

# **ICDBG IMPLEMENTATION TRAINING FOR GRANTEES**

**—**

## **Environmental Reviews**

**OFFICE OF NATIVE AMERICAN PROGRAMS**



# **ENVIRONMENTAL REVIEWS:**

## **24 CFR § 58 – Acronym Library**

**RE:** Responsible Entity

**ER:** Environmental Review

**ERR:** Environmental Review Record

**CENST:** Categorically excluded, not subject to 58.5

**CEST:** Categorically excluded, subject to 58.5

**EA:** Environmental Assessment

**RROF:** Request for Release of Funds

**HEROS:** HUD's online system to complete ERRs



# ENVIRONMENTAL REVIEWS:

## 24 CFR § 58 – KEY TERMS / ONAP POC

- Office of Native American Programs Points of Contact in ONAP Area Office
  - **Grants Management Specialist (GMS)** and **Grants Evaluation Specialist (GES)**
- GMS & GES provide guidance on:
  - HUD rules and regulations
  - Contact with other agencies
  - Forms and documentation required by HUD



# ENVIRONMENTAL REVIEWS: WHY DO WE DO THEM?

## **National Environmental Policy Act of 1969 (NEPA):**

- Promote efforts that would prevent or eliminate damage to the environment and biosphere
- Formal process of review that examines the potentially negative or beneficial effects that result from an activity

## **Goals of an ER:**

- ❖ Consider environmental consequences of actions
- ❖ Provide the public and government entities opportunity for input on findings
- ❖ Protect residents, neighborhoods, communities, land, air, and water



# ENVIRONMENTAL REVIEWS: WHO DOES WHAT?

- ICDBG Tribes assume Federal environmental decision-making (24 CFR § 58)  
(<https://www.ecfr.gov/current/title-24/subtitle-A/part-58>)
- Tribe assumes responsibility for compliance with NEPA and all related laws and authorities (24 CFR § 58.5/ § 58.6)
- Tribe is Responsible Entity (RE) - TDHE/CBDO/Tribal Entity may be the grant recipient, but **only the Tribe can be the RE**





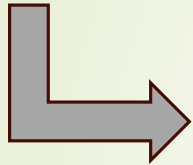
# ENVIRONMENTAL REVIEWS

- ▶ What requires an Environmental Review?
  - ✓ **EVERY HUD-funded activity requires an ERR**
- ▶ What does an Environmental Review include?
  - ✓ HUD checklist and supporting compliance documentation
  - ✓ Every compliance analysis needs supporting documentation
  - ✓ Recommend using HEROS to complete the review or HEROS Partner Worksheets (discussed in later slides)

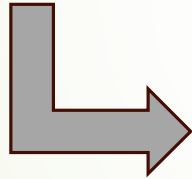


# ENVIRONMENTAL REVIEWS: OVERVIEW

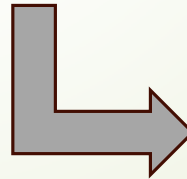
**Step 1: Develop a  
Meaningful Project  
Description**



**Step 2: Determine  
the Level of Review**



**Step 3: Conduct Review for  
Compliance with Laws,  
Authorities, and EA Analysis**



**Step 4: Finalize  
Review**



# ENVIRONMENTAL REVIEW:

## STEP ONE – PROJECT DESCRIPTION

- ✓ Basis for determining the level of Environmental Review
- ✓ Include the funding source, estimated budget, timeline, and a detailed description of the activities/work
- ✓ Include non-HUD funded activities that are part of the project





# ENVIRONMENTAL REVIEW:

## STEP TWO – LEVEL OF REVIEW

“Exempt” [24 CFR § 58.34](#) and “Categorically Excluded NOT subject to 58.5” (CENST) [24 CFR § 58.35\(b\)](#):

- ✓ Non-physical activities: development of plans and strategies, architecture + engineering, administrative, tenant based rental assistance, supporting services, operating costs
- ✓ Maintenance (very limited activities – see [CPD Notice 16-02](#))



# ENVIRONMENTAL REVIEW:

## STEP TWO – LEVEL OF REVIEW (cont.)

“Categorically Excluded subject to 58.5” ([24 CFR § 58.35\(a\)](#))

- ✓ Rehabilitation of existing buildings and infrastructure that meet specific criteria
- ✓ Acquisition of existing buildings for same use
- ✓ Demolition and/or new construction of single-family houses that meet specific criteria (“individual action”)

### “Environmental Assessment”

- ✓ Generally, new construction and all activities that are not exempt or categorically excluded



# ENVIRONMENTAL REVIEW:

## STEP TWO – LEVEL OF REVIEW (cont.)

How do I know what level of review an activity needs?

- Take a training:
  - ❖ CodeTalk calendar ([CodeTalk - Calendar of Events | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#))
  - ❖ WISER Online training ([Web-Based Instructional System for Environmental Review \(WISER\) - HUD Exchange](#))
  - ❖ Tribal webinars ([CodeTalk- Environmental Training](#))
- ➡ Reference the regulations: [24 CFR § 58 Subpart D](#)
- ➡ Ask your GMS/GES



**LEVEL OF ENVIRONMENTAL REVIEW**

Exempt/CENST covered in Part 50 Programmatic Review <a href="#">PIH Notice 2024-24</a>	Exempt Activities <i>NOT</i> covered by Part 50 Programmatic Review <a href="#">PIH Notice 2024-24</a>	<a href="#">58.35(a) Categorically Excluded Subject to 58.5 (CEST)</a>	<a href="#">58.36 NEPA Environmental Assessment (EA)</a>
TYPE OF ACTIVITIES			
<ul style="list-style-type: none"> <li>Environmental and other studies</li> <li>Resource identification</li> <li>Development of plans and strategies</li> <li>Information and financial services</li> <li>Administrative and Management activities</li> <li>Public services (e.g. employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation, welfare, recreational needs)</li> <li>Inspections and testing of properties for hazards or defects</li> <li>Purchase of insurance</li> <li>Purchase of tools</li> <li>Engineering or design costs</li> <li>Technical assistance and training</li> <li>Payment of principal and interest on loans made or obligations guaranteed by HUD</li> <li>Tenant-based rental assistance</li> <li>Supportive services including, but not limited to, health care, housing services, permanent housing placement, day care, nutritional services, short-term payments for rent/mortgage/utility costs, and assistance in gaining access to local, State, and Federal government benefits and services</li> <li>Operating costs including maintenance*, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment and other incidental costs</li> <li>Economic development activities, including but not limited to, equipment purchase, inventory financing, interest subsidy, operating expenses and similar costs not associated with construction or expansion of existing operations</li> <li>Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction, including closing costs and down payment assistance, interest buydowns, and similar activities that result in the transfer of title</li> <li>Affordable housing pre-development costs including legal, consulting, developer and other costs related to obtaining site options, project financing, administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact</li> </ul> <p>*See <a href="#">PIH Notice 2024-24</a> and <a href="#">CPD Notice 16-02</a> for guidance on maintenance</p>	<p>Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration*</p> <p>*Approval of supplemental assistance (including insurance or guarantee) to a project previously approved under this part, if the approval is made by the same responsible entity that conducted the environmental review on the original project and re-evaluation of the environmental findings is not required under <a href="#">§ 58.47</a> (7)</p> <p>*See <a href="#">HUD's December 11, 2012 Memorandum for Guidance on Environmental Review Processing During Emergencies and Following Disasters</a></p>	<p>Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets). (1)</p> <p>Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons (2)</p> <p>Single family rehab (3)(i)</p> <ul style="list-style-type: none"> <li>the density is not increased beyond four units, and</li> <li>the land use is not changed</li> </ul> <p>Multifamily rehab (5 or more units) (3)(ii)</p> <ul style="list-style-type: none"> <li>Unit density is not changed more than 20 percent</li> <li>The project does not involve changes in land use from residential to non-residential; and</li> <li>The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation</li> </ul> <p>Non-residential rehab (3)(iii)</p> <ul style="list-style-type: none"> <li>The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; and</li> <li>The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.</li> </ul> <p>An individual action (e.g. disposition, new construction, demolition, acquisition, reconstruction) on a 1-4 family dwelling; or individual action on five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart no more than 4 units per site. (4)</p> <p>Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use (5)</p> <p>Combinations of the above activities (6)</p>	<p>Activities that are not exempt or categorically excluded</p> <p>Generally new construction (or other individual action, disposition, acquisition, demolition, reconstruction) of 5 or more homes*, conversion from one type of land use to another, or any project involving the construction of new infrastructure</p> <p>*The construction of 4 or fewer homes may still require an EA if it is new development, and no infrastructure is in place</p>
DOCUMENTATION REQUIRED IN ENVIRONMENTAL REVIEW RECORD			
<p>No Part 58 Environmental review needed</p> <p>Tribe/TDHE may spend funds immediately</p>	<p><a href="#">Environmental Review for Activity/Project that is Categorically Excluded Not Subject to 58.5</a></p> <ul style="list-style-type: none"> <li>No HUD approval necessary</li> </ul>	<p><a href="#">Environmental Review for Activity/Project that is Categorically Excluded Subject to 58.5</a></p> <p>If "No" checked for all items on 58.5</p> <p>Mitigation/Compliance required:</p> <ul style="list-style-type: none"> <li>Under "Determination" indicate that the project converts to exempt (58.34(a)(12))</li> <li>No HUD approval necessary</li> </ul>	<p><a href="#">Environmental Review for Activity/Project that is Categorically Excluded Subject to 58.5</a></p> <p>If "Yes" checked for one more of the times on 58.5</p> <p>Mitigation/Compliance required:</p> <ul style="list-style-type: none"> <li>Under "Determination" the project cannot convert to exempt</li> <li>Issue a public notice= NOI/RROF</li> <li>Request for Release of Funds (<a href="#">RROF, form 7015.15</a>)</li> <li>Authority to Use Grant Funds (<a href="#">AUGF, form 7015.16</a>)</li> </ul> <p><a href="#">Environmental Assessment</a></p> <ul style="list-style-type: none"> <li>Combined FONSI Notice and NOI/RROF</li> <li>Request for Release of Funds (<a href="#">RROF, form 7015.15</a>)</li> <li>Authority to Use Grant Funds (<a href="#">AUGF, form 7015.16</a>)</li> </ul>





# ENVIRONMENTAL REVIEWS: STEP THREE – HUD CONDUCTS PART 50 ANALYSIS

Use HUD's [Programmatic Part 50 – PIH Notice 2024-24](#) to document compliance for:

- ❖ **Soft costs** (including administration, operations, maintenance, and planning)
- ❖ **Tenant-based rental assistance** (rarely permissible using ICDBG funds)
- ❖ **Public & support services**
- ❖ **Certain activities to assist homebuyers**





# ENVIRONMENTAL REVIEWS: STEP THREE - TRIBE CONDUCTS PART 58 ANALYSIS

- ▶ Use HUD recommended format:
  - ✓ ~~[Exempt/CENST](#)~~ (not needed if relying on HUD's Programmatic Part 50 to document compliance)
  - ✓ [CEST](#)
  - ✓ [Environmental Assessment](#)
- ▶ Recommend using HEROS or using HEROS Partner Worksheets for each law/authority - you answer questions about activity, HEROS identifies what laws apply & how to analyze them
  - ✓ [Information on HEROS](#): access, training, how to videos
  - ✓ [HEROS Worksheets](#)



# ENVIRONMENTAL REVIEWS: STEP THREE – TRIBE CONDUCTS PART 58 ANALYSIS (cont.)



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
www.hud.gov  
espanol.hud.gov

## Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to Section 58.5 Pursuant to 24 CFR Part 58.34(a) and 58.35(b)

This is a suggested format that may be used by Responsible Entities to document completion  
Exempt or Categorically Excluded Not Subject to Section 58.5 environmental review.

### Project Information

Project Name:

Responsible Entity:

Grant Recipient (if different than Responsible Entity):

State/Local Identifier:

Preparer:

Certifying Officer Name and Title:

Consultant (if applicable):

Project Location:

Description of the Proposed Project [24 CFR 58.32; 40 CFR 1508.25]:

### Funding Information

Grant Number	HUD Program	Funding Amount

Estimated Total HUD Funded Amount:

This project anticipates the use of funds or assistance from another Federal agency in  
addition to HUD in the form of (if applicable):

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:

### Compliance with 24 CFR §50.4 and §58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or  
regulation. Provide credible, traceable, and supportive source documentation for each authority. Where  
applicable, complete the necessary reviews or consultations and obtain or note applicable permits of  
approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional  
documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4 and 58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.6</b>		
<b>Airport Runway Clear Zones and Accident Potential Zones</b>  24 CFR Part 51 Subpart D	Yes   No <input type="checkbox"/> <input type="checkbox"/>	
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes   No <input type="checkbox"/> <input type="checkbox"/>	
<b>Flood Insurance</b>	Yes   No <input type="checkbox"/> <input type="checkbox"/>	

**TIP:** Check out ONAP's [Aggregation Webinar](#) to learn how to streamline  
and fill out compliance determinations for CENST/Exempt



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Development  
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Washington, DC 20410  
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espanol.hud.gov

**Environmental Review for Activity/Project that is Categorically  
Excluded Subject to Section 58.5**  
Pursuant to 24 CFR 58.35(a)

This is a suggested format that may be used by Responsible Entities to document completion of a  
Categorically Excluded Subject to Section 58.5 environmental review.

# ENVIRONMENTAL REVIEWS: STEP THREE - TRIBE CONDUCTS PART 58 ANALYSIS (cont.)

## Project Information

Project Name:

Responsible Entity:

Grant Recipient (if different than Responsible Entity):

State/Local Identifier:

Preparer:

Certifying Officer Name and Title:

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable):

Direct Comments to:

Project Location:

Description of the Proposed Project [24 CFR 50.12 & 58

### STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5

<b>Clean Air</b>	Yes	No
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/>	<input type="checkbox"/>
<b>Coastal Zone Management</b>	Yes	No
Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/>	<input type="checkbox"/>
<b>Contamination and Toxic Substances</b>	Yes	No
24 CFR Part 50.3(i) & 58.5(i)(2)	<input type="checkbox"/>	<input type="checkbox"/>
<b>Endangered Species</b>	Yes	No
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/>	<input type="checkbox"/>
<b>Explosive and Flammable Hazards</b>	Yes	No
24 CFR Part 51 Subpart C	<input type="checkbox"/>	<input type="checkbox"/>
<b>Farmlands Protection</b>	Yes	No
Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/>	<input type="checkbox"/>
<b>Floodplain Management</b>	Yes	No
Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/>	<input type="checkbox"/>
<b>Historic Preservation</b>	Yes	No
National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/>	<input type="checkbox"/>
<b>Noise Abatement and Control</b>	Yes	No
Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/>	<input type="checkbox"/>

- ☐ This categorically excluded activity/project converts to Exempt, per 58.34(a)(12) because there are no circumstances which require compliance with any of the federal laws and authorities cited at §58.5. Funds may be committed and drawn down after certification of this part for this (now) EXEMPT project; OR
- ☐ This categorically excluded activity/project cannot convert to Exempt because there are circumstances which require compliance with one or more federal laws and authorities cited at §58.5. Complete consultation/mitigation protocol requirements, publish NOI/RROF and obtain "Authority to Use Grant Funds" (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
- ☐ This project is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title/Organization: \_\_\_\_\_

Responsible Entity Agency Official Signature: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

Name/Title: \_\_\_\_\_

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).





Environmental Assessment  
Determinations and Compliance Findings for HUD-assisted Projects  
24 CFR Part 58

# ENVIRONMENTAL REVIEWS: STEP THREE - TRIBE CONDUCTS PART 58 ANALYSIS (cont.)

This is a suggested format that may be used by  
Environmental Reviewers

## Project Information

Project Name:

Responsible Entity:

Grant Recipient (if different than Responsible Entity):

State/Local Identifier:

Preparer:

Certifying Officer Name and Title:

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable):

Direct Comments to:

**Impact Codes:** Use an impact code from the following list for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	
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### LAND DEVELOPMENT

Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design		
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff		
Hazards and Nuisances including Site Safety and Noise		

Environmental Assessment Factor	Impact Code	
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### SOCIOECONOMIC

Employment and Income Patterns		
Demographic Character Changes, Displacement		
Environmental Justice		

Environmental Assessment Factor	Impact Code	Impact Evaluation
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### COMMUNITY FACILITIES AND SERVICES

Educational and Cultural Facilities		
Commercial Facilities		
Health Care and Social Services		
Solid Waste Disposal / Recycling		
Waste Water / Sanitary Sewers		
Water Supply		
Public Safety - Police, Fire and Emergency Medical		
Parks, Open Space and Recreation		
Transportation and Accessibility		

Environmental Assessment Factor	Impact Code	
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### NATURAL FEATURES

Unique Natural Features, Water Resources		
Vegetation, Wildlife		
Other Factors		

### Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure

### Determination:

☐ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title/Organization: \_\_\_\_\_

Certifying Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title: \_\_\_\_\_

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

# ENVIRONMENTAL REVIEWS: STEP THREE - TRIBE CONDUCTS PART 58 ANALYSIS (cont.)

## 58.5 Laws/Authorities - Analysis required for CEST and EAs:

- Clean Air
- Coastal Zone Management
- Contamination
- Endangered Species
- Explosive and Flammable
- Farmlands Protection
- Floodplain Management
- Historic Preservation
- Noise Abatement
- Sole Source Aquifer
- Wetlands Protection
- Wild and Scenic Rivers
- Environmental Justice



**TIP:** Use HEROS to walk you through analysis or [HEROS Worksheets](#)





# ENVIRONMENTAL REVIEWS:

## STEP FOUR – FINALIZE REVIEW

- Exempt/CENST or CEST and converts to exempt – When you have completed your review, **notify your GMS via email**
- Your GMS will then remove the LOCCS edit so you can begin making drawdowns
- CEST that does not convert to exempt; or Environmental Assessment
  - ❖ Public notification
  - ❖ Send Request for Release of Funds to HUD (7015.15) (<https://www.hud.gov/sites/dfiles/OCHCO/documents/7015.15.pdf>); and
  - ❖ Receive Authority to Use Grant Funds from HUD (7015.16)



# ENVIRONMENTAL REVIEWS: STEP FOUR – FINALIZE REVIEW Public Comment Period

Finding of No Significant Impact (FONSI) – EAs	15 days when published, or if no publication, 18 days when mailing and posting
Notice of Intent to Request Release of Funds (NOI-RROF) – EAs and CESTs that do not covert	7 days when published, or if no publication, 10 days when mailing and posting <a href="#">NOI-RROF publication template</a>
Concurrent or combined notices – commonly used for EAs	15 days when published, or if no publication, 18 days when mailing and posting <a href="#">Combined FONSI and RROF publication template</a>

Send the draft notice to your AONAP for review **prior to publication**. Be sure to include enough time for the public to comment! **If you are even one day short, you will need to republish.**



# ENVIRONMENTAL REVIEWS:

## STEP FOUR – FINALIZE REVIEW (cont.)

- Next, complete the Request for Release of Funds (RROF) – HUD Form 7015.15  
[https://www.hud.gov/sites/documents/DOC\\_11812.pdf](https://www.hud.gov/sites/documents/DOC_11812.pdf)
- Send RROF package to HUD with:
  - ✓ RROF
  - ✓ Statement no comments were received, or copy of comments and resolution
  - ✓ Affidavit of publication, or photograph of posting
  - ✓ Copy of the notice
  - ✓ Copy of mailing list or distribution list (do not forget to send to regional EPA)
- HUD will then adhere to 15-day objection period, and send you an Authority to Use Grant Funds (AUGF)



# ENVIRONMENTAL REVIEWS:

## FREQUENTLY ASKED QUESTIONS #1

How do I avoid a regulatory or statutory violation of spending non-HUD or HUD funding on a project before the Environmental Review is complete?

- Generally, **stop all actions on project** until the Environmental Review is complete
- After you apply for ICDBG funds, you **must not use HUD or non-HUD funds *until* you receive either an Authority to Use Grant Funds (7015.16)** (for CEST/EA projects) or determine the project is Exempt/CENST
- **Note:** You may continue to use any non-HUD funds that were committed under a contract that was executed *before* you applied for HUD funds



# ENVIRONMENTAL REVIEWS: FREQUENTLY ASKED QUESTIONS #2

## Can I use an ASTM Phase I Environmental Site Assessment for a HUD ER?

- ❖ **No**, an ASTM Phase I Environmental Site Assessment is not equivalent to a HUD ER
- ❖ You **must** complete the HUD-formatted checklist
- ❖ Contractors will sometimes assume they can complete an ASTM Phase I for HUD's ER requirements, but this is **NOT** the case
- ❖ An ASTM Phase I Environmental Site Assessment analyzes contamination, does not address or analyze the other laws and authorities





# ENVIRONMENTAL REVIEWS: RESOURCES

- Trainings, Formats, FAQs, and more:
  - ✓ Codetalk Environmental Resources:  
[https://www.hud.gov/program\\_offices/public\\_indian\\_housing/ih/codetalk/resources](https://www.hud.gov/program_offices/public_indian_housing/ih/codetalk/resources)
- Trainings
  - ✓ Check ONAP Calendar
  - ✓ Online, on demand, comprehensive Training – See WISER at  
<https://www.hudexchange.info/trainings/wiser/>
  - ✓ Tribal and topic specific webinars (use of HUD forms, aggregation, etc.) <https://www.hudexchange.info/news/onap-environmental-review-webinar-series/>
- Tools & Guidance when using multiple Federal funding and want to do one Environmental Review
  - ✓ TIES Toolkit:  
<https://www.hudexchange.info/programs/environmental-review/ties-toolkit/introduction/>
- Mapping tool for contamination, wetlands, FEMA maps, etc.  
NEPAssist: <https://www.epa.gov/nepa/nepassist>



# ENVIRONMENTAL REVIEWS: WHAT IS HEROS?



## HUD Environmental Review Online System (HEROS):

- Is an enterprise system that can be used to complete Environmental Reviews for all HUD programs (Part 50 & Part 58)
- Replaced HUD's current paper-based process in 2014
- Walks users through the entire Environmental Review process, including compliance with related laws and authorities



# ENVIRONMENTAL REVIEWS: BENEFITS OF USING HEROS



HEROS makes compliance easier



Increases transparency



Simplifies the process, saves time, and saves paper



Keeps the environmental review records



# ENVIRONMENTAL REVIEWS: WHO USES HEROS?

- HEROS allows the Environmental Review procedures users already have in place now to be performed *online*
- Grantees DO NOT need to change their process
- HEROS can now be used by **everyone** involved in the Environmental Review process including:
  - HUD Staff
  - Responsible Entities (local, state, and Tribal governments)
  - Partners (consultants, PHAs, TDHEs, lenders, nonprofits, and non-RE recipients)

HEROS IS STRONGLY RECOMMENDED BUT IS  
NOT MANDATORY



# ENVIRONMENTAL REVIEWS: ROLES AND RESPONSIBILITIES OF TRIBES AND TDHEs

## Tribe – Responsible Entity

- Complete analysis and documentation
- Make findings and determinations
- Submit Request for Release of Funds

## TDHE/Consultants- Partner

- Complete analysis and documentation
- **Cannot** complete findings and determinations





# ENVIRONMENTAL REVIEWS: HOW DO TRIBES AND TDHEs/CONSULTANTS REQUEST HEROS ACCESS?

## ➤ Tribes

- Requests are submitted through the [HEROS Access Form](#)
- Users are linked with a Tribe
- Tribal Users can request specific privileges utilizing the HEROS Access form including administrative and certification

## ➤ Partner Users (including TDHEs and Consultants)

- Requests are submitted through the [HEROS Access Form](#)
- Users are linked with a Partner Organization which is linked with one or more Tribes, HUD, or Both
- Partner Users can request accounts for their organization and **must link their accounts to a Tribe**

For questions on the HEROS Access Form, ask ONAP staff or submit a question through “Ask a Question” at:

<https://www.hudexchange.info/program-support/my-question/>



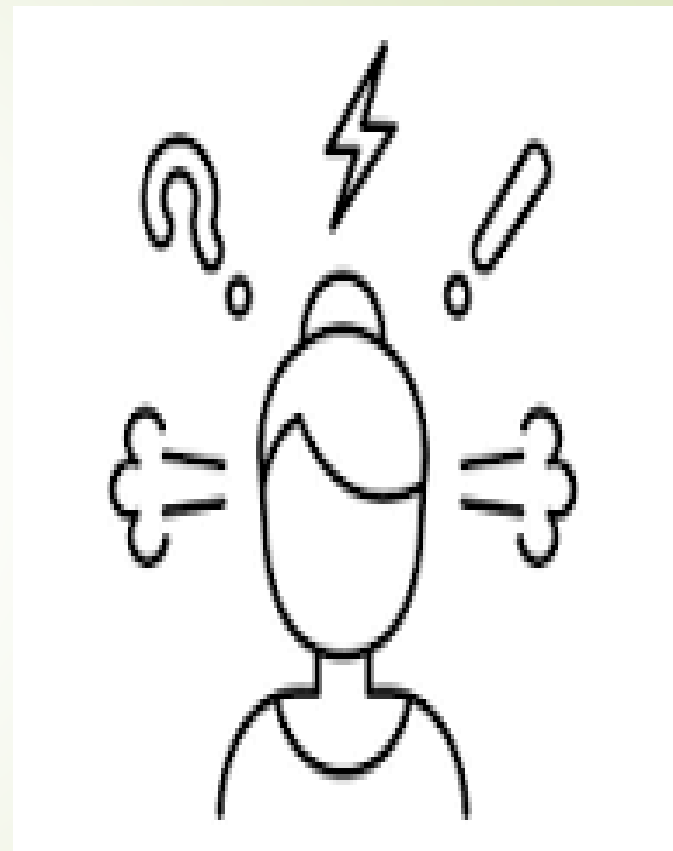
# ENVIRONMENTAL REVIEWS: HEROS RESOURCES

- [HEROS Landing Page: AAQ, Training, Guides](#)
- [HEROS User Guide](#)
- [HEROS Quick Guides](#)
  - [Completing a HEROS Access Form](#)
  - [HEROS Assigning Reviews](#)
  - [Completing a RROF/AUGF](#)
- [HEROS How to Videos](#)
  - [Authority to Use Grant Funds](#)
  - [Certifying and Completing Part 50 Reviews](#)



# OVERWHELMED?!? NEED HELP???

- **Contact your Area ONAP**
- Your GMS is here to help guide you towards solutions & understanding
- Additional Training & Technical Assistance may also be available



[https://www.hud.gov/program\\_offices/public\\_indian\\_housing/ih/codetalk/training](https://www.hud.gov/program_offices/public_indian_housing/ih/codetalk/training)



# HUD CONTACTS: AREA ONAP POCs

All Area ONAP Offices and Contact Information is listed on the ONAP Codetalk website:

[ONAP and Tribe Contacts.pdf](#)

**Bookmark this link** on your computer so you have a quick and easy way to reach-out for help or guidance going forward





**QUESTIONS?**

*thank you*

