

# Standard Operating Procedure CDBG-DR and MIT Infrastructure Projects – Environmental Review Record

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# Standard Operating Procedure

## CDBG-DR and MIT Infrastructure Projects – Environmental

### **Audience:**

This document is intended for City of San Marcos CDBG staff, as the Responsible Entity for the Environmental Review Record for CDBG projects.

This document will also be shared to any sub-consultants that are completing activities related to the Environmental Review Record for reference of awareness of procedures and expectations.

### **Overview:**

An environmental review is the process of reviewing a project and its potential environmental impacts to determine whether it complies with the National Environmental Policy Act (NEPA) and related laws and authorities. All HUD-assisted projects are required to undergo an environmental review to evaluate environmental impacts. An environmental review must be conducted considering federal laws, authorities, and regulations which address noise, air quality, historic properties, floodplains, wetlands, water quality, solid waste disposal, manmade hazards, farmlands protection, wild and scenic rivers, coastal areas, endangered species and others. The analysis includes both how the project can affect the environment and how the environment can affect the project, site, and end users.

CDBG-DR and MIT requires that an environmental review be completed for every activity before funds (even non-CDBG-DR and MIT funds associated with the activity) are committed or expended.

One of the most common reasons for complications or returned grant funds is for improper filing, timing, or clearance related to the Environmental Review Record. It is imperative that the City of San Marcos follows the procedures for clearance prior to expending or committing funds necessary for clearance.

Documentation of the environmental review should be maintained in the environmental review record. This record contains the description of all activities that are part of the project and an evaluation of the effects of the project on the human environment and vice versa. This record should be made available for public review.

### **Notes on Documentation:**

**Records:** At all stages, staff will save to the electronic file a copy of any signed document and any information sent to property owners, Tribal groups, and agencies in the assigned folder for the individual project.

**Notices:** All notices published to local news outlets or sent to property owners, Tribal groups, and agencies must be documented in City files in the assigned folder for the individual project.

All recorded documents will be available to the public by request and appointment prior to release of funds and submission to HEROS. Upon submission to HEROS and/or upon applicable notices, a copy of the recorded files will be made available to the public both online and physical copies as requested.

**HUD Overview:** <https://www.hudexchange.info/programs/environmental-review/orientation-to-environmental-reviews/#overview>

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## CDBG-DR and MIT Infrastructure Projects – Environmental

### I. RESPONSIBLE ENTITY

A. Under 24 CFR Part 58, the term “responsible entity” (RE) means the grantee receiving CDBG assistance. The responsible entity must complete the environmental review process. The RE is responsible for ensuring compliance with NEPA and the Federal laws and authorities has been achieved, for issuing the public notification, for submitting the request for release of funds and certification, when required, and for ensuring the Environmental Review Record (ERR) is complete. The City of San Marcos is designated as the “Responsible Entity” for any submittal for the CDBG-DR and MIT program.

B. Responsible Parties Defined

#### Certifying Officer

- The Certifying Officer is the “responsible Federal official” that ensures compliance with the National Environmental Policy Act (NEPA) and the Federal laws and authorities cited at section 58.5 has been achieved
- They must be an elected official designated by formal resolution and must have the authority to assume legal responsibility for certifying that all environmental requirements have been followed.
- For the CoSM, the Certifying Officer is designated as the “City Manager”.

#### Environmental Officer

- The Environmental Officer is responsible for conducting the environmental review including such tasks as: writing the project narrative, obtaining maps of the project area, soliciting comments from appropriate local, state and federal agencies, and facilitating responses to comments received on the environmental findings.
- While the Environmental Officer may delegate tasks to subconsultants, the Environmental Officer is responsible for review and certification of any items related to the above responsibilities.
- For the CoSM Infrastructure Projects, the Environmental Officer is designated as the “Project Manager” assigned to the infrastructure project requiring an Environmental Review.
- For the CoSM for Exempt and Categorical Excluded activities, the “Program Compliance Manager” is designated as the Environmental Officer.

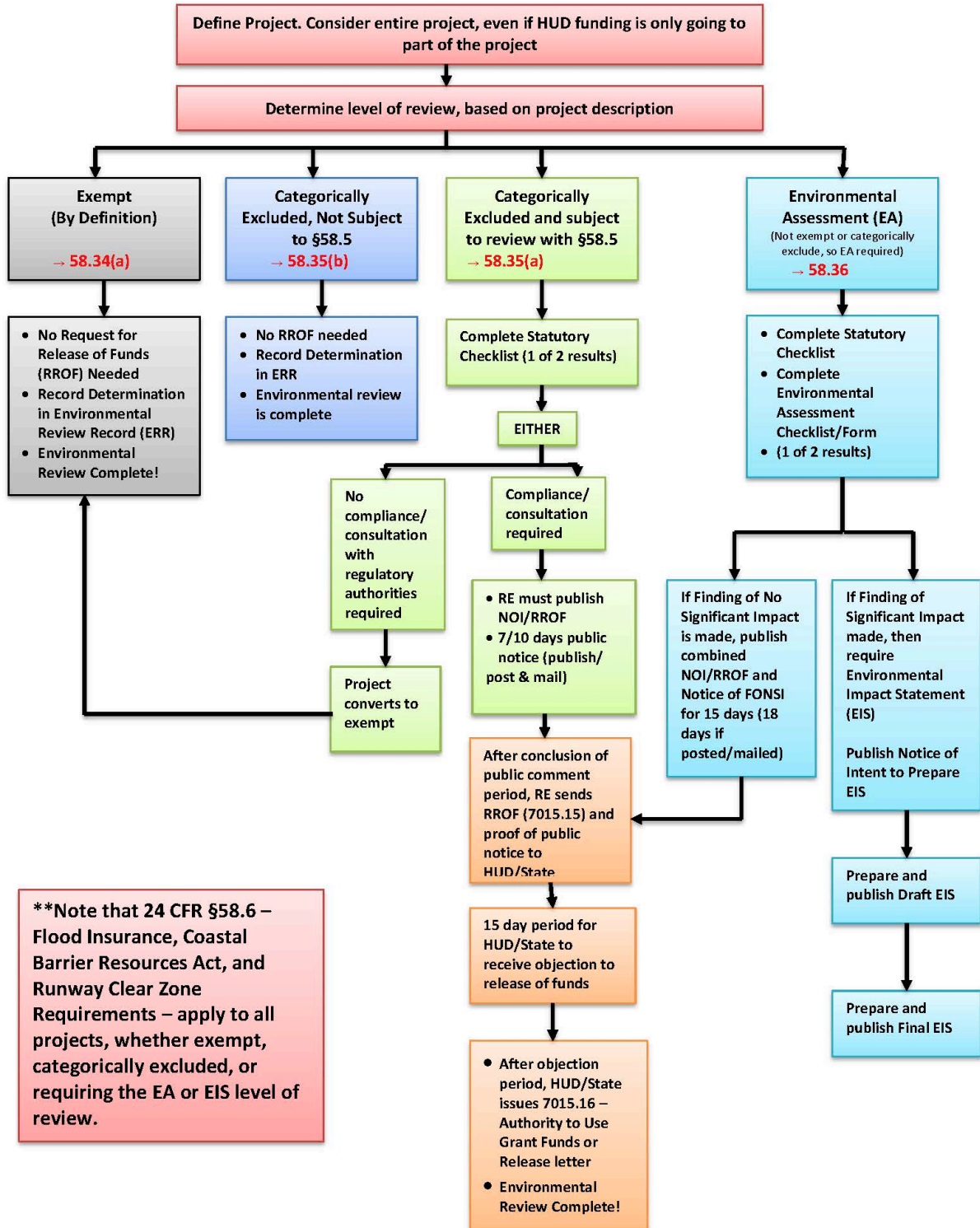
C. Typical Responsibilities for Environmental Subconsultants

- Should the infrastructure project design and environmental assessment be procured by a professional services contract, it is typical to assign and delegate the following activities to the subconsultant contracted to complete the environmental assessment:
  - Environmental Constraints Analysis
  - Full Draft of Environmental Analysis in accordance with 2 CFR 58 as described above.
  - Archaeological Surveying
  - Archaeological Monitoring
  - Historic Resource reconnaissance or intensive level study
  - National, State, and/or Local permitting and coordination with associated entities in relation to the Environmental Assessment.
  - Submittal of the EA and all documentation to HEROS system for review by Responsible Entity.

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## II. STEPS AND ROLES AND RESPONSIBILITIES

### Environmental Review Process (To Be Conducted by Responsible Entity)



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### PROGRAM

1. Set up project in DRGR federal reporting system
2. Obtain from HUD the Memorandum of Authorization to Incur Pre-Agreement Costs
3. Receive From Environmental Officer:
  - Description of the project
  - Limits on the project area
  - If the project is in a floodplain
  - If any acquisition will be necessary.
4. Determine Level of Review, based on project description. For guidance, see: [https://files.hudexchange.info/resources/documents/ERProcedures\\_24CFR58.pdf](https://files.hudexchange.info/resources/documents/ERProcedures_24CFR58.pdf)
  - a. Exempt (24 CFR 58.34(a))
  - b. Categorially Excluded, Not Subject to 58.5 (24 CFR 58.35(b))
  - c. Categorially Excluded and subject to review with 58.5 (24 CFR 58.35(a))
  - d. Environmental Assessment (24 CFR 58.36)
5. Fill out Level of Review Form for determination.
6. Prepare a memo for Environmental Officer with the level of review required.
  - a. If in a floodplain, inform Engineering Team the process to be completed (8-step) for clearance.
  - b. If acquisitions are needed, inform the Environmental Officer of the URA process requirements including proposed timing.

### FINANCE

- A. Set up project in TylerMunis
- B. Obtain source and amount of Applicable Funds or additional funds if available.

### ENVIRONMENTAL OFFICER

1. Describe the Project
2. Establish the limits of the Project Area
  - a. Receive from Project Team Level of Review form and Memo for level of review required and associated processes.
3. Group together and evaluate as a single project all individual activities which are related either on a geographical or functional basis, or are logical parts of a composite of contemplated actions. For more detailed information refer to 24 CFR 58.32
  - a. Functional Aggregation
    - i. Activity to take place in several separate locales or jurisdictions
  - b. Geographic Aggregation
    - i. Mix of dissimilar but related activities is to be concentrated In a fairly specific projectarea
  - c. Combination of aggregation approaches

Regardless of the number of activities associated with a project, a single environmental review is required. Aggregating related activities ensures the recipient adequately addresses and analyzes the separate and combined impacts of a

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proposed project. Project Aggregation (grouping “like” activities) may be necessary. Conditions under which project aggregation would occur include:

- Activities are in a concentrated area;
- Activities are within unspecified sites;
- Multi-year activities; or
- Special HUD initiatives.

In project aggregation, the responsible entity must group together and evaluate as a single project all of the individual activities that are related. They may be related geographically or functionally or are logical parts of a group of contemplated actions. Related activities are ones that:

- Automatically trigger other actions;
- Cannot or will not proceed unless other actions are taken beforehand or at the same time; or
- Are mutually dependent parts of a larger activity/action.

4. Send out Early Floodplain notifications to relevant agencies, tribes, and publish to local paper.
  - a. Provide 15 days from time of publication for public comment.
  - b. See Template in Resources Folder for Guide.
5. Relook at the Environmental SOP.
6. Engage procured environmental subcontractors to complete environmental review. Pay special attention to the additional national, state, and local requirements fully described in this document. Coordinate with City on aspects that only they can accomplish. Pay special attention to the sections on Activities Pending Clearance.
7. Work with procured environmental subcontractors to establish schedule for all activities for Environmental Review Record Clearance and request for release of funds/authority to use grant funds.
8. Send out Final Floodplain notifications to relevant agencies, tribes, and publish to local paper.
  - A. Provide 7 days from time of publication for public comment.
  - B. See Template in Resources Folder for Guide.
9. Once full Environmental Assessment is completed, environmental subcontractors will enter ERR into HEROS for Environmental Officer review.
  - a. Alternatively, the Environmental Officer may enter ERR into HEROS if environmental subcontractor unable to do so or no subcontractor is needed for the project.
10. Complete Environmental Assessment Checklist.
11. Submit Notice of Intent to Request Release of Funds as specified below in this document to relevant agencies and publish to paper.
12. Assign review and approval to the Certifying Officer.

### **CERTIFYING OFFICER**

1. Assign the Review to the HUD LocalField Office.

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### III. FEDERAL GUIDANCE

#### Level of Review

The level of review shall be determined by the Regulated Entity, the Project Manager at the City of San Marcos for the assigned project.

The levels of review are described below:

- a. Exempt (24 CFR 58.34(a))
- b. Categorically Excluded, Not Subject to 58.5 (24 CFR 58.35(b))
  - If a project is exempt under 24 CFR 58.34 or categorically excluded not subject to the related laws and authorities (CENST) under 24 CFR 58.35(b), the project file only needs to make a reference to the applicable exemption or CENST and document compliance with 24 CFR 58.6 requirements.
  - Determination and Exempt Activities and Categorically Excluded Activities can be found Here: <https://files.hudexchange.info/resources/documents/Overview-Exempt-CENST-Activities.pdf>
- c. Categorically Excluded and subject to review with 58.5 (24 CFR 58.35(a))
  - Categorical exclusion refers to a category of activities for which no environmental impact statement or environmental assessment and finding of no significant impact under NEPA is required, except in extraordinary circumstances (see § 58.2(a)(3)) in which a normally excluded activity may have a significant impact. Compliance with the other applicable Federal environmental laws and authorities listed in § 58.5 is required for any categorical exclusion.
  - A list of Categorically Excluded Activities that may be subject to review with 58.5 can be found below:
    - <https://www.law.cornell.edu/cfr/text/24/58.35>
    - In order to document completion of a Categorically Excluded Activity Subject to Section 58.5 Environmental Review, see below:
    - <https://www.hud.gov/sites/dfiles/CPD/documents/Part-58-CEST-Format.pdf>
- d. Environmental Assessment (24 CFR 58.36)
  - For all other infrastructure activities, all regulations associated with this document shall apply.



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### Regulations

#### 24 CFR Part 58 Compliance

The City of San Marcos CDBG-DR & MIT program and its subrecipients must adhere to all required environmental review policies and procedures, which can be found in 24 CFR Part 58, Linked below:

- [24 CFR Part 58](#)

According to 24 CFR Part 58.30(b), the “... environmental review process should begin as soon as a recipient determines the projected use of HUD assistance.” Additionally, 24 CFR Part 58.22 limits activities, including commitment of HUD funds or non-HUD funds, prior to the completion of a project’s environmental review up until the Responsible Entity (RE) receives approval from HUD of a Request for Release of Funds (RROF). This means that the grantee or subrecipient may not spend either public or private funds (CDBG, other federal or non-federal funds), or execute a legally binding agreement for property acquisition, rehabilitation, conversion, repair or construction pertaining to a specific site until environmental clearance has been achieved. In other words, grantees and/or subrecipients must avoid any and all choice limiting actions before a final decision is made – that decision being based upon an understanding of the environmental consequences and actions that can protect, restore and enhance the human environment (i.e., the natural, physical, social, and economic environment).

Until the City of San Marcos has completed the environmental review process and received approval of an RROF, these same restrictions apply to project participants. It is the responsibility of all subrecipients to ensure project participants are apprised of these restrictions.

Commitment of funds shall include:

- Execution of a legally binding agreement (such as a property purchase or construction contract);
- Use of any non-CDBG funds on actions that may have an adverse impact (e.g., demolition, dredging, filling, excavating); and
- Use of funds on actions that would be “choice limiting” (e.g., acquisition of real property; leasing property; rehabilitation, demolition, construction of buildings or structures; relocating buildings or structures, conversion of land or buildings/structures).

It is acceptable for subrecipients to execute non-legally binding agreements prior to completion of the environmental review process and receiving CoSM approval. A non-legally binding agreement contains stipulations that ensure the project participant does not have a legal claim to any amount of CDBG funds to be used for the specific project or site until the environmental review process is satisfactorily completed.

It is also acceptable to execute an option agreement for the acquisition of property when the following requirements are met:

- The option agreement is subject to a determination by the NCORR on the desirability of the property for the project as a result of the completion of the environmental review in accordance with Part 58; and
- The cost of the option is a nominal portion of the purchase price.

#### Federal Register Compliance

As part of the Environmental Review, the Environmental Assessment must be in Compliance with Federal Register

Per 84 FR 45847, Section V.A.2.a, In order to use CDBG-DR and or CDBG-MIT funds, all items associated with funding of the project must be included in the Action Plan and identified how the use of all funds:

- (1) Meets the definition of mitigation activities;
- (2) addresses the current and future risks as identified in the grantee’s Mitigation Needs Assessment of most impacted and distressed areas as defined in section II.C.;
- (3) will be CDBG-eligible activities under title I of the HCDA or otherwise eligible pursuant to a waiver or alternative requirement; and

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- (4) will meet a national objective, including additional criteria for mitigation activities and Covered Projects.

Per **84 FR 45847, Section V.A.23.c**, the regulating entity shall implement the Unified Federal Review (UFR) Process.

- The UFR Process is a framework for coordinating federal agency EHP reviews for proposed disaster recovery projects associated with presidentially declared disasters under the Stafford Act.
- The process aims to coordinate Federal environmental and historic preservation reviews to expedite planning and decision-making for disaster recovery projects. This can improve the federal government's assistance to states, local and tribal governments, communities, families, and individual citizens as they recover from future presidentially-declared disasters.
- Success of the UFR Process requires early interagency communication and coordination prior to, during and after disasters and disaster recovery.
- Each Federal agency remains responsible for their own compliance with EHP requirements.

More information on the UFR Process can be found Here: <https://emilms.fema.gov/ISO216/DRLT0102summary.htm>

Per **84 FR 45847, Section V.A.23.d**, Arm's Length Voluntary Purchase, the requirements at 49 CFR 24.101(b)(2)(i) and (ii) are waived to the extent that they apply to an arm's length voluntary purchase carried out by a person who was allocated CDBG-MIT funds and does not have the power of eminent domain, in connection with the purchase and occupancy of a principal residence by that person. Given the often-large-scale acquisition needs of grantees, this waiver is necessary to reduce burdensome administrative requirements to implement mitigation activities. Grantees are reminded that tenants occupying real property acquired through voluntary purchase may be eligible for relocation assistance.

Per **84 FR 45847, Section V.A.23.e**, Historic Preservation Reviews, in order to facilitate expedited historic preservation reviews under section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. Section 306108), HUD strongly encourages grantees to allocate general administration funds to retain a qualified historic preservation professional and support the capacity of the State Historic Preservation Officer/ Tribal Historic Preservation Officer to review CDBG-MIT projects. For more information on qualified historic preservation professional qualifications standards see [https://www.nps.gov/history/local-law/arch\\_stnds\\_9.htm](https://www.nps.gov/history/local-law/arch_stnds_9.htm)

Per **84 FR 45847, Section V.A.23.f**, Tiered Environmental Reviews, HUD encourages grantees as Responsible Entities to develop a Tiered approach to streamline the environmental review process for whenever the action plan contains a program with multiple, similar activities that will result in similar impacts (e.g. single-family housing programs). Tiering, is more accurately defined in 40 CFR 1508.28.

Per **84 FR 45847, Section V.A.23.g**, Discipline and Accountability in the Environmental Review and Permitting of Infrastructure Projects, Executive Order 13807, signed by the President on August 15, 2017, establishes a coordinated, predictable and transparent process for the review and permitting of infrastructure projects. For more information on the Executive Order, see <https://www.whitehouse.gov/wp-content/uploads/2019/06/M-19-20.pdf>

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### IV. ADDITIONAL NATIONAL, STATE, AND LOCAL REQUIREMENTS

#### a. SAND-GRAVEL PERMIT THROUGH TEXAS PARKS AND WILDLIFE

If activity is being conducted in a stream that is perennial (flows most of the time), or is more than 30 feet wide between the banks (even if it is dry most of the time), the State claims the bed and the sand and gravel in it as State-owned. A permit from the Texas Parks and Wildlife Department is required to "disturb or take" streambed materials from a streambed claimed by the State. Contact the Wetlands Conservation Program at (512) 389-4583. A link to the permit application, instructions on how to fill out the application, fees, and frequently asked questions can be found below:

[https://tpwd.texas.gov/faq/landwater/sand\\_gravel/](https://tpwd.texas.gov/faq/landwater/sand_gravel/)

Once an application has been filed, the responsible entity shall prepare a Notice of Application for General Permit to Remove or Disturb Sedimentary Material to be published in the local paper with instructions for contact information and estimated start date of construction activities.

#### b. USACE PRE-CONSTRUCTION NOTIFICATION (PCN)

For projects in San Marcos, the Fort Worth District Regulatory Branch is the assigned reporting authority for USACE permits. To determine if the project will require a permit with the USACE, it is suggested that the applicant file for a Pre-App Meeting Request, which can be obtained here:

<https://www.swf.usace.army.mil/Missions/Regulatory/Permitting/Application-Submittal-Forms/>.

Also from this website, all Nationwide Permit documents can be found, depending on the determination for the permit required for the specific project, along with associated checklists.

Submit all pre-applications requests and applications by mail and include the SWF project number if one has been assigned. Please provide a copy of the application on CD.

#### c. TEXAS HISTORICAL COMMISSION (THC)

Projects are subject to a Project Review by THC. A Request for SHPO Consultation Form ([https://www.thc.texas.gov/public/upload/forms/SHPO\\_Consultation\\_Form-Ver0811.pdf](https://www.thc.texas.gov/public/upload/forms/SHPO_Consultation_Form-Ver0811.pdf)) or a cover letter requesting consultation under Section 106 of the National Historic Preservation Act and/or the Antiquities Code of Texas shall be completed as the first step to receive determination of subsequent required surveys or additional information for the site. Instructions for filling out the form can be found here: [https://www.thc.texas.gov/public/upload/forms/SHPO\\_Consultation\\_Form\\_Instructions-Ver0811.pdf](https://www.thc.texas.gov/public/upload/forms/SHPO_Consultation_Form_Instructions-Ver0811.pdf). It is recommended all submissions be made to the eTRAC system for a more streamlined review. Upon THC's initial review, it may be determined that additional review for requested documents, surveys, and exhibits will be required for Archeological Review or Review of Standing Structures. See below for descriptions of each.

#### Archeological Review:

Archeologists examine new construction for potential impacts to archeological sites and are most concerned about subsurface disturbance within the construction footprint. They check the locations of

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known cultural resources and areas where archeological surveys have been conducted in Texas. If no sites are plotted and a professional has surveyed the area, there is usually no need for additional archeological investigation. Most projects are determined to have no effect on important archeological sites.

If the project area has not been surveyed and it contains landforms considered likely to contain important cultural resources, the reviewer will recommend a survey be conducted. For federal projects, the survey needs to be undertaken by professional who meet the Secretary of the Interior's Professional Qualifications Standards. For surveys on Texas public lands performed under the Antiquities Code of Texas, professional must meet the qualifications for a principal investigator found in Chapter 26 of the Texas Administrative Code, available in Statutes, Regulations, and Rules. The results of the survey are submitted to the THC for review. If no cultural resources were found, no further consultation is necessary. If cultural resources may be eligible for inclusion in the National Register of Historic Places, the THC staff will discuss measures to avoid or mitigate the effect of the project on the archeological deposits.

### **Review of Standing Structures:**

If a proposed project has the potential to affect a building, structure, site, object, or district 45 years old or older, historians will review the project. For Section 106 review, historians will consider an area of potential effects larger than the construction footprint in order to take into consideration visual and other indirect impacts. Staff will examine the historical importance or architectural merit of any buildings or other resources 45 years old or older that will be directly affected by construction or close enough to the project site to be indirectly affected.

If historians determine that a building or structure is eligible for listing in the National Register of Historic Places, architectural reviewers will determine the effect of the project on the historic property.

Please see the National Historic Preservation Act (<https://www.thc.texas.gov/project-review/national-historic-preservation-act>) for a more in-depth explanation of the Section 106 process.

The Antiquities Code of Texas does not require assessment of indirect or visual effects; however, a project that will directly impact a building or structure will be evaluated by a historian and architectural reviewer. Please see the Antiquities Code of Texas for an explanation of the notification requirements and review procedures for historic buildings and structures.

### **Activities Pending Clearance and Acceptance**

In some instances, additional coordination with a local, state, or federal entity that is required for acceptance of the comprehensive Environmental Assessment that may not be able to achieve full clearance or acceptance by said entity(ies) standards due to timing or correspondence with activities needing expenditure of funds. In this scenario, it may be determined by the Environmental Officer that documentation from said entities shall be sufficient in proceeding with the Environmental Review. Typically, this will be a letter of concurrence, or formal conditional acceptance of a plan in place, backed by documented correspondence with the entity for the concurrence with the plan in place. The documentation for this correspondence and conditional acceptance shall be submitted with the Environmental Review for recordation.

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**V. SUBMITTAL TO THE HEROS SYSTEM and REQUEST FOR RELEASE OF FUNDS/AUTHORITY TO USE GRANT FUNDS**

**A. Overview**

- HUD’s Environmental Review Online System (HEROS) is the online system for developing, documenting, and managing environmental reviews.
- The intent of the HEROS System is to increase transparency of environmental reviews by posting them on the HUD Exchange for public review. Environmental assessments and categorically excluded projects completed through HEROS are posted online during public comment periods and archived for a year after completion.

**B. Submitting to HEROS**

- Once all the above Federal Regulations, and all National, State, and Local Requirements have been determined, addressed, and completed, and prior to submittal of the Finding of No Significant Impact and Request for Release of Funds, the consultant is expected to submit all documentation into the HEROS system and assign the review to the Environmental Officer associated with the project.

**C. Notice of Intent to Request Release of Funds**

- Upon subconsultant’s upload of the necessary documentation to the HEROS System and preliminary approval of documentation, the subconsultant shall prepare the public notice of Finding of No Significant Impact (FONSI) and Notice of Intent for Release of Funds (NOI-RROF). The city shall submit these documents (which may, and is recommended to be combined in the notice, as shown here: <https://www.hudexchange.info/resource/2755/sample-fonsi-and-rrof/>) to be published in the local paper, and sent by email to the FONSI and NOI Distribution List (to be maintained and updated by the City of San Marcos) for applicable interested parties:
  - City of San Marcos
    - Habitat Conservation Plan Manager
    - Floodplain Administrator
    - Environmental Compliance Program Coordinator
  - San Marcos River Foundation
  - Texas Water Development Board
  - Texas Commission on Environmental Quality
  - Environmental Protection Agency
  - US Fish and Wildlife Service
  - US Fish and Wetlands
  - US Army Corps of Engineers
  - Texas Parks and Wildlife
  - US Department of Housing and Urban Development
  - Tribes
- The Public Review period for this notice shall last at minimum 15 days from date of notification.

**D. Upon completion of the public review period, the Environmental Officer shall assign review and approval to the Certifying Officer.**

- The public notifications will be uploaded to the 7015.15 screen.
- The Certifying Officer will approve and complete the forms applicable to their role in HEROS.

**E. Upon approval from the Certifying Officer, the Environmental Officer shall Assign the Review to the HUD LocalField Office.**

- This will submit to the HUD Field Office for final review and approval for the Release of Funds and provide Authority to Use Grant Funds (AUGF)

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- Upon approval from HUD, the city shall receive written documentation for AUGF and shall be authorized to spend Grant Funds for the associated project and activities.
- Links for submitting, assigning reviews, troubleshooting, and best practices for the HEROS system can be found here: <https://www.hudexchange.info/resource/5848/heros-quick-guides/>

#### **VI. REVISITING THE REVIEW**

Environmental review records are living documents, and they may need to be updated even after the environmental review has been completed. The three major reasons for revisiting a review are to record mitigation measures, reevaluate the project, and add another source of funding.

Reevaluation of a project is necessary under the following circumstances (24 CFR 58.47):

- The recipient proposes substantial changes in the nature, magnitude or extent of the project, including adding new activities not anticipated in the original scope of the project;
- There are new circumstances and environmental conditions which 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
- The recipient proposes the selection of an alternative not in the original finding.

The environmental review record should be updated, and the responsible entity should confirm whether the original findings are still valid. If the original findings are no longer valid, a new environmental assessment must be prepared.

In order to update the ERR, the revised documents shall be uploaded to the HEROS system by the Environmental Officer as supplemental or replacement to the original documents, at the discretion of the Environmental Officer. Upon completion, the Environmental Officer shall then Assign the Review to the Certifying Officer for signature and continue the steps in Section V, Subchapter E of this document.

#### **VII. RECORD MANAGEMENT**

At all times, the City of San Marcos shall maintain digital records of the most up-to-date drafts, exhibits, and required correspondence from regulated entities for the Environmental Review either on the city's current drive, or cloud service in use by the CDBG program. This file format shall not be required to be shared publicly other than required notices as required by aforementioned policies and procedures.

Once the project is closed out, all files including the Environmental Review may be stored on the City of San Marcos's current Archive system and removed from the in-use drive.

Upon AUGF, the Environmental Assessment and Review shall be available to the public via HEROS in Hud Exchange: <https://www.hudexchange.info/programs/environmental-review/environmental-review-records/> .

The information available on HEROS shall be considered the "official record" and used for the purposes of monitoring and audits.

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**VIII. APPENDICES**

*Appendix A: Level of Review Form*

*Appendix B: CDBG-Environmental-Review-Resources-and-Summary*

*Appendix C: Template - Early Notice - Proposed Activity in a Floodplain/Wetland*

*Appendix D: Early Floodplain Notification Contact List*

*Appendix E: Template – Final Notice – Proposed Activity Floodplain/Wetland*

*Appendix F: Example-Tribal-Floodplain-Notification*

*Appendix G: Sample-FONSI-and-RROF*

*Appendix H: Part-58-Flowchart*

*Appendix I: EA Format Outline*

*Appendix J: Environmental Assessment Review - Checklist*

*Appendix K: ERR Checklist*

*Appendix L: Part-58-Exempt-CENST*

*Appendix M: Part-58-EA-Format GLO Sample*