

THE HFA INSTITUTE

Clinic: HOME and HTF Environmental Reviews

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HOME Environmental Reviews

Conditional Commitments

Conditional Commitments

- CPD 01-11

<https://www.hudexchange.info/resource/2360/notice-cpd-01-11-environmental-review-home/>

- CPD 15-09

<https://www.hudexchange.info/resource/4838/notice-cpd-15-09-requirements-for-committing-home-funds/>

Three Important Musts



The conditional commitment agreement must:

1. contain a provision prohibiting the State recipient, subrecipient, or contractor from undertaking or committing any funds (not limited to HOME funds) to physical or choice-limiting actions.

Three Important Musts

The conditional commitment agreement must:

2. indicate that the violation of this provision may result in the denial of any funds.
3. explicitly state that the agreement to provide funds to the project is conditioned on the PJ's determination to proceed with, modify or cancel the project based on the results a subsequent environmental review.

HTF Environmental Provisions

They are different from Part 58...

HTF Environmental Provisions

- 24 CFR § 93.301(f)(1) - New Construction
 - ▣ Including new construction of manufactured housing or acquisition of existing housing that has been newly constructed or rehabilitated less than 12 months before the commitment of HTF funds - 24 CFR § 93.301(f)(1)(3)(i)(A) and (4)

- 24 CFR § 93.301(f)(2) - Rehabilitation
 - ▣ Including rehabilitation of manufactured housing or acquisition of existing housing that has not been newly constructed or rehabilitated less than 12 months before the commitment of HTF funds - - 24 CFR § 93.301(f)(1)(3)(i)(B) and (4)

HTF Environmental Provisions cover -

- Historic Preservation
- Farmlands
- Airport Zones
- Coastal Barrier Resources System
- Coastal Zone Management
- Floodplains
- Wetlands
- Explosives and Hazards
- Contamination
- Noise
- Endangered Species
- Wild and Scenic Rivers
- Safe Drinking Water
- Sole Source Aquifers

What's the same as Part 50/58?

The following Environmental Provisions are the same as the Part 50/58 process -

- Coastal Barrier Resources System
- Coastal Zone Management
- Explosives and Hazards
- Endangered Species (informal consultation)
- Wild and Scenic Rivers
- Sole Source Aquifers

What's different from Part 50/58?

The following Environmental Provisions are **NOT the same** as the Part 50/58 process (when combining HTF and other HUD funds this is important!) –

- Historic Preservation
- Farmlands
- Airport Zones
- Floodplains
- Wetlands
- Contamination
- Noise
- Safe Drinking Water

What's different from Part 58?

When a project is only using HTF funds -

- No Level of Review (CEST/EA)
- No Public Comment
- No Request for Release of Funds and Certification
 - ▣ No Authority to Use Grant Funds

Who is responsible?

- HTF grantees (state) must maintain documentation demonstrating that each project meets the HTF Environmental Provisions
- If the grantee has subgranted funding, the subgrantee (local government) must maintain documentation demonstrating that each project meets the HTF Environmental Provisions

HUD Exchange Resources

HTF Environmental Provisions:

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

- Updates
- Formats
- Environmental Contacts
- Webinar Recording
- Testing for Lead in Water (coming soon)

Updates on Environmental Review

WISER

HEROS

What is WISER?



- Self-paced learning
- Videos
- Audio
- Text and Drill downs
- Useful Links
- Site Visit
- Scenarios
- Knowledge Checks
- Credit

WISER Modules

- Getting Started (Part 50 and Part 58)
 - Tools and Resources
 - Airport Hazards
 - Endangered Species
 - Noise Abatement and Control
 - Water Elements
 - Floodplain Management
 - Flood Insurance
 - Coastal Barrier Resources
 - Coastal Zone Management
 - Sole Source Aquifers
 - Wetlands
- Environmental Justice
 - Environmental Assessment Factors/Site Planning
 - Explosive and Flammable Facilities
 - Wild & Scenic Rivers
 - Farmland
 - Air Quality
 - Historic Preservation: The Section 106 Process
 - Site Contamination

Flow of the Modules

- Background
 - ▣ History
 - ▣ Regulations
- Initial Screening
 - ▣ Instructions on how to...mapping, using HUD tools, etc.
- Analysis for HUD's Environmental Review
 - ▣ Steps to take
 - ▣ Documentation Required
- Scenarios
- Knowledge Checks



Getting Started: Part 58

This module describes the Part 58 environmental review process; defines a project; and explains the different levels of review and the requirements associated with each one.

[Quiz and Feedback](#)



Getting Started: Part 50

This module describes the Part 50 environmental review process; defines a project, and summarizes the different levels of review and the requirements associated with each.

[Quiz and Feedback](#)



Getting Started: Tools and Resources

This module guides you through the environmental review process, and describes where to look for resources for the environmental review; identifies who to contact for specific laws and authorities; and describes how to prepare for and conduct an Environmental Site Visit.

[Quiz and Feedback](#)

HEROS



- Still Voluntary for Entitlement Responsible Entities
- Rolling out to Partners in 2018 (Consultants, Public Housing Authorities, and non-profit grantees)
- Anticipated to become Mandatory in 2019*

HEROS Training Materials

- Updated How to Videos
- Updating the Part 58 User Guide
- 4 Webinars in 2018 – Partner User Role, Public Housing Authorities, and FAQ Webinars
- Developing a Case Study Training Video
- Get the latest news here -
<https://www.hudexchange.info/programs/environmental-review/heros/>