

The contents of this document, except when based on statutory or regulatory authority or law, does not have the force and effect of law and is not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

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 ensures the proposed project does not negatively impact the surrounding environment and the project site does not adversely affect resident health and safety.

For background on HUD's environmental review requirements, as well as helpful references, see <https://www.hudexchange.info/programs/environmental-review/>

The Rental Assistance Demonstration (RAD) has specific guidance for RAD awardees that differs from the process used by Public and Indian Housing (PIH). PIH encourages the use of a Part 58 review performed by the local unit of government holding land use authority, acting as the Responsible Entity. This agency has expertise in local environmental requirements. This summary addresses environmental requirements for non-RAD repositioning.

PHA's considering repositioning a public housing project to a new subsidy platform need to incorporate the repositioning plan into their environmental scope of work as presented in PIH notice 2016-22. As part of the environmental review process, the Responsible Entity (under Part 58) or HUD Field Staff (under Part 50) must comply with the historic preservation requirements under Section 106 of the National Historic Preservation Act. Securing an historic resource determination through the State Historic Preservation Officer may have a longer timeline than usual, since public housing repositioning seeks to remove the asset from federal control and all further federal environmental actions.

The level of environmental review required varies depending on the scope of work, conditions of the property and location, and any known future use. Depending on the level of review, the Responsible Entity may be required to issue to the PHA an executed HUD 7015.15 Request for Release of Funds/Certification (RROF/C) with Parts 1 and 2 completed. The PHA completes Part 3 and forwards the RROF/C to the local PIH Field Office. The environmental review is complete only after HUD approves the HUD-7015.16, Authority to Use Grant Funds (AUGF).

For repositioning activities conducted under Part 58, the local PIH Field Office receives the RROF/C from the Responsible Entity and prepares the AUGF. A Categorically Excluded Subject to 58.5 (CEST) level of review does not require an RROF/C or public notice if the RE determines the project converts to exempt under 24 CFR 58.34(a)(12).