## Environmental Review Requirements/Instructions

All federally funded project activities must undergo a review in order to determine whether they have an impact on the physical and built environments. There are three levels of environmental review applicable to EHH. *Note: Administrative and HMIS activities are exempt from environmental review per 24 CFR 58.34(a)(3).*

If you have any questions, contact the EHH Program Manager.

**Level 1: Categorically Excluded Activities, not Subject to 24 CFR 58.5 Projects**.

1. Tenant-based rental assistance (24 CFR 58.35(b)(1));
2. Supportive services including, but not limited to, health care, housing services, permanent housing placement, day care, nutritional services, short-term payments for rent/mortgage/utility costs, and assistance in gaining access to benefits and services. (24 CFR 58.35(b)(2))
3. Operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment and other incidental costs. (24 CFR 58.35(b)(3))

*If project activities fall under Level 1, applicants must complete the Determination of Exemption form. Lead applicants should submit one form for all projects with exempt activities listed in the consolidated application.*

#### Level 2: Non-exempt Categorically Excluded Activities

Any other proposed activities, including renovation/rehabilitation of existing buildings, increasing the number of homeless individuals or families served through the acquisition or construction of new facilities, or making a facility barrier-free, must meet additional environmental review requirements, including:

1. Historic preservation: protecting buildings and sites of historic significance 50 years of age or older;
2. Floodplain management: discouraging new construction or substantial rehab (defined as investing 50% or more of the equalized assessed value of an existing building) in zones prone to flooding, including the 100-year floodplain and wetlands;
3. Noise: discouraging projects next to major highways, railroads, airport runways, or other major noise sources, and taking measures to reduce the interior noise levels of those projects that are located near such noise sources;
4. Man-made hazards: Discouraging the placement of projects near industrial facilities that store or use gasoline, propane, or other hazardous materials of a flammable nature; near sites that may cause environmental contamination (such as toxic waste disposal sites); or sites within or adjacent to airport runway clear zones.

Projects, or portions of projects, which propose the rehabilitation of buildings (renovation, remodeling, repair, or physical expansion beyond code correction and routine maintenance) are Level 2 if one of the following conditions is met:

1. The shelter, or other multi-family building—already acquired through other funding sources—will be retained in its original use without change in its size, capacity, or character;
2. The proposed rehabilitation of the building will replace or upgrade an existing shelter with only a minimal change in the use, size, capacity, or location;
3. The improvements to the shelter are consistent with the use of that site, and the improvements will not change the use, size, capacity or character of the building.

Other Level 2 projects include:

1. Those that remove material or architectural barriers that restrict the mobility and accessibility of elderly and/or persons with disabilities (these include Section 504 ADA compliance projects, such as projects to construct ramps or install grab bars in bath tubs; and
2. Those that propose the acquisition or rehab of 1- to 4- unit residential buildings.

*Applicants who are requesting funds for these activities must make a preliminary evaluation of their projects by gathering information necessary for an accurate environmental determination. Applicants must complete the Environmental Review Questions.*

#### Level 3: Non-exempt Categorically Excluded Activities

Level 3 activities include renovation/rehabilitation that results in changes to the use, size, capacity, or character of the building. This also applies to newbuilding acquisition.

*Applicants who are interested these activities must contact the EHH Contract Manager for more information.*

**Status Determination**

DOA DEHCR is responsible for the final approval of submitted environmental reviews.  All projects requesting funding in a consolidated application will be reviewed for compliance with the applicable environmental regulations.  Lead EHH applicants will receive a Letter of Certification from the DOA DEHCR Environmental Compliance Officer which should be kept in the project files.