

Louisiana Disaster Recovery and Mitigation Grant Implementation Manual

Chapter 6: Environmental Review



Louisiana Division of Administration

**Office of Community Development –
Disaster Recovery**

Table of Contents

1. Introduction	1
2. Definitions	3
3. Timetable for Reviews	4
4. The State of Louisiana’s Responsibilities	4
5. Subrecipient Responsibilities	5
6. Environmental Review – Getting Started	6
6.1 Project Description and Aggregation	7
6.2 Limitations on Activities Pending Clearance	8
6.3 Public Notices	9
7. Determining the Level of the Environmental Review	10
7.1 Exempt Activities (24 CFR 58.34(a))	13
7.2 Categorically Excluded Activities Not Subject to 24 CFR 58.5 (CENST) (24 CFR 58.35(b))	14
7.3 Categorically Excluded Activities Subject to 24 CFR 58.5 (CEST) (24 CFR 58.35(a))	16
7.4 Environmental Assessment (24 CFR 58.36)	24
7.5 Environmental Impact Statement (24 CFR 58.37)	27
8. Other Types of Environmental Reviews and Reports	28
8.1 Adoption of Another Agency’s Environmental Review	28
8.2 Project Re-Evaluation (24 CFR 58.47)	30
8.3 Tiered Environmental Reviews	30
8.4 ASTM Phase I and Phase II Environmental Site Assessments	32
8.5 Phase I Cultural Resources Survey	32
9. Best Practices for a Thorough and Efficient Review	33
10. Environmental Resources	33
11. HUD CPD Notices	35

1. Introduction

Every project funded by Community Development Block Grant – Disaster Recovery (CDBG-DR) or Community Development Block Grant – Mitigation (CDBG-MIT) funds, and all activities related to those projects, are subject to the provisions of the [National Environmental Policy Act of 1969 \(NEPA\)](#), as well as to U.S. Department of Urban Development (HUD) environmental review regulations.¹ NEPA was created to ensure that federal agencies consider the environmental impacts of their actions.

Federal Regulations:

¹ [24 CFR 58](#)

Environmental effects must be assessed prior to making decisions.

The Louisiana Office of Community Development – Disaster Recovery (LOCD-DR) is committed to ensuring that the State of Louisiana complies with all applicable federal, state, and local laws. Subject to any amendments to applicable Federal Register notices and/or HUD regulations, CDBG-DR subrecipients must comply with environmental law and regulations, including floodplain standards. The NEPA analysis considers the impact of the project on the surrounding environment and the impact of the surrounding environment on the end user of the project. HUD implements NEPA through its environmental regulations codified at [24 Code of Federal Regulations \(CFR\) 58](#) for subrecipients acting as the responsible party for their environmental decision making.

The HUD environmental review process must be completed before any funds can be committed for program-eligible activities. No work can start on a proposed project before the environmental review process is completed, even if that work is being done using non-HUD funds.

In other words, you need to obtain environmental clearance for each project before you can commit any federal or non-federal funds to expenses or contracts related to the project. If you do not follow this rule, your project will become ineligible for federal funding and all costs incurred before the environmental review is completed could be disallowed.

Responsible Entity and Certifying Officer

HUD regulations use the term *responsible entity* (RE) to refer to the unit of local government (city or parish), state, or federally recognized Tribe responsible for meeting environmental review requirements. A subrecipient that is a city or parish may assume the role of RE for the

CDBG-DR and/or CDBG-MIT funds and is responsible for completing the environmental review, with or without assistance from a third party.

The RE must designate a *certifying officer* under the terms of the certification.¹ The certifying officer³ is the “responsible Federal official” as that term is used in [Section 102 of NEPA](#).² This person is the chief elected official (e.g., Parish President or city mayor), chief executive official, or other official designated by formal resolution of the governing body. The certifying officer must have the authority to assume legal responsibility for certifying that all federal, state, and local environmental requirements have been followed. This function may not be taken by administering agencies or consultants. The certifying officer is therefore responsible for all of the requirements of [Section 102 of NEPA](#)² and [24 CFR 58](#),⁴ including the related federal authorities listed in [Section 58.5](#).⁵ The certifying officer must also represent the RE and be subject to the jurisdiction of the federal courts. The certifying officer will not be represented by the Department of Justice in court.

Federal Regulations:

¹ [24 CFR 58.71](#)

² [Sec. 102 of NEPA](#)

³ [24 CFR 58.2](#)

⁴ [24 CFR 58](#)

⁵ [24 CFR 58.5](#)

All CDBG-DR and CDBG-MIT funded projects and activities must have a complete Environmental Review Record (ERR) to document that they comply with NEPA and all other environmental requirements. This section highlights components of the HUD Environmental review process; however, it is not exhaustive. It is the responsibility of the RE to understand and adhere to all environmental requirements provided in [24 CFR 58](#).⁴ CDBG-DR and/or CDBG-MIT subrecipients, and personnel/consultants completing the environmental review, should be familiar with all federal and state environmental requirements, along with the resources and forms found on the [HUD Exchange’s Environmental Review website](#). They should contact LOCD-DR environmental staff to request any additional technical assistance (TA) after reviewing the resources provided here and on the HUD Exchange.

2. Definitions

Refer to these definitions of terms used within this chapter:

1. **Authority to Use Grant Funds (AUGF):** HUD [Form 7015.16](#) or firm approval letter authorizing the use of grant funds for a specified project and scope of work.
2. **Environmental Review Record (ERR):** The complete environmental file as discussed in Section 6.
3. **Finding of No Significant Impact (FONSI):** A document that briefly presents the reasons that the proposed action will not have a significant impact on the human environment.
4. **Limited Notice to Proceed (LIMITED NTP):** Issuance of a letter to proceed with ONLY specific listed project activities pending specific conditions of the grant. A Notice to Proceed with all activities will be issued once pending conditions are met.
5. **National Environmental Policy Act of 1969 (NEPA):** The basic national charter that provides policies, goals, and tools for the protection of the environment.
6. **Notice to Proceed (NTP):** Issuance of a letter to proceed with work in the project or an activities agreement.
7. **Notice of Intent (NOI):** A request for the environmental release of funds for Categorically Excluded projects or for projects for which a FONSI was previously issued.
8. **Request for Release of Funds (RROF):** HUD [Form 7015.15](#), which must be certified by the certifying officer of the responsible entity.
9. **Tiering:** A specialized form of conducting environmental reviews when very similar activities are repeated within a local geographic area and timeframe, but specific sites and activities are not yet known, such as a single-family homeowner rehabilitation program.

3. Timetable for Reviews

The time it takes to complete an ERR for a project can vary, with many factors contributing to the timetable. For example, a project that is not eligible for the National Register and takes place outside the floodplain requires a shorter amount of time to complete the ERR. A project located in a wetland or in an area of noise concern will require a longer amount of time to complete the ERR. Additionally, environmental reviews to clear professional services, studies, equipment purchases, or down payment assistance may take only days to complete, but new construction of an apartment complex or the rehabilitation of single-family housing may take several months to complete. An environmental review requires consultation with regulating authorities such as the following:

- State Historic Preservation Office (SHPO)
- Tribal Historic Preservation Offices
- United States Army Corps of Engineers (USACE)
- Floodplain Administrators
- United States Fish and Wildlife Services (USFWS)

These consultations can become lengthy, depending upon the project’s complexity and its proximity to sensitive environmental areas.

4. The State of Louisiana’s Responsibilities

The State of Louisiana has five primary responsibilities related to the environmental review process:

1. LOCD-DR provides guidance and TA to the subrecipient for its environmental review of a project.¹

Federal Regulations:

¹[24 CFR 58.75](#)

NOTE: The release of funds does not constitute program approval but is an acceptance that all environmental requirements have been satisfied for that specified scope of work.

2. LOCD-DR releases CDBG-DR or CDBG-MIT funds only after receiving the proper environmental certification, verifying that the required comment period has expired without a permissible objection and ensuring that all basic grant requirements have been met.
3. LOCD-DR withholds project funding if new information reveals that the certification or procedures were improper. The subrecipient may need to revise its environmental review, conduct a second public comment period based on the additional findings, and recertify the review with LOCD-DR.
4. LOCD-DR monitors compliance with the environmental conditions stipulated in the Notice to Proceed.

5. Subrecipient Responsibilities

Subrecipients have six basic environmental responsibilities related to the environmental review process:

1. Subrecipients must determine the level of environmental review required for their specific projects/activities. Projects/activities may be one of the following:

Environmental Review Category	Federal Regulation
Exempt Activities	24 CFR 58.34
Categorically Excluded Not Subject to 24 CFR 58.5 (CENST)	24 CFR 58.35(b)
Categorically Excluded Subject to 24 CFR 58.5 (CEST)	24 CFR 58.35(a)

Any activity that does not fit into one of these three categories will require an [Environmental Assessment \(EA\)](#) in order to assess potential environmental impacts.

2. Subrecipients must comply with NEPA and other related federal laws and authorities.
3. Subrecipients must establish and maintain an Environmental Review Record. This ERR must contain all documentation related to determinations, findings, public notices, consultation and coordination, certifications, and approvals involved in the environmental review process.

4. Subrecipients must provide for a period of public comment related to the environmental findings and the intent to request CDBG-DR or CDBG-MIT funding.
5. The certifying officer must properly certify their environmental findings and records to LOCD-DR before the environmental review process is considered to be completed. This certification process also serves as a request for the release of CDBG-DR or CDBG-MIT activity funds (RROF).
6. Subrecipients must ensure that all mitigations, conditions, and stipulations are properly executed and documented within their ERR for the project.

6. Environmental Review – Getting Started

Every dollar of CDBG-DR and CDBG-MIT funds must be cleared at some level of review, including Activity Delivery Costs and Planning Costs. Subrecipients should start the

environmental review process as soon as possible because many reviews are complex and may require more than one year to complete. Because of the complexity and effort required to complete an environmental review compliant with [24 CFR 58](#), LOCD-DR recommends procuring an environmental consultant experienced in [24 CFR 58](#) and NEPA requirements to help avoid mistakes and time delays. (See Chapter 4 of the Manual for Procurement Guidelines.)

Subrecipients must create and maintain an Environmental Review Record. The ERR must be prepared and approved before actions are taken. The ERR should tell the story of the project with a detailed project description, maps, photos, studies, consultation records, support documentation, and public notices. Subrecipients can contract with an environmental consulting firm to do the work and create the record. However, the subrecipient is responsible for all material in the ERR. Documentation includes, but is not limited to, the following:

- Maps, including the location and coordinates of the project
- All consultation correspondence with agencies and Tribes
- 5-Step/8-Step Process for floodplain and wetlands management, corresponding Early and Final Floodplain Notices, and proof of publication

- Pictures of the site and future renderings
- Required permits
- Environmental Site Assessment (ESA) Phase I and Phase II reports
- Cultural resource survey
- Executed Exempt/CENST for soft costs
- Finding of No Significant Impact (FONSI) publication
- RROF
- Authority to Use Grant Funds (AUGF)

Use HUD forms, public notice templates, and regulatory guidance as provided on the HUD Exchange website at <https://www.hudexchange.info/programs/environmental-review/>.

6.1 Project Description and Aggregation

A complete and clear project description is essential for the environmental review process. The RE should take adequate time to clearly establish the scope of work and project description prior to initiating the environmental review. The project description should include location-specific information and geographic boundaries, proposed funding sources, and define all activities included in the overall scope of the project. Once the scope of the project is known, you can determine the appropriate level of environmental review. Accurate scoping of the project description and project aggregation are critical success factors.

The term *project* means an activity or a group of integrally related activities designed to accomplish, in whole or in part, a specific goal. The term *activity* means an action that a subrecipient takes on as part of an assisted project, regardless of whether its costs are covered by CDBG-DR or CDBG-MIT assistance or are eligible expenses under the program. Activities make up the project. Regardless of its level of federal funding—full, partial, or none—an activity remains part of the project scope and must be included in the environmental review.

Aggregating (grouping) activities allows the subrecipient to consider the combined environmental effect of a project. Aggregation will reduce the number of ERRs that a subrecipient must complete. A subrecipient must group together and evaluate as a single project all individual activities that are related on either a geographic or a functional basis, or are logical parts of a composite of contemplated actions.¹

For example, the aggregation of several activities carried out in one distinct neighborhood, such as housing rehabilitation, demolition, street paving, and construction of a water line, would be grouped together as one project.

Federal Regulations:

¹ [24 CFR 58.32](#)

6.2 Limitations on Activities Pending Clearance

Neither the subrecipient nor any participant (including public or private non-profits or for-profit entities, or any of their contractors) may commit CDBG-DR or CDBG-MIT funds on any activity nor any project until LOCD-DR has approved the subrecipient's RROF. In addition, neither the subrecipient nor any participant may commit non-CDBG funds for any activity or any project that would have an adverse environmental impact or limit the choice of reasonable alternatives until LOCD-DR has approved the subrecipient's RROF.

Choice-limiting action regulations prohibit physical activity, including acquisition, rehabilitation, and construction, as well as contracting for or committing to any of these actions prior to receiving an environmental clearance.

A subrecipient may, in good faith, begin a project as locally funded and later decide to apply for federal assistance. If the choice-limiting action was undertaken prior to the intent to use CDBG-DR or CDBG-MIT funds, the action is allowable. However, once a subrecipient has demonstrated an intent to utilize CDBG-DR or CDBG-MIT funds, it must cease further choice-limiting actions (including additional commitment of funds) on the project until the environmental review process is completed.

6.2.1. Option Contracts for Purchase of Property

A contract to purchase property for a CDBG-DR or CDBG-MIT project before the environmental review is completed is considered to be a "choice-limiting action" and must be avoided.

However, an option contract is a useful tool for a subrecipient to obtain site control while

allowing time to complete the environmental review. Option contracts may be used to gain site control of any type of property, including commercial, industrial, or residential for any proposed activity or reuse, including demolition, new construction, and conversion of use, so long as it specifically is contingent upon environmental clearance.

A real estate option contract or agreement is a legal agreement between the potential buyer of real property and the owner of that property. The real estate option agreement gives the potential buyer the exclusive right to buy the property at a specific price within a specific time period. The option agreement does not impose any obligation upon the potential buyer to purchase the property.

HUD's regulations¹ allow for an option agreement for any project prior to the completion of the environmental review when the following requirements are met:

Federal Regulations:

¹ [24 CFR 58.22\(d\)](#)

1. The option agreement is subject to a determination by the recipient on the desirability of the property for the project as a result of the completion of the environmental review in accordance with 24 CFR 58, and
2. The cost of the option is a nominal portion of the purchase price.

The provision allows flexibility regarding the term *nominal* and any reasonable interpretation is acceptable. For example, it is reasonable to conclude that the nominal amount for option contracts will vary depending on the local real estate market and the purchase price. Refer to the HUD guidance memo, [Guidance on Options and Conditional Contracts for Purchase of Real Property for Environmental Reviews Conducted by a Responsible Entity under 24 CFR 58](#), for additional information.

6.3 Public Notices

Instead of publishing in a local news media, you can post floodplain/wetland public notices² and Notice of Intent (NOI)/FONSI³ on “an appropriate government website.” An appropriate government website must:

Federal Regulations:

² [24 CFR 55](#)

³ [24 CFR 58](#)

- Be accessible to individuals with disabilities, and
- Provide meaningful access to individuals with Limited English Proficiency.

Proof of publication or posting is required to be submitted with the RROF and maintained in the ERR.

Sample Notices	Webpage Link
Notice of Intent to Request Release of Funds for Tiered Review	Sample-Notice-of-Intent-to-Request-Release-of-Funds-for-Tiered-Reviews.docx
NOI-RROF – English and Spanish	SampleNoticeNOI-RROF.docx (English) Notice-of-NOI-RROF-Spanish.docx (Spanish)
Combined Notice (FONSI/RROF) – English and Spanish	Sample-FONSI-and-RROF.docx (English) Combined-Notice-of-FONSI-and-NOI-RROF-Spanish.docx (Spanish)
Notices for Activities in FFRMS (Federal Flood Risk Management Standard) Floodplain and Wetland – English and Spanish	Notice-and-Public-Review-of-a-Proposed-Activity-Floodplain.doc (English) Notice-and-Public-Review-of-a-Proposed-Activity-in-a-Floodplain-or-Wetland-Spanish.docx (Spanish)

7. Determining the Level of the Environmental Review

Subrecipients should initially determine the most appropriate level of environmental review, which will be confirmed or adjusted as the environmental review process is completed. Project activities will fall into one of five types of environmental review categories:

Environmental Review Category	Federal Regulation
Exempt Activities	24 CFR 58.34
Categorically Excluded Not Subject to 24 CFR 58.5 (CENST)	24 CFR 58.35(b)
Categorically Excluded Subject to 24 CFR 58.5 (CEST)	24 CFR 58.35(a)
Environmental Assessment (EA)	24 CFR 58.36
Environmental Impact Statement (EIS)	24 CFR 58.37

Each of these categories involves a progressively more detailed and more complex process of requirements and procedures. You should determine the appropriate level of review at the beginning of the project/activity.

[HUD Environmental Review Process Flowchart](#)

Any project/activity that is exempt or categorically excluded does not need to address the requirements of NEPA. However, subrecipients remain responsible for addressing the requirements of [24 CFR 58.6](#)¹ in the ERR and meeting those requirements where applicable, regardless of whether the activity is exempt under [24 CFR 58.34](#)² or categorically excluded under [24 CFR 58.35\(a\) or \(b\)](#).³

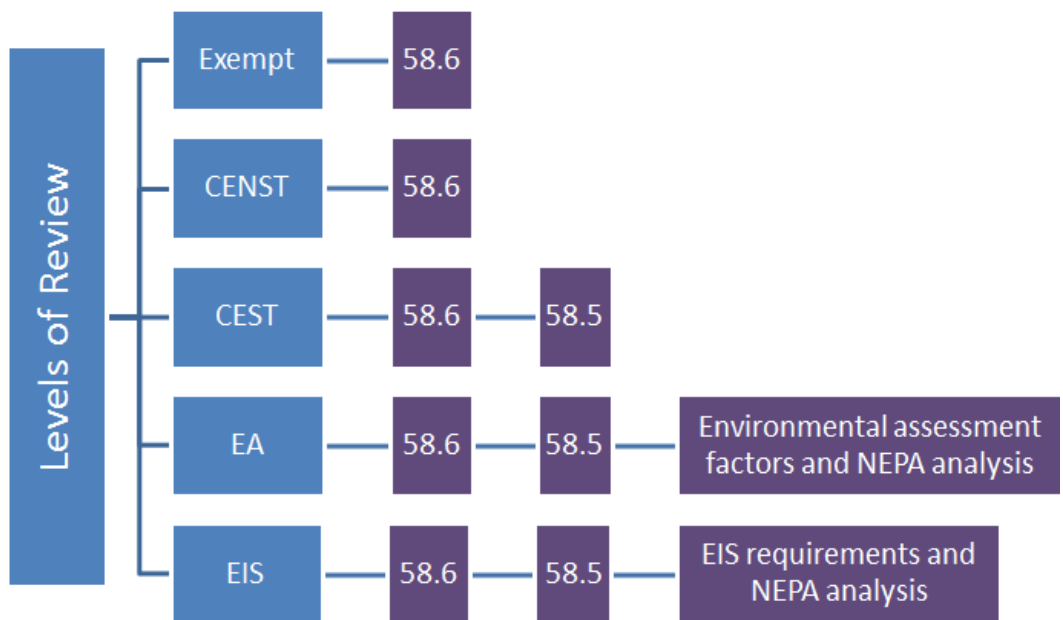
Federal Regulations:
¹ [24 CFR 58.6](#)
² [24 CFR 58.34](#)
³ [24 CFR 58.35\(a\) or \(b\)](#)
⁴ [24 CFR 58.5](#)

Environmental reviews under CEST, EA, or EIS, in addition to [24 CFR 58.6](#),¹ are also subject to the requirements of [24 CFR 58.5](#).⁴

EA reviews require a review of environmental assessment factors and NEPA analysis.

Additional compliance requirements apply to EIS reviews. See Figure 1 below for a breakdown of which components are required for each type of review.

Figure 1: Components required for each type of review



Subrecipients must address [24 CFR 58.6](#) compliance requirements for **all** levels of review, which include the following:

- Airport clear zones
- Coastal barrier resources
- Flood insurance

Compliance with [24 CFR 58.5](#) is required for CEST, EA, and EIS levels of review. [24 CFR 58.5](#) requires compliance with the following related federal laws and authorities:

- Air Quality
- Coastal Zone Management
- Contamination and Toxic Substances
- Endangered Species
- Explosive and Flammable Hazards
- Farmlands Protection
- Floodplain Management
- Historic Preservation
- Noise Abatement and Control
- Sole Source Aquifers
- Wetlands Protection
- Wild and Scenic Rivers
- Environmental Justice

For extensive resources related to each of the compliance requirements at [24 CFR 58.5](#) and [58.6](#), visit the HUD Exchange – [Environmental Review Federal Related Laws and Authorities](#).

7.1 Exempt Activities (24 CFR 58.34(a))

Certain activities are, by their nature, unlikely to have any direct impact on the environment. Accordingly, these activities are considered exempt and not subject to NEPA laws and regulations. These types of activities are considered “soft costs.”

However, you must complete an environmental review and submit it to LOCD-DR for all exempt activities using the [HUD Environmental Review Form - Exempt or CENST](#). This form must include a clear description of the exempted activities; the location of the proposed associated project, if applicable; the amount of funds to be exempted; and be signed by the certifying officer. Complete the [24 CFR 58.6](#) Compliance Determinations using the proposed associated project, if applicable.

Exempt activities are as follows:

1. Environmental and other studies, resource identification, and the development of plans and strategies. Examples include appraisals, archaeological surveys, and wetland delineation.
2. Information and financial services.
3. Administration and management activities, such as salaries and consultant costs.
4. Public services that do not have a physical impact or result in physical changes, such as services concerned with employment, crime prevention, childcare, health, drug abuse, education, counseling, energy conservation and welfare, or recreational needs.
5. Inspections and testing of properties for hazards or defects, such as lead-based paint or asbestos.
6. Purchase of insurance, such as flood insurance.
7. Purchase of tools. Examples include the payment of reasonable and eligible tool purchases. However, this does not include equipment purchases.
8. Engineering and/or design costs. Examples include architectural design.
9. Technical assistance and training.

10. Assistance for temporary or permanent improvement that does not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disaster, imminent threats, or physical deterioration. This category has a very narrow window of use and can only be used immediately after a disaster.
11. Principal and interest payments. This category is for loans made or obligations guaranteed by HUD.
12. Any of the categorically excluded activities subject to [24 CFR 58.5](#) (as listed in [24 CFR 58.35\(a\)](#)) provided that there are no circumstances which require formal compliance with any other federal laws and authorities listed at Part 58.5 of the regulations.

7.2 Categorically Excluded Activities Not Subject to 24 CFR 58.5 (CENST) (24 CFR 58.35(b))

HUD has determined that the following categorically excluded activities would not alter any conditions that would require a review or compliance determination under the federal laws and authorities. When the following kinds of activities are undertaken, the subrecipient does not have to publish a NOI/RROF or execute a certification, and the subrecipient does not have to submit a RROF to LOCD-DR except in extraordinary circumstances.¹

Federal Regulations:

¹ [24 CFR 58.35\(c\)](#)

An environmental review must be completed and submitted to LOCD-DR for all categorically excluded activities using the [HUD Environmental Review Form - Exempt or CENST](#). This CENST form must include a clear description of the activities; the location of the proposed associated project, if applicable; the amount of funds to be environmentally cleared; and be signed by the certifying officer. Complete the 58.6 Compliance Determinations using the proposed associated project, if applicable.

The following activities are Categorically Excluded under NEPA:

1. Tenant-based rental assistance.
2. Support 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 local, state, and federal government benefits and services.

3. Operating costs, including maintenance, security, operations, utilities, furnishings, equipment, supplies, staff training and recruitment, and other incidental costs.
4. Economic development activities, including, but not limited to, equipment purchase, inventory financing, interest subsidy, and operating expenses and similar costs not associated with construction or expansion of existing operations.
5. Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction, including closing costs and down payment assistance, interest buy downs, and similar activities that result in the transfer of title.
6. Affordable housing predevelopment costs, including legal, consulting, developer, and other costs related to obtaining site options; project financing; administrative costs and fees for loan commitments; zoning approvals; and other related activities that do not have a physical impact.
7. Approval of supplemental assistance (including insurance or a guarantee) to a project/activity previously approved under this part if the approval is made by the same responsible entity that conducted the environmental review on the original project, and re-evaluation of the environmental findings is not required.¹
8. HUD's guarantee of loans for one- to -four- family dwellings on trust land and on fee land within an Indian Reservation, and on fee land owned by the Indian Tribe outside the Tribe's Indian Reservation boundaries, under the Direct Guarantee procedure for the Section 184 Indian Housing loan guarantee program without any review or approval of the application for the loan guarantee by HUD or the responsible entity or approval of the loan guarantee by HUD before the execution of the contract for construction or rehabilitation and the loan closing.

Federal Regulations:

¹ [24 CFR 58.47](#)

² [24 CFR 58.35\(b\)](#)

A more extensive review may be required if a subrecipient determines that a project/activity identified above may have a significant environmental effect or if there are extraordinary circumstances or conditions. There may also need to be a re-evaluation or amendment of the categorical exclusion assessment if the subrecipient substantially changes its project/activity in nature, magnitude, or extent, including new activities not anticipated in the original project scope and/or cost estimates. Additionally, new circumstances and environmental conditions that may affect the project would necessitate a re-evaluation of the ERR, especially if these conditions have a bearing on its impact, such as concealed or unexpected conditions discovered before or during the project.

7.2.1. Supplemental Funding

Supplemental funding to a project/activity previously environmentally cleared may use the [CENST form](#) to clear the additional funds as long as the scope of work has not changed and the RE for the additional funds is the same RE of the original environmental review.²

7.3 Categorically Excluded Activities Subject to 24 CFR 58.5 (CEST) (24 CFR 58.35(a))

Categorical exclusion refers to a category of activities for which no EIS or EA and finding of no significant impact under NEPA is required, except in extraordinary circumstances,¹ in which a normally excluded activity may have a significant impact. Compliance with the applicable federal environmental laws and authorities^{2,3} is required for any categorical exclusion:⁴

Federal Regulations:

¹ [24 CFR 58.2\(a\)\(3\)](#)

² [24 CFR 58.5](#)

³ [24 CFR 58.6](#)

⁴ [24 CFR 58.35\(a\)](#)

- Requires consultation with applicable agencies and federally recognized Tribes.
- Requires [NOI/RROF](#) to request a release of funds in the local newspaper and the State Journal of Record for the area, such as *The Advocate*, or posted on an appropriate government website (see [Section 6.3, Public Notices](#)).
- Comment period (seven days) prior to [RROF](#).
- RROF must be certified by the RE certifying officer and submitted to LOCD-DR.

- 15-day comment period prior to executing the [AUGF](#).

The following activities are categorically excluded under NEPA but subject to review under the authorities listed in [24 CFR 58.5](#):

1. Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20% (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).
2. Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility for elderly and handicapped persons.
3. Rehabilitation of buildings and improvements when the following conditions are met:
 - i. In the case of a building for residential use (with one to four units), the density is not increased beyond four units, and the land use is not changed.
 - ii. In the case of multifamily residential buildings:
 - A. Unit density will not change more than 20%,
 - B. The project does not involve changes in land use from residential to non-residential, and
 - C. The estimated cost of rehabilitation is less than 75% of the total estimated cost of replacement after rehabilitation.
 - iii. In the case of non-residential structures, including commercial, industrial, and public buildings:
 - A. The facilities and improvements are in place and will not be changed in size or capacity by more than 20%, and
 - B. The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.

4. i. An individual action on up to four dwelling units where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building, or any combination in between, or
 - ii. An individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site.
 - iii. [Paragraphs \(a\)\(4\)\(i\) and \(ii\)](#)¹ of this section do not apply to rehabilitation of a building for residential use (with one to four units) (see [paragraph \(a\)\(3\)\(i\)](#)² of this section).
5. Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.
6. Combinations of the above activities.

Federal Regulations:

¹ [24 CFR 58.35 \(a\)\(4\)\(i\) and \(ii\)](#)

² [24 CFR 58.35 \(a\)\(4\)\(iii\)](#)

Basic Guidelines for Environmental Clearance of CEST Activities:

1. Prepare and submit the executed [Environmental Review for Activity/Project That Is Categorically Excluded Subject to Section 58.5 \(CEST\)](#) determination form.
This determination form must include a clear description of the activity, the location of the activity, and the amount of funding to be categorically excluded. The determination form must be signed by the subrecipient's certifying officer, such as the Parish President or mayor.
2. In completing the CEST determination form, the subrecipient must consult with the appropriate local, state, and federal agencies, as well as federally recognized Tribes (see [Section 7.3.1, Historic Preservation](#)), which have or might have an environmental interest in the project/activity. The subrecipient must show consultation through letters or other forms of communication. All letters and responses become part of the ERR and must be available for public review.

3. HUD provides worksheets that subrecipients can use to document the project's compliance with federal environmental laws and authorities. The worksheets are available at the HUD Exchange, [Environmental Review Record Related Federal Laws and Authorities Worksheets](#).
4. If a determination is made that the categorically excluded activity/project "converts" to Exempt¹ because there are no circumstances that require formal compliance with any of the federal laws or authorities cited at [24 CFR 58.5](#), the environmental review process has been completed. Subrecipients should submit the completed ERR to LOCD-DR for review and issuance of a Notice to Proceed prior to committing any choice-limiting actions. If the project does not convert to Exempt, continue with Steps 5 through 10.
5. If the subrecipient learns through this consultation process that it must comply with environmental provisions of other federal environmental laws or regulations, the activity/project cannot convert to Exempt. The subrecipient must document the project/activity that is affected, the nature of required compliance, how the subrecipient has or will meet such compliance requirements, publish an NOI/RROF, and obtain an AUGF before committing or expending any funds.
6. Once the subrecipient considers the environmental review document to be completed, LOCD-DR strongly recommends subrecipients submit the ERR to the LOCD-DR Environmental Officer for review prior to publishing any notices.
7. After LOCD-DR review, the subrecipient must then prepare a [Notice of Intent to Request a Release of Funds \(NOI/RROF\)](#).
8. Publish the notice in a state newspaper, such as *The Advocate*, as well as the local newspaper for the parish/municipality where the project/activity is located. Alternatively, all notices can be posted on local government websites if all accessibility requirements are met (see [Section 6.3, Public Notices](#)).

Federal Regulations:

¹ [24 CFR 58.34\(a\)\(12\)](#)

9. If published in a newspaper, the notice should be published once and must allow public review and comment to the ERR for at least seven days. All comments based on the public notice process must be considered and made a part of the ERR. If these comments require a revision to the NOI/RROF, then the project/activity must be re-evaluated accordingly.
10. If there are no adverse comments during this public comment period, the subrecipient must submit a completed [RROF – HUD Form 7015.15](#), signed by the certifying officer, the ERR, and the proof of publication of the NOI/RROF that shows the date of publication to LOCD-DR.

LOCD-DR will hold this request for a minimum of 15 days to allow for further public comment. If there are no adverse public comments, LOCD-DR will execute the [AUGF](#) and issue a Notice to Proceed related to environmental clearance to the subrecipient.

NOTE: If the subrecipient has an owner-occupied rehabilitation program, a buyout program, or other similar program where individual properties have not yet been identified, a Tiered Review may be appropriate. See [Section 8.3](#) for additional information on Tiered Reviews.

The following subsections contain compliance factors that require additional attention:

7.3.1. Historic Preservation

Subrecipients should use HUD guidance provided for Tribal Consultation, including the Tribal Directory Assessment Tool (TDAT) and the draft Tribal letter templates.

Subrecipients must contact both the Louisiana State Historic Preservation Officer and all federally listed Native American Tribes identified by HUD as having an interest in the project's location. To determine which, if any, Native American Tribes should be consulted, subrecipients must use HUD's Tribal Directory Assessment Tool.

[HUD Tribal Directory
Assessment Tool](#)

[HUD Section 106 Tribal
Consultation Letter Template](#)

The consultation process with the federally recognized Tribes must be from government-to-government and must:

- Use government letterhead.
- Be signed by a senior official for the government entity.
- Include a location map with Lat/Long coordinates in Decimal Degrees (DD) and in Degrees-Minutes-Seconds (DMS).
- Include the direct email of the ERR preparer to receive any responses/questions.

The SHPO and Tribes have 30 days to respond to consultation. SHPO and/or Tribes may request additional information and/or request a Cultural Resource Survey (see [Section 8.5, Phase I Cultural Resources Survey](#)), which will extend the Section 106 consultation timeline.

NOTE: For projects where the state is the RE, you should provide the LOCD-DR Environmental Officer via email or drop box (if needed due to size) the draft Tribal letters addressed to the Tribal Historic Preservation Office and Chief, as identified by the Tribal Directory Assessment Tool. LOCD-DR will send these out on state letterhead. You should include the location map and the Lat/Long coordinates in DD and in DMS within the Tribal letter.

7.3.2. Floodplain Management

Projects located within a floodplain are subject to Executive Order 11988, which requires federal activities to avoid impacts on floodplains and to avoid direct and indirect support of floodplain development to the extent practicable. HUD has revised its floodplain management regulations in [24 CFR 55](#) to incorporate the Federal Flood Risk Management Standard (FFRMS), which will better protect communities and taxpayer-funded investments from flooding.

The updated rule amends HUD’s existing floodplain regulations to require a greater level of flood protection for new construction and substantially improved projects. FFRMS expands the floodplain of concern from the 100-year floodplain to a newly defined “FFRMS floodplain.”

The FFRMS floodplain is an expanded area, both horizontally and vertically, from the 100-year

floodplain, which is based on future flood risk. The rule requires that newly constructed or substantially improved structures within this newly defined floodplain be elevated or floodproofed to this higher FFRMS floodplain elevation for protection. Building to this standard will increase the Nation’s resilience to flooding, reduce the risk of flood loss with regard to human life and property, and minimize the direct impact of floods.

[Identifying the FFRMS Floodplain](#)

NOTE: FFRMS requirements are subject to any amendments to applicable Federal Register notices and/or HUD regulations.

- The FFRMS floodplain area is determined by using a tiered approach: (1) Climate Informed Science Approach (CISA), (2) 0.2% Annual Chance Flood Approach (0.2PFA), or (3) Freeboard Value Approach (FVA), and in that order based on available data for the area (CISA > 0.2PFA > FVA).
- If the project location is within the FFRMS floodplain, the **8-Step Decision-Making Process** is required unless [24 CFR 55](#) is not applicable.^{1,2} Steps 2 and 7 require public notices.
- New construction or substantial improvement actions within the FFRMS floodplain must be elevated (or floodproofed³) at or above the elevation of the FFRMS floodplain.
- **HUD financial assistance is prohibited in floodways unless an exception applies at 24 CFR 55.12,**¹ the project is a functionally dependent use (e.g., dams, marinas, bridges), or the project is a floodplain function restoration activity such as the State MIT Buyout Program.⁴
- HUD prohibits critical actions and new construction in V Zones unless an exception applies, or the project is a functionally dependent use. Noncritical actions are limited to existing structures or improvements and must be designed for location in a Coastal High Hazard Area.⁵

Federal Regulations:

¹ [24 CFR 55.12](#)

² [24 CFR 55.13](#)

³ [24 CFR 55.20\(e\)](#)

⁴ [24 CFR 55.12\(c\)](#)

⁵ [24 CFR 55.8](#)

Floodplain Management Resources	Webpage URL
HUD Exchange: Floodplain Management	https://www.hudexchange.info/programs/environmental-review/floodplain-management/
FEMA Flood Maps	https://msc.fema.gov http://maps.lsuagcenter.com/floodmaps/
HUD Exchange: Floodplain Management 8-Step Decision-Making Process	https://www.hudexchange.info/resource/3190/floodplain-management-8-step-decision-making-process/

7.3.3. Wetlands Protection

Projects located within a designated wetland are subject to [Executive Order 11990: Protection of Wetlands](#). HUD regulations describe measures for protecting wetlands where practicable.

As a primary screening, subrecipients must verify whether the project is located within wetlands identified on the [National Wetlands Inventory \(NWI\)](#) and assess the site for visual indication of the presence of wetlands, such as hydrology (water), hydric soils, or wetland vegetation. Where the primary screening is inconclusive, potential wetlands should be further evaluated by a qualified wetlands scientist to delineate the wetland boundaries on-site or else consult directly with the U.S. Department of the Interior, Fish and Wildlife Service staff. **If the project is determined to be within a wetland, consultation with the USACE will be required. Additionally, the 8-Step Decision-Making Process will be required.**

Wetland Protections Resources	Webpage URL
HUD Exchange: Wetlands Protection	https://www.hudexchange.info/programs/environmental-review/wetlands-protection/
NWI Wetlands Mapper	https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper

NOTE: If the proposed site is located within a FFRMS Floodplain and a Wetland, the 8-Step Notices can be published together.

7.3.4. Endangered Species

The environmental review must consider the potential impacts of the project on endangered and threatened species and critical habitats. The review must evaluate potential impacts not only on any listed species but also on any proposed endangered or threatened species and critical habitats. This responsibility is cited in environmental procedures at [24 CFR 58.5\(e\)](#).¹ The identification of listed species and critical habitats must be completed using the [IPaC online tool](#). Additional consultation with Louisiana Wildlife and Fisheries and USFWS may be required.

Federal Regulations:

¹ [24 CFR 58.5\(e\)](#)

Endangered Species Resources	Webpage URL
HUD Exchange: Endangered Species	https://www.hudexchange.info/programs/environmental-review/endangered-species/

7.4 Environmental Assessment (24 CFR 58.36)

If the project/activity does not fall in either the “exempt” or “categorically excluded” categories, the subrecipient will have to undertake an Environmental Assessment (EA). An EA enables the subrecipient to determine the degree of significant impact that an activity (by itself or in combination with other activities) may have on the environment. This level of review under NEPA is typically required when a proposed project has activities such as new construction, capacity change greater than 20%, or a change in land use. The EA level of review:

- Requires consultation with applicable agencies and federally recognized Tribes.
- Considers other potential impacts of the project, including land development, socioeconomic factors, community facilities and services, and natural features, in addition to compliance with [24 CFR 58.5](#) and [24 CFR 58.6](#).
- Requires analysis of alternatives.
- Requires a determination of significant impact.

- Requires Public [Notice of Finding of No Significant Impact \(FONSI\) and Notice of Intent to Request Release of Funds \(RROF\)](#) in a local newspaper and the State Journal of Record for the area, such as *The Advocate*, or posted on an appropriate government website (see [Section 6.3, Public Notices](#)).
- Requires a 15-day comment period prior to [RROF](#).
- Requires the RROF be certified by the RE certifying officer and submitted to LOCD-DR.
- Requires a 15-day comment period prior to executing the [AUGF](#).

Comprehensive guidance for completing this level of review can be found on the [Environmental Assessment – HUD Exchange](#) website.

7.4.1. Basic Guidelines for Completing the Environmental Assessment

The Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects [24 CFR 58 form](#) is the primary document that must be completed by the subrecipient or its consultant. Subrecipients must coordinate and document all efforts with all appropriate local, state, and federal agencies that may have an interest in, or responsibility for, the environmental laws and/or potential impacts of the project/activity. Subrecipients must document in the ERR all supporting data for analyses and findings, such as maps, surveys, agency/tribal correspondence, studies, reports, site pictures, calculations, charts, tables, and technical opinions.

Using the EA form, subrecipients must:

1. Determine existing conditions and describe the character, features, and resources of the project area and its surroundings, and identify the trends that are likely to continue in the absence of the project.
2. Identify all potential environmental impacts, whether beneficial or adverse, and the conditions that would change because of the project.

3. Identify, analyze, and evaluate all impacts to determine the significance of their effects on the human environment and whether the project will require further compliance under related laws and authorities cited in 24 CFR [58.5](#) and [58.6](#). The subrecipient must consult with the appropriate local, state, and federal agencies, as well as federally recognized Tribes (see [Section 7.3.1, Historic Preservation](#)), which have or might have an environmental interest in the project/activity.
4. Examine and recommend feasible ways in which the project or external factors relating to the project could be modified to eliminate or minimize adverse environmental impacts.
5. Discuss the need for the proposal, appropriate alternatives where the proposal involves unresolved conflicts concerning alternative uses of available resources, the environmental impacts of the proposed action and alternatives, and a listing of agencies and persons consulted.

Determination of Impact

Based on Steps 1 through 5 shown above, subrecipients must make one of the following determinations:

1. A Finding of No Significant Impact (FONSI), which means that the project will not significantly affect the quality of the human environment.
2. A Finding of Significant Impact (FOSI), which means that the project may significantly affect the quality of the human environment. The subrecipient must then proceed with the preparation of an Environmental Impact Statement. It is unlikely that a funded activity will trigger an EIS. In the event that a subrecipient finds itself involved with this level of review, contact the LOCD-DR Environmental Officer.

If a subrecipient's EA results in a FONSI determination, then the subrecipient is ready to publish the FONSI/RROF Public Notice and open the comment period.

NOTE: Once the subrecipient considers the environmental review document to be completed, LOCD-DR strongly recommends that subrecipients submit the ERR to the LOCD-DR Environmental Officer for review prior to publishing any notices.

Public Notice, Comment Period, and RROF Process

1. Prepare a Combined [Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds \(FONSI/RROF\)](#).
2. Publish a notice in the state newspaper, such as *The Advocate*, as well as the local newspaper for the parish where the project/activity is located. Alternatively, all notices can be posted on a local government website if all accessibility requirements are met (see [Section 6.3, Public Notices](#)).
3. If published in a newspaper, the notice should be published once and must allow public review and comment to the ERR for at least 15 days. All comments based on the public notice process must be considered and made a part of the ERR. If these comments require a revision to the FONSI/RROF, then the project/activity must be re-evaluated accordingly.
4. If there are no adverse comments during this public comment period, the subrecipient must submit a completed [RROF](#) signed by the certifying officer, the ERR, and proof of publication of the FONSI/RROF that shows the date of publication to LOCD-DR.

LOCD-DR will hold this request for a minimum of 15 days to allow for further public comment. If there are no adverse public comments, LOCD-DR will execute the [AUGF](#) and issue a Notice to Proceed related to environmental clearance to the subrecipient.

7.5 Environmental Impact Statement (24 CFR 58.37)

An Environmental Impact Statement (EIS) is required when the subrecipient's EA results in a Finding of Significant Impact, indicating that the proposed project or activity will significantly impact the human environment.

It is unlikely that a CDBG-DR and CDBG-MIT funded activity will trigger an EIS. In the event that a subrecipient finds itself involved with this level of review, the subrecipient should contact the LOCD-DR Environmental Officer immediately for further instructions.

- An EIS is required under any of the following circumstances, except as provided in [24 CFR 58.37\(c\)](#):
 - The project would provide a site or sites for, or result in the construction of, hospitals or nursing homes containing a total of 2,500 or more beds.
 - The project would remove, demolish, convert, or substantially rehabilitate 2,500 or more existing housing units (but not including rehabilitation projects categorically excluded under 24 CFR 58.35), or would result in the construction or installation of 2,500 or more housing units, or would provide sites for 2,500 or more housing units.
 - The project would provide enough additional water and sewer capacity to support 2,500 or more additional housing units. The project does not have to be specifically intended for residential use, nor does it have to be a totally new construction. If the project is designed to provide upgraded services to existing development, as well as to serve new development, only that portion of the increased capacity, which is intended to serve new development, should be counted.

8. Other Types of Environmental Reviews and Reports

8.1 Adoption of Another Agency's Environmental Review

When CDBG-DR or CDBG-MIT funds are used to supplement other federal assistance, subrecipients may adopt any environmental review, approval, or permit performed by a federal agency without review or public comment. This is allowed if the actions covered by the existing environmental review, approval, or permit and the actions proposed for the CDBG-DR or CDBG-MIT supplemental funds are substantially the same.

The subrecipient is only required to supplement the other federal agency's environmental review to comply with HUD regulations (e.g., publication or posting requirements for Notice of Finding of No Significant Impact (FONSI), Notice of Intent to Request Release of Funds

(NOI/RROF), concurrent or combined notices, HUD approval period for objections) if the activity is modified so the other agency's environmental review no longer covers the activity. The subrecipient's environmental review obligations are considered to be completed when adopting another agency's environmental review. To be adequate, the subrecipient must:

1. Obtain a completed electronic or paper copy of the federal agency's review and retain a copy of the full file in its ERR.
2. Review the scope of work completed by the federal agency's review and verify that the scope of work is substantially the same with a memo to file in its ERR.
3. Notify LOCD-DR on the RROF that another agency review is being used. Include the name of the other federal agency, the name of the project, and the date of the project's review as prepared by the other federal agency. When permitted by the applicable appropriations acts, and notwithstanding [42 United States Code \(U.S.C.\) 5304\(g\)\(2\)](#),¹ LOCD-DR may, upon receipt of a Request for Release of Funds and Certification, immediately approve the release of funds if the subrecipient has adopted an environmental review, approval, or permit under this process, or if the activity or project is categorically excluded from review under NEPA.
4. Additional information on the adoption of another agency's environmental review can be found in the Universal Notice.

Federal Regulations:

¹ [42 U.S.C. 5304\(g\)\(2\)](#)

[HUD Universal Notice](#)

[Memorandum 2025-02](#)

NOTE: Subrecipients should consult with the LOCD-DR Environmental Officer if they intend to adopt another federal agency's environmental review.

8.2 Project Re-Evaluation (24 CFR 58.47)

HUD considers an environmental review for a specific project to be valid for up to five years as long as there are no changes to the project scope or environmental conditions. Sometimes projects are revised, delayed, or otherwise changed, such that a re-evaluation of the environmental review is necessary. The purpose of the re-evaluation is to determine whether the original findings are still valid.

A subrecipient must re-evaluate its environmental findings to determine whether the original findings are still valid when the following occurs:

1. The subrecipient proposes substantial changes in the nature, magnitude, or extent of the project, including adding new activities not anticipated in the original project scope,
2. There are new circumstances and environmental conditions that may affect the project or have a bearing on its impact, such as concealed or unexpected conditions discovered during the implementation of the project or activity, which is proposed to be continued, or
3. The subrecipient proposes the selection of an alternative not in the original finding.

If the original findings are still valid but the data or conditions upon which they were based have changed, the subrecipient must affirm the original findings and update the ERR by including this re-evaluation and its determination based on its findings. Under these circumstances, if a FONSI notice has already been published, no further publication of a FONSI notice is required.

If the subrecipient determines that the original findings are no longer valid, a new EA must be prepared.

8.3 Tiered Environmental Reviews

Tiering¹ is a means of making the environmental review process more efficient by allowing subrecipients to eliminate repetitive discussions of the same issues, focus on the actual issues ripe for decision, and exclude from consideration issues already decided or not yet ready at each level

Federal Regulations:

¹ [24 CFR 58.15](#)

of environmental review. Tiering is appropriate when a subrecipient is evaluating a single-family housing program with similar activities within a defined local geographic area and timeframe (e.g., rehabilitating single-family homes within a city district or parish over the course of one to five years) but where the specific sites and activities are not yet known.

A tiered review consists of two stages: (1) a broad-level review and (2) subsequent site-specific reviews. Public notice and the RROF are processed at a broad level, eliminating the need for publication at the site-specific level. However, funds cannot be spent or committed on a specific site or activity until the site-specific review has been completed and approved.

- The broad-level review should identify and evaluate the issues that can be fully addressed and resolved, notwithstanding possible limited knowledge of the project.
- As individual sites are selected for review, the site-specific reviews evaluate the remaining issues based on the policies established in the broad-level review.
- Together, the broad-level review and all site-specific reviews will collectively comprise a completed environmental review addressing all required elements.

Maintaining an organized ERR is especially important regarding tiered reviews because tiered ERRs have not been completed without both the broad-level and site-specific tiered reviews. All site-specific reviews must identify the corresponding broad-level review and should be filed together. Failure to maintain documentation of both broad-level and site-specific reviews for each project may result in penalties and sanctions, including the repayment of funds.

HUD provides tiered review resources, including a tiered CEST sample format and a sample Notice of Intent to Request Release of Funds for Tiered Review.

Tiered Environmental Review Resources	Webpage URL
HUD Exchange: Tiered Environmental Reviews	https://www.hudexchange.info/programs/environmental-review/tiered-environmental-reviews/

NOTE: Subrecipients should consult with the LOCD-DR Environmental Officer for technical assistance prior to initiating a tiered review.

8.4 ASTM Phase I and Phase II Environmental Site Assessments

Some projects may require additional environmental review of the current and historical uses of a property when there is potential contamination of the soil or groundwater at the project site. Typically, these assessments are incorporated in the ERR and may result in specific mitigation actions that must take place prior to the purchase of the property or the construction of an improvement. A Phase II ESA may be required depending on the findings of the Phase I report. A valid Phase I ESA is required as part of the environmental review process for multifamily housing projects and property acquisitions. A Phase I ESA may also be required for other types of projects as deemed necessary by LOCD-DR.

8.5 Phase I Cultural Resources Survey

As part of [Section 106 of the National Historic Preservation Act](#),¹ consultation with the SHPO and/or Tribal Historic Preservation Office may require a Phase I Cultural Resources Survey.

Federal Regulations:

¹[36 CFR 800.1](#)

The purpose of a Phase I Cultural Resources Survey is to locate and define the boundaries of every archaeological site within the project area. For Phase I surveys, the survey area must be examined by systematic shovel testing whenever possible, in combination with a systematic pedestrian survey, and/or additional techniques, such as auguring, coring, soil probes, or mechanically excavated trenching, depending upon the surface conditions and the potential for deeply buried archaeological sites.

Field standards for a Phase I Cultural Resources Surveys can be found at the Louisiana Office of Cultural Development, Division of Archaeology webpage via [Phase 1 Surveys | Field Standards | Division of Archaeology](#).

9. Best Practices for a Thorough and Efficient Review

- Follow the guidance from this document and complete the requirements for the level of environmental review corresponding to your project.
- Preliminary consultation with USACE should begin as soon as possible for any projects that potentially contain wetlands or for any projects that may contain jurisdictional waters.
- Consultation with Tribes and all communication, including the responses, if any, must be included in the ERR.
- If a project requires acquisition or multifamily housing, an ASTM certified Phase I ESA must be completed by a certified professional.
- Required notices must have proof of publication included in the ERR.
- Consultation with all agencies, entities, and individuals with an interest in the project area must be done properly and documented in the ERR.
- All supporting documentation and findings must be included in the ERR file.

10. Environmental Resources

- HUD Environmental website at the HUD Exchange:
<https://www.hudexchange.info/programs/environmental-review/>
- CDBG-DR website at the HUD Exchange:
<https://www.hudexchange.info/programs/cdbg-dr/>
- Disaster Recovery and Environment website at the HUD Exchange:
<https://www.hudexchange.info/programs/environmental-review/disaster-recovery-and-environment/>
- HUD Environmental Review Worksheets:
<https://www.hudexchange.info/resource/4707/environmental-review-record-related-federal-laws-and-authorities-worksheets/>

- Code of Federal Regulations:
 - [eCFR :: 24 CFR 58 -- Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities](#)
 - [eCFR :: 24 CFR 55 -- Floodplain Management and Protection of Wetlands](#)
- Tribal Consultation website at the HUD Exchange:
 - <https://www.hudexchange.info/programs/environmental-review/historic-preservation/tribal-consultation/>
- National Wetlands Inventory Map:
 - <https://www.fws.gov/wetlands/Data/Mapper.html>
- Floodplain Management:
 - <https://msc.fema.gov/>
 - <http://maps.lsuagcenter.com/floodmaps/>
 - [https://www.hud.gov/sites/dfiles/CPD/documents/Defining the FFRMS Floodplain Instructions and Resources.pdf](https://www.hud.gov/sites/dfiles/CPD/documents/Defining%20the%20FFRMS%20Floodplain%20Instructions%20and%20Resources.pdf)
- Day/Night Noise Level (DNL) Electronic Assessment Tool:
 - <https://www.hudexchange.info/programs/environmental-review/dnl-calculator/>
- Sound Transmission Classification Assessment Tool (STraCAT):
 - <https://www.hudexchange.info/stracat/>
- Acceptable Separation Distance (ASD) Electronic Assessment Tool:
 - <https://www.hudexchange.info/programs/environmental-review/asd-calculator/>
- Department of Energy and Natural Resources, Office of Coastal Management:
 - <https://www.dnr.louisiana.gov/page/office-of-coastal-management-home-page>

11. HUD CPD Notices

CPD Notice	Webpage Link
Notice CPD-23-103: Radon	<u>Notice CPD-23-103: Departmental Policy for Addressing Radon in the Environmental Review Process – HUD Exchange</u>
Notice CPD-16-02: Categorizing an Activity as Maintenance	<u>Notice CPD-16-02: Guidance for Categorizing an Activity as Maintenance for Compliance with HUD Environmental Regulations, 24 CFR Parts 50 and 58 – HUD Exchange</u>
Notice CPD-17-13: Notice for Interpreting the Limits of the Floodway for Linear Infrastructure Projects	<u>Notice CPD-17-13: Notice for Interpreting the Limits of the Floodway for Linear Infrastructure Projects Complying with HUD Floodplain Management Regulations, 24 CFR Part 55 – HUD Exchange</u>