

HUD Field Office CPD Division Director and staff responsibilities

The field office CPD Division Director shall serve as the "HUD approving official" as defined in 50.2 for the EZ program within the HUD field office jurisdiction. The CPD Division Director and staff shall:

- (1) provide adequate outreach to the EZ grantee and communicate with the grantee to explain the environmental review responsibilities and how the grantee may obtain the environmental information that is to be supplied to HUD;
- (2) determine which activities proposed by the grantee are listed in 50.19 as categorical exclusions not subject to the related Federal laws authorities; determine whether there are any outstanding circumstances that would require an environmental assessment; keep a written record to the file of that determination; and **e-mail** a copy to Dennis Kane, Coordinator, EZ/EC Initiative in HUD Headquarters Office;
- (3) use any information (in accordance with 50.32) supplied by the grantee or its contractor, **provided** HUD independently evaluates the information, so that HUD will be responsible for its accuracy, and supplements the information (if necessary) to conform to the requirements of Part 50 and prepares the environmental finding;
- (4) establish as necessary (in accordance with 50.22) commitments for environmental management and monitoring of the implementation of mitigation and other safeguards;
- (5) complete the environmental review in accordance with Part 50 and upon satisfactory completion, document the Department's compliance on the "Sample Field Notes Checklist for HUD Form-4128" (April 10, 1997) and complete HUD form-4128--Environmental Assessment and Compliance Findings for the Related Laws; attach to form-4128 the information provided by the grantee or other sources used for completing the environmental analysis and findings; and obtain the signature of the CPD Division Director as the HUD Approving Official. These documents serve as the environmental review record, which the CPD Division Director must maintain and make available upon request.

On HUD form-4128, complete both Part A (Compliance Findings for 50.4 Related Laws) **and** Part B (Environmental/Program Factors) for HUD approval of all actions except those categorically excluded from the NEPA assessment. For example, Parts A and B must be filled out for acquisition of land for developments of more than four housing units on any one site or five or more units of housing, where the housing sites are 2,000 feet or less apart; (ii) infrastructure including development of utilities and services; (iii) new construction other than for residential activities excluded under 50.20(a)(3); (iv) major rehabilitation of existing structures in accordance with 50.20(a)(2) that involves any of the following conditions: (a) in the case of residential buildings, an increase in the unit density of more than 20 percent; (b) changes in land use (from non-residential to residential or from residential to non-residential); or (c) estimated cost of rehabilitation that is 75 percent or more of the total estimated cost of replacement after rehabilitation; or (v) any other activity not categorically excluded under 50.20(a). Refer to section C(4)(b) in IV of the Notice. Guidance is also provided in the "Sample Field Notes Checklist for HUD Form-4128--Environmental Assessment and Compliance Findings for the Related Laws."

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- (6) Complete only Part A (Compliance Findings for 50.4 Related Laws) for HUD approval of the categorically excluded activities (**a**) through (**d**) listed below. However, any categorical exclusion having the potential for significant impact because of "extraordinary circumstances" under 50.20(b) also requires

completion of both Part A (Compliance Findings for 50.4 Related Laws) and Part B (Environmental/Program Factors).

(a) **Individual actions under 50.20(a)(3):** Individual actions cover new construction or acquisition of land for development of up to four housing units or of five or more units of housing units on scattered sites where the housing sites are more than 2,000 feet apart and there are not more than four units on any one site. Refer to C(4)(a) of IV of the Notice;

(b) minor rehabilitation of existing structures (50.20(a)(2)) when the following conditions are met: (i) in the case of residential buildings, the unit density is not changed more than 20 percent; (ii) the project does not involves changes in land use (from non-residential to residential or from residential to non-residential); and (iii) the estimated cost of rehabilitation is less than 75 percent or more of the total estimated cost of replacement after rehabilitation;, or

(c) acquisition or disposition of, or equity loans, an existing structure.

(7) prepare the written approval letter or other typed letter, if approval is not warranted (see form letters in **Appendix D**) for the CPD Division Director's signature and dispatch the written notification to the grantee and e-mail a copy to Dennis Kane, Coordinator, EZ/EC Initiative in HUD Headquarters Office (Room 7130). For further assistance, (202) 708-6339 x4653.