

24 CFR Part 58 Environmental Review for Recipients and Subrecipients

For additional information or questions
contact HCD's Environmental Services
Team at nepa@hcd.ca.gov or Ganey
Science at info@ganeysci.com.





Information for Viewing Speaker Notes

- This presentation and the speaker notes will be converted to a PDF and uploaded to HCD's Environmental Review webpage.
- To view the speaker notes you'll need to click on the yellow square in the upper left corner of the PDF.
- The speaker notes will open on the right side of the screen.



Choice-Limiting Actions (24 CFR 58.22)

Choice-limiting actions are described in [24 CFR Part 58.22\(a\)](#) and **prohibit**:



Why is Environmental Review Needed?

Federal regulations prohibit grant recipients from committing or spending HUD or non-HUD funds on any activity that could have an adverse impact or limit the choice of reasonable alternatives BEFORE AN ENVIRONMENTAL REVIEW IS COMPLETED.



HUD Environmental Review Requirements

All HUD-assisted projects require environmental review to ensure that the project does not negatively impact the surrounding environment or have adverse impacts on end users.





HCD's Roles on Environmental Review

For federal grant programs HCD either serves as the federal grant recipient (Responsible Entity) and administers the federal grant directly

OR

HCD acts as HUD, becomes the grantee, and serves as a pass-through entity to subrecipients who become the Responsible Entity.



Who is the Responsible Entity?

The unit of general local government with land use and building permit jurisdiction for the project site.

HUD regulations allow local units of government to perform environmental review responsibilities that would otherwise be completed by HUD.



Who is the Certifying Officer?

- Certifying Officer is the official authorized to execute the Request for Release of Funds and Certification and has the **LEGAL CAPACITY TO CARRY OUT THE RESPONSIBILITIES OF 24 CFR 58.13.**
- Certifying Officer is considered the "responsible federal official"
- Others may **ASSIST**, but local government **CANNOT DELEGATE** this responsibility to another entity or consultant.



Project Review by Certifying Officer

Only the Certifying Officer can decide if a project complies with the regulations.

Others can make recommendations but not the final decision.

Understand who is the Certifying Officer for your organization.



National Environmental Policy Act (NEPA) of 1969



- Founding national charter to protect the environment
- Requires that environmental values be given appropriate consideration in decision-making
- 24 CFR Part 58 is the section of HUD regulations that implements NEPA



NEPA Environmental Review - “Part 58”

HUD regulations at 24 CFR Part 58 allow a Responsible Entity (RE) to assume authority to perform environmental reviews. The RE is responsible for the scope and content of the review and all findings.

The RE’s Certifying Officer, usually the mayor or governor signs and takes legal responsibility for the review.

Others may ASSIST, but local government CANNOT DELEGATE responsibility to another entity or consultant.



NEPA - Related Laws and Authorities

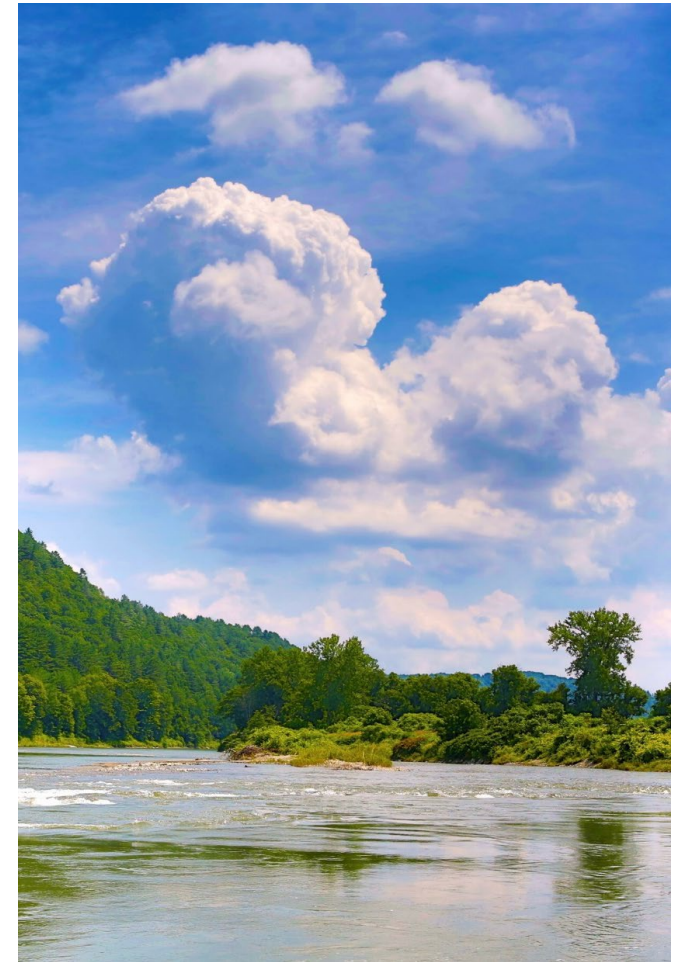
- National Historic Preservation Act (1966)
- Floodplain Management & Wetlands Protection: Executive Orders (1977)
- Coastal Zone Management Act of 1972
- Safe Drinking Water Act (1974)
- Endangered Species Act (1973)
- Wild & Scenic Rivers Act (1968)
- Clean Air Act (1970)
- Farmland Protection Policy Act (1981)
- Environmental Justice Executive Order (1994)



NEPA - Related Laws and Authorities

HUD Environmental Criteria & Standards

- Noise Abatement and Control
- Near Explosives or Flammable Sites
- Proximity to Airport Runway Protection Zones
- Proximity to Contamination and Toxic Substances





Environmental Review Timing

HUD's regulations prohibit grant recipients from committing or spending HUD or non-HUD funds on any activity that could have an adverse impact or limit the choice of reasonable alternatives PRIOR TO COMPLETION OF AN ENVIRONMENT REVIEW.



Choice-Limiting Actions (24 CFR 58.22)

Choice-limiting actions are described in [24 CFR Part 58.22\(a\)](#) and **prohibit**:

- **The commitment (including contractually)** by a grant recipient or any participant in the development process and
- **Starting an activity or project** that would have an adverse environmental impact or limit the choice of reasonable alternatives

Until the Request for Release of Funds (RROF, Form 7015.15) has been approved and certified by the responsible entity and the Authority to Use Grant Funds (AUGF) has been received.



Examples of Choice-Limiting Actions

Examples of choice limiting actions include:

- Property acquisition
- Entering into a contract or commitment
- Leasing property
- Demolition
- Rehabilitation
- New construction or conversion of buildings or structures
- Construction bidding
- Site improvements including, clearing, grading, and grubbing





Consideration of Alternatives

- The consideration of alternatives is fundamental to the environmental review process and the “heart of NEPA.”
 - e.g., alternative locations, project types, “no action” alternative
- Commitment of HUD or non-HUD funds before approval of the environmental review diminishes and biases an objective consideration of alternatives for the proposed project (including a no action alternative).



Define the Project

Before beginning the environmental review process, define the project:

- Identify all funding sources that may be used for the project.
- Determine all activities involved in the project (regardless of funding source).
- Determine if there are any other activities occurring on or near the site that are closely related to the project, such as off-site improvements required for project operations.
- Consider future, affiliated projects that may occur in the next 3 to 5 years.



Project Description Details

The project description should cover specific activities of the project including:

- Exact location(s)
- Existing conditions
- Size of the site parcel and existing/proposed buildings
- Proposed changes to land and structures
- Beneficiaries (numbers, types), impacts to the community



Include Construction Details

The project description should include:

- **Ground Disturbance**
 - Location, dimensions, including depths
 - May impact archaeological and paleontological resources, encounter contaminated soil, or cause soil erosion
- **Construction Equipment**
 - May impact air and water quality or cause soil erosion.
- **Construction Schedule**
 - Needed to determine any impacts to biological resources or protected species



Project Aggregation

If your project is part of a larger program or plan, you must group together and evaluate all activities as a single project. For instance, multiple phases or the same program impacting different areas should be analyzed as one.





Levels of Environmental Review

- Project description and scope determines level of review, options include:
 - Exempt
 - “CENST” or Categorically Excluded Not Subject To*
 - “CEST” or Categorically Excluded Subject To*
 - “EA” or Environmental Assessment
 - “EIS” or Environmental Impact Statement

* 24 CFR 58.5



Levels of Environmental Review



All levels of review must comply with laws listed at 24 Part 58.6 --
Airport Hazards, Coastal Barrier Resources Act, & Flood Insurance

+ 13 additional Laws and
Authorities listed at 24 Part 58.5



Exempt Activities

24 CFR 58.34(a) – No public notice requirement

- Grant management and administration;
- Environmental studies or assessments, engineering and design costs;
- Information and financial services;
- Public services;
- Purchase of insurance or tools;
- Technical assistance and training;
- Inspection and testing of properties;
- In general – no physical component, only planning & admin



Categorically Excluded Activities NOT Subject to 58.5

24 CFR 58.35(b) – CENST Form

- Tenant-based rental assistance;
- Supportive services (e.g. health care, childcare);
- Operating costs, including maintenance, security, etc.;
- Economic development activities;
- Activities to assist homebuyers purchase existing dwelling units;
- Affordable housing pre-development costs, legal, consulting, admin costs (i.e., “soft costs”);
- Adding supplemental assistance to a project previously approved under Part 58



Categorically Excluded Activities Subject to 58.5

- 24 CFR 58.35(a) – CEST Form
 - Acquisition, repair, improvement, reconstruction, or rehabilitation of existing public facilities and improvements (other than buildings) without change in size or capacity of more than 20 percent. For example:
 - Replacement of water or sewer lines
 - Reconstruction of curbs and sidewalks
 - Repaving of streets
 - Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to the elderly and handicapped persons.



Categorically Excluded Activities Subject to 58.5 (continued)

- Acceptable Activities (continued):
 - Rehabilitation of building and improvements under specific conditions
 - An individual action on a single-family property (maximum four units on one site) or scattered sites
 - Acquisition or disposition of, or equity loans on an existing structure, or acquisition of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.
 - Combinations of the acceptable activities
 - Refer to 24 CFR 58.35(a) for a full list.



Environmental Assessment

- If your project is not exempt or categorically excluded (“CEST” or “CENST”), an Environmental Assessment (EA) must be prepared.
- EAs are typically required when the proposed project has activities such as new construction or a change in land use.





EA Form

HUD's EA template can be found here:

<https://www.hudexchange.info/resource/3140/part-58-environmental-assessment-form/>.



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

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

This is a suggested format that may be used by Responsible Entities to document completion of an Environmental Assessment.

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:



EA Details

- Always use the latest version of the HUD template
- EAs typically have technical studies attached
- Agency consultation will be necessary
- Many EA documents are hundreds of pages long
- Recommend engaging a professional experienced in preparing EAs under HUD



EA Documentation

- Compliance with 24 CFR 58.5 Laws and Authorities
- Compliance with 24 CFR 58.6 Laws and Authorities
- Determine Impact of EA Factors
- Public Outreach
- Cumulative Impact Analysis
- Alternatives Analysis
- No Action Alternative



EA Factor Topics



- Land Development
- Socioeconomic
- Community Facilities & Services
- Natural Features
- Climate and Energy

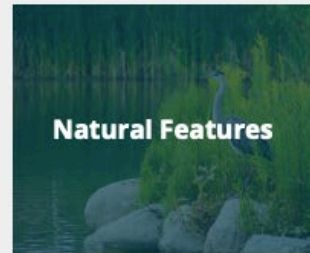
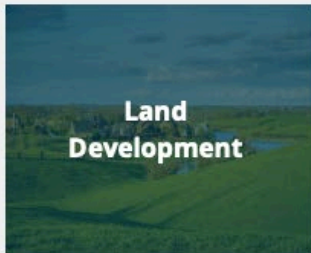


EA Factors & EA eGuide

- Each EA Factor Topic has multiple factors requiring an impact evaluation
- More info is on the HUD EA eGuide found here:
<https://www.hudexchange.info/programs/environmental-review/environmental-assessment/>

Explore the Environmental Assessment eGuide

To navigate this eGuide, click through each of the factors and their categories to find relevant guidance and information.





EA Process

1. Complete necessary agency consultations and update mitigation measures. Document all determinations and include all supporting information.
2. Based on the evaluations within the EA, the Certifying Officer will decide either:
 - *A Finding of No Significant Impact (FONSI) and begin the publication process OR*
 - *A Finding of Significant Impact based on the results of the EA.*
3. Certifying Officer must sign the EA certification



Public Noticing Requirements

1. If a FONSI is made, prepare a Notice of FONSI and Notice of Intent /Request for Release of Funds (NOI/RROF)
2. Provide a draft copy of the public notice to HCD
3. Publish the combined FONSI/NOI/RROF
4. After the public comment period, the Responsible Entity will send the RROF and affidavit of publication to HCD
5. WAIT, when the 15-day objection period is over, HCD issues the Authority to Use Grant Funds (AUGF) (HUD Form 7015.16).
6. Environmental Review Complete for EA. Maintain all documents as part of the Environmental Review Record (ERR).



Environmental Impact Statement (EIS)

- An Environmental Impact Statement (EIS) is required when the project is determined to have a potentially significant impact on the human environment.
- An EIS is also required if the project results in the construction of hospitals or nursing homes containing 2,500 beds or more.
- An EIS is required if a project rehabilitates or removes 2,500 or more existing housing units or results in the construction of 2,500 or more housing units.
- An EIS is required if a project provides enough additional water and sewer capacity to support 2,500 additional housing units.



EIS Details

- A project that requires an EIS is unlikely to be funded by HCD/HUD due to the significant environmental impacts. The process can be very time consuming
- There is no HUD template for an EIS.
- Regulatory provisions governing an EIS are found at:
 - Council on Environmental Quality (40 CFR Parts 1500-1508)
 - HUD (24 CFR § 58 Subpart G)
- If you believe your project may need an EIS immediately contact HCD's Environmental Services Team at nepa@hcd.ca.gov.



HUD's Environmental Review Process



- All HUD-funded projects must undergo the appropriate environmental review and keep all related documentation on file in an Environmental Review Record (ERR)
- The review process ensures the proposed project does not negatively impact the area and the surrounding environment will not have an adverse environmental or health effect on future occupants



Environmental Review Record

- The ERR is proof that you have completed ALL of the environmental review steps
- The ERR must contain the following and be available for inspection:
 - Description of the project and activities
 - Maps
 - Photographs
 - Site Plans
 - Correspondence
 - Technical Studies
 - Public Notices/RROFs



Additional Info ERR

- An incomplete ERR could result in loss of funding
- Common issues in ERRs:
 - Publication dates too short
 - Project description lacks detail
 - Inconclusive compliance and mitigation documentation
 - Mitigation measures not included in FONSI



How to Review a Project for Environmental Compliance?

1. Become familiar with HUD's Environmental Review website
<https://www.hudexchange.info/programs/environmental-review/>.
2. View the HUD Resources on Related Federal Environmental Laws and Authorities
<https://www.hudexchange.info/programs/environmental-review/federal-related-laws-and-authorities/>.
3. Select the topic you are trying to determine compliance for, review the guidance, and download the appropriate worksheet to assist with the compliance determination.



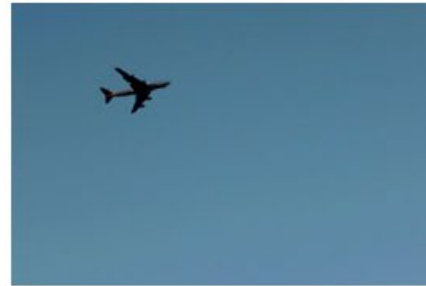
Environmental Review Resources

Screen shot of [HUD Laws and Authorities](#) Webpage

Find by Topic



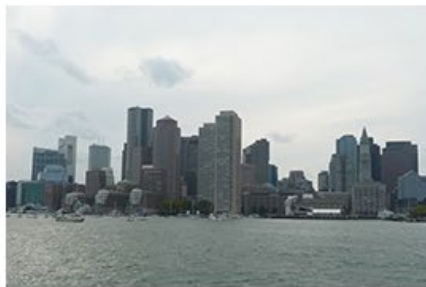
Air Quality



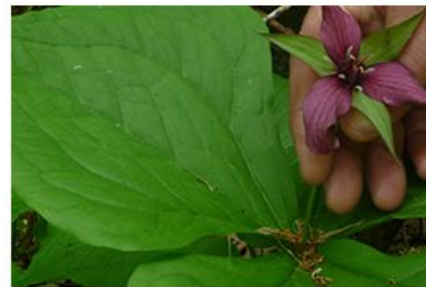
Airport Hazards



Coastal Barrier Resources



Coastal Zone Management



Endangered Species



Environmental Justice



Environmental Review Resources

Under the [HUD Laws and Authorities link](#), each topic contains:

- Intro to the topic including the specific statutes and regulations that apply
- HUD specific guidance for that law/authority
- Links to federal environmental websites and databases for conducting research
- Worksheets with step-by-step instructions to follow to document compliance



Environmental Review Resources

The following slides have information and links to specific HUD resources for each of the 16 Laws and Authorities under 24 Part 58.

Resources and assistance to support HUD's community partners



HUD EXCHANGE



Airport Hazards

- Regulation | 24 CFR 51, Subpart D
- Housing projects should not be in the immediate vicinity of an airport or military airfield
- Every project and activity must be evaluated for proximity to civil airports and military airfields
- Resource: <https://www.hudexchange.info/programs/environmental-review/airport-hazards/>
- Supporting documentation (map showing airport locations) must be provided



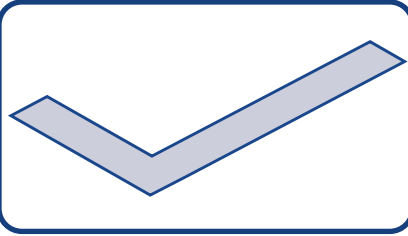
Coastal Barrier Resources Act



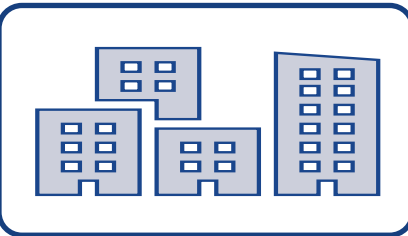
- Regulation | 16 USC 3501
- Applies to undeveloped coastal barriers along the Atlantic Ocean and Gulf of Mexico coasts.
- Therefore, there are no coastal barriers in California.
- Resource:
<https://www.hudexchange.info/programs/environmental-review/coastal-barrier-resources/>



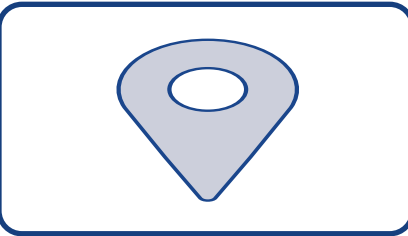
Flood Insurance



Regulation | 42 U.S.C. 4106



Flood insurance is required for projects located within a a FEMA Special Flood Hazard Area (SFHA)



If a project is located within a SFHA the community must participate in the National Flood Insurance Program (NFIP)



Flood Insurance (cont.)

- Example of the National Flood Insurance Program online database is to the right.
- If a community does not participate in the NFIP, federal assistance cannot be used in the SFHA flood hazard area.
- Resource: <https://www.hudexchange.info/programs/environmental-review/flood-insurance/>



Community Status Book Report Communities Participating in the National Flood Program



CALIFORNIA

OID	Community Name	County	Init FHEM Identified	Init FIRM Identified	Curr Eff Map Date	Reg-Emer Date	Tribal	CRS Entry Date	Curr Eff Date	Curr Class	% Disc SFHA	% Disc Non SFHA
060011B	PEDMON T, CITY OF	ALAMEDA COUNTY	06/28/74	08/03/09	(NSFHA)	11/15/79	No					
060032C	PINOLE, CITY OF	CONTRA COSTA COUNTY	05/24/74	08/15/80	03/21/17	08/15/80	No					
060030C	PISMO BEACH, CITY OF	SAN LUIS OBISPO COUNTY	03/26/76	08/01/84	05/16/17	08/01/84	No					
060033C	PITTSBURG, CITY OF	CONTRA COSTA COUNTY	06/21/74	08/15/80	03/21/17	08/15/80	No					
060229B	PLACENTIA, CITY OF	ORANGE COUNTY	06/14/74	02/15/80	12/03/09	02/15/80	No					
060239A	PLACER COUNTY*	PLACER COUNTY	07/12/77	04/18/83	11/02/18	04/18/83	No	10/01/91	05/01/09	5	25%	10%
060041B	PLACERVILLE, CITY OF	EL DORADO COUNTY	06/30/74	09/30/83	08/26/08	09/30/83	No					
060034C	PLEASANT HILL, CITY OF	CONTRA COSTA COUNTY	05/24/74	09/30/83	03/21/17	09/30/83	No	35/01/03	10/01/18	9	05%	05%
060012B	PLEASANTON, CITY OF	ALAMEDA COUNTY	06/28/74	12/16/80	08/03/09	12/16/80	No	10/01/92	10/01/17	7	15%	05%
060244B	PLUMAS COUNTY *	PLUMAS COUNTY	12/20/74	09/24/84	03/02/05	09/24/84	No					
060455B	PLYMOUTH, CITY OF	AMADOR COUNTY	11/19/76	12/01/90	05/20/10	12/01/90	No					
060185C	POINT ARENA, CITY OF	MENDOCINO COUNTY	10/18/74	08/03/84	07/18/17	08/03/84	No					
060149B	POMONA, CITY OF	LOS ANGELES COUNTY	06/28/74	09/26/08	(NSFHA)	09/07/84	No					
065051F	PORT BRUCEME, CITY OF	VENTURA COUNTY	06/28/74	09/24/84	01/29/21(4)	09/24/84	No					
060407A	PORTERVILLE, CITY OF	TULARE COUNTY	04/12/74	07/18/83	06/16/09	07/18/83	No					
065052F	PORTOLA VALLEY, TOWN OF	SAN MATEO COUNTY	06/21/74	10/17/78	10/16/12	10/17/78	No					
060456B	PORTOLA, CITY OF	PLUMAS COUNTY	02/30/75	07/18/85	03/02/05	07/18/85	No					
060702B	POWAY, CITY OF	SAN DIEGO COUNTY	11/30/82	08/19/85	05/16/12	08/19/85	No	35/01/08	05/01/08	8	10%	05%
060772E	RANCHO CORDOVA, CITY OF	SACRAMENTO COUNTY	01/10/75	03/15/79	02/22/24(-)	09/15/04	No					
	USE SACRAMENTO COUNTY (OID 060262) FROM PANELS 205E, 210E, 215E and 220E DATED May 22, 2000.											
060671E	RANCHO CUCAMONGA, CITY OF	SAN BERNARDINO COUNTY		09/05/84	09/02/16	09/05/84	No					
060259E	RANCHO MIRAGE, CITY OF	RIVERSIDE COUNTY		09/14/79	04/19/17	09/14/79	No					
060464F	RANCHO PALOS VERDES, CITY OF	LOS ANGELES COUNTY	01/28/77	09/26/08	04/21/21	09/07/84	No					
060769B	RANCHO SANTA MARGARITA, CITY OF	ORANGE COUNTY	01/10/75	09/14/79	12/03/09	01/04/02	No					
	USE THE ORANGE COUNTY (060212) FROM PANELS 06059C0059 AND 06059C0051.											
065053B	RED BLUFF, CITY OF	TEHAMA COUNTY	06/07/74	02/04/87	09/29/11	05/17/82	No					
060360B	REDDING, CITY OF	SISKIYOU COUNTY	12/20/74	07/03/85	03/17/11	07/03/85	No	10/01/96	10/01/22	7	15%	05%
060279E	REDLANDS, CITY OF	SAN BERNARDINO COUNTY	11/21/75	01/03/79	09/02/16	01/03/79	No	10/01/07	04/01/23	7	15%	05%
060150F	REDONDO BEACH, CITY OF	LOS ANGELES COUNTY	06/28/74	08/15/83	04/21/21	09/15/83	No					
060235D	REDWOOD CITY, CITY OF	SAN MATEO COUNTY	06/28/74	05/11/82	04/05/19	05/11/82	No					
060053B	REEDLEY, CITY OF	FRESNO COUNTY	03/30/74	09/30/82	02/18/09	09/30/82	No					
060280E	REALTO, CITY OF	SAN BERNARDINO COUNTY	06/30/74	03/18/96	09/02/16	02/12/79	No					
060035C	REICHMOND, CITY OF	CONTRA COSTA COUNTY	06/28/74	03/01/79	(NSFHA)	03/01/79	No	10/01/95	05/01/15	10		0%
060081B	REGCREST, CITY OF	KERN COUNTY	09/06/74	01/06/82	09/26/08	01/06/82	No					
060064B	RIO DELL, CITY OF	HUMBOLDT COUNTY	05/24/74	05/03/82	11/04/16	05/03/82	No					
060371B	RIO VISTA, CITY OF	SOLANO COUNTY	05/17/74	05/19/81	05/04/09	05/19/81	No					
060457B	RIPON, CITY OF	SAN JOAQUIN COUNTY	01/03/75	09/24/84	10/16/09	09/24/84	No					
060391B	RIVERBANK, CITY OF	STANISLAUS COUNTY	05/10/74	09/30/04	09/26/08	02/03/97	No					
060245E	RIVERSIDE COUNTY *	RIVERSIDE COUNTY	04/15/80	03/22/22	04/15/80		No	10/01/10	04/01/22	6	20%	10%
060260B	RIVERSIDE, CITY OF	RIVERSIDE COUNTY	07/19/74	01/06/83	08/28/08	01/06/83	No					
060247A	ROCKLIN, CITY OF	PLACER COUNTY	07/19/74	05/15/84	11/02/18	05/15/84	No					
060380F	ROHNER PARK, CITY OF	SONOMA COUNTY	11/29/74	06/01/81	07/19/22	06/01/81	No					
065054F	ROLLING HILLS ESTATES, CITY OF	LOS ANGELES COUNTY	07/13/73	09/26/08	(NSFHA)	11/30/79	No					
060151F	ROLLING HILLS, CITY OF	LOS ANGELES COUNTY	06/28/74	09/26/08	(NSFHA)	05/26/78	No					
060153B	ROSEMEAD, CITY OF	LOS ANGELES COUNTY	06/28/74	09/26/08	(NSFHA)	04/15/79	No					
060243A	ROSEVILLE, CITY OF	PLACER COUNTY	08/02/74	12/15/83	11/02/18	12/15/83	No	10/01/92	10/01/06	1	45%	10%
060179D	ROSS, TOWN OF	MARIN COUNTY	03/29/74	02/04/81	03/16/16	02/04/81	No	35/01/15	05/01/15	8	10%	05%
060262E	SACRAMENTO COUNTY *	SACRAMENTO COUNTY	01/10/75	03/15/79	02/22/24(-)	03/15/79	No	10/01/92	05/01/17	2	40%	10%
060268E	SACRAMENTO, CITY OF	SACRAMENTO COUNTY	01/10/75	09/15/78	02/22/24(-)	09/15/78	No	10/01/91	10/01/21	3	35%	10%
060202C	SALINAS, CITY OF	MONTEREY COUNTY	03/15/74	11/04/81	11/30/23	11/04/81	No	10/01/91	10/01/13	7	15%	05%
060180D	SAN ANSELMO, TOWN OF	MARIN COUNTY	03/30/74	12/01/77	03/16/16	12/01/77	No	35/01/16	10/01/22	8	10%	05%
060267B	SAN BENTO COUNTY*	SAN BENTO COUNTY	08/02/77	09/27/91	04/16/09	09/27/91	No					

Example of a FEMA FIRM Map

National Flood Hazard Layer FIRMeta



121°30'49"W 38°36'58"N



121°30'12"W 38°36'30"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 12/12/2023 at 4:57 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



Air Quality

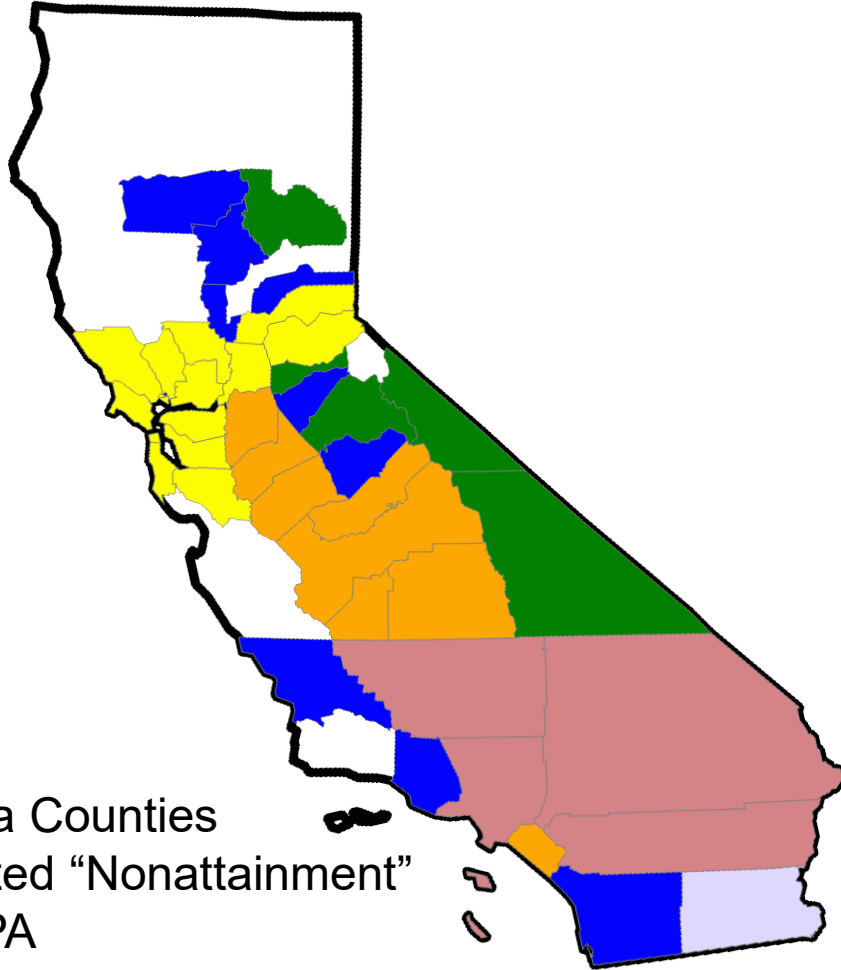
- Regulation | Clean Air Act
- Air pollution and bad air quality can affect human health and the environment
- If a project is new construction, converts land use or has five or more dwelling units, it needs to comply with the Clean Air Act
- Resource: <https://www.hudexchange.info/environmental-review/air-quality/>



Air Quality (continued)

If the project is new construction, converts land use or has more than 5 units:

- Determine if the project's county is in "nonattainment" or does not meet the requirements of the Clean Air Act.
- If the county is in nonattainment, you'll need to provide evidence that construction and operations do not exceed criteria pollutants for the area.



California Counties
Designated "Nonattainment"
by USEPA



Coastal Zone Management

- Regulation | 16 USC 1451 et seq
- The Coastal Zone Management Act of 1972 protects the nation's coastline including the Coast of California
- In California, the “coastal zone” can be narrow or wide, depending on habitat and land use
- Projects within the defined coastal zone need consultation with the California Coastal Commission
- Resource: <https://www.hudexchange.info/programs/environmental-review/coastal-zone-management/>

Coastal Zone Management (continued)





Endangered Species

- Regulation | Endangered Species Act (ESA) of 1973, as amended
- The ESA conserves and protects endangered and threatened species and their habitats
- Certain project types will have “No Effect” on endangered species, such as rental assistance, purchasing exterior buildings, or interior renovations to existing buildings
- If the project “May Affect” listed species or critical habitats, consultation is required





Endangered Species

- Regulatory agencies to be consulted with include the U.S. Fish & Wildlife Service, National Marine Fisheries Service, and/or California Department of Fish and Wildlife
- A biological evaluation or assessment may need to be prepared and sent to the appropriate service office(s) with a request for consultation
- The environmental review report needs to have a final determination of either “No Effect,” “May Affect, Unlikely to Adversely Affect,” or “Likely to Adversely Affect”
- Resource: <https://www.hudexchange.info/programs/environmental-review/endangered-species/>



Environmental Justice

- Regulation | Multiple, Executive Order 12898
- Environmental justice is an evaluation to determine if a community or the project residents are currently disproportionately impacted and whether the proposed project will further negatively impact the community or project residents
- All people, regardless of race, color, national origin, or income should have the same degree of protection from environmental and health hazards
- The project must consider how federally assisted projects may have disproportionately high and adverse human health or environmental effects on minority and/or low-income populations



Environmental Justice (continued)

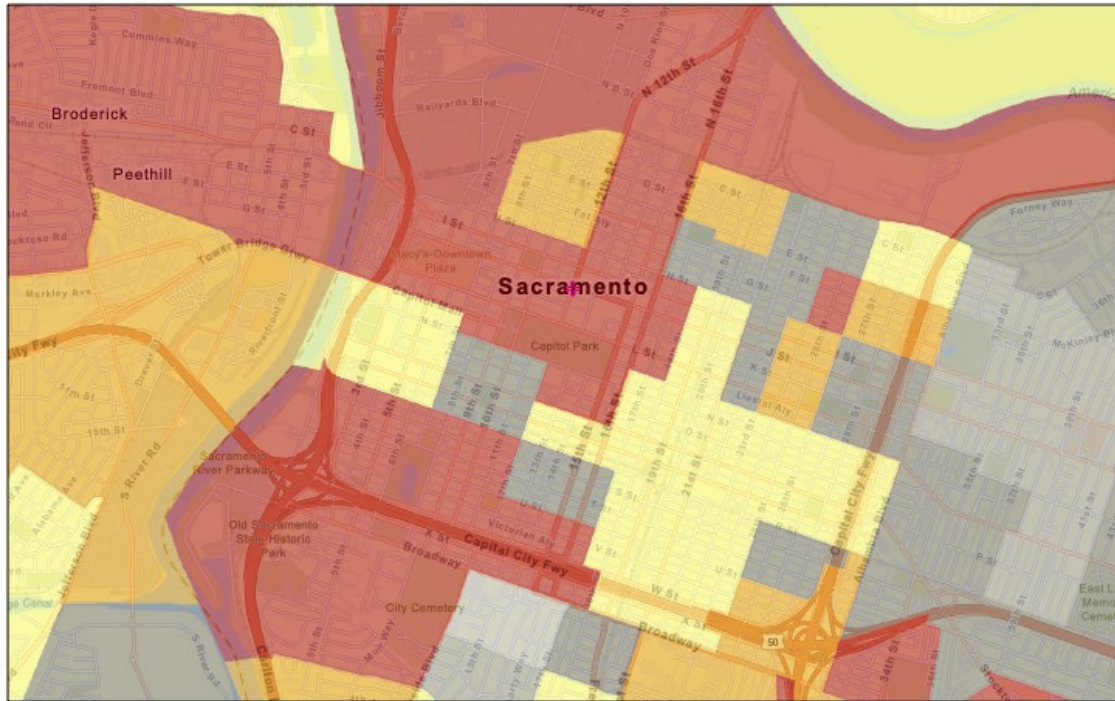
The environmental review record should document the following:

- Does the project create adverse environmental or human health impacts?
- If so, are these adverse environmental or human health impacts disproportionately high for low-income and/or minority communities?
- How did the project sponsor reach out to the community to identify mitigation measures to resolve adverse impacts?
- How will the adverse impacts be mitigated?



Environmental Justice (continued)

Sacramento, CA



- HUD provides a multitude of resources and important considerations to evaluate a proposed projects environmental justice
- Resource: <https://www.hudexchange.info/programs/environmental-review/environmental-justice/>



Explosive and Flammable Hazards



- Regulation | 24 CFR Part 51, Subpart C
- Prevents HUD-assisted projects from being near hazardous facilities that store, handle or process flammable or explosive hazardous substances



Farmland Protection

- Regulation | Farmland Protection Policy Act
- The purpose of this act is to minimize the effect of federal programs on the irreversible conversion of farmland to nonagricultural uses
- Each proposed project is evaluated to determine if it potentially impacts farmland or changes land use
- Resource:
<https://www.hudexchange.info/programs/environmental-review/farmlands-protection/>



Floodplain Management

- The requirement has been recently updated. Review the latest guidance at <https://www.hudexchange.info/programs/environmental-review/floodplain-management/>
- HUD's 2024 rule defined a new floodplain of concern, the Federal Flood Risk Management Standard (FFRMS) floodplain, which extends beyond the 100-year floodplain.
- The Final Rule requires increased elevation for new construction, improved structures in the FFRMS floodplain, and provides other clarifications.
- Compliance with the new rule is required after June 24, 2024.



Wetlands Protection

- Regulation | Executive Order 11990
- HUD requires projects to avoid adverse impacts to wetlands
- Determine if the project is located within wetlands identified on the National Wetlands Inventory or consult directly with the USFWS
- If the new construction or other ground disturbance will impact an on- or off-site wetland, the 8-Step Decision-making Process must be completed
- Resource: <https://www.hudexchange.info/programs/environmental-review/wetlands-protection/>



Floodplain & Wetlands 8-Step Process

- Is the project in a floodplain?
- Notify the public and potentially affected parties for early review and decision making.
- Identify and evaluate alternatives.
- Identify direct and indirect impacts.
- Possibly modify or redesign the project to minimize potential adverse impacts.
- Re-evaluate the alternatives and determine if there are no practicable alternatives.
- Notify the public again before implementing the project.



Historic Preservation

- Regulation | 36 CFR Part 800
- The National Historic Preservation Act requires historic properties are protected and possible harm is avoided, minimized, or mitigated
- Section 106 Review is required
- Interested parties include the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), and any nearby federally or state recognized Tribal Nations
- Resource: <https://www.hudexchange.info/programs/environmental-review/historic-preservation/>



Historic Preservation – Section 106 Review

Initiate consultation with interested parties, including SHPO, THPO, and any Tribal Nations

Identify and Evaluate Historic Properties

Assess Effects on Historic Properties

Resolve Adverse Effects



Noise Abatement and Control

- Regulation | 24 CFR Part 51, Subpart B
- It is HUDs policy to protect citizens against excessive noise
- HUD has very specific noise analysis guidelines and prohibits supporting construction of noise sensitive uses on sites having unacceptable noise
- If your project has new construction for residential use, or rehabilitation of an existing residential property, proximity to major roadways, railroads, and airports needs to be evaluated
- Resource: <https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control/>

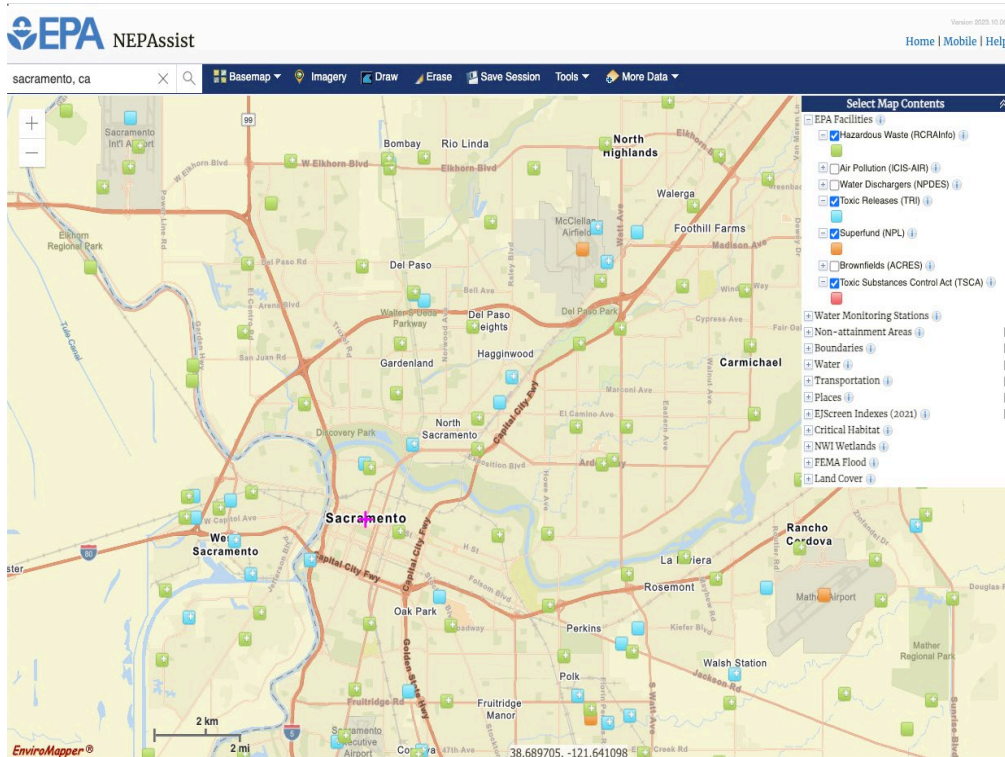


Site Contamination

- Regulation | HUD Environmental Standards at 24 CFR 58.5(i)(2)
- HUD's environmental standards are intended to protect the health and safety of future occupants and the intended utilization of the property
- HUD requires that all properties for use in HUD programs should be free of hazardous materials, contamination, toxic chemicals and gases, and radon/radioactive substances
- Multi-family and non-residential projects must include an evaluation of prior uses, such as a Phase I ESA



Site Contamination



- Sites with known contamination, located near contaminated sites, or with an underground storage tank a Phase II environmental site assessment is required
- If project is Federal Housing Administration insured, refer to program guidance
- Resource:
<https://www.hudexchange.info/programs/environmental-review/site-contamination/>



Sole Source Aquifers

- Regulation | Safe Drinking Water Act
- Sole Source Aquifers are areas where drinking water is only supplied by limited groundwater supplies
- There are five different sole source aquifers in California
- Each proposed project is evaluated to ensure it does not endanger the water source
- Resource: <https://www.hudexchange.info/environmental-review/sole-source-aquifers/>



Wild and Scenic Rivers

- Provides federal protection for certain free-flowing, wild, scenic, and recreational rivers designated part of the National Wild and Scenic Rivers System.
- Three different databases to review:
 - ❑ Wild and Scenic Rivers
 - ❑ Study Rivers
 - ❑ Nationwide Rivers Inventory

Resource: <https://www.hudexchange.info/programs/environmental-review/wild-and-scenic-rivers/>



HUD Training Resources

- The Web-Based Instructional System for Environmental Review (WISER) <https://www.hudexchange.info/trainings/wiser/>
- HUD Exchange Site <https://www.hudexchange.info/programs/environmental-review/>
- HUD Environmental Review Online System (HEROS) <https://www.hudexchange.info/news/heros-quick-guides/>