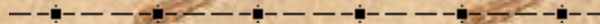
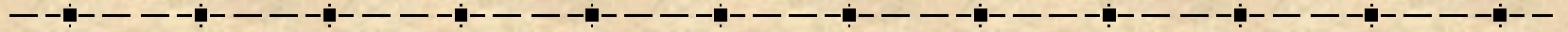


HUD - OUP Environmental Review Requirements



OUP Programs Applicable to Part 50



✦ AN/NHIAC

✦ HBCU

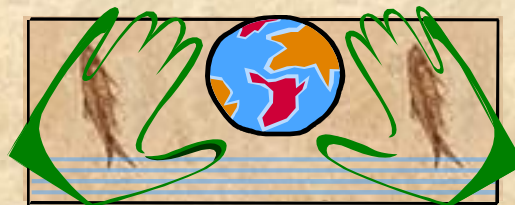
✦ HSIAC

✦ TCUP



Goals of Environmental Review

- ✦ Ensure that environmental concerns are identified and addressed **before** a project is undertaken
- ✦ Promote the health and safety of residents, neighborhoods, and communities
- ✦ Protect land, air, and water



What is NEPA?

National Environmental Policy Act of 1969

National charter for protection of environment





**HUD –OUP
Environmental
Regulations**

24 CFR parts 50, 51,
and 55



Project Aggregation

- ✦ Environmental reviews must group together and evaluate as a single project all individual activities that are related either on a geographical or functional basis, or are logical parts of a composite of contemplated actions (§50.21)



Levels of Environmental Review

- ◆ Categorical exclusion not subject to §50.4
- ◆ Categorical exclusion subject to §50.4
- ◆ Environmental Assessment



Categorical Exclusions not Subject to §50.4

- ✦ Non-construction activities which by their nature are unlikely to have environmental effects
- ✦ See 24 CFR 50.19 for a complete list of activities in this category



Categorical Exclusions not Subject to §50.4

- ✦ Studies, planning documents
- ✦ Administrative, management activities
- ✦ Public service activities
- ✦ Engineering and design costs
- ✦ Technical assistance, training
- ✦ Rental assistance
- ✦ Down payment assistance



Categorical Exclusions Subject to §50.4

- ✦ Acquisition and rehabilitation activities which do not involve changes in land use
- ✦ See 24 CFR 50.20 for a complete list of activities in this category



Categorical Exclusions Subject to §50.4

- ✦ Acquisition of land and buildings
- ✦ Rehabilitation of public facilities/housing
- ✦ Removal of architectural barriers for disabled persons



Environmental Assessment

- ✦ Projects that generally involve new construction, substantial rehabilitation, or changes in land use
- ✦ EA results in either a Finding of No Significant Impact (FONSI) or a Finding of Significant Impact



Environmental Assessment Examples

- ✦ New housing construction
- ✦ Construction of public facilities
- ✦ Infrastructure development (include water and sewer lines)
- ✦ Activities that are normally categorically excluded but have *extraordinary circumstances* requiring further review



Limits on Activities Prior to Clearance

- ✦ Grantees may not commit or expend HUD or other project funds prior to HUD completing the environmental review and providing written notification to the grantee to proceed



Environmental Review Issues to Consider

- ✦ Time (3 to 6 months)
- ✦ Cost of special studies
- ✦ Procurement of consultants
- ✦ Compliance with required mitigation



Federal Laws and Authorities (§50.4)

National Historic Preservation Act (36 CFR part 800)

Source document:

Archeological survey or
determination of no effect on
historic properties



Related Federal Laws and Authorities



Floodplain Management

(E.O. 11988 and 24
CFR part 55)

Source document:

FEMA map showing project
is not in 100-year floodplain



Related Federal Laws and Authorities

Wetlands Protection

(E.O. 11990 and 24
CFR part 55)

Source document:

National Wetlands Inventory
map and site inspection
showing no wetlands



Related Federal Laws and Authorities



Coastal Zone Management (CZMA of 1972)

Source document:

Concurrence of CZM
Commission that project will
not impact resources



Related Federal Laws and Authorities

Sole Source Aquifers (40 CFR part 149)

Source document:

Concurrence from EPA that
project will not impact
aquifer



Related Federal Laws and Authorities

Endangered Species

(Endangered Species
Act of 1973 and
50 CFR 402)



Source document: Biological
survey, if new construction



Related Federal Laws and Authorities

Wild and Scenic Rivers

(Wild and Scenic
Rivers Act of
1968)



If new construction, project
cannot be within 1 mile of a designated river



Related Federal Laws and Authorities



Air Quality (Clean Air Act of 1970)

Source document:

If within a non-attainment area, concurrence of Air Quality Management Board that project complies with SIP



Related Federal Laws and Authorities

Farmlands Protection

(7 CFR part 658)

Source document: If new construction, determination by NRCS that site is not prime and unique farmland



Related Federal Laws and Authorities

Noise Abatement and Control



(24 CFR part
51, Subpart B)

Source document:

Noise study if site is near
major roadways, airports,
or railroads,

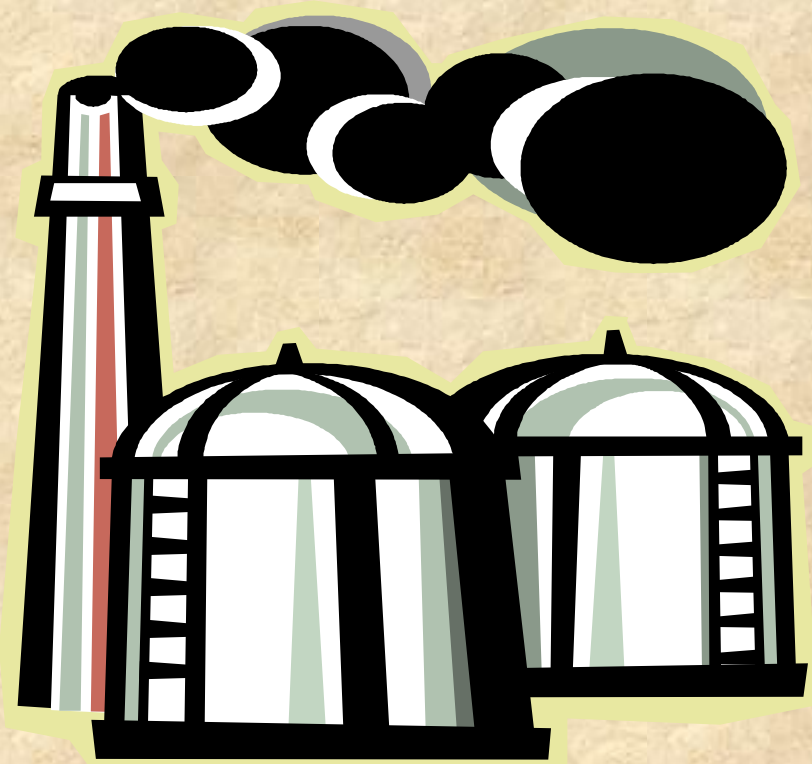


Related Federal Laws and Authorities

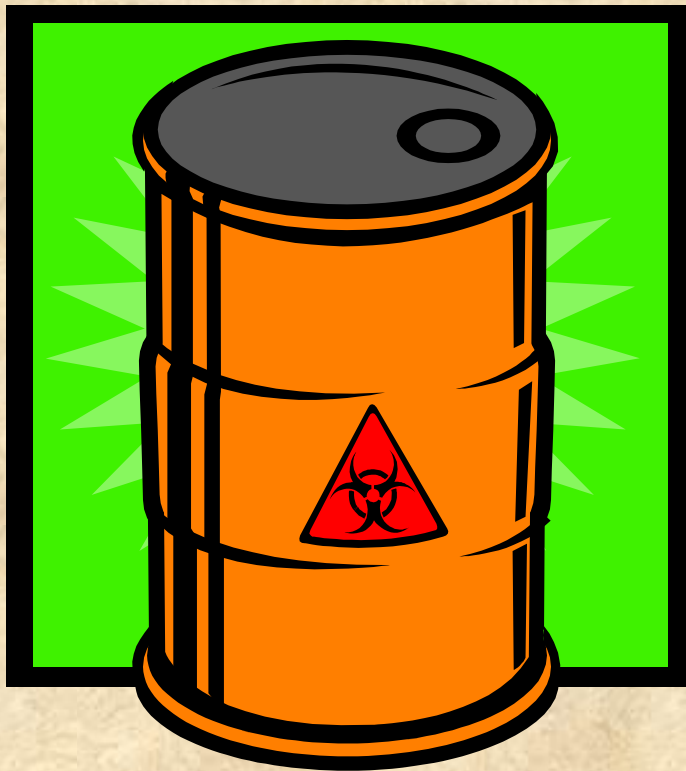
Explosive or Flammable Operations

(24 CFR part 51,
Subpart C)

Source document: ASD
calculation if near above-
ground storage tanks



Related Federal Laws and Authorities



Toxic Chemicals and Radioactive Materials

(24 CFR 58.5(i)(2))

Source document: EPA
database report and site
inspection



Related Federal Laws and Authorities

Airport and Runway Clear Zones

(24 CFR part 51
Subpart D)

Source document: Airport
map showing project is not
within a runway clear zone



Related Federal Laws and Authorities



Environmental Justice

(E.O. 12898)

Source document:

Determination of no
concentration of negative
environmental impacts



NEPA Factors

Land Development

- ✦ Zoning
- ✦ Compatibility/impact
- ✦ Slope
- ✦ Erosion
- ✦ Soils suitability
- ✦ Hazards
- ✦ Energy Consumption



NEPA Factors

Socioeconomic



- ✦ Demographic changes
- ✦ Displacement
- ✦ Employment patterns



NEPA Factors

Community Facilities and Services

- ✦ Police Protection
- ✦ Fire Protection
- ✦ Emergency Medical
- ✦ Social Services
- ✦ Recreation
- ✦ Cultural Facilities
- ✦ Transportation
- ✦ Schools
- ✦ Businesses
- ✦ Health Care
- ✦ Solid Waste
- ✦ Waste Water
- ✦ Storm Water
- ✦ Water Supply



NEPA Factors

Natural Features

- ✦ Water Resources
- ✦ Surface Water
- ✦ Unique Features
- ✦ Agricultural Lands
- ✦ Vegetation
- ✦ Wildlife



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THANK YOU