



EMERGENCY ENVIRONMENTAL REVIEW



HUD Requirements

An environmental review is the process of reviewing a project and its potential effects to determine whether it meets federal, state, and local environmental standards. Environmental reviews are required for all federal funds and any activity at a project site that is assisted or to be assisted by HUD. Projects supported by federal funding must comply with the [National Environmental Policy Act](#) (NEPA) and other federal and state environmental laws. [24 CFR Part 50](#) and [24 CFR Part 58](#) implement NEPA for all HUD-funded activities and all HUD-assisted or to-be-HUD-assisted project sites.

- [24 CFR Part 50](#) applies to programs where HUD performs the environmental review.
- [24 CFR Part 58](#) applies to programs where the local government acts as the responsible entity (RE) to perform the environmental review.
- [Notice PIH-2016-22](#) provides additional environmental review guidance for public housing agencies (PHAs).

Information and resources regarding environmental review are available to PHAs on the [HUD Exchange](#) and [hud.gov](#). FEMA funding also adheres to environmental review requirements under [40 CFR](#) and [44 CFR](#).



Options in an Emergency

The primary objective of a response to any emergency is the protection of life and safety. In the immediate aftermath of an emergency PHAs have several options to fulfill environmental review requirements.

Existing approved environmental review

PHAs can utilize an existing approved environmental review conducted within the past five years, provided the repairs required are included in the original scope of work.

Items included in Part 50 Programmatic Determination

In [Notice PIH-2016-22](#), HUD documented certain administrative, management, certain maintenance, and housing choice voucher activities as categorically excluded from environmental review under [24 CFR 50.18](#).

Actions to control imminent threats to public safety

Environmental regulations in [24 CFR 58.34\(a\)\(10\)](#) allow for an expedited review for improvements related to disasters and imminent threats. Specifically, temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects of disasters or imminent threats to public safety are exempt activities. PHAs do not have the authority to determine if the exemption is suitable and must receive formal written clearance before proceeding.

Expedited environmental review

[Notice PIH-2016-22](#) allows for an expedited review for improvements related to disasters and imminent threats. PHAs may request an expedited [Part 50](#) review from their local HUD field office to address emergency work when the RE is unable to perform its duties due to the impact of the disaster.

Reduced requirements for small, rural PHAs

The [Economic Growth, Regulatory Relief, and Consumer Protection Act of 2018](#) amended the United States Housing Act of 1937 to reduce environmental review requirements for designated small and rural PHAs. Specifically, providing an exemption for development and modernization projects less than \$100,000.

Shortened public comment period

During a Presidentially declared disaster or local emergency declared by the chief elected official of the RE, who has proclaimed that there is an immediate need for public action to protect the public safety, a combined Notice of Findings of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (NOI/RROF) may be published simultaneously. The combined FONSI and NOI/RROF shall state the funds are needed on an emergency basis and the comment periods have been combined. The notice shall invite comments to be submitted to both HUD and the RE for full consideration per [24 CFR 58.33\(b\)](#).