

## **CDBG-DR Environmental Review Webinar**

### **June 29, 2016**

Cathy Dymkoski: – the CDBG-DR program. This webinar is on HUD's environmental review requirements and disaster recovery. We would note that the primary audience of this training are those grantees that are receiving direct assistance from HUD. On today's call are staff from HUD's Office of Environment and Energy. Lauren and Ashley, would you please introduce yourselves?

Lauren McNamara: Thank you, Cathy. My name is Lauren McNamara and I'm in the Office of Environment and Energy and I just started working recently in disaster recovery environmental policy.

Ashley Bechtold: And hi. I'm Ashley Bechtold. I also work here at HUD headquarters in the Office of Environment and Energy. And most of my work is with historic preservation and disaster recovery.

Lauren McNamara: And our officer director, Danielle Schoop, will be joining us shortly and she will be here during the question part. So thank you, Cathy.

Cathy Dymkoski: Thank you both. Thanks, Lauren. Thanks, Ashley. And I'm Cathy Dymkoski, your host for this afternoon. I'm ICF senior environmental expert on HUD's environmental review requirements. Prior to my employment with ICF, I was regional environmental officer for HUD. My work for ICF over the past 15 years has been to provide environmental training and technical assistance to cities, counties, states, and Indian tribes that receive HUD assistance. I've been doing this nationwide, including in Alaska and Hawaii, and I've been a senior environmental expert for disaster recovery in Louisiana, New Jersey, and also in Pennsylvania.

The focus of this webinar will be on HUD's environmental review requirements that apply to CDBG and DR grantees. Now, if you want to view the entire 2016 CDBG-DR webinar series, you can go to the HUD exchange to view that. And at the end of this training session, there is a resource page or actually a bunch of resources that are available. So those will all be listed out, including the HUD exchange where you can find those webinar – that webinar series.

Throughout the training, we'll be taking polls and also providing opportunities for you to ask questions. Please confine your questions to general questions and not project specific and that's because we have a limited time for the presentation. If you're attending in a group, you may briefly discuss your answer before responding to the poll.

Chantel Key will now explain to you how you may submit your poll questions or responses, I'm sorry, as well as how to pose questions during the training. After that, she will get into our first poll. So Chantel, I'm going to turn this over to you now, please.

Chantel Key: Okay. Thanks, Cathy. So for those of you that are joining us today, if you see on your GoToWebinar toolbar, there is a section on there for questions. So at any time during the

webinar, please type in your questions in the question text box. And at designated times throughout the webinar, we will review those questions and we will provide answers at that time. So again, please, in your GoToWebinar toolbar, you will see a section for questions. In that question text box, we ask that you submit all of your questions in that text box. And at designated times throughout the webinar, we will review those questions and provide responses at that time.

So now, we are going to roll into poll number one. The years of experience with HUD environmental review requirement: less than one year, one to four, five to 10 years, or over 10. And I'll launch the poll right now. And we have about 20 percent of our participants voted so far. So we'll leave it open for just a few more moments.

Okay. About 75 percent have voted so far. So I'm going to go ahead and close and share the results with you. And we have 39 percent of our participants voted less than one year, 33 percent voted one to four years, 17 percent voted five to 10, and 12 percent voted over 10 years.

Cathy?

Cathy Dymkoski: Yes. Thank you, Chantel. So it looks like most of you are relatively new to the Part 58 environmental review requirements or HUD's environmental review requirements. So that means – and that's unusual to have a lot of new people to it. And then, of course, a few of you are with – that are quite experienced.

The areas that will be addressed in today's presentation are the key elements of HUD's environmental review process that are related to activities and projects associated with disaster recovery. And also an overview of what's called the unified federal review process, which addresses expediting federal environmental reviews when multiple federal agencies are providing assistance and that's a common thing to have multiple agencies providing disaster recovery assistance.

We're also going to talk about some tips on a few of the environmental federal laws and authorities that are most relevant to your disaster recovery effort. And also make you aware of a tool for streamlining the environmental reviews for single family rehabilitation process – projects. We will be taking questions, as I said, throughout this presentation and then also identifying some online resources at the end of the training that I think will be very, very helpful to you.

So let's begin with the environmental review procedures for DR projects.

Shawna LaRue Moraille: Hi, Cathy. I'm sorry. This is Shawna. I'm sorry to break in here. A few people said that you're low on the volume. I can hear you just fine. So if there's –

Cathy Dymkoski: Okay. Let's see. Thank you. Thank you. Let me try and increase it. I think I'm at the top. Is this better? I think I'm at the very, very top. I'll hold my phone closer to my mouth and hopefully this is better.

Shawna LaRue Moraille: Thank you.

Cathy Dymkoski: Am I louder to you, Shawna?

Shawna LaRue Moraille: You are.

Cathy Dymkoski: Okay. Wonderful. Okay. HUD has two sets of environmental review regulations. One set is when HUD is responsible for conducting the environmental reviews and the other set applies to states and units of general local government that are assuming the federal environmental review responsibility for completing reviews that – where HUD assistance is provided.

So part 58 is what we're really going to be focusing on in this webinar and that's where states and units of local government are what is called the responsible entity. They are the federal official for ensuring compliance with federal laws and authorities in the National Environmental Policy Act.

Also, HUD has a couple of other regulations; one is 24 CFR Part 51 and that addresses environmental concerns associated with meeting HUD's goals of providing safety and sanitary housing. And another specific to HUD is 24 CFR Part 55, and this addresses protection of environmental resources impacted by HUD funded projects.

Now, if you need further instruction, I think maybe if might be looking at that or wanting that, on the basics of Part 58, then there is a HUD webinar that's posted on the HUD exchanged and that link to those webinars will be at the end of this training as well. So that'll be a useful tool for you to try and get oriented to Part 58.

The objective of performing environmental reviews is so that responsible entities are able to make an informed decision about what their project – how they will be impacting the environment. This is achieved by identifying and analyzing known or potential environmental concerns that could adversely affect occupants of the project as well as how the natural resources and community resources might be affected, too.

Projects that have potential for causing harm to the environment and conversely the environment may also have an impact on our project; so again, an adverse impact on safety and sanitary housing. So you're looking at it from both those angles. How are you going to impact the environment? And then how does the environment impact your project and the occupants of it? So what kinds of impact will occur as a result of undertaking this project? So these – this is the question you're going to be answering and/or addressed in the environmental review itself.

Public input is also a key part of the environmental review process. You may not always have the full array of facts about potential impacts, be they social, economic, or environmental impacts. So others are given an opportunity to bring these to the table. So public input is a key piece of this review process.

Following a disaster, there are opportunities for improving upon what existed before the disaster and also for adapting to the changing environment that's caused by natural events such as floods, tornadoes, fires, whatever they may be. The outcome of the environmental review will be to bring projects up to new standards that reduce or eliminate the likelihood of current or future risk of loss of life and damage or destruction of property.

I want to take a little bit of time on this slide because your initial set up for disaster recovery is so important and gearing up to undertake the work ahead of you, there's some practical things to think about that can make your efforts successful and effective. Use qualified staff that understand when environmental compliance requirements have been met. In other words, when are all the I's dotted and the T's crossed?

This is also important for overseeing work of consultants if they are being used to complete either all or part of the environmental reviews for you. New Jersey Department of Environment had a team of environmental staff; each person on the team had a different area of environmental expertise. And the entire team was involved in reviewing the work of consultants for accuracy. They worked together in what was a bullpen. I think they may have called it the cave so they could collaborate as a team looking at and reviewing these documents that were submitted by consultants.

Developing a GIS database assures consistency in the environmental reviews, particularly if you'll be using consultants that's going to help you with quality assurance and control. One RE used online resources to complete environmental reviews. Another RE developed a database that pulled in federal and state online resources that focused on their region. And from that database, environmental contractors were able to pinpoint project locations and screen project locations for environmental issues, such as floodplains, wetlands, endangered species, hazardous facilities, historic preservation, and aboveground storage tanks. So it's a very, very useful tool.

Section 106 consultations with SHPO will expedited if the RE has a historian on staff that is making the determinations of eligibility and effect. Historic preservation is often seen as a bottleneck for completing environmental reviews. So if you have historian on staff, that also builds credibility with the SHPO and which state historic preservation officer and the Advisory Council on Historic Preservation.

What if you decide to use consultants? So what do you look for in a consultant? Well, first of all, you want to look at their work experience with HUD's regulation Part 58 as well as the National Environmental Policy Act. And remember, one responsible entity issued a nationwide solicitation for environmental contractors and requested examples of NEPA reviews that they had completed. All eight of the contractors submitted a phase one environmental site assessment, which is actually a study of site contamination problems. None of them submitted examples of a NEPA environmental assessment. So that's important to know what is their knowledge base because you don't want to have to be fighting the quality of the environmental reviews if they're on a learning curve.

Also, do they have specialized expertise on staff or can they easily acquire the expertise? For instance, do they have a qualified secretary of interior historic preservation person or

archaeologist? Is there someone that can do wetlands determination? Is there someone knowledgeable in floodplain and flood insurance requirement or even in preparing phase one, two, and three site assessments? Those are some examples.

Also, staff capacity for turning around multiple environmental reviews and reviews of different types quickly. This last point can be problematic if the environmental contractor does not have enough staff capacity.

One RE began with just one environmental review contractor. Another RE hired multiple environmental consultants with varying capacities and doled out the environmental reviews to be completed according to their staff capacity. So you have some choices in that.

You want to have a close working relationship with your disaster recovery colleagues and partners. Ensure all of them have a clear understanding of the time required for completing each level of review, particularly not committing or spending funds prior to completion of the environmental review process.

The DR program staff need to be able to share this information with applicants, in particular in writing because they're going to be getting requests from them, how long is this going to take, when do I know that I get my money? Those kinds of things. So you need to be coordinating with that program staff.

Also, you need to know that this environmental review process also applies when you generate program income from your disaster recovery money.

You want to devise a system for tracking projects from cradle to the grave, including documenting completion of mitigation measures when they're required. This will facilitate access to information on the status of your environmental review records for briefing program staff on the progress that's being made as well as letting you know where things are in the pipeline and where you need to look and see if something needs to be moved along more quickly. Also, it's beneficial later on when HUD or the state monitor your project's environmental review records.

You're going to have thousands and probably tens of thousands of environmental review documents, individual projects that you're going to have to manage. So you want to have a good tracking system, something that's going to be easy to use. One responsible entity initially began tracking project environmental reviews with a paper log-in system. Another responsible entity developed an electronic tracking system. So whenever progress reports on ERs were needed, the information could be easily acquired.

I've electronic databases to track environmental reviews myself. It was invaluable for logging each project as it came in as well as when the ER was completed and by whom, whether or not mitigation measures were required, and also for generating progress reports. Very valuable tools.

Field inspections of the project sites. Who's going to perform them? What information must be gathered? And what format needs to be used to record those field inspections, what the findings are? Because you will be using that information in your environmental review record.

Regular notification of your program staff on the status of the environmental review being processed is important. You want to have frequent meetings so that staff won't take actions before the environmental review has been completed. And again, it also helps them in communicating with applicants that they're dealing with. Also, communicate regularly with subject matter experts, such as your historic preservation, biologists, and the like so that you're assessing any problem areas that might require more time or where bottlenecks might be cropping up. You need to keep your hand on the pulse of what's going on. You don't want any surprises.

Let program staff know immediately if there are potential delays in completing reviews and why. You need to keep them informed.

You'll be working with oversight agencies like the state historic preservation office, FEMA, Corps of Engineers, U.S. Fish and Wildlife Service, and maybe even state and local flood administrators. Contact these agencies early on regarding your planned ER activities and seek their input on what they want to comment on. It'll be very, very helpful to see what means the most to them, where they want to have some input, where they don't necessarily need input. That will triage that for you. And if you have any agreements with these agencies, then pull those out and have them available that you could refer to on how you might be able to use that to help facilitate your environmental review.

The HUD exchange environmental review website has an abundance of tools, HUD policies and guidance and materials that are available to you. If you're not familiar with it, you might want to take some time after this webinar to scan through and see what's there. There's some great things that will help you in the environmental review process.

Don't spend a dime until the review has been completed. All CDBG-DR funded activities must have an environmental review record. Some reviews are going to be quite simple; others are going to require more time. In all cases, the environmental review process must be completed before funds are committed or spent and that includes both the use of HUD and non-HUD funds in a project. They can't be committed or spent prior to the review being done.

The requirement for not committing or spending funds applies to not only you as the grantee and your partners, but also individuals, developers, state and local entities that are requesting assistance. So you might have within your city or within your state, there might be other departments that are receiving CDBG assistance from you. They would be the sub-recipients. And so make sure that they don't commit or spend funds until you get the environmental review record completed. You are the responsible entity.

In this slide, the term ER process used is written documentation, but also if you're finding that your environmental compliance, environmental findings, but it also includes, at times, issuing public notices and also acquiring approval from HUD or from the state if you are receiving grant funds directly from the state. The ER process applies to CDBG-DR program income as well as I mentioned before. So keep that in mind.

This table provides some examples of actions that may not occur until after the environmental review process has been completed. Signing agreements that commit you prematurely to an action before you know all the facts, spending money to undertake project-related activities. Part 58 says that you have to have a written environmental review record beforehand. And taking actions before the environmental consequences are fully known. You must avoid causing adverse impacts.

The key to the environmental review process is document, document, document. Make sure the appropriate level of review was completed. Is there written evidence supporting your findings of compliance? And when applicable, has the public involvement process been completed as well as HUD or state approval received before you – again, before you commit or spend money? And you need to be mindful of the fact that environmental review records will be monitored later on by HUD or by the state if you receive disaster recovery assistance directly from the state.

The key for determining the appropriate level of review is the principle of aggregation. You must consider all the impacts associated with the entire project up front. So ask yourself can the project move forward without this action also being part of it or these actions also being part of it? And if the answer is no, it cannot move forward without these other actions as well, you must aggregate all of those actions together in a single environmental review. And that's true whether HUD funds are funding all or only a portion of those activities that are occurring.

Geographic aggregation means you got activities that are functionally different but are carried out within a limited geographical area. So an example of that would be demolition and reconstruction of a multi-family housing building or apartment.

Functional aggregation means you have a specific type of activity that will take place in several locations or jurisdictions. They serve the same functions and therefore have the same potential impact regardless of where they are located. So an example of that would be housing rehabilitation. No matter where it occurs within the city, the environmental effects of housing rehabilitation are going to be about the same. As well as any improvements to existing infrastructures; streets or sidewalks, those kinds of things. No matter where that happens within the geographic area, the environmental effects are going to be about the same, relatively limited in scope.

There's also multi-year aggregation, which is not mentioned here, but when you have a series of activities that are going to be implemented over several years' time, again, you do one environmental review that recovers – covers all the related activities. Some examples include maybe restore [inaudible] in phases, acquire damaged structures so you can convert the area over several years' time to open space. Or perhaps developing new roads and sewer water systems in phases.

There are five levels of environmental review that are identified in Part 58; exempt – and I'm starting from left to right. Exempt actions are kind of like soft costs. Then you have categorical exclusions. Categorically excluded not subject to is that CENST and categorically excluded subject to, which is that CEST. What that means is it's either not subject to or subject to the federal laws and authorities that are identified in Part 58 at Section 58.5.

And continuing on to the right, you have environmental assessments and environmental impact statements. Environmental assessments and EISs evaluate significant impact on the human environment in addition to compliance with the other federal laws and authorities.

The table shows the steps that must be completed and documented in the project ERR for each of review, again, before funds may be committed or spent. And you need to know that CEST or those categorically excluded subject to actions, environmental assessments, EAs, and EISs, environmental impact statements, require public notification, submission of a request release of funds and certification, and also approval of the certification from either HUD or the state. The state if you are a grantee of the state.

Certain actions may qualify under Part 58 as imminent threat exemption. However, it's a very narrow field of actions that are permitted under this exemption. To be exempt, there is an imminent threat to public safety, meaning the general public, and the threat necessitates an immediate response. REs are required to document why the proposed action meets the requirements for exemption. There is a HUD imminent threat memo that's posted on the HUD exchange and that will be identified also in the resource slides.

When it's required of a responsible entity to submit a request for release of funds and certification, they are certifying to either HUD or the state that they have met all their Part 58 responsibilities. When states or the RE, responsible entity, then form 7015.15 must be submitted to HUD. When units of general local government are the responsible entity where they receive grant funds directly from the state, then the state will be releasing funds. You need to find out from the state what forms do you need for the certification, what must we submit to you, and what else must we submit to you along with that certification? So contact your state people.

HUD or the state's response to the RE submission of a request for release of funds is to issue an authority to use grant funds. This is the approval to commit and spend DR funds on the project. Now, HUD uses the 7015.16 form. That's their standard form. States may also use that, but they may – not all states may use that form. There may be states that use an equivalent to the 7015.16 form. So you need to have that information. Find that out.

Now, if the authority use grant funds is not issued, it's because there's evidence that the responsible entity has not completed its Part 58 responsibility. Or it could be because either HUD or the state has received objections to their releasing funds based upon some input from the public notification process.

I'm going to pause here and Shawna Moraille has been fielding questions from you during the training. Shawna, are there any questions from trainees at this point?

Shawna LaRue Moraille: I think just clarify what you said earlier about program income related to environmental review.

Cathy Dymkoski: Program income is used for new projects. It doesn't lose its federal character. So what that means is it's almost as though it's new grant funds being issued. You're regenerating

that HUD money that's been provided, those DR funds. So what has to happen is once you identify – for instance, let me give you an example. If you have housing rehab going on and money is repaid to the housing rehab program, maybe you've issued a loan for repairs, that kind of thing, and money is paid back to you as the RE, then you use that money for another new project. So what has to happen is you – for the new site that will have housing rehab, using that program income, you again complete an environmental review for that housing rehab project.

Shawna LaRue Moraille: No further questions at this time.

Cathy Dymkoski: Okay. Thank you, Shawna. The unified – excuse me. I'm going to take a drink of water. My apologies.

The unified federal review was authorized by Congress to establish a consistent process and offer best practices for conducting environmental reviews when there are multiple federal agencies that are engaged in the same recovery effort. And that happens regularly where you do have multiple federal agencies, and each one of those agencies will have – they follow the same NEPA requirements and they follow the same requirements to comply with the federal laws and authorities, but they might have other special regulations that are specific to them or ways of recording the compliance information.

So there was a need to have consistent process or a standard to follow that – would streamline this process. Some federal agencies that provide funding for disaster recovery, it comes in the way of money, such as HUD, FEMA, small business administration or department of transportation. There are other federal agencies that might provide permits or federal determination or expertise. That could include the Corps of Engineers, the Advisory Council on Historic Preservation, and also the U.S. Fish and Wildlife Service.

Adoption of another federal agency's environmental review falls under this unified federal review process. Adopting another federal agency's environmental review means that this becomes your record of decision concerning compliance with the federal laws and authorities and also NEPA – National Environmental Policy Act. Be aware that adoption is specific to only certain sections of the Stafford Act Funding disaster recovery and it mainly applies to actions funded by FEMA.

So for U.S. DR RE to adopt a FEMA environmental review record means that you must acquire an electronic or paper copy of that entire environmental review record. That includes all the supporting documentation, too. And you will be putting that into your project ERR. That becomes yours. Refer to the HUD memo for all the particulars on this and adopting FEMA reviews. And this is also posted on the HUD exchange.

Some key points to remember for adopting a FEMA review is that the scope of work of FEMA's environmental review covers the activities that are being funded by you, the RE, with your HUD disaster recovery funds. Also that CDBG-DR funds are being used for supplemental assistance or cost sharing with the FEMA project. And you also must notify HUD or the state if you're a grantee of the state that you've adopted the FEMA review and you state this fact in your request for release of funds that you submit to HUD or the state.

I'm going to pause for another moment before moving on. Shawna, are there any questions from grantees?

Shawna LaRue Moraille: We are without questions. Please write in. Thank you.

Cathy Dymkoski: Okay. Thank you. There's several of the federal laws and authorities that have the greatest relevance to your disaster recovery efforts. They're going to be coming up most consistently in your environmental reviews that you prepare.

The first one is Historic Preservation Act. In Section 106 is what is the focus for you in the Historic Preservation Act. So any action involving federal funds that could affect historic property requires going through what is called the Section 106 consultation. And the consultation involves primarily working with state historic preservation officers, but it could, on certain occasions, also involve the advisory council on historic preservation. They – advisory council oversee federal agency's compliance with Section 106. But the state historic preservation officers are working day to day with our responsible entities.

The process – and I mean the Section 106 process is initiated with you determine the activity will have a physical impact. For example, new construction, demolition, reconstruction, rehabilitation of buildings of – and structures or improvements restoring water lines. And also if the activities will cause a change in the character or use of a property. For example, converting the building to another use, relocating the building or structure, or securing federal permits or licenses. This means that every property benefiting from federal funds must first determine if the property is historic, assess project impacts on them, and avoid, minimize, or mitigate any adverse effects. So this applies to both aboveground and also below ground resources.

One of the key reviewers or participants in this process are Indian tribes. They must be given an opportunity to be involved to identify historic properties of religious and cultural significance to them. So you work with SHPO and your other consulting properties to resolve any adverse effects that might be identified as part of this process. The advisory council on historic preservation must be given an opportunity to participate in resolving the adverse effects when they request it.

Now, this process without disaster recovery will take a minimum time period for SHPO to comment of 30 days from the date they receive requests from you for consultation. So when you're dealing with multiple project activities being submitted to SHPO, then that timeframe might be pushed out slightly, but they still have 30 days but it might not be as expedient as – under normal conditions.

There are properties that are already listed on the National Register of Historic Places and the National Park Service maintains this list. If the property that you are either doing – rehabilitating or having an effect on is not listed on the National Register, then you, as the responsible entity, must make a determination whether or not properties are eligible for listing on the National Register.

Historic buildings and districts and archaeological sites may already have been identified in local state and also national surveys and registers or local historic districts, municipal plans, or town and county histories as well as perhaps some local history websites. These are your resources for finding out what is their – are there historic properties that could be affected? What's the status of the property where we're providing disaster recovery funds?

Using available resources, then you need to determine whether the properties are of local or state significance or whether they are of national significance and therefore eligible to listing on the National Register. So this whole process is we're having a secretary of interior qualified historic preservation expert on staff becomes very critical.

In the previous slide, I describe the components of a typical Section 106 consultation. When you don't find yourself – and that's when you don't find yourself in a disaster recovery situation.

The Section 106 consultation – excuse me for a moment – becomes most efficient if there is a programmatic agreement in place. And so programmatic agreements, streamlining the process because they identify procedure and already agreed upon procedure that may be used in all situations where HUD funding is being used. The Section 106 consultation is very efficient when that is – when you have one of those documents.

So a programmatic agreement facilitates consultation when it's clearly evident projects have no effect on properties and also defines the procedure to be followed when historic properties will be affected. So the responsible entity need only site the stipulations for the programmatic agreement that are applicable for their project and then document the steps that were followed according to what's in the PA.

Responsible entity and SHPOs, state historic preservation officers, are signatory CPAs as a common practice, but tribes in the advisory council may also be part of these agreements.

There is a FEMA prototype agreement that outlines what the advisory council has approved concerning 106 consultation process or disaster recovery projects. Some but not all state historic preservation officers in the nation have already entered into these programmatic agreements to streamline disaster recovery using the FEMA prototype. There's a clause in the PA allowing other agencies to sign on to these existing FEMA prototype PAs that are also using funds in the disaster recovery efforts. That would apply to – if your state has one of these prototype PAs, then you as a grantee of CDBG-DR funds can sign on to that existing agreement.

There is a two-page addendum that was devised by HUD for REs to use in signing on to a FEMA historic preservation prototype PA. However, there must already be a PA in your state that's been executed between FEMA and the SHPO in order for you to take advantage of that. By executing an addendum to the FEMA PA, what you're doing is as the responsible entity, you're agreeing to abide by the compliance process that is outlined in the FEMA PA. And FEMA bears no responsibility for compliance with the terms of the PA as – in regard to your CDBG-DR projects. That is your responsibility as the RE.

I know that for one RE on their own, it required a year to execute a disaster recovery PA with the state historic preservation officer while another RE used the HUD addendum and that took just a month to do. So it really is quite a help to you to use that existing PA.

So how do you sign on to a HUD addendum? You want to first of all go to – there's a disaster programmatic agreement database that's posted on the HUD exchange and find out whether your state already has one of these agreements with FEMA in place. And if so, then you may become a signatory to this agreement and abide by those Section 106 consultation process – protocols that are identified in that agreement.

So again, the FEMA PA only applies when you're dealing with disaster recovery projects. The only requirement for you to sign on as the RE to this FEMA PA are that you have a secretary of interior qualified staff person responsible for implementing the PA protocols. They're going to be making the determinations of eligibility and effects for you. And also you have to submit an annual report to the advisory council that documents the disaster recovery projects falling under the PA umbrella. They want to know how was the PA used, how frequently what types of projects you're submitting, and the report.

Your state historic preservation officer will be able to advise you on what the format and the content of that report should be.

If you need further information on the HUD addendum, you can contact Ashley Bechtold and she is on this call. And so her contact information is on this slide.

As mentioned earlier, Section 106 consultation requires consultation with tribes that occupy or even once occupied the areas where your CDBG-DR projects are located. So you're going to have to reach out to those tribes. And if you're doing ground disturbing activities, then you must determine from the tribe whether there are religious or ceremonial sites of importance to them that could be affected with your disaster recovery project.

Now, we're going to pause once again for questions. Shawna, are there any questions from the trainees at this point?

Shawna LaRue Moraille: Not at this time, Cathy.

Cathy Dymkoski: Thank you. Flood events may result in such – be the result of such things as hurricanes or severe storms and high velocity weight action from seismic activity. So those are among the things can happen from a flood and be calculated as a flood event.

DR assistance that's associated with flood events must address whether or not property owners that receive DR assistance are required to obtain flood insurance through the National Flood Insurance Program. Property owners whose buildings are located in zones A or V, as in Victor, that are – and mapped by FEMA and also receive DR assistance are required to purchase flood insurance coverage as far as receiving that disaster assistance.

Flood insurance must cover the buildings as well as the contents of the building. Insurable contents of fully enclosed buildings may include, for example, the equipment as well as stationary items, such as blinds, shelving, and commercial cabinets.

So how long must flood insurance be maintained on a building? If you're dealing with loans with a grant disaster recovery assistance, then it's the term of the loan. But if you're issuing grants, then it is the life of the property regardless of transfer of ownership. There are limits on the maximum amounts of insurance that may be purchased in anticipation of future losses from subsequent flood events. And small loans of less than \$5,000 do not require that flood insurance be purchased.

You need to be certain that people who receive disaster recovery assistance from you know that they must obtain and maintain flood insurance on that property, again. And if it's a grant, it's for the life of the property, regardless of transfer of ownership. If they do not obtain and maintain flood insurance as they're required to do as part of having received that disaster assistance, then they may be precluded from receiving future disaster assistance because they failed to maintain that flood insurance on their property. That's an important thing to convey to your applicants for disaster recovery assistance.

We're now going to discuss two presidential executive orders. Both of them follow HUD regulation 24 CFR Part 55 and this tells grantees how to or responsible entities how to comply with each of these executive orders.

The purpose of the order on floodplain management, we'll begin with that one first, is to protect health and safety of the human environment and also the natural benefits of floodplains in controlling flood waters and erosion. And the human environment includes protecting lives and property. The executive order requires that responsible entities study this issue as to whether or not there are other options available to them instead of altering or continuing to occupy the floodplain area when considering the risk it poses to life and property.

The regulative floodplains are designated zones A or V, as in Victor, on the FEMA map. Zone V is water with velocity. In other words, it's exposed to high storm surges, flash floods as examples. Flood maps issued by FEMA are based upon historic and recent flood event data. So floodplain boundaries will change over time for a variety of reasons, including increased development of floodplains to incompatible uses such as housing, economic development, and road assistance. The more concrete asphalt and rooftops that are occupying the floodplain, the faster the storm and greater the storm runoff and, again, both in quantity and velocity and increase potential for downstream flooding of other communities. Open space and parks are two examples of more compatible uses with floodplain areas.

The HUD regulation 24 CFR Part 55 that helps you implement compliance with this executive order is a key tool for you to keep on hand. There's plenty of guidance on the HUD exchange about floodplain management. And so that's a wonderful resource to go to. Zones A and V, which – and V includes coastal high hazard areas are referred to as the 100 year floodplain. Zone B or shaded Zone X are applicable to critical actions. Now, critical actions are structures or

facilities needed for emergency services, such as shelters, fire stations, generating plants of other principal points and utility lines.

It also includes structures or facilities that house people who cannot be evacuated quickly, such as hospitals or assisted living facilities, housing for the elderly, structures or facilities that contain irreplaceable records, such as data storage centers, and structures or facilities that produce, use or store highly volatile, flammable, explosive, toxic, or water reactive materials. So those are all critical actions where you have to pay attention to not only Zone A, but also Zone V or the shaded Zone X in some cases.

I think, perhaps, all of this can remember in pass, recovery efforts, and maybe even in your own where there have been certain facilities that might fall into one of these types of critical actions.

There's important distinction between the floodway, which is mentioned in this first bullet and the floodplain. A floodway is the channel of a river or other water course and therefore having the highest water depth and velocity while the floodplain is the land area adjacent to the floodway that receives water discharge from the floodway during the 100 year event.

Now, you're prohibited from doing any actions with federal assistance of any kind in a floodway. It's because of severe flood hazard that only what FEMA has termed as functionally dependent uses are permitted in the floodway. And this is meaning, for example, marinas, bridge piers, waterfront parks, those kinds of things. However, this is providing the proposed use with not alter the capacity of the floodway to effectively transport flood waters. Any other types of development are prohibited in the floodway.

Coastal high hazard areas are coastal lands that have additional hazards due to wind and wave actions. Projects that are prohibited in these areas include new construction activities and critical actions as well as repair and reconstruction of structures that are not designed to withstand the damaging effects of the coastal high hazard area.

You need to know that in addition to the FEMA maps, you might end up – the FEMA maps that you currently are using could not – may not be the best available information. When there is a flood event, there may – the maps will probably redone because now new information about the floodplain has come into play. And so the best available information to be used for determining flood zone or coastal high hazard areas could now include preliminary flood insurance rate maps or even advisory base led elevation maps that are issued by FEMA.

So usually post disaster preliminary maps are developed to provide the public an early look at their home or community's project – projected risk to flood hazard. That's what the preliminary map does. And the advisory based flood elevation maps reflect FEMA's assessment that the effective FEMA firm or [inaudible] insurance rate maps do not adequately reflect the current flood hazard. So the advisory base flood elevation maps are provided to communities as a tool to support them in recovery in ways that will make them more resilient to future flood events, such as – until such time as the preliminary firm or an effective firm, which is your final map, is issued.

So use your best available information. It might not be the current flood insurance rate map that you have for your community now.

HUD regulation, 24 CFR Part 55, is also used, as I said, for looking at the protection of wetlands. The executive order on this wetlands protection. The emphasis here is on new construction activities. The primary resource for identifying wetlands is the U.S. Fish and Wildlife Service National Wetlands inventory map. And these are available on either U.S. Fish and Wildlife Services website or you can also go to the HUD exchange and they – there's a link from the HUD environmental review webpage to this National Wetlands inventory map.

However, also be aware that if state wetlands maps are available, those can also be used. And you might be using them together as well. Also, determine whether or not there are wetlands that the U.S. Army Corps of Engineers has jurisdiction for. And if that's the case, then a section 404 permit may need to be issued by the Corps of Engineers for Wetlands where they have the jurisdiction. So there could be multiple entities that are interested in this wetlands issue.

This flowchart shows the decision making process that must be documented in writing whenever projects will be located within the floodplain or when construction is proposed in a designated wetland. The eight step decision making process includes a detailed analysis of the effects of the project on the wetland and – or floodplain, requires consideration of opportunity to protect, preserve and restore the floodplain and or wetland, draws a conclusion as to whether or not there is a practical alternative to the proposed DR project occurring at that site when another site or another way of doing it is equally as suitable.

It also requires that two public notices be published in a newspaper of general circulation. The minimum content of these notices is described in Section 55.20 of the HUD regulation. This process may be formed in an area wide eight step review for single family housing projects in an area covering, for instance, [inaudible] or could be done citywide or even countywide. It can be a tricky process. So you want to talk with your local field environmental officer or regional environmental officer to find out how might we do an area wide eight step review.

Refer to 24 CFR Part 55 – or Section 55.20 for more details on this process. It'll describe each one of the steps in addition what's posted on the HUD exchange environmental review website is an example of an eight step review, but also some guidance materials that FEMA has issued concerning how do you undertake an eight step review. What are the elements you need to address in an eight step review. So there are many things that are available on the HUD webpage concerning this process that'll be useful to you.

Going to talk about endangered species for a moment now. The Endangered Species Act is concerned with federally listed threatened and endangered species. So we're not looking at state listed or locally important, but we're looking at federally listed threatened and endangered species as well as federal species that are proposed for federal listing. So this can cover birds, mammals, insects, reptiles, amphibians, crustaceans, plants, and fish. A whole host of flora and fauna.

The implementing regulations telling federal agencies how to comply with the Endangered Species Act is 50 CFR Part 402. And in this regulation, it describes the process for interfacing with either the Fish and Wildlife Service or the National Marine Fisheries Service, both of which has oversight responsibility for federally listed or proposed species. And that is when you interfaced with them or interact with them when projects may affect listed species or are likely to jeopardize proposed species or may adversely affect critical habitat. There are some land bases that have been identified as critical habitat for the recovery of these species.

A biological assessment, which is done by a professional, must be completed by the responsible entity if the project may affect listed species and, or their habitat or are likely to jeopardize proposed species or their habitat. So you'll need to hire a biologist or a botanist if you do not have one of those specialists on staff.

Shawna, are there any questions from the grantees at this point?

Shawna LaRue Moraille: There was one where they wrote in about programmatic agreement. Maybe you have one or two cautionary tales about using programmatic agreement that you might share with the group about it being specific to certain projects, things like that. Yeah.

Cathy Dymkoski: About it – I'm sorry. What was the last part? Not being specific?

Shawna LaRue Moraille: Just about when it's appropriate, Cathy.

Cathy Dymkoski: Okay. The historic preservation programmatic agreement, if that was the emphasis of the question – if not, I'll address a general as well. But the purpose is to identify or really it provides a way to triage multiple projects that you're doing. So if you have just a few actions where under normal situations you might have just a few actions that would require a programmatic agreement, perhaps, to be done – executed with the SHPO. But when you get into disaster recovery, you're going to have thousands, tens of thousands of these actions. It's going to be time consuming for both you and also the state historic preservation staff.

If you have a programmatic agreement in place, it's going to effectively triage those kinds of projects that can just fall out. For example, if you have many units that are less than 50 years of age, that is the – if it's less than 50 years of age, that's generally where it is considered not historic. There are some state historic preservation officers that might start at 45 years of age. But below 50 years of age, those can be triaged out.

Or the protocol of the programmatic agreement might say that you are – if you're doing replacement of kind, then the effect is not going to be adverse. And therefore, you site that stipulation that says yes, we are going to do a replacement in kind and you site that section of the agreement that says this is what we're doing and that would be your record.

So again, it just triages out those activities. And then you get down to the – only the hardest ones where you've got to resolve adverse effects. When you have a programmatic agreement in place, then you don't have to enter into a memorandum of agreement on the how are you going to resolve the adverse effects. You've already identified with SHPO in that umbrella PA, all right,

here's the process that is going to be used to address adverse effects on historic resources. So that's what it's quite helpful with.

If you can enter into agreements with other federal entities, again, if there's a need to identify what you have – for instance, you're going to be affecting, perhaps, critical habitat for an endangered species. And so you might, but not always, you might have to enter into an agreement with to say, all right, here's how we're going to handle these things. If it gets to this point of adverse effect, then we're going to come back to you and consult. But if it falls below this and as no effect, then we don't have to consult with you. So it's just agreeing on what are you going to – how are you going to comply with the Endangered Species Act, for example?

Shawna LaRue Moraille: So that's great, Cathy. Thank you. No further questions.

Cathy Dymkoski: All right. There is a way to streamline environmental reviews and I'm going to focus on single family rehab. Tiering is an effective method for streamlining the environmental review process when you have multiple projects of the same type or kind.

The concept of tiering, which some of you may also refer to or may have heard called unspecified site review, means that there are activities that serve the same function and therefore have the same potential of impact regardless – environmental impact regardless where they're project – that project is located. Also that the project will occur in several locales or jurisdictions and the responsible entity does not yet know the specific project locations because they have not yet received applications for disaster assistance.

So you've got an area that you're going to focusing on. You don't know the specific sites yet, but this is a way to complete the environmental review process ahead to time and then facilitate or streamline that review process as sites become known.

The most basic of tiered reviews is single family housing rehabilitation project. This is the most common type of projects requiring disaster recovery assistance. And again, you're going to have thousands and perhaps tens of thousands of individual projects in a disaster recovery situation. So to have a way to streamline this process is quite helpful.

Chantel, we are ready for another poll. So I'm going to turn this over to you.

Chantel Key: Okay. Thanks, Cathy. So for our second poll today, do you currently use tiering? Yes or no? I'm watching the poll now. And we have about 45 percent of our participants voted so far. So I'll keep it open for a few more moments. Okay. The poll is now closed and I'm sharing the results. And we have 64 percent of our participants voted with yes and 36 percent voted no.

Cathy Dymkoski: Okay. That's great. Thank you, Chantel. So quite a few of you do have these in place or have experience with them anyway and have them. So that is excellent.

Tier reviews may only be completed for single family. And when I talk about single family, that means one to four family unit or one to four units within a single building, but you cannot use it for multi-family residential properties. And multi-family means you've got five or more units in a

single building. Nor may tiering be used for non-residential projects. And that's because for multi-family and non-residential projects, the environmental variables and what is needed can be too wide to really be effectively used with tiering. So the single family residential properties, the environmental issues are more controlled or compact. And so that's where tiering becomes the most effective.

So for instance, a tiered categorically excluded subject to review maybe your project design or your program design is – it's going to cover both [inaudible] built and manufactured homes as well as owner occupied or rental properties. And it's going to address the kinds of activities that you want to address are going to be storm related damage; roof replacement, perhaps, replacing siding, repairing interior water damage.

Maybe one of the components of the activities that you want to do are bringing properties up to the current disaster recovery minimum property standards and compliance. Or perhaps elevating the lowest occupied floor of a structure is going to be part of that. And that means elevating to at least one foot above the highest applicable 100-year base lead elevations. That's going to be part of the work that may be done.

We're limiting the disturbed area to the previously developed lot. That might be part of your program design. Or perhaps limiting activities to the work completed within the same footprint of the damaged structure. So putting some parameters are how is this program going to be implemented, what kind of actions are we going to accept under this tiered review, what kind of activities are going to be permissible under this tiered review. That's what you're looking at in looking at your program design.

The responsible entity must clearly identify the geographic area the tiered review will cover. So is it going to be citywide? Is it going to be an area outside the floodplain versus inside the floodplain? Are you going to – is the tier review going to focus on historic districts versus non-historic districts? So you need to be clear in what the scope or that target area for your tiered review is going to be.

So in completing the categorically excluded subject to form or an equivalent form to that. The first tier of the review is going to be decisions about environmental compliance or [inaudible] authorities related to the broad area. And there are quite a few things that can be addressed in an area wide situation. So you're looking at environmental impacts that could affect a typical site in that geographic area. So here's where a floodplain area wide eight step review is helpful. You do an eight step review addressing single family rehab that would be on a citywide basis, for instance. So you can cover that in that Tier I review.

Or in dealing with coastal zones – if you don't have coastal zones in your areas, then that's going to fall out quickly. Or wetlands designations. Maybe you'll do an area wide eight step for wetlands. Endangered species as well as above ground storage tank and noise. Those might fall out for housing rehab projects. By falling out, I mean you can document, okay, this is – we have to comply with this or we don't have to comply with it. Or you have a process – streamlines process for dealing with that issue.

And once you complete that tiered review and you address as many of those environmental issues, as many of those laws and authorities as you're able to on a geographic basis, what you have remaining are those things that have to wait until you know the specific project location. And that's when you receive applications from property owners for your disaster recovery assistance. What you want to do as part of this first tier, you want to devise or create a form to address these outstanding environmental issues, some of which might include, for instance, historic preservation. And so you will have stipulations on this form as to, all right, this is how the approach is going to be.

Is it less than 50 years of age or is it more than 50 years of age? Are we doing interior work only? Are we doing exterior work only? And this is where your programmatic agreement or historic preservation programmatic agreement can also help you identify how to do the triage concerning historic properties when it relates to single family rehab. That might be a helpful tool for helping you create that form that you're going to use, say, when you've achieved compliance.

Hazardous materials and substances, both onsite and offsite, that might – that very likely will have to wait until you have the individual site identified. It probably won't be able to be addressed in that first tier, but have to wait for that second site specific review as well as airport clear zone. That might have to wait as well. You don't know where that property is located, whether or not it's going to be in one of those clear zones at the end of airports.

As part of the tier review process, you complete Tier I, you have your form developed for Tier II, and now you must issue a notice of intent to request release of funds for the tiered review as a whole. So on the basis of what you know about the area as a whole and your plan for addressing those other outstanding laws and authorities to achieve compliance, you are able then to issue a public notice concerning this tiered review. You know the universe of the effects.

So you want to then also once that public notice has been issued, then – and you have received or not received comments and you address the comments, now you're ready to submit a request for release of funds to HUD or to the state if you are a grantee for the state. And you also need to obtain the authority to use grant funds, that approval from HUD or the state to go ahead and commit and spend money. Once all those things are in place, then you're ready to use your tiered review.

So when it comes down to the individual tiered or site specific reviews, that second tier, as the applications are received, you must complete that tiered review for each property and that must be done before you spend any money or commit any money to that project. Now, with that tier – second tier in place, instead of having to address 17 federal laws and authorities, you're down to maybe three or five, perhaps, depending on your circumstances. So it's going to go much faster.

You do not need to issue any public notices or get approval from HUD or the state again. You already have that for the entire tier reviewed. All you need to do is document compliance with those other issues that had to wait until you knew the specific locations you were dealing with. So get your supporting documentation for that.

You want to make sure that there is a connection with your Tier II back to that original Tier I document. So you might want to – perhaps identifying on your Tier II review, the name of the Tier I or have some sort of a numbering system for the Tier I. And then maybe the Tier II will have a sub number that is related back to that original. You want to be able to make sure it goes back to that – those tier so that it's clear that you have done the environmental review process and that it is connected to this original area wide or geographic area review.

This is where having a good tracking system for managing multiple Tier IIs that you're going to taking on is quite beneficial. So you want, again, a good – you want a good tracking system, something that's easy and also to be able to generate reports on how many you've done and when they're completed, all those kinds of things. And as I said, once the Tier II is completed, you may commit and spend funds. You do not need to do anything else at that point. Just put it in your environmental review record.

Shawna, are there any questions at this point?

Shawna LaRue Moraille: Yes. There are questions in the queue. So basically, the first one is just the length of time that the Tier I is good for.

Cathy Dymkoski: Okay. HUD says that any kind of environmental review is valid for about five years. Work with your field environmental officer or your regional officer and work that out in terms of how long can you use it for this disaster recovery. And of course that – about five years is predicated on the fact that the scope of the review does not change. You aren't changing the geographic area. It's the same over that five-year period. And none of the information within it has changed. You've got current information that's relevant. In other words, you don't have another flood event that changes the map fluent again where you have to reconsider are we in the floodplain or are these properties not as part of that tiered review.

Endangered species list change over time. So you want to make certain that the information in that tiered review is current and relevant and that the scope has not changed over that five year period. And again, this is true of all levels of environmental review. So it's – if you have to do an individual multi-family – maybe it's a construction of a multi-family project and it's going to take three years to do, then you need to make sure you're – that the information in that original environmental review is still valid and current and the scope of that work has not changed.

Shawna LaRue Moraille: Okay. I'm sorry. A piggyback to that because they already wrote back. So they're saying their rehab program has been using tiering for five years.

Cathy Dymkoski: Okay. Then talk to your field environmental officer and find out is this still valid or do we have to then initiate another tiered environmental review or can we use it for – I'm assuming it might have to do with use it for the disaster recovery that you're undergoing. But talk to your field environmental review officer and see what they say. The HUD field environmental review officer.

Lauren McNamara: This is Lauren from HUD. The Tier I should define the timeframe that the review is looking at. So if you're doing a review in 2016 and you want to do it five years out, you say that in the main body of the Tier I the timeframe that it's covering.

Shawna LaRue Moraille: Okay. Great. And then staying on Tier Is and Tier IIs. So one question is why doesn't the Tier II require publication? This seems like it could be a loophole and doesn't provide the public an opportunity to comment on additional potential complex.

Cathy Dymkoski: Not really. When you prepare that Tier I, you are also devising how you are going to address compliance for those federal laws and authorities. Now, if you come across a project that doesn't fit within the umbrella of that tier review, it's got something special that doesn't fit with that, then you do a separate environmental review for that individual project. It won't fall under that tiered review.

But if nothing is outside the scope of what you've already made decisions about concerning that geographic area and the Tier I and how you said you're going to comply with those federal laws and authorities in the Tier II, you have an understanding of what all the effects are going to be and how they're going to be resolved. So that's why you can issue that public notice.

Of course, when you issue the public notice, it's at that time that the public will be able to review that environmental review record. And if there are any questions about how you've devised that Tier II process where they have concerns, then you're going to address them at that point. And that might cause you, perhaps, to revise what kinds of projects you're going to allow to fall under that Tier I. So you're going to – you've got control over managing that process to make sure there are not any loopholes.

Any other questions, Shawna?

Shawna LaRue Moraille: I'm sorry. I was speaking and you couldn't hear me. What form is currently being used for the Tier II site specific for rehab?

Cathy Dymkoski: It would be – for single family rehab, you'd use the categorically excluded not – or categorically excluded subject two form. And some of you may know that as a statutory worksheet. There on the HUD exchange, you will find those forms that are posted there on the HUD environmental review webpage, on the HUD exchange. So you can see that one – that particular one. So that's what you would use.

Danielle Schoop: Hi, Cathy. This is Danielle from HUD. I also just wanted to jump in and say that in the majority of cases, too, we see grantees develop their own form that's based off of the Tier I review. And we'll certainly reflect some of the CatEx subject two forms, but we would not expect to see somebody necessarily reusing the CatEx subject two form. We hope it will be formatted and specific to the tiered review process.

Cathy Dymkoski: Thank you, Danielle. And if you're a grantee of the state, the same thing would apply. They may have a different format that they use than what's posted on the HUD webpage. So you need to coordinate with your state folks.

Shawna LaRue Moraille: Okay, Cathy. Another person wrote in and just asked about carrying costs. This is what if costs were incurred prior to the approval for the request for release of funds of the environmental review. Is the grantee expected to carry these costs? For example, planning could possibly be – architectural, engineering design, things like that might be going on at that time.

Cathy Dymkoski: Planning and architectural design. If you're hiring a consultant, someone to do that for you or having – doing that in-house, those activities are exempt. You do have to have an environmental review record for exempt activities. But it's a two maximum, three page written record. There's not really any information gathering that you have to do. You could probably do it in a half hour or less or an hour or less. And so that's the documentation you would use. And so it's okay to then spend money on that. You don't have to wait until you complete the tier review. The tier review's going to really be working on specific projects that are being done. So if you're looking at overall kinds of issues that you want to have addressed, then they're probably going to be completed under the exempt activity.

Shawna LaRue Moraille: And I'm sorry, Cathy. This is about where – basically how should you be charging your time, essentially. In preparation of the environmental review when there are so many other things going on. That's basically what it is. And it looks like it's for a project.

Cathy Dymkoski: Oh. You know, that's getting into a program question, I think. I guess I don't have an answer for that. I would suggest that you talk with your CDBG-DR folks, your HUD folks, or the state folks and find out how that should be reported. And is it going to be a project cost or is it going to be a larger administrative type of cost? Now, you can – if you're preparing the environmental reviews yourself, environmentally, from the environmental standpoint, you could view that as an administrative cost under the environmental regulations. Call it exempt.

But again, find out from your program folks how time should be reported. If it's project related or if it would fall under administration.

Shawna LaRue Moraille: Okay. No further questions. I believe the last one we have is a little project specific. So may roll into the rest of the material and we'll see if anyone has any further questions, Cathy.

Cathy Dymkoski: All right. So on the next three pages, what you have here are links to the resources that I've covered in these – in this training. So here are the links for you so you know how to get that information. At the bottom of this page is the Part 58 basic webinar. And so if – for those of you, a large percentage that are novices of this, that, I think would be – I know it would be quite helpful to you to go through that and get your legs under you a little bit.

So there's a whole variety of tools that are present. The top one is the webinar in this series and that's a whole 2016 webinar series talking about program requirements as well as this training on the environmental review.

There's also a link to sample notices, the imminent threat memo, mentioned HUD memo on adopting FEMA reviews, and the HUD forms 7015.15 and 7015.16 as well as Section 106 flowchart. And then at the bottom, the tribal directory assessment tool. And these are just a little bit of what is on the HUD exchange. There is a whole host of tools on that HUD exchange on the environmental review webpage. So if you type in HUD exchange environmental review as a search, it'll take you right to that HUD page and you'll see all the things that are provided there.

Any other questions, Shawna?

Shawna LaRue Moraille: Okay. I was chatted back with this person. So generally, without getting into project specifics, what if you've started your environmental review process and you receive new funding and basically the scope has changed over time? What would be some tips for the –

Cathy Dymkoski: Okay. If the scope of the project has changed, then there's a requirement to do a reevaluation to ensure that the findings of the original environmental review are still valid in consideration of this change. So that's what you would have to do. You'd go back and you'd look at – in fact, go to Section 58.47, that describes reevaluation of the environmental reviews. And then take a look and amend. You know, do your amendment to your environmental review document, then go through each one of those federal laws and authorities and find out has anything changed now that we've altered the scope of it.

I'm assuming scope would mean something like you've added additional activities or maybe you have a project site where perhaps you want to include the road access corridor for that project that hadn't been considered. Maybe there's a road access from a main [inaudible] ferry into the project site or something. So it's going to be minor. You know, it's not going to be a wholesale change where you're – it's so large in scope. It's just going to be some relatively minor thing.

Lauren McNamara: And for reevaluation, you should work closely with your regional or field environmental officer to discuss the changes in scope and how it would affect the review.

Shawna LaRue Moraille: Okay. Sorry, Cathy.

Cathy Dymkoski: That's okay.

Shawna LaRue Moraille: So two different people asked about the tracking sheet. I believe it is part of what you covered in the best practices section about is there a tracking sheet available on the HUD exchange.

Cathy Dymkoski: There is not. Yeah. That was under best practices. There isn't any standard format that is on the HUD webpage. What you might do is if you know other communities that have electronic tracking system, for instance, then contact those folks or maybe other states or cities that have – are going through or have gone through disaster recovery that might have some – you can ask them how did you manage all these multitude of projects that come in.

Shawna LaRue Moraille: Okay. Great. And I would just add that many of the [inaudible] members of the national association. So always a great place to ask your peers for tools.

The next question is disasters always prompt the urgency of the moment in state and local government. How do you reiterate to these entities the importance of following the process, i.e., getting the environmental review done prior to any funds being sent?

Cathy Dymkoski: It's a difficult thing. It is. And that's why early – coordinating with them early on and frequently and you might have to talk to them a lot about that, to let – make them understand. And even over time, you'll find, gee, I thought I mentioned that to them, but it looks like we're getting a little off kilter here. And so then you have to go back and tell them again. So you just have to keep your hand on the pulse of it and keep talking to them.

And then eventually when you get a process going, it'll work out. There's always going to be that urgency throughout. That's where, again, the tracking system can be helpful, too. Here's the progress we're making. We can't clear these until we get this done. These can be cleared or almost ready to be cleared. So in combination with a tracking system and also just continual discussions with them, that – educating, I guess. That's the only thing.

And I totally understand how difficult it is when people want to push on the gas pedal and you just can't. There's no way to do it.

And also, thinking about streamlining the process as much as possible. That helps. And when they know that you're streamlining it as much as you can, I think that will help you, I believe.

Shawna LaRue Moraille: Okay. Great. There are no further questions in the queue.

Cathy Dymkoski: All right. Well, thank you so much, everyone. And we appreciate you for being here as part of this last webinar. And we hope that you'll be able to now understand some things and tips and some points and glean some things from this training. So thank you.

(END)