



OFFICE OF COMMUNITY PLANNING  
AND DEVELOPMENT

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-7000

August 2, 2023

MEMORANDUM FOR: Jemine A. Bryon, Deputy Assistant Secretary, Office of Special Needs, DN

FROM: Rita Harcrow, Director, Office of HIV/AIDS **RHH**  
Housing, DNH

SUBJECT: Environmental Assessment and Finding of No Significant Impact Under the National Environmental Policy Act (NEPA) for Notice of Funding Opportunity for Fiscal Year (FY) 2023 Housing Opportunities for Persons With AIDS (HOPWA) Competitive Grant: Housing Interventions (HINT) to End the HIV Epidemic (FR-6700-N-11)

It is the finding of this Office that the subject Notice of Funding Opportunity (NOFO) does not constitute a major Federal action having an individually or cumulatively significant effect on the physical/human environment and, therefore, does not require the preparation of an environmental impact statement.

The purpose of this NOFO is to announce the availability of competitively awarded funding under the authority for HOPWA Special Projects of National Significance (SPNS) and to provide program information and application instructions for the HOPWA Competitive Grant: Housing Interventions to End the HIV Epidemic.

The purpose of the HOPWA competitive grant is to provide communities an opportunity to create and implement new projects that align with initiatives aimed at ending the HIV epidemic and elevate housing as an effective structural intervention in ending the epidemic. Grants awarded under this NOFO should exhibit exemplary and innovative qualities, including incorporation of Housing First principles, community-level coordination, data collection with emphasis on stable housing and positive health outcomes, the use of cultural humility in providing housing and services, and a systemic approach to advance equity in underserved communities that can serve as a national place-based model. Grants funded under this NOFO will enhance local and federal efforts to end the U.S. HIV/AIDS epidemic.

Each successful applicant under this NOFO will receive a one-time, non-renewable grant to fund housing assistance and supportive services for eligible individuals and families, coordination and planning activities, and grants management and administration. Reporting requirements under this NOFO are more comprehensive than traditional HOPWA program reporting. Grantees will be required to collect client-level data to produce a programmatic HIV Housing Care Continuum Model at the end of each operating year. At the end of the grant period of performance, each grantee must also develop a SPNS Grant Model, consisting of promising practices for and lessons learned in using housing as a structural intervention to end the HIV

epidemic. Each SPNS Grant Model will be shared with the public, and lessons learned through these grantee efforts will help inform national and community policy and actions.

HUD's authority to award funding under this NOFO is provided by the AIDS Housing Opportunity Act (codified as amended at 42 U.S.C. 12901-12912) and the Consolidated Appropriations Act, 2023 (Public Law 117-328, approved December 29, 2022). Awards are also subject to the HOPWA program requirements under 24 CFR part 574 (as now in effect and as may be amended from time to time).

All HOPWA assistance is subject to the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, and applicable related federal environmental authorities. Under 24 CFR 58.34(a)(3); 58.35(b)(1) and (2), many eligible HOPWA activities under this NOFO, such as tenant-based rental assistance, supportive services, and administrative costs, are exempt or categorically excluded not subject to the laws and authorities at 24 CFR 58.5 (CENST). However, exempt and CENST activities still require an environmental review determination demonstrating compliance with the applicable laws and authorities at 24 CFR 58.6. Other activities, including project-based assistance, require a higher level of environmental review. In accordance with Section 856(h) of the AIDS Housing Opportunity Act and the HOPWA regulations at 24 CFR 574.510, environmental reviews for HOPWA activities are to be completed by a responsible entity (as defined in 24 CFR 58.2) in accordance with 24 CFR part 58. Grant recipients that are states or units of general local government are the responsible entities under 24 CFR 58.2(a)(7) and must perform the environmental review for subrecipients. Applicants or grantees that are not a responsible entity must request the unit of general local government to serve as responsible entity to perform the environmental review, or HUD may make a finding in accordance with 24 CFR 574.510(c) and 24 CFR 58.11(d) and may itself perform the environmental review under the provisions of 24 CFR part 50. HOPWA grantees and project sponsors may not undertake any project or activity, or commit or expend any HUD or non-HUD funds on project activities (other than those listed in 24 CFR 58.22(f), 58.34 or 58.35(b) for which the responsible entity documents its findings of exemption or categorical exclusion for the environmental review record (24 CFR 58.34(b) or 24 CFR 58.35(d)) that could limit the choice of reasonable alternatives or have an adverse environmental impact until HUD has approved a "Request for Release of Funds and Certification" (RROF), form HUD-7015.15, in compliance with NEPA and 24 CFR Part 58, when applicable, or until HUD has completed the environmental review and the recipient has received HUD approval. The recipient, its project sponsors and their contractors may not lease property for a project, or commit or expend HUD or non-HUD funds for this eligible activity, until the responsible entity (as defined in 24 CFR 58.2) has completed the environmental review procedures required by 24 CFR part 58 and the environmental certification and the RROF have been approved, or until HUD has completed the environmental review and the recipient has received HUD approval. HUD will not release grant funds if the recipient or any other party commits HUD or non-HUD funds (i.e., incurs any costs or expenditures to be paid or reimbursed with such funds) before the recipient submits and HUD approves its RROF (where such submission is required). The recipient shall supply all available, relevant information necessary for the responsible entity or HUD to perform, for each property, any environmental review required.

This Office finds that issuance of this NOFO will not have a significant effect on the human environment because prior to any grantee's commitment of funds for any activities that would have an environmental impact or limit the choice of reasonable alternatives, an environmental review of these activities under the NEPA and related laws and authorities will be done. Thus, the environmental effects of activities assisted under this NOFO will be taken into account at the appropriate time, and environmental impacts will be assessed in the local setting in which they will occur.

Concurrences:

**OMRI GROSS**

Omri Gross  
Environmental Clearance Officer  
Office of Community Planning and Development

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**CHRISTOPHER HARTENAU**

Chris Hartenau  
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**KRISTIN FONTENOT**

Kristin L. Fontenot  
Departmental Environmental Clearance Officer  
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Date

Approval:

**Jemine A.  
Bryon**

Jemine Bryon  
Deputy Assistant Secretary  
Office of Special Needs

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