

## ENVIRONMENTAL INFORMATION CLEARANCE LETTERS INSTRUCTIONS

The Environmental Review is required by the U.S. Department of Housing and Urban Development (HUD) to ensure the project does not negatively impact the surrounding environment and that the property itself will not have adverse environmental or health effects on occupants. All Continuum of Care (CoC) assistance is subject to the National Environmental Policy Act and applicable related Federal environmental authorities. Conditional selection of projects under the CoC Homeless Assistance competition is subject to the environmental review requirements of 24 CFR 582.230, and 882.804(c) as applicable.

The County of Orange will perform the Environmental Review and once approved will present the agency with an environmental clearance letter. This environmental clearance letter will be valid for the next five (5) years from the day dated and may be submitted in lieu of the Environmental Review Forms.

**Please complete the applicable environmental item your agency will submit along for your proposed project.**

- Copy of Environmental Clearance Letter
- Environmental Review for Continuum of Care Leasing or Rental Assistance Project that is Categorically Excluded Subject to Section 58.5
- Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to section 58.5

**The following documents will guide you for Attachment 11:**

1. **CoC Environmental Review Process** (Exhibit A)
2. **CoC Flow Chart:** (Exhibit B)
3. **Limited Scope Environmental Review Instructions – CoC:**  
<https://files.hudexchange.info/resources/documents/Limited-Scope-Environmental-Review-Instructions-CoC.pdf>
4. **Environmental Review for Continuum of Care Leasing or Rental Assistance Project that is Categorically Excluded Subject to Section 58.5 (CoC Limited Scope Review Form) –** Used for projects with leasing or rental assistance activities that include no maintenance, repairs, or rehabilitation to the leased or rented properties:  
<https://www.hudexchange.info/resource/3800/limited-scope-environmental-review-coc/>
5. **Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to section 58.5 (CENST) –** Used for projects with tenant based rental assistance (TBRA) when program participants determine the location of their unit, operating costs that are NOT used as a reserve for replacement cost and supportive services only and

HMIS activities. Project may proceed. HUD Los Angeles Field Office completes a TBRA/TBL CENST review covering all Southern California CoC projects.

Per HUD guidelines (through HUD Exchange CoC FAQs), environmental reviews should be based on the building and the surrounding geography, and not on the actual unit. For example, if an environmental review was conducted on a multi-unit apartment complex within the last five years, a new unit in that building may be leased without completing a new environmental review.

However, for any scattered-site leased (this also includes sponsor-based and project-based rental assistance) units located in a building that has not received an environmental review within the last five (5) years, a limited scope review is required prior to signing a new lease and committing CoC Program funds to the unit.

## Exhibit A: Continuum of Care (CoC) Environmental Review Process

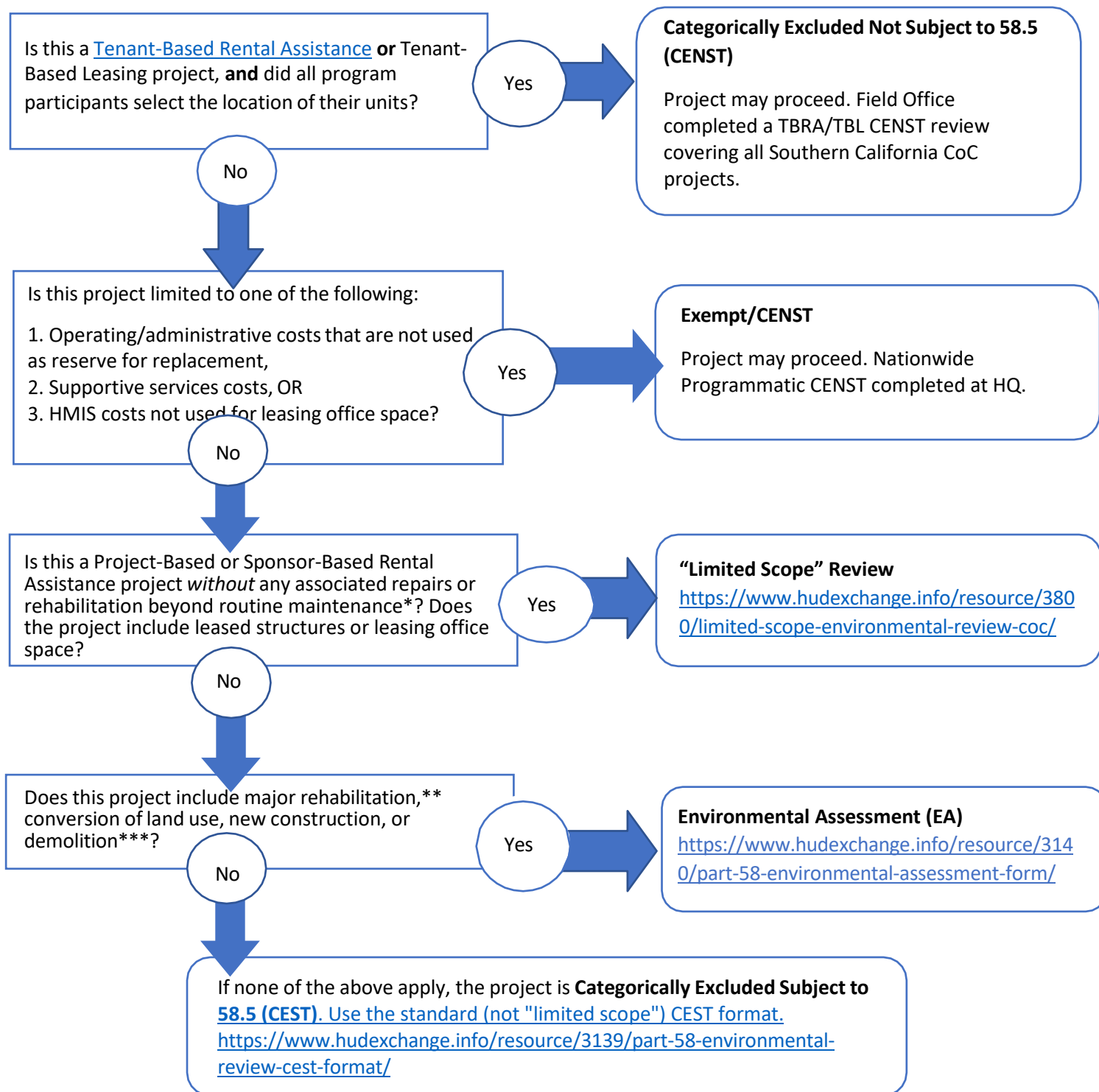
- a. Determine form to be used (See Exhibit B)
  - If project is for leasing or rental assistance activities in the CoC program that include no maintenance, repairs, or rehabilitation to the leased or rented properties, use **Environmental Review for Continuum of Care Leasing or Rental Assistance Project that is Categorically Excluded Subject to Section 58.5** (CoC Limited Scope Review format).
  - If project is for tenant based rental assistance (TBRA) and program participants determine the location of their unit, or the project contain only operating costs that are NOT used as a reserve for replacement cost, or project contains only supportive services costs, or only HMIS cost, use **Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to Section 58.5**. Only one Exempt/CENST form needs to be filled out per project.
- b. Complete Project Information (Same for Both Forms)
  - Responsible Entity would be Orange County (or County of Orange)
  - State/Local Identifier – CA-602
  - Certifying Officer Name and Title: Craig Fee, Community Development Manager, OCCR
  - Make sure to include project location and/or census tract and project description
- c. Complete Funding Information
  - Include Grant Number/HUD Program/Funding Amount. Please submit a copy of the HUD Grant Award with environmental form.
  - If other uses of funds are anticipated on being used for this project include this additional funding amount
- d. Complete Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities section
  - For the CoC Limited Scope Review, this section is prepopulated. Only complete the sections with the Asterisk (\*). These sections are Coastal Barrier Resources, Flood Insurance, Contamination and Toxic Substances, Floodplain Management, and Environmental Justice. Make sure to answer yes or no and complete the compliance determination column.
  - For the Categorically Exempt or Excluded Review, the sections needing completion are Airport Runaway Clear Zones, Coastal Barrier Resources and Flood Insurance. Only one Exempt/CENST form needs to be filled out per project. Previously, projects were required to complete this form for each individual unit.
- e. Please include any supportive documentation as appropriate such as the following:
  - Project Location Map (ex. Google map of location)
  - Pictures of Project location exterior
  - Project Location EPA (Environmental Justice View)
  - Project Location FEMA Map – Area of Minimal Flood Hazard
  - Attestation of Coastal Barrier Resources Act

- Reference Websites for determination of environmental review
- HUD Grant Award Letter

Completed forms should be emailed to [CareCoordination@ocgov.com](mailto:CareCoordination@ocgov.com) and Carbon Copy (Cc) Jasmin Miranda ([jasmin.miranda@ocgov.com](mailto:jasmin.miranda@ocgov.com)).

Once the Environmental Review is reviewed by the Office of Care Coordination, the Office of Care Coordination will obtain final approval from Craig Fee, Community Development Manager, of County of Orange.

## Exhibit B: Environmental Review Flowchart (Revised October 2021)



\* Routine maintenance is defined for purposes of environmental review at <https://www.hudexchange.info/resource/3197/guidance-categorizing-activity-as-maintenance-environmental-regulations-24-cfr-parts-50-and-58/>

\*\* For purposes of determining level of review, "major rehabilitation" is rehabilitation that does not conform to the limitations listed in 24 CFR 50.20(a)(2).

\*\*\* Select "yes" if new construction or demolition falls outside the definition of an "individual action" in 24 CFR 50.20(a)(3). If proposed construction or demolition conforms to the requirements in that section, select "no."