



NATIONAL HOUSING TRUST FUND FREQUENTLY ASKED QUESTIONS

What is the Housing Trust Fund (HTF)?

- A unique funding program of the U.S. Department of Housing and Urban Development (HUD) that does not follow the National Environmental Policy Act (NEPA) for environmental review.
- HTF follows specific environmental regulations developed by HUD, called HTF Environmental Provisions at 24 CFR § 93.301(f)
- HUD issued [Notice CPD-16-14](#) that outlines the Requirements for Housing Trust Fund Environmental Provisions and the process for projects with combined funding sources.

Can my NEPA from another federal program be used to clear the HTF Environmental Provisions?

Partially. There are some HTF Environmental Provisions review categories that are the same as HUD NEPA regulations (24 CFR Part 58).

Yes, there are a total of six, including:

- Coastal Barrier Resources System
- Coastal Zone Management
- Explosives and Flammable Hazards
- Endangered Species
- Wild and Scenic Rivers
- Sole Source Aquifers.

If the project has a NEPA from another federal funding source, you may submit the NEPA document, with the HCD Environmental Provision template form, for the categories that are the same. Please include all back up documentation including the HUD worksheets used for each category and any supporting reports, figures, or other data.

On HCD's HTF Environmental Provision compliance template you'll state where in the NEPA the analysis summary and back up documentation can be found (pdf page number). For example, Air Quality summary is on pdf page 5 and the Air Quality back up documentation begins on pdf page 23.

How are do I analyze and show compliance for the HTF Environmental Provisions that are different from NEPA?

Safe Drinking Water

Provide documentation of the building standard requiring lead-free pipes or



other documentation certifying that the water supply pipes, solder and flux are free of lead. Or submit the building plans that notes specifications that meet this requirement.

Historic Preservation

Have a qualified professional, per the Secretary of the Interior's requirements, determine whether the property is listed or eligible to be listed on the National Register of Historic Places.

If archaeological resources or human remains are discovered on the project site during construction, the grantee must consult with affected tribes and/or descendant communities and comply with the Native American Graves Protection and Repatriation Act Farmlands

Farmlands

Provide documentation that the land being developed is not considered unique, prime, statewide or locally significant farmland.

Airport Zones

Include a figure showing the site location and the distance from the nearest airports because projects are not permitted within runway protection, clear, or accident potential zones.

Floodplains

Is the project in a 100-year floodplain? If so, construction and other activities are to be avoided when practicable.

Document if there is a practical alternative; if so, select a site outside the floodplain.

If there is no alternative, document the structure is elevated at least above the Base Flood Elevation (BFE) or floodproofed to one-foot above BFE.

If the project is in a floodway the project must be a functionally dependent use (e.g., a dock or marina).

If the project is in a 500-year floodplain, the project cannot be a Critical Action (e.g., hospital project where no risk of flooding is acceptable).

Wetlands

A HTF project cannot drain, dredge, channel, fill, dike, or grade wetland areas. The project activities cannot in any way change the current conditions of a wetland area. A map must be included documenting the site location and any nearby wetland areas.

Site Contamination

All HTP projects must be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances. However, if a site has known contamination and can be certified clean by regulators before the



project completion, the project may be eligible. Grant applicants should work with HCD's Environmental Services Team to include conditions in the standard agreement.

All HTP projects must avoid sites located within 0.25 mile of a Superfund or CERCLIS (Comprehensive Environmental Response, Compensation, and Liability Information System) site or other contaminated sites.

Do Multifamily projects have additional requirements?

Yes, A Phase I environmental site assessment (ESA) is required for all proposed multifamily (more than four housing units).

If the Phase I ESA identifies Recognized Environmental Conditions (RECs), a Phase II ESA is necessary.

Noise

Internal noise level for HTP projects is 45 decibels (dB) or less.

External noise levels less than or equal to 65 dB are acceptable.

Noise levels above 65 dB and less than 75 dB are acceptable with mitigation. Projects above 75 dB may not have noise sensitive uses and require sound attenuation in building shell to achieve 45 dB interior standard.

Be sure to provide documentation that supports your noise level calculations and attenuations if required.

Does HCD have Environmental Provision documentation template(s)?

- Yes, HCD has four templates depending on whether the project is rehab or new construction and whether there is only NHTF or has multiple funding sources.