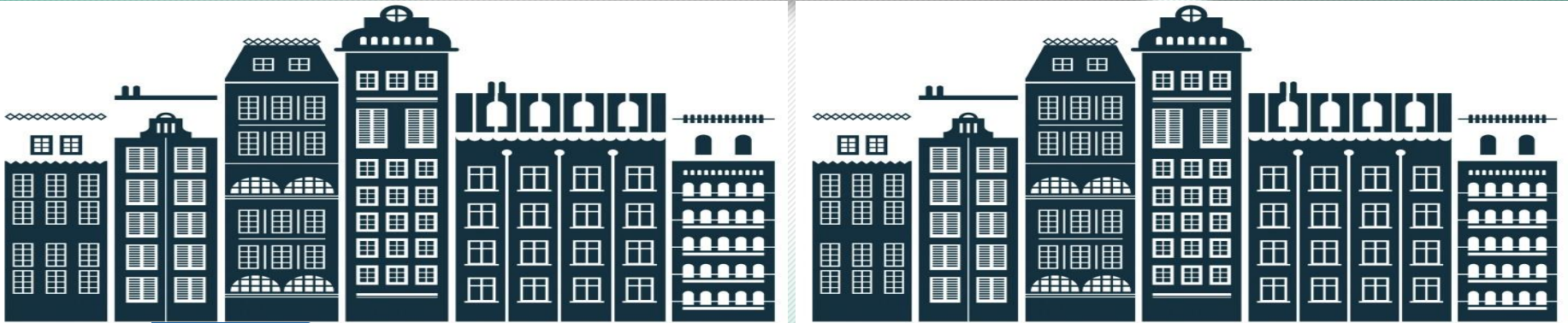


U.S. Department of Housing and Urban Development (HUD)  
Office of Lead Hazard Control and Healthy Homes (OLHCHH)

# FY2021 NEW GRANTEE ORIENTATION

*Title Example -OLHCHH Overview of New Grantee Start-Up*

Karen M. Griego  
Program Environmental Clearance Officer  
Karen.M.Griego@HUD>GOV



**VIRTUAL CONFERENCE, MAY 3<sup>RD</sup> - MAY 14<sup>TH</sup>, 2021**

# What is an Environmental Review

- Analysis of the impact of a project on the surrounding environment and vice versa.

# National Environmental Policy Act of 1969

- Requires Federal agencies to consider the environmental impact of proposed actions early in the planning and decision making process
- A process designed to encourage public participation
- Requires that documents be available to the public

# Implementing Regulations

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

Procedures used by entities who assume HUD's ER responsibilities in determining program compliance with the intent of NEPA and other related statutes (historic preservation, flood insurance, wetlands protection, etc.). Only those programs with a specific statute allows governing entities to assume the Federal responsibility

24 CFR 58.1(b)(5) - LHR Grant Program or 58.1(b)(7) under an appropriations act

# Tiered Environmental Review

## 24 CFR Part 58.15 Tiering

- OLHCHH requires grantees conduct Tier ER's
- Tier I Review should be completed within 120 days from grant start-up date
- Tier 1 ER or recommended Environmental Review Records(ERR) format
- NOI/RROF and Environmental Certification Form HUD 7015.15
- Authority to Use Grant Funds - Form HUD 7015.16
- Tier II for individual projects

# Part 58 Responsible Entity

- Responsible Entity (RE) assumes federal responsibilities
- RE = a unit of general local government, tribe or State Responsible Entity Certifying Officer
- Certifying Officer is the highest ranking (elected) official unless this authority is formally delegated
  - Evaluates the environmental review
  - Is responsible for scope and content
  - Makes environmental finding
  - Goes to court in a lawsuit

# Environmental Review Record (ERR)

- The ERR shall:
- Describe all activities that are part of the project
- Evaluate effects of project on human environment
- Document compliance with applicable authorities, perform the environmental review particularly 58.5 and 58.6
- Comprise a record of determinations and findings
- Contain verifiable source documents and relevant base data supporting determinations and findings

# HEROS - HUD Environmental Review Online System

- Developed by HUD's Office of Environment and Energy (OEE)
- Web-based system for Responsible Entities and HUD to prepare and manage Environmental Review Records (ERR)
- Streamlines the environmental review process
  - replaces paper-based process



# HEROS - HUD Environmental Review Online System

- ✓ Users create electronic ERR's and manage reviews from a single, electronic portal
- ✓ Promotes accountability and transparency for HUD-assisted projects - ERR's are available for public review during public comment period and are “archived” for five years for broad-level tiered reviews on the HUD Exchange website at:

<https://www.hudexchange.info/programs/environmental-review/environmental-review-records/>

# HEROS “How To” Videos & User Guide

- ✓ This online video provides an introduction and overview to HEROS
- ✓ The Overview video is available on the HUD Exchange at:

<https://www.hudexchange.info/training-events/courses/heros-e-tutorial-overview/>

<https://www.hudexchange.info/resource/3150/heros-user-guide/>

# Getting Started

- OLHCHH Grantees (except most Technical Studies Grantees) are required to fulfill their environmental review responsibilities in HEROS
- To access HEROS, all Users must have an active HUD User account (a B or C ID Account and password) that is currently in Active status and authorized to access HEROS

• <https://www.gotostage.com/channel/f4a0dda684424a94be27d697e2d04326/recording/e15769707efa4721a88620fe2ede72d9/watch?source=CHANNEL>



OLHCHH Grantee Training

**ENVIRONMENTAL REVIEW  
TRAINING FOR  
FY 2019 OLHCHH GRANT  
AWARDEES**

Presented by:  
Karen M. Griego  
Program Environmental Clearance Officer  
[Karen.M.Griego@HUD.GOV](mailto:Karen.M.Griego@HUD.GOV)  
505-346-6462

JAN 8, 2020

**Navigating HEROS and the Environmental Review-Request for Release of Funds**

This webinar is ideal for grantees who are new to the HUD Environmental Review Online System (HEROS), new to the Environmental Review Requirements at 24 CFR 58, and/or to those who need a refresher. States and tribes are invited to attend as well.

# Environmental Review Records

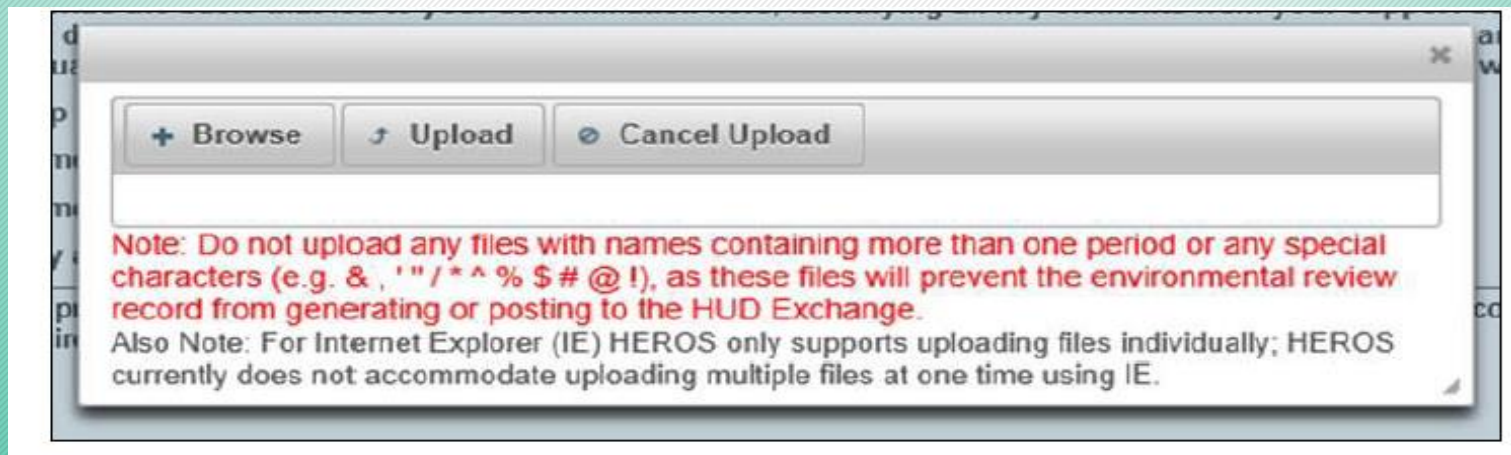
- Want to see examples???
- <https://www.hudexchange.info/programs/environmental-review/environmental-review-records/>

# HEROS Technical Support

- ✓ Each environmental review preparer and oversight official must register for HEROS access using the HEROS Access Form (current as of September 2019) available here:  
<https://docs.google.com/forms/d/e/1FAIpQLSdzD9KpXZKdVw1cRgqqc9g4Z0ZDXK7DnvKfL10f4bZJmRU1QQ/viewform>
- ✓ If, at any time, you require technical assistance with HEROS, you may submit your questions through this portal:  
<https://www.hudexchange.info/program-support/my-question/>

# Important tips

- ONLY USE INTERNET EXPLORER or EDGE WITH HEROS
- Press Save and Continue OFTEN - HEROS times out
- HEROS does NOT ACCEPT file documents with names containing more than one period or any special characters



# Transition from Tier 1 to Tier 2

- Most FY 2020 Grantees have started or completed the Tier I and RROF
- Brief Review of the Authority to Use Grant funds from HUD and
- Tier 2 - Site Specific ERs

# “Assign Review” - Tier 1, RROF to HUD

- Although you may assign your environmental review to HUD at any time during the process for review/comment, the last step in the Tier I and RROF process is Assigning to HUD when all steps and documentation are complete and uploaded to HEROS
- When assigning for the first time, type the name of the next authorized reviewer/User or HUD contact





# Authority to Use Grant Funds - Form HUD 7015.16

- At the conclusion of the public comment/objection period to HUD, and assuming no administrative corrections are needed or valid objections received, OLHCHH PECO will process the AUGF, for signature by the OLHCHH Director
- The executed AUGF is uploaded to the AUGF (7015.16) screen in HEROS, and then assigned back to you, the RE
- A courtesy electronic copy of the 7015.16, will be emailed

**Authority to Use  
Grant Funds**

U.S. Department of Housing  
and Urban Development  
Office of Community Planning  
and Development

|  |   |
|--|---|
| <b>To:</b> (name & address of Grant Recipient & name & title of Chief Executive Officer)<br>Wiley Stern III<br>City Manager<br>City of Waco<br>P.O. Box 257D<br>Waco, TX 76701 | <b>Copy To:</b> (name & address of Sub/recipient) |
|--|---|

|  |                 |
|--|-----------------|
| We received your Request for Release of Funds and Certification, form HUD-7015.13 on | August 19, 2019 |
| Your Request was for HUD/State Identification Number                                 | TXLHB0703-18    |

All objections, if received, have been considered. And the minimum waiting period has transpired.  
You are hereby authorized to use funds provided to you under the above HUD/State Identification Number.  
File this form for proper record keeping, audit, and inspection purposes.

The Office of Lead Hazard Control and Healthy Homes (OLHCHH) received your Request for Release of Funds package, including the Environmental Certification (RROF) form HUD 7015.13, dated August 19, 2019, for the Lead Based Paint Hazard Reduction Grant Program TXLHB0703-18. Healthy Homes Supplemental Grant funds were awarded under the same instrument.

HUD has not received any public objections or comments to the RROF within the designated public comment period and all RROF related Environmental Review procedures are now complete. Therefore, HUD has removed certain environmental grant conditions, effective September 4, 2019. The issuance of this Authority to Use Grant Funds permits you/the program administrators to commit and expend HUD and non-HUD funds to undertake lead-based paint hazard control intervention and minor rehabilitation activities that will have a physical impact upon enrolled, eligible housing units as long as the following conditions are met:

1. This Release of Funds (ROF) relates only to the environmental conditions as specified in the respective grant agreements, for proposed projects within the identified (in ERR) high risk areas of the City of Waco. Prior to undertaking lead hazard control and related minor rehabilitation intervention activities, the program administrator should have satisfied other grant conditions, such as the approval of the budget, work plan, policies and procedures, and benchmark performance standards. All of these should be reviewed and approved by the grant's assigned Government Technical Representative (GTR).
2. The AUGF is based upon the City's certification of a tiered environmental review strategy, permissible 24 CFR 58.15. You are required to complete the Tier II site-specific Environmental Review for each project when information that is more detailed becomes available and prior to commitment of grant or match funds.
3. The Tier II site-specific environmental review should document, for each project (i.e., housing structure) where a physical intervention is proposed, compliance with the applicable related environmental laws and authorities at 24 CFR § 58.5, as well as other requirements at 24 CFR § 58.6. Recommended formats and instructions were previously provided to , Marcus Davila of your staff.
4. If the nature or extent of your program or projects changes substantially, you must update your Environmental Review Record (ERR) and, if you deem it appropriate, you must file a new RROF with HUD.

If you have questions or concerns regarding this Release of Funds, please contact me at 505.346.6462 or Karen.M.Griego@hud.gov

|   |   |                                      |
|---|---|--------------------------------------|
| <b>Typed Name of Authorizing Officer</b><br>Matthew E. Ammon<br><b>Title of Authorizing Officer</b><br>Director, Office of Lead Hazard Control and Healthy Home | <b>Signature of Authorizing Officer</b><br>X  | <b>Date (mm/dd/yyyy)</b><br>9/9/2019 |
|---|---|--------------------------------------|

Previous editions are obsolete.

Form HUD-4015.13 (3/14)  
ref. Handbook 6513.01

# Finally

- Submit an electronic copy of the Environmental Certification Form HUD 7015.15, an electronic copy of the public notice (NOI/RROF), as well as the executed Authority to Use Grant Funds Form HUD 7015.16, to your GTR
- Request that your GTR upload these documents to the Environmental Tab in HHGMS
- Return to HEROS and follow the instructions in the Complete and Archive screen
- Upload site-specific Tier II environmental reviews and other requested information in the Site Specific Screen of HEROS, when completed

# Tier 2 - Site Specific Review

- Need only consist project-specific details
- Need only contain findings and conclusions on the laws/authorities for which areawide compliance was not achieved
- Your Written Strategy is your best guide
- Format - Use Statutory Worksheet template available at: <https://www.hudexchange.info/resource/3139/part-58-environmental-review-cest-format/>
  - Update the form title
  - ID laws/authorities cleared in Tier 1 - avoid duplication
  - Complete analysis, including source documentation, for Tier 2 env laws/authorities
  - Upload all to HEROS

My Tiered Environmental Reviews

Initial Screen

Level of Review Determination

Project Summary

Related Laws and Authorities

Written Strategy

Environmental Finding

Package

Signature and Posting

NOI-RROF

RROF (7015.15)

AUGF (7015.16)

Complete and Archive

Site-Specific Reviews

1240 - Site-Specific or Tier 2 Reviews (50/58)

Project Name: Lead-Reduction-and-Awareness-Cooperative

Ensure that the information provided on this screen and in the attached documents does not violate HUD's guidance on sensitive information. Be cautious when providing information that may endanger certain types of projects, such as domestic violence shelters. If your project location is sensitive and should be kept confidential, disclose neither the street address nor the services provided by the facility. Note that to maintain a degree of privacy does not mean a diminution of the environmental review responsibility. The same level of technical analysis and performance of environmental review requirements must be achieved in compliance with HUD environmental regulations.

(1 of 1) [Navigation icons] 1 [Navigation icons] 10

| Select                   | Site-Specific Review Name | Street                  | City                 |
|--------------------------|---------------------------|-------------------------|----------------------|
| <input type="checkbox"/> | <input type="text"/>      | <input type="text"/>    | <input type="text"/> |
| <input type="checkbox"/> | 1000 E. Abriendo Avenue   | 1000 E. Abriendo Avenue | Pueblo               |
| <input type="checkbox"/> | 2823 5th Avenue           | 2823 5th Ave            | Pueblo               |

(1 of 1) [Navigation icons] 1 [Navigation icons] 10

View selected site    Add new site    Delete selected sites

# Tier 2 Laws/Authorities

- Historic Preservation
- Floodplain Management
- Flood Insurance
- Contamination and Toxic Substances
- Endangered Species
- Noise Abatement and Control
- Wetlands Protection

# Flood Insurance

- The Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) requires that projects receiving federal assistance and located in an area identified by the Federal Emergency Management Agency (FEMA) as being within a Special Flood Hazard Areas (SFHA) be covered by flood insurance under the National Flood Insurance Program (NFIP). In order to be able to purchase flood insurance, the community must be participating in the NFIP. If the community is not participating in the NFIP, federal assistance cannot be used in those areas.
- Compliance with Flood Insurance is determined at the project-level (Tier II) review.

|  |   |  |
|--|---|--|
| <b>Flood Insurance</b><br>[Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994<br>[42 USC 4001-4128 and 42 USC 5154a]] | <input type="radio"/> Yes <input checked="" type="radio"/> No |  |
|--|---|--|



Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. If the community is not participating, or if its participation has been suspended, federal assistance may not be used for projects in the Special Flood Hazard Area.

## Compliance and Documentation

The environmental review record should contain **one** of the following:

- Documentation supporting the determination that the project does not require flood insurance or is excepted from flood insurance
- A FEMA Flood Insurance Rate Map (FIRM) showing that the project is not located in a Special Flood Hazard Area
- A FEMA Flood Insurance Rate Map (FIRM) showing that the project is located in a Special Flood Hazard Area along with a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance in the review

[View Flood Insurance - Worksheet.](#)

[View Flood Insurance - Partner Worksheet.](#)





FEMA

# FEMA Flood Map Service Center: Welcome!

Looking for a Flood Map? [?](#)

**Enter an address, a  
place, or  
longitude/latitude  
coordinates:**



Navigation



Search



Languages



In this Section

# Floodplain Management

- 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 as geographic zones subject to varying levels of flood risk. Each zone reflects the severity or type of potential flooding in the area. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs) or Flood Hazard Boundary Map.
- HUD's regulations in 24 CFR Part 55 outline HUD's procedures for complying with EO 11988. Part 55 applies to all HUD actions that could be harmed or cause harm if located in a floodplain, including but not limited to proposed acquisition, construction, demolition, improvement, disposition, and financing actions under any HUD program. The purpose of Part 55 is not in most cases to prohibit actions in a floodplain, but to provide the method for HUD projects to comply with EO 11988 and avoid unnecessary impacts.

# Floodplain Management

- Step 1: Determine whether any of the exceptions at 55.12(c) apply
  - OLHCHH PECO notes that none of the exceptions apply to Lead Hazard Reduction and/or Healthy Homes Production grant funded projects
- Step 2: Determine whether the target area(s) of the program contain floodplains
  - FEMA Map Service Center OR
  - For information on finding best available information for project/program areas that are not mapped by FEMA, see Floodplain Maps for HUD Projects
- Step 3: Determine if the 8-step Process is required
  - OLHCHH PECO notes that the modified 8-step (the 5-step) is required for programs whose target areas contain a floodplain and whose programs will provide assistance to reduce lead/healthy homes hazards in multifamily (>4 unit) structures (ref. 55.12(a))
  - If the program will limit assistance to reduce lead/healthy homes hazards in ONLY single-family dwelling units, *no 8-step or 5-step are required*
- *In all cases, if you anticipate substantial improvement (cumulative investment equals or exceeds 50% of the structure's market value before the improvement or repair)*

# Floodplain Management

- **Compliance and Documentation**

- *The environmental review record should contain one of the following:*

- Documentation supporting the determination that an exception at 55.12(c) applies.

- A FEMA map showing the project is not located in a Special Flood Hazard Area.

- A FEMA map showing the project is located in a Special Flood Hazard Area and an applicable citation to 55.12(b) demonstrating that the 8-Step Process is not required.

- A FEMA map showing the project is located in a Special Flood Hazard Area, documentation that the 5-Step Process was completed, and the applicable citation to 55.12(a).

- A FEMA map showing the project is located in a Special Flood Hazard Area along with documentation of the 8-Step Process and required notices.

# Historic Preservation

- **Historic properties** are those that are listed in or eligible for listing in the National Register of Historic Places (NR). The National Register is a list of districts, sites, buildings, structures, and objects that have been determined by the National Park Service to be significant in American history, architecture, archeology, engineering, and culture, at the local, state or national level. Generally, a property must be at least 50 years old to qualify, but there are exceptions. The grantee should consult the National Register database, existing state and local inventories, local historical and preservation organizations, and local planning departments to identify properties that are listed in or eligible for the National Register.
- All assisted activities require Section 106 review except projects that are exempt or 'categorically excluded not subject to' under HUD regulations (24 CFR Parts 50 and 58) or that are determined by HUD to have "No potential to Affect Historic Properties" as defined at 36 CFR 800.3.



work with consulting parties to try to avoid, minimize or mitigate adverse effects. The Advisory Council on Historic Preservation must be notified and given an opportunity to participate in the consultation. Refer to 36 CFR 800.6 and 800.7. Resolution of adverse effects generally results in a Memorandum of Agreement that spells out how the adverse effects will be minimized and/or mitigated. If adverse effects cannot be satisfactorily mitigated, the HUD official or Responsible Entity may disapprove a project.

## Compliance and Documentation

It is important to remember that the environmental review record (ERR) must show that Section 106 review was completed before approval is given to proceed with HUD assisted projects.

The environmental review record should contain documentation on **one** of these types of findings:

### 1. No Historic Properties Affected

- Letter from SHPO (or THPO on tribal lands\*) that concurs with HUD's or the Responsible Entity's determination of "no historic properties affected"
- With documentation on 1) the undertaking and the APE (including photographs, maps, and drawings, as necessary), 2) steps taken to identify historic properties, 3) the basis for determining that no historic properties are present or affected, 4) evidence of tribal consultation if required; and 5) copies or summaries of any views provided by consulting parties and the public
- If the SHPO has not responded to a properly documented request for concurrence within 30 days of receipt of the request, document the request and lack of response as part of the record

### 2. No Adverse Effect

- Letter from SHPO (or THPO on tribal lands\*) that concurs with HUD'S or the Responsible Entity's finding of "no adverse effect"
- With documentation on 1) the undertaking and the APE (including photographs, maps, and drawings, as necessary), 2) steps taken to identify historic properties, 3) affected historic properties (including characteristics qualifying them for the NR), 4) the undertaking's effects on historic properties, 5) why the criteria of adverse effect were not applicable (§800.5), 6) evidence of tribal consultation if required, and 7) copies or summaries of any views provided by consulting parties and the public
- If the SHPO has not responded to a properly documented request for concurrence within 30 days of receipt of the request, document the request and lack of response as part of the record



### 3. Adverse Effect

- Notification of adverse effect sent to Advisory Council on Historic Preservation
- Letter from SHPO (or THPO on tribal lands\*) that concurs with a finding of “adverse effect”
- With documentation on 1) the undertaking and the APE (including photographs, maps, and drawings, as necessary), 2) steps taken to identify historic properties, 3) affected historic properties (including characteristics qualifying them for the NR), 4) the undertaking’s effects on historic properties, 5) why the criteria of adverse effect are applicable (§ 800.5), 6) evidence of tribal consultation if required, and 7) copies or summaries of any views provided by consulting parties and the public
- A Memorandum of Agreement (MOA) or a Programmatic Agreement (PA) signed by the HUD official or Responsible Entity, SHPO/THPO, the Advisory Council on Historic Preservation if participating, and other signatory and concurring parties
- If resolution is not reached in an MOA or PA, provide correspondence and comments between the Advisory Council on Historic Preservation and HUD Secretary (for Part 50 projects) or Responsible Entity’s chief elected local official (for Part 58 projects)

#### **When do you consult with the THPO in lieu of the SHPO?**

If the project occurs on tribal lands, you consult with the THPO in lieu of the SHPO if they have assumed the role of the SHPO on tribal lands. Otherwise, and on non-tribal lands, you consult with the THPO in addition to the SHPO. A party on non-tribal lands that may be affected by a project on tribal lands with a THPO may request that the SHPO participate.

[View Historic Preservation - Worksheet.](#)

[View Historic Preservation - Partner Worksheet.](#)

## Related Resources

- ▶ [Section 106 Checklist](#)
- ▶ [Section 106 Flowchart](#)
- ▶ [Historic Preservation FAQs](#)

# Noise

- **Compliance and Documentation**

- The environmental review record should contain one of the following:
- Documentation the proposed action is not within 1000 feet of a major roadway, 3,000 feet of a railroad, or 15 miles of a military or FAA-regulated civil airfield
- If within those distances, documentation showing the noise level is *Acceptable* (at or below 65 DNL)
- If within those distances, documentation showing that there's an effective noise barrier (i.e., that provides sufficient protection)
- Documentation showing the noise generated by the noise source(s) is *Normally Unacceptable* (66 - 75 DNL) and identifying noise attenuation requirements that will bring the interior noise level to 45 DNL and/or exterior noise level to 65 DNL



# Noise

## HUD Guidance

**Are there potential noise generators in the vicinity of the project?** Review general location maps and/or conduct a field review to screen for major roadways (within 1,000 feet), railroads (within 3,000 feet), and military or FAA-regulated airfields (with 15 miles) in the vicinity of the project.

**If a noise assessment was performed, was the noise found to be Acceptable, Normally Unacceptable, or Unacceptable?**

### Site Acceptability Standards

| Noise Zone            | Day-night average sound level (in decibels) | Special approvals and requirements  |
|-----------------------|---|---|
| Acceptable            | Not exceeding 65 dB                         | None  |
| Normally Unacceptable | Above 65 dB but not exceeding 75 dB         | <ul style="list-style-type: none"><li>• Environmental assessment and attenuation required for new construction</li><li>• Attenuation strongly encouraged for major rehabilitation</li></ul> <p>Note: An environmental impact statement is required if the project site is largely undeveloped or will encourage incompatible development.</p> |
| Unacceptable          | Above 75 dB                                 | <ul style="list-style-type: none"><li>• Environmental impact statement required</li><li>• Attenuation required for new construction with approval by the Assistant Secretary of CPD or Certifying Officer</li></ul>   |

# Wetlands Protection

- Executive Order 11990: Protection of Wetlands requires Federal activities to avoid adverse impacts to wetlands where practicable. As primary screening, HUD or grantees must verify whether the project is located within wetlands identified on the National Wetlands Inventory (NWI) or else consult directly with the Department of Interior- Fish and Wildlife Service (FWS) staff. If FWS staff is unavailable, HUD or grantees are to consult with the USDA/NRCS National Soils Survey or the U.S. Army Corp of Engineers (ACE).

# Wetlands Protection

- Does an exception apply? HUD's regulation on floodplains and wetlands was amended in November 2013 to include the following exceptions that would exclude a project from wetlands review: 55.12(a)(3), 55.12(a)(4), 55.12(c)(3), 55.12(c)(7), and 55.12(c)(10).
- Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order.

# Wetlands Protection

- **Compliance and Documentation**
  - The environmental review record should contain one of the following:
  - Documentation supporting the determination that an exception at 55.12(a)(3), 55.12(a)(4), 55.12(c)(3), 55.12(c)(7), or 55.12(c)(10) applies.
  - Documentation supporting the determination that the project does not involve new construction (as defined in Executive Order 11990), expansion of a building's footprint, or ground disturbance.
  - A map or other relevant documentation supporting the determination that the project does not impact an on- or off-site wetland.
  - A completed 8-Step Process, including a map and the early and final public notices.



USFWS

# NWI Mobile Website

ENHANCED BY Google



NWI Home



## Wetlands Mapper

The Wetlands mapper is designed to deliver easy-to-use, map like views of America's Wetland resources. It integrates digital map data along with other resource information to produce current information on the status, extent, characteristics and functions of wetlands, riparian, and deepwater habitats. The Wetland Mapper fulfills the U.S. Fish and Wildlife Service's strategic plan for the development, revision and dissemination of wetlands data and information to resource managers and the public. This information is intended to promote the understanding and conservation of wetland resources through discovery and education as well as to aid in resource management, research and decision making.

The wetlands displayed on the Wetlands Mapper show wetland type and extent using a biological definition of wetlands. There is no attempt to define the limits of proprietary jurisdiction of any Federal, State, or local government, or to establish the geographical scope of the regulatory programs of government agencies.



# Contamination and Toxic Substances

- It is HUD policy, as described in 24 CFR Part 50.3(i) and 24 CFR 58.5(i)(2), that:
- 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.
- 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.
- 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.
- The responsible entity shall use current techniques by qualified professionals to undertake investigations determined necessary
- It is therefore essential that responsible entities, potential grant applicants, and other HUD program participants become familiar with the potential environmental issues involving property before leasing, optioning, and/or acquiring the property. Unknowing individuals or parties that acquire contaminated property with good intentions could face liability for clean-up costs under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), third party lawsuits, and costly delays in implementing the project.

# NEPAssist

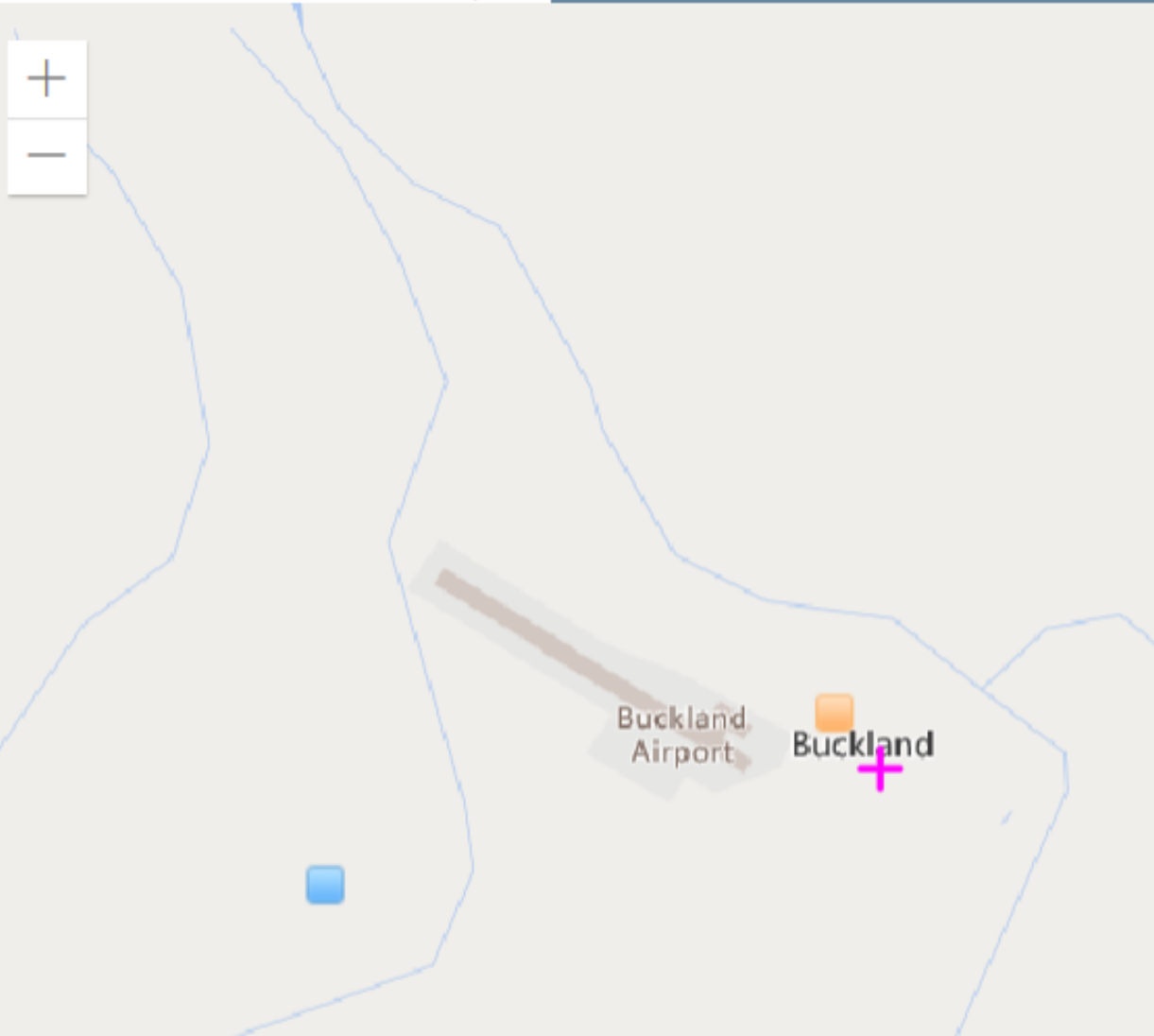
Home | Help



Find address or place

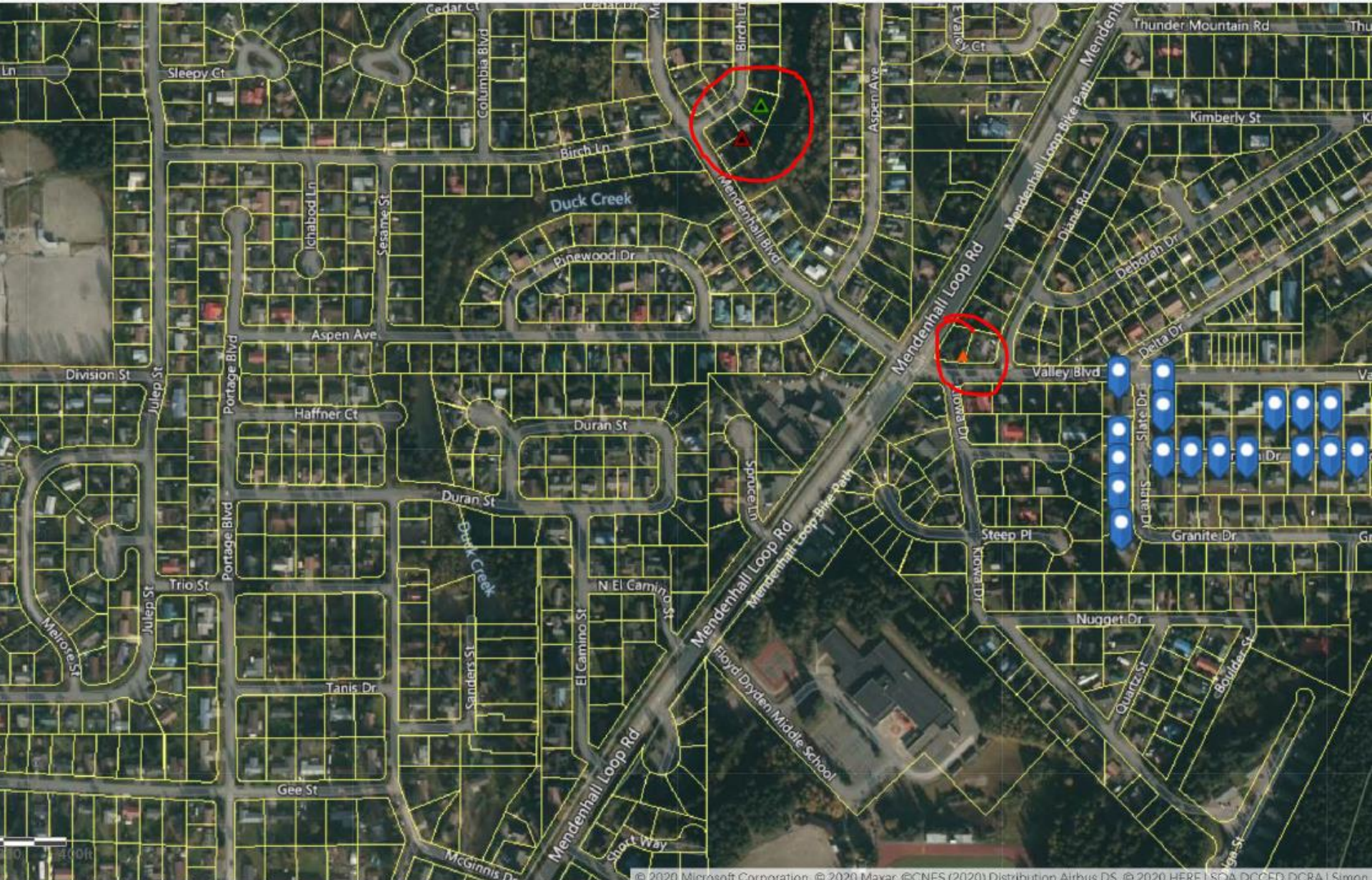
Map navigation toolbar with icons for zoom, pan, and layers

Map zoom controls: + and - buttons



### Select Map Contents

- EPA Facilities**
  - Hazardous Waste (RCRAInfo)
  - Air Pollution (ICIS-AIR)
  - Water Dischargers (NPDES)
  - Toxic Releases (TRI)
  - Superfund (NPL)
  - Brownfields (ACRES)
  - Toxic Substances Control Act (TSCA)
- Water Monitoring Stations
- Boundaries
- Nonattainment Areas
- Water Features
- Transportation
- Places
- Soil Survey Map





# Endangered Species

- The environmental review record should contain **one** of the following determinations and supporting documentation:
- No Effect, including a determination that the project does not involve any activities that have a potential to affect species or habitats, evidence that there are no federally listed species in the area, or other analysis supporting a No Effect finding
- May Affect, Unlikely to Adverse Affect, including all correspondence with the Fish and Wildlife Service or the National Marine Fisheries Service
- Likely to Adversely Affect, including all correspondence with the Fish and Wildlife Service or the National Marine Fisheries Service

# Endangered Species

- Does the project involve any activities that have the potential to affect species or habitats?
- The first step in complying with section 7 of the ESA is to determine whether the project includes any activities with the potential to affect any species or habitats. A No Effect determination can be made if none of the activities involved in the project have potential to affect species or habitats. Examples of actions without potential to affect listed species may include: rental assistance, purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.
- Additionally, you may be able to determine that the project will have No Effect on listed species or designated critical habitats based on an applicable letter of understanding, memorandum of agreement, programmatic agreement, or local checklist. Consult your Field Environmental Officer or local HUD office's environmental guidance website to determine if this option is available in your area.
- If you are able to determine based on the types of activities involved in your project that it will have No Effect on listed species or designated critical habitats, the project is in compliance with the ESA. Describe your analysis and conclusions in the environmental review record (ERR), including references to local agreements and checklists if applicable.

**END**

# OLHCHH Contacts

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# Thank YOU!

- QUESTIONS?