

Liz Zepeda:

All right. Thank you, Ben. We have a pretty packed agenda today. We're going to try and get through a whole lot but our goal today is to really start with the basics. Our target audience is people who are new to tiering or aren't confident with tiering, which, according to our poll, is most of you. So we're going to focus on the fundamentals and keep this fairly high-level. However, I will assume that you are comfortable with HUDs standard Environmental Review requirements and procedures. We're going to dive straight into tiering without any review of basic Environmental Review process so if you're new to HUDs basic Environmental Review process, you might want to review the basics through the HUD Exchange or our other webinars.

First, we're going to discuss what tiering is, why you want to use it, and generally how to complete tiered reviews. In this section, the content is going to be quite similar to the tiering guidance on the HUD Exchange so if you haven't seen that page, I strongly encourage you to read through it. There is going to be a link at the end of this PowerPoint. You can also get to it any time by going to the main Environmental Review page on the HUD Exchange and then you'll find tiering under "Featured Topics" on the right side of the page.

Turning back to the agenda. Next, we'll look at the tiering process in HEROS and how it differs from how you use HEROS to complete a regular review, and again, I'm going to assume that you're basically familiar with HEROS and have used it before so if you're not familiar with HEROS, this section might be a little confusing but bear with me because after that we're going to put that all together and show an example of how a tiered review completed in HEROS might look. So you should be able to follow along even if you haven't used HEROS.

Then we'll have a little time for questions at the end and at that point, I'm going to pull in Danielle Schopp, the Director of the Office of Environment and Energy and Sandy Frye, our Regional Environmental Officer in Atlanta. But if you have questions about a specific project or review, please discuss that, as Ben said, with your Regional or Field Environmental Officer.

So what is tiering? Tiering is a specialized way of completing Environmental Reviews. Instead of doing a complete separate Environmental Review record for each site, a tiered review looks at the collection of sites together. And Lauren, I think you were unmuted for a second.

This is done in two tiers. First, a broad-level review that looks at the big picture, then a number of site-specific reviews that analyze individual sites. Before we get started, I'm going to talk quickly about terminology because there are different ways of looking at tiered reviews, or talking about them. Some of you might call them programmatic reviews or you might call it broad-level reviews, tier one, area wide reviews, and site-specific reviews, tier two reviews or second tier reviews. All that's fine. They can be used

interchangeably but for the purpose of this webinar, I'm going to use kind of the most descriptive terms, broad-level and site-specific.

So how do the two tiers work? First, the broad-level review looks at the entire project as a whole. So at this level, you consider all of the related laws and authorities and everything that goes into an Environmental Review and identify which requirements can be met at the broad-level. Then, for the remaining requirements that cannot be checked off at that broad-level, it establishes procedures to ensure that each site is going to comply at the site-specific level. So then as individual sites are identified, the site-specific reviews follow the procedures established at the broad-level to make sure that each site complies. You don't have a complete Environmental Review record until both tiers are complete. The goal here is to eliminate repetitive discussions and to ensure that each review focuses on the issues that are right for decision at that stage.

This webinar is just going to cover one type of tiered review, a review where one repetitive activity is carried out in a variety of locations. The type we see most often for HUD projects is single-family rehab programs where single-family homes are repaired and rehabbed all over a general area but other examples might be demolishing housing units or putting in new sidewalks for example in various locations. It's kind of any similar discreet kind of actions that might be carried out around different places but what we're not talking about today is phasing Environmental Reviews. In some cases, it's going to be appropriate to break a very large project into smaller pieces. For example, if some elements of the design will be determined later on and that's acceptable in some cases and if you think that's an appropriate way to evaluate a project, please discuss it with your Field or Regional Environmental Officer but we're not going to talk about that today in this webinar.

For HUD projects, a major benefit of tiering is that you can give public notice, submit your request for release of funds, and receive an authority to use grant funds back from HUD at the broad-level. Once you've done that at the broad-level, there is no need to give notice or get approval from HUD at the site-specific level. You don't need HUD approval at that site-specific level, but you do still need to complete a site-specific review before you can start working. Trace limiting actions are prohibited prior to completing the full Environmental Review record. In this case, the request to release the funds and authority to use grant funds are completed before the full Environmental Review record is complete. The order is shuffled around a bit, but the same requirements still apply before you can start work or committing funds.

There are some pros and cons of tiering. It's important to think about whether it's the right choice for your responsible entities and your projects. The pros are, as mentioned on a previous slide, it cuts down any effort involved in finalizing a review. So instead of giving notice and submitting a request to release of funds for each site individually, you just need to do it the one time.

It also cuts down on your analysis. You don't need to say over and over that each site complies with each of the related laws and authorities if you've already figured out that every site is going to comply with some of them. That means that the site-specific review, you can focus just on the requirements that are actually relevant and not waste time.

But there are also negatives. We provide a lot less guidance, especially in HEROS, for tiered reviews. We consider tiering to be an advanced method for performing Environmental Reviews. We don't give the same amount of handholding and guidance that we do for standard reviews. It's also a lot easier to make mistakes with a tiered review. For example, a common mistake is to do a broad-level review and then rely on it in perpetuity and forget to update it when it gets out of date. Eventually, some responsible entities even forget the broad-level exists at all, especially if there is a lot of staff turnover. They just don't realize that the reviews they're used to doing are part of what used to be a larger whole, so they're just doing site-specifics. When we monitor, we find a lot of errors with tiered reviews, especially simple ones related to making sure that Environmental Review records are complete and up to date. It's just more likely that mistakes are going to get made when you're working with tiered reviews because they're that much more complicated so you want to make sure that you and your responsible entity have the capacity to maintain a tiered review.

So this slide has some examples of when tiering is a good idea and when it's a bad idea. A good tiered review looks at a series of repetitive, similar actions. So again, the most common type we see in HUD is single-family rehab, but that could be sidewalk repairs, demolition, any kind of discreet set of actions. This should not be an entire source of HUD funding and any activity that may be eligible for that funding. So a series of CoC funded project based leasing activities is a good project for tiered reviews. A general plan to use CDBG funds to do CDBG eligible activities is too general for a tiered review. There needs to be a more defined set of eligible activities.

In addition to defining the range of activities, you also need a good geographic range and it's difficult because it's possible to go too big or too small. A good range is a neighborhood, a portion of a city, or even up to a whole city or county, depending on the activity but you don't want to be looking at an area so small that tiering isn't necessary or where sites have already been identified. So if you're constructing just a new housing development, you wouldn't need to do a tiered review, you would just do a standard review that covers the full development. And if you're considering a very large area, you might want to consider whether it makes sense to break it down into chunks that are easier to assess together.

Finally, you want to think about your experience with tiered reviews. Don't tier because it's easier because generally it's not. If tiering is easier than doing a series of standard reviews, that might mean you're doing tiering wrong. Tiering should be more efficient but it should also involve more thought and more work on the front end.

All right, so now that we've moved into the big picture of why you might do this, we're going to move into the mechanics of how to prepare a tiered review.

Just like every Environmental Review, a tiered review has to start with a fully developed and detailed project description that defines the maximum anticipated scope of the project as specifically as possible. This should include all potential activities and funding sources, an approximate and maximum number of units and average cost per unit or site, a maximum geographic range that the review will consider, and an expiration date for the review, after which time a new broad-level review will be required. Five years is typical for a review but it might be shorter than that depending on the way your program is being administered.

There is room for estimates and best guesses on some of these but not others. The exact amount of money or number of units isn't necessarily needed, although there should be a sense of scale and a defined upper limit. On other things like activities involved and the geographic area need to be defined or you can't have any kind of reasonable environmental analysis. Again, this is the same as any review. You need to start with a good project description if you're going to have any chance of evaluating the environmental conditions and impacts.

The real purpose of the broad-level review is to address those issues that are right for decision and define the procedures to be used at the site-specific level for those that are not. So once you have your project description and level of review figured out, your next step is going to be to look at each law and authority and categorizing each one to figure out where the project lies at the broad-level and where site-specific analysis is needed.

So first, let's look at where compliance can be achieved at the broad-level. You can make this determination based on the location or the activities being considered or a combination of the two. For example, if you're doing a tiered review in Las Vegas, you can be sure that every site is going to comply with coastal barrier resources and coastal barrier management. Regardless of the specific activity involved, it's never going to matter. We can dismiss them at the broad-levels because we know there aren't coastlines in Nevada. An example based on activities involved would be if you're doing a tiered review where every action is going to be limited to interior rehab. You can be confident that every site is going to comply with our wetlands protections requirements, for example, at part 55. Even if half the project area is wetlands, interior rehab is always going to comply because there won't be any ground disturbance, so there is no need to map the individual sites. So again, we can clear this at the broad-level and ignore it entirely at the site-specific level.

Here, once the slide loads, are some examples of some good and bad compliance determinations that you might consider at the broad-level. All of

these happen to consider wetlands. So in the first, the compliance determination is based on activities involved. Because it's limited to interior rehab, they have concluded that no action can impact wetlands or require any compliance with part 55's wetland protection requirements. Again, it doesn't matter whether there are any wetlands or not because the activities automatically comply.

In the second, they've pulled wetlands maps, surveyed the area, and determined that there are no wetlands in the project area. Therefore, it doesn't matter what activities are involved because there are not wetlands to affect so all sites are going to comply. So this is an acceptable compliance determination really regardless of the project's activities.

The third is something that we do tend to see but which is not efficient. Here they are saying that the project is in compliance but they haven't explained why. So it very well might be true that the project complies with part 55 at the broad-level, but the compliance determination isn't sufficient if it doesn't provide enough information to confirm or understand that conclusion.

If all potential actions involved in the project description don't comply at the broad-level, then the broad-level review needs to outline the procedures that will be followed at the site-specific level. So this should include instructions on how to determine which proposals will comply, specific mitigation measures that will apply when mitigation is required, and, if necessary, criteria that will dismiss sites but cannot or will not be brought into compliance.

For any potential environmental issues, you will need to consider, at the broad-level, how they will be addressed. In some cases, you will be able to design mitigation at the site-specific level and in other cases you just might want to dismiss any sites that present concerns. It's going to vary depending on your program and how easy you want to make things at the site-specific level.

So here are some examples of how a simple protocol might look. Oh, it's taking this slide quite a bit. Okay, there we go. In the first, we have an example of an activity type where a full eight-step process will be required for sites in a special flood hazard area. So at the broad-level, this protocol determines that all sites will be mapped and for any projects that are found to be in a special flood hazard area, a warning system and emergency evacuation relocation plan will be required and any further mitigation beyond that will be tailored to the site.

An alternative to that would be the second example where the protocol simplifies things a bit. Again, the sites will have to be mapped, but in this case, any sites within a flood plain will just be readjusted.

Either of those is a fine protocol but what isn't acceptable is just stating that the project will comply at the site-specific level. There needs to be more information on how you're going to make sure that that happens.

This is especially important for EA level tiered reviews as you'll need to make a finding of no significant impact, or FONSI, at the broad-level before you can submit your request for release of funds. In terms of content, the tiered reviews are similar to a regular environmental assessment. You'll need to evaluate all of the EA factors and analysis and make your findings but in order to make that finding, you'll need to have well defined protocols that will ensure that no actions could have a significant impact.

Once you have either a compliance determination or a strategy for each of the related laws and authorities and have finished your analysis, you can move into the notice and approval process at the broad-level. Public notice is a little bit trickier with tiered reviews because it's important to give the public a full picture of the nature and scope of anticipated actions and impacts, which are still, to some extent, up in the air. So a lot of public notices for tiered reviews aren't clear about the nature of the review and that's an area where we really need to improve.

We now have a sample notice for tiered reviews on the HUD Exchange so please refer to that instead of the sample notice for standard reviews for a format that speaks to this a little better.

And again, complete the request for release of funds at the broad-level but do not commit or spend funds on the site or action until the site-specific review is complete.

Now to move into site-specific reviews. Once the broad-level review is complete, you can begin conducting site-specific reviews as sites are identified. At this stage, each site or action should have its own site-specific review. A broad-level review should require a lot of effort and a lot of thought to prepare, but if the broad-level review was done correctly, the site-specific review should be pretty easy. It should be a matter of following the steps and protocols defined at the broad-level to make sure that everything complies.

So for most sites, you'll get the site, apply the process outline to the broad-level, and make sure that the project complies with all requirements. In some cases though, you'll have to dismiss a site because it's outside the scope of the broad-level review. If the broad-level review was for a single-family rehab program, for example, you can't suddenly throw in a single family new construction at the site-specific level because the impacts and analysis will be completely different. Similarly, if I do a broad-level review in one neighborhood and then identify a site on the other end of my city, the environmental issues might be different. They may be the same, it depends on your area, but the issues could be different so it's important to make sure that the broad-level includes the scope of all sites you might want to look at.

Of course that doesn't mean you can't use HUD funds on any projects that don't conform to the limits of your broad-level review, it just means that they will require a separate Environmental Review. If you identify a site on the other side of town that otherwise fits the same project description, you are probably going to want to do a standard review on the site. The good news is that a lot of your same analysis and thought that you put in at the broad-level is going to also apply to that site but it would require a separate review and, as required, a separate public notice and request for release of funds since this site was left out of the notice and request for funds at the broad-level.

Moving on to the most exciting of topics, recordkeeping. Again, the environments review record isn't complete without both the broad-level and the site-specific reviews. They should be filed together and reference each other. Doing this should help avoid confusion down the road so that the site-specific review isn't misunderstood as being an entire review. Again, it's a really common finding when we monitor so maintaining good records is an easy fix and if you use HEROS, this is even easier.

So to sum up, here is our illustration of the process. First you'll do one big broad-level review and one big request for release of funds and authority to use grant funds, then a series of smaller, site-specific reviews. Then work on each individual site can begin only after the site-specific review for that project is complete. So the process can become staggered at that point.

Now we're going to turn to HEROS and how tiered reviews look in that system. Here, again, I'm going to assume that you're familiar with HEROS so if you don't yet use HEROS, this might be a little confusing but bear with me because even if you don't follow the section, the next section is going to start making sense again.

So when you're starting a tiered review in HEROS, the most important thing when you're starting out is to make sure you go to the right place and actually start a tiered review. We see a lot of people try to do a tiered review using the standard Environmental Review format. That's just going to cause some problems.

So normally, you start a standard review in HEROS by clicking the "Start a New Environmental Review" button that you see here with the big X symbol thorough it but to start a tiered review, you need to start by going to the tiered review dashboard, so click "Go to Tiered Reviews" and then you'll go to the "My Tiered Reviews Dashboard." From there you can start a new broad-level or tier one review. So that is how you start a new broad-level review in HEROS.

Once you've actually—you've pressed that button, you started your new review, the initial screen is going to look pretty much the same as the standard review. You get all the same questions about funding sources and parties involved. But another hint that you're on the right track is going to be

at the very top of your screen. In a tiered review, you'll see tiered in the name of the screen as a hint that you're in the right place.

Next is part 58. After that, things start to get a little different. For tiered reviews, you'll choose the level of review next before defining your project. It's also a little more advanced. HEROS doesn't offer the level of review determination assistant, it doesn't even show the full text of the level of review citations. Because tiering is a more advanced process for more advanced users, HEROS assumes that you're familiar with the regulations and can determine the level of review and the appropriate citations yourself.

The project summary screen is a little interesting. It starts off the same as a standard review and then gets more and more different as you move down. So keep on your toes, make sure that you're actually reading the questions and not going into autopilot. First, you'll put in your project description and then the project location. And then notice that the project location prompt is a bit different. Because the area is going to be larger, you're only asked for city and state and not a street address.

Then, as you scroll down the screen, the questions get a little more different than a standard review. You'll be asked about the approximate size of the area being reviewed, the activities involved, the maximum number of units or lots covered in the review, and the length of time when the review applies. So notice that there is a maximum of five years here. And once you get into the related laws and authorities, the first step is going to be going through each law and authorities and as you work through each of these rows, you'll move from left and right through the columns. So for each law and authority, you're first going to determine whether compliance is achieved at the broad-level. If it is, you'll select yes in the radio buttons in this column in the center, and where you select yes indicating that the project does comply at the broad-level, the text box in the next column will become editable. So use that text box to describe how you determine that the project complies. Then in the rightmost column, you'll upload any documentation to support your compliance information. If you determine that the project is not compliant at the broad-level and that site-specific analysis will be required, select no in that middle column. You won't be able to actually enter a compliance determination in the text box, but that's okay because you'll have a chance on the next screen to enter your text.

Once you've gone through all of the laws and authorities and determined whether they comply at the broad-level, you'll be routed to this written strategies screen. This screen will only show the laws and authorities where your answers indicated that site-specific analysis will be required and for each of those, you will be prompted to provide your protocols or written strategies for how compliance will be achieved at the site-specific level. There isn't an upload option for each law and authority, but there is an upload button at the very bottom of the screen where you can upload all of your documents at once.

Once you've completed your analysis and the process—the process of completing the review is pretty much the same in HEROS as it is for a standard review. You'll be directed to all the same screens to document public notice, submit your request for release of funds, etcetera.

The categorically excluded findings screen is a little different in HEROS than it is for standard review. We do not offer the option for tiered reviews to opt for exempts because there is no way to know at the broad-level that no laws and authorities will be triggered so all tiered reviews require public notice and require release of funds.

Then when you're ready to complete your site-specific reviews, it's a relatively simple upload in HEROS. HEROS doesn't have a prescribed format for site-specific reviews but there is, as part of your broad-level review, you should be determining how the site-specific review will look. So HEROS doesn't put that together for you.

For each site, you will need to provide basic location informational and upload all of your documentation. On this screenshot, we have two examples of how that might look. For both sites, you'll need to name the site and provide the address. I think in most cases, your name is probably also going to be the address because the address is just a reasonable name for the site, but it might be different. It just depends.

Then you'll need to prepare all of your documentation outside the system and upload it as attachments. So this can either be in a lot of separate files, as we have in site one where they've uploaded their checklist, their floodplain maps, their SHPO letter, everything individually, or you can go the way we did in site two where everything was consolidated into one PDF and we uploaded just one document with everything all together. Either one is fine.

Each time you want to add a site, you'll press this "Add" button and then another one of these will appear on the screen and you can just keep adding those and adding those and adding those.

This isn't the most helpful screen in here. It doesn't offer a huge amount of guidance but it does give you a good benefit in that all of your files will be in one place, which avoids the paperwork problems I described earlier. A question that we get a lot about HEROS and tiered reviews is what to do if you've already completed your broad-level review outside of HEROS and now you want to put the site-specific reviews in here. We just ask that you not do that. Wait until your old broad-level review expires and then put the new broad-level review in HEROS before you start adding site-specific reviews in HEROS. If your broad-level review is on paper, the site-specific reviews should also be on paper. If the broad-level is in HEROS, the site-specific should also be in HEROS. We just want to keep everything in the same format to keep everything clear.

HEROS only has tiered formats for categorically excluded reviews. Unlike for standard reviews, we don't have screens to help prepare tiered environmental assessments in HEROS. A tiered EA is a pretty high-level of difficulty. It is definitely not for beginners so that is something that we're leaving up to the preparer to work out on their own, at least for now. If on the level of review screen you select environmental assessment as your level of review, you will be directed to the screen the tiered EA upload. Instead of going through the laws and authorities the way we just went through a few slides ago, you will just be prompted to complete your broad-level EA offline and upload all of the documents into HEROS here. After that, you will be directed to the same screens you usually use to finalize the review, including the screens to push the Environmental Review record to the HUD Exchange during public comments and the request for release of funds and you'll get the same site-specific posting screen.

The process of posting and archiving tiered reviews is roughly the same for tiered reviews as it is for non-tiered. The biggest difference is that while a standard review is archived in the HUD Exchange for one year, tiered reviews are archived for five years. In a perfect world, this would be tied to the number of years you selected on the project summary screen so if you said the review would expire in three years, it would only be archived for three years but we haven't built that in. So they're all archived for five.

Okay, so now we're ready to move into the final section of the webinar today. We're going to put it all together and go through an example of a tiered review in HEROS. I want to note going in that I did not base this on a real project. I think that's important to mention. I looked at some real tiered reviews and I based this review on a real city with a number of real maps and real information but a lot of the substance is either made up or tweaked slightly. Because this wasn't a real project, no one has actually consulted with the State Historic Preservation Officer or the Fish and Wildlife Service so it's really important not to just mimic the reviewed. It was important for us in this webinar to give you guidance but not a blueprint. Each tiered review is different, each one needs to be tailored to the specifics of that activity and that location so we can only do so much in a broad webinar to walk you through it. The real work needs to be done by you at the broad level.

So okay, got the disclaimer out of the way, here is the overview of our fake project. We're going to do a single-family rehab program just weatherizing single family homes so the activities will be limited to replacing windows and doors, replacing insulation, and sealing gaps. The geographic range is Mt. Rainier, Maryland, a micro-city on DC's Northeast border. The broad-level review covers the entire city, which is one square mile and contains a historic district.

I'm going to skip the introductory screens and dive into the analysis. So to recap what you missed in the initial screens, this is a minor program so the level of review is CEST: category excluded subject to. The program area covered in the broad-level is about one mile and let's say that all the repairs

performed as part of this weatherization program will be performed in the next four years, so the tiered review just applies during that window. We're also going to, rather arbitrarily, say that the funding is coming from CDBG and there is just enough money to rehab 50 to 60 homes.

So getting into the laws and authorities. We can see the top three in this screenshot. The first two are quite similar. In both cases we can dismiss this issue at the broad-level because the entire city is in compliance. In this case, because there are no coastal barrier resource units in this county, there are no airports within range of the city, it's in compliance. Note in both cases, I have attached a map as supporting documentation and provided some detail in the project description even though these are pretty easy ones in the case of this project.

This is a benefit of having a very small project area. Because the broad-level review is looking at a pretty small area, it increases the chances that the whole range is going to comply with a lot of the related laws and authorities.

Our third issue is flood insurance and for that one, you have to go to the site-specific level. Note that compliance determination is blank here and there are no attachments. That's because I'm going to provide that information on the flood insurance—on the next screen. Again, because I selected no in that radio button, that text box is not editable and we're going to address that information on the next screen.

So those first two examples of airport hazards and coastal barrier resources were very similar in that we're able to comply with both of those just based on location but there are different ways of deciding that a project complies with the related laws and authorities at the broad-level and this slide breaks those into different groups. Again, it's really important to emphasize that this breakdown only applies to this project. These groups are depend based on your location and your project plan but I want to walk through quickly how we worked this out for this particular project.

What I'm calling group one in the upper left is laws and authorities where the project complies at the broad-level because of the activities involved. So these are factors where any single-family rehab project is going to comply at the broad-level regardless of the location or your specific plans. I can't really imagine any single-family rehab project that is going to get in trouble with these.

Group two is the factors where this project complies to the broad-level based on geography where it happens that the entire review area in my particular broad-level review complies with these factors. This group applies because Mt. Rainier doesn't contain any coastal barriers, any houses within the range of airport hazards, or any listed species.

Group three in the lower left is based more on the specifics of the project plans. These are factors that might require site-specific review for some

single-family rehab programs but in this case, the project was designed in a way to ensure that all projects will comply. This one is a little trickier so I'm going to take a closer look at these.

So in terms of explosives and flammable hazards and acceptable separation distance, a rehab program would potentially require site-specific analysis if it increases residential densities and that includes making uninhabitable units habitable. In this case, we're just doing repairs to units that are currently residences so it's not going to be an issue here. We're not going to expand any units.

As it happens, I was also able to survey the area and conclude that there weren't any above ground storage tanks within the mile. Again, that's the benefit of having a small project area. That was possible to do.

Wetlands might require site-specific review if there is going to be ground disturbance to those sites but again, in this case, that's not going to be an issue.

Coastal zones, I actually looked at Maryland's coastal management plan and determined that this project will comply but that's going to vary by states and project plans so I can't necessarily give you a big picture idea.

Finally, noise. There is a convenient overlap in actions that make a building more weatherproof and so does it make it more soundproof. So in this case, all of our projects will naturally involve noise attenuation and therefore I'm comfortable saying that noise will not be a concern for any of our projects.

Group four are those that don't comply in the broad-level and where site-specific analysis is required, So in the case of this project, that is floodplain management, flood insurance, toxics and contamination, historic preservation, and environmental justice. So we've done a good amount of trimming here. We still have some of the more complicated laws and authorities to address at the site-specific level but we don't have to worry about giving the same answers over and over again for the ones that we've already dismissed.

And again, all of this is going to vary on projects. So for example, other projects may not have any flood plains within the project area so flood plain management and flood insurance can move from group four to two. If a project could involve adding a new addition or a driveway, wetlands might move to group four because of the ground disturbance but it might move to group two if there is no wetlands in the area. Those are just the variables within the universe of single-family rehab. So if you move to a different range of actions, this could all change substantially.

So let's take a look at the compliance determinations by group. Group one is the group where we just based our decision on the fact that it's single-family rehab. We can go really simple on this group and just say this is single-family

rehab so my project is automatically in compliance. It's nice in a tiered review to go that extra step and see what the potential issues are in case there are any red flags. You might want to take some extra steps to prevent issues even if they aren't required by regulation, but you can also keep it simple here. For group one, you typically won't even need support documentation because your decision is going to be based just on the project description.

These are group two determinations hopefully showing up on your screen soon. These are based totally on location. In this group, compliance determinations are important to explore in your reasoning but the documentation is going to be crucial to back up your conclusions. So I have a lot of documentations for this group. For airports, I pulled up Google Earth and measured distance from my project area, marked out in purple, to the nearest airport. I don't know if you can see that. Coastal barrier resources was relatively easy because the county has a coastline slightly but it does not have any coastal barrier resources. And for endangered species, I would need letter from fish and wildlife services. Again, I don't actually have a letter from fish and wildlife because this is not a real project, but I have this beautifully executed forgery that I made.

Group three is where things, again, get a little more complicated because you're going to need to put more thought and analysis. Because your conclusions are really similar to the exact project plan, there should be more detail in your compliance determination. I've already described my analysis on these four a few slides ago but you can look and kind of broadly see that my compliance determinations are more complicated and longer for this group than they were for some of the other groups.

And finally group four, this is the group that did not comply at the broad-level and where you would have to select no in the compliance determination screen. So these are the laws and authorities that will show up on the next screen in the written strategies screen. This is where you would define your processes and requirements that will apply at the site-specific level. So for this project, we're left, again, with flood insurance, contamination, floodplain management, historic preservation, and environmental justice at the site-specific level.

Because this review only covers a limited number of activities in a small geographic range, that means I can exclude a lot of laws and authorities at the broad-level and prepare a much more streamlined, efficient site-specific review and that's going to make it that much faster to get sites approved at the site-specific level once they're identified because we've done the work at the broad-level. Even though we are actually going to comply at the site-specific level, it is really important to be detailed and specific and prepared at the broad-level. I'm not going to go through all of these in detail but just to give some highlights.

The project area here contains a small sliver of floodplain so it's entirely possible that no sites within the floodplain will be proposed. So we're going

to map all of our sites but for this project area, I would leave the five-step process to the site-specific level. In other cases, it might make sense to complete the five-step at the broad-level. Here, I think it's going to be more efficient to leave it up to the site-specific since we might not need to do it at all.

For this project area, compliance with section 106 is going to be really important because the area contains a historic district and most houses are more than 50 years old. So for historic preservation, it would be appropriate to do a lot more work at the broad-level. Here, I consult with a State Historic Preservation Officer and negotiate a Programmatic Agreement. If nothing else, you want to have a procedure defining how you will work with the SHPO and other consulting parties at the site-specific level and you'll need to consult with them at the broad-level to make sure they're comfortable with those procedures. In each project, each SHPO and consulting party is going to be different so this is going to look different in every broad-level review, and again, it's especially critical not to copy this one because I didn't consult with anyone. I just made this up.

Toxics and contamination are always difficult to do at the broad-level but I did get some of the ball rolling by getting NEPAAssist and other reports at the broad-level to get the lay of the land and that's going to expedite the analysis at the site-specific level. And because of the nature of this project, it is highly unlikely that environmental justice is going to be a concern but we always advise to leave environmental justice to be the last thing you look at so that you have a complete picture of the environmental issues before making a conclusion so I'm leaving that to the site-specific level.

Again, for group four, even though the analysis is going to be left to the site-specific level, there is a lot of documentation that needs to be prepared at the broad-level, even for group four. So here is a sample of my documentation there.

The last document you're going to want to prepare at the broad-level for group four is some kind of format. This doesn't need to be fancy but it will make the site-specific review that much easier if you've already prepared the form to make sure that you've captured everything that you need to. At the site-specific level, you're just going to want to record the site address, the amount of money going in to that site, the date, the people involved. You will also need a site-specific project description including the exact proposed activities. Even in this example where the actions provided at the broad-level were pretty specific, there will still be some diversity at the site-specific level that could be important. For example, if an action will not involve replacing the windows or doors or impacting the roof, the broad-level protocol specifies that there is no need to consult with the SHPO and therefore it's really important that that information goes in the project description. For those sites that only involve interior rehab, they can cut past one of the most difficult pieces of analysis at the site-specific review.

And of course you're going to need to document compliance with all of the laws and authorities that required analysis at the site-specific level. So this should, involve both narrative description and documentation. This slide shows documentation and information I'd require for this project but it, of course, can vary. Recall that all of this should be uploaded into HEROS for each site so that your records are kept together.

Finally, here is how the Environmental Review Record for this project would look. It's pretty similar to the Environmental Review Record generated for standard review. You'll start with the basic project information, and then go into the analysis. As in the screens within HEROS, the compliance determinations will be left blank for laws and authorities that require site-specific analysis and that's because that information will go to a separate chart for written strategies and protocols. This Environmental Review Record will update with the site-specific reviews and documents. As you input into HEROS, that will continue updating as site-specific reviews are completed.

All right. Now we've got some time for questions as it slowly scrolls through the screens. We're definitely not going to have time for all of your questions today so I want to remind you where your questions should go if you still have them after this webinar. If your question is about HEROS, if you're not sure how to input information or you're having technical issues, those questions should go to "Ask a Question" on the HUD Exchange. We have the link here. However, if it's a substantive question, if you're starting a review and you're not sure how to define your project or you're not sure what should be completed at the broad-level versus what should be completed at the site-specific level, you should take those questions directly to your Field or Regional Environmental Officer to discuss. If you don't know who that is, you can find their contact information in the HUD Exchange as well.

So now we'll turn it over to Lauren to read out the questions.

Lauren McNamara: Great, thank you Liz. So our first question is one I'm going to give to Danielle, "Who signs off on tiered reviews?"

Danielle Schopp: Yeah, so on the broad-level review, the Certifying Officer should be signing off just as they are signing off on the request for release of funds. On the site-specific review, we do not have a national policy and we certainly do not think that the Certifying Officer needs to sign off at the site-specific level. For the site-specific sign off, we would advise you to talk to your Field Environmental Officer if you have any questions about who should be signing off at the site-specific level.

Lauren McNamara: Great, thank you. Our next question is for Sandy, "Is a request for release of funds needed at the site-specific level?"

Sandra Frye: Thanks Lauren. No, typically not. Once you do the broad-level of review and you create your strategy and you complete your review and you have that signed and you submit your request for release of funds and you get your

release of funds from HUD at the broad-level, once you do the site-specific level review, you do not need to do another request for release of funds. I would just suggest and make sure that people—make sure they sign and date that site-specific review so it's clear when it was actually completed. And then of course you can't commit or draw down any funds until that site-specific review has been completed and all of the compliance associated with that has been completed as well.

Lauren McNamara: All right. Thank you. Our next question is for Liz, "I am working on a site-specific review for a broad-level review that I completed outside of HEROS a few years ago, do I need to re-enter it into HEROS to access the site-specific reviews?"

Liz Zepeda: If you already completed the broad-level review outside of HEROS, we just ask you to keep doing the site-specific review outside of HEROS as well. It's a great way of taking a basically completed broad-level review and putting it into HEROS after the fact because some things are just going to get messed up if that happens so please just wait to use HEROS for your tiered review until you are ready to put in a new broad-level review.

Lauren McNamara: Thank you. This kind of builds off of your last question Sandy, "When can we begin drawing down funds for a tiered review," if you could just clarify that?

Sandy Frye: Yeah, you've got to make sure that your site-specific is completed, signed, and dated and of course any compliance that you might have had to complete for that, say if you had to get a SHPO letter, you had to get some other compliance documentation, you've got to make sure that's all complete, signed, and dated and once you have that done and—whether your policy is the preparer and their supervisor sign or whoever is appropriate to sign it has done that, then you can start drawing down your funds.

Lauren McNamara: Okay, thank you. So our next question I'm going to give to Danielle, "With a site-specific housing rehab CEST that does not convert so exempt because of a flood zone, is the request for release of funds with the site-specific address required?"

Danielle Schopp: I'm sorry, can you please repeat the question Lauren?

Lauren McNamara: Yeah, so, "With a site-specific review that is a CEST, so it's a tiered review, is a request for release of funds required if it's in the flood zone?"

Danielle Schopp: Hi, thank you. No, you already did the review and the request for release of funds at the broad-level so a request of release of funds is not needed at the site-specific level. For tiering, you're only doing it at the broad-level. That's when—after you complete the broad-level review and develop your site-specific strategy, that is when you submit your request for release of funds.

Lauren McNamara: Okay, thank you. All right, Sandy, I have a question for you, “What is the importance of that average cost per unit for a tier one review? How are they supposed to estimate the cost of these projects over a five-year period?” I think we’re looking at why is the average cost per unit important.

Sandra Frye: Well, I think the overall cost is what’s important. Some people will develop a project description where they say they’re going to have a rehab program where it’s limited to, say, up to 25,000 per house just so there is at least a general idea of how much funding is going to be spent on each property. It’s also important for the public to get an idea of the scope of the project and in some cases you may have to determine whether you’re doing major rehab or minor rehab. So while it’s not absolutely critical, I think it’s a good idea to at least include in there what you anticipate your funding to be. It doesn’t have to be exact but at least a good idea.

Lauren McNamara: Okay. Thank you. Danielle, this next question is for you, “Do we have to have a Programmatic Agreement for section 106 when doing the tier one review?”

Danielle Schopp: I cannot overemphasize how strongly we recommend a Programmatic Agreement. Using a PA and using tiering work hand in hand. They both work to streamline a process so frankly it doesn’t make much sense to have a tiered review if you’re doing a 30-day comment period to tribes as well as to the SHPO. With each site-specific review, you’re losing a lot of the strategy of a tiered review. In addition, we do require that you consult with a State Historic Preservations Officer at the broad-level whether or not you enter into a Programmatic Agreement or not because you are submitting your request for release of funds after you complete your review and there is a certification saying that you have complied with consultation requirements for section 106 so we definitely strongly encourage you to reach out to your SHPO to create a Programmatic Agreement to make these kinds of activities work quickly and in full compliance.

Lauren McNamara: Thank you. The next question is for Sandy, “Is there a limit to the number of sites that you can do for a tier two, tier one review?”

Sandra Frye: I wouldn’t say there is a limit to the number of sites. I think when Liz was talking earlier, it gets tricky if your area is too large. For example, if you go larger than a county and you’re at a state level, it doesn’t work that well. You really can’t do the broad review on a state level. It’s just not effective and the same if it’s a really small area. You might as well just go ahead and do a site-specific review if it’s a really small area, say for example, a subdivision. So I wouldn’t say there is a limit but it may be that your site area is too large or too small for it really to be effective for tiering.

Lauren McNamara: Great, thank you. And this will be our final question, Liz, “When will HEROS be mandatory for tiered reviews?”

Liz Zepeda: It will probably be mandatory for tiered reviews at the same time it becomes mandatory for standard reviews. We're still working on the details of that. I think at this point, we're hoping sometime in 2018 but it depends on how some of our current updates work. Do you agree with that Lauren?

Lauren McNamara: Yes, I do agree with that.

Liz Zepeda: All right, thanks. So I will move on to our slide on resources. Here is where to go for additional information. First, we have our basic page on the HUD Exchange, then the page I referenced earlier with specific targeted guidance on tiering and our contact information of our staff at the Office of Environment as well as some HEROS how-to videos. We have a few of those that go through specifically how to tier a review in HEROS. And finally, the link to HEROS. And now I will turn it back to Ben to wrap us up.

Ben Sturm: All right. Thank you. Thank you very much to Liz, Danielle, and Sandy for today's presentation and answers and thank you all for joining us on this webinar today. As a reminder, an email will be sent out to all attendees following this webinar with instructions for getting credit for your participation and to complete the feedback survey. Within the following week, we will be sending out the PowerPoint slides and a recording of today's webinar to all participants as well as posting the PowerPoint and webinar recording with transcript on the HUD Exchange Training page. Thank you all again and enjoy the rest of your day.