



TEXAS DEPARTMENT OF AGRICULTURE **COMMISSIONER SID MILLER**

Texas Community Development Block Grant Program
ENV Re-Evaluation



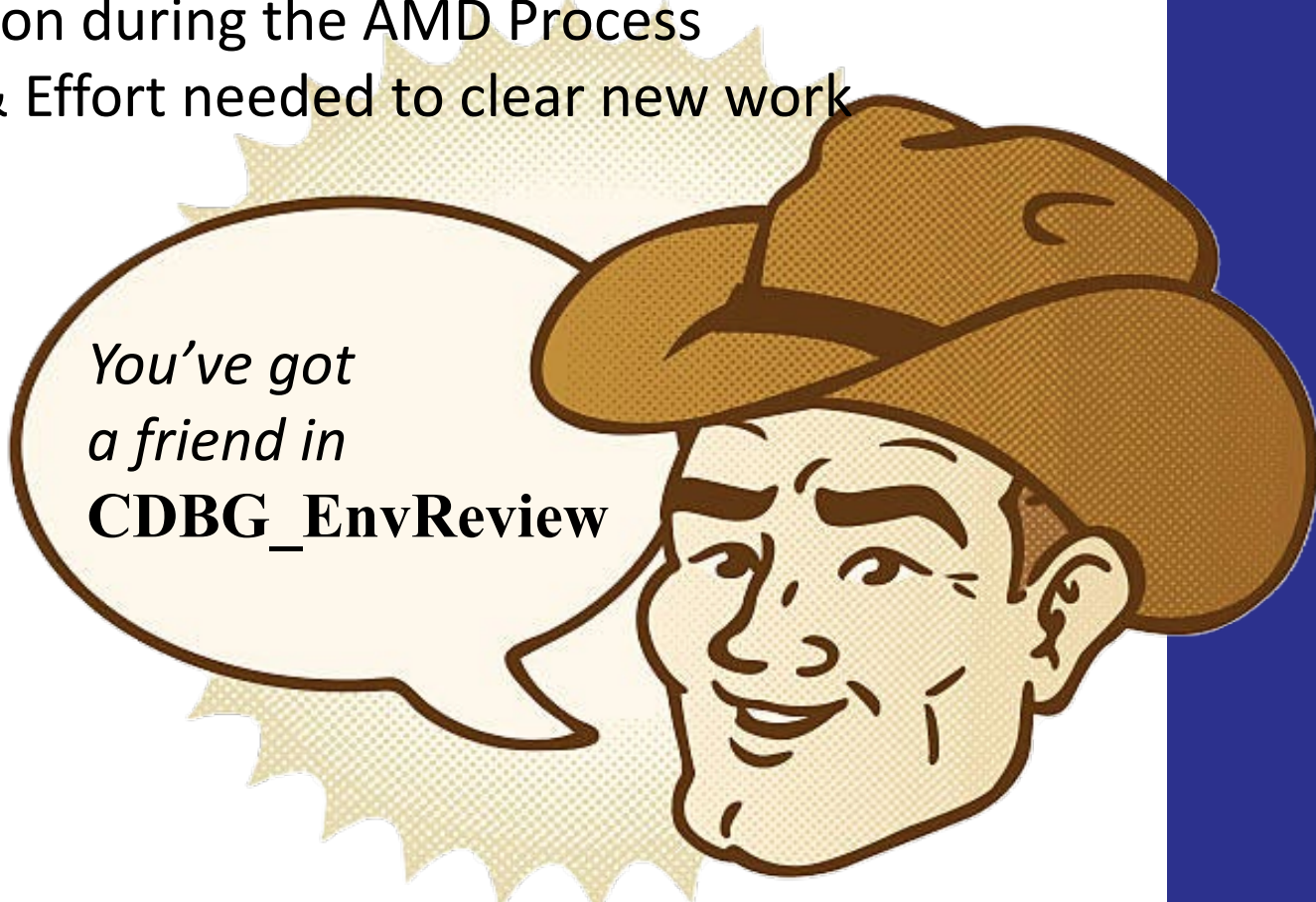
Re-evaluations

- Timing
- Re-evaluation versus New Clearance
- Determining Level of Review
- Determining Individual Compliance Factors
- Submission/Certification of the Re-Eval



Timing

- When a Re-evaluation is Needed
- Avoiding a Re-evaluation Finding
- Re-Evaluation during the AMD Process
- The Time & Effort needed to clear new work

A cartoon illustration of a man's head and shoulders, wearing a brown cowboy hat. He has a friendly expression with a slight smile. A large, light-yellow speech bubble with a brown outline is positioned to his left, containing text. The background behind the man and speech bubble is a yellow, sunburst-like shape with a halftone dot pattern.

*You've got
a friend in
CDBG_EnvReview*



Re-Evaluation Vs. New Clearance

2b	Part 55 If in a floodplain/wetland, Early Notice must be published in a newspaper.	Minimum 15-day comment period.	35
	Final Notice of 8-step: If needed, must be published in a newspaper.	Minimum 7-day comment period.	
3	ENV Preparer goes back to Environmental Main Form, and then: - Selects determination - Certifies the completed checklist & the determination that is ready for public viewing <u>before</u> the required the public comment period		
4	ENV Preparer creates NOI/RROF/FONSI Notice(s) from the Main Form, and based on the level of review, publishes or posts as required. <u>EA level with FONSI:</u> Notify EPA and any agencies or other interested groups, as needed. <u>Comment Period Start Date:</u> The day <u>after</u> the notice is published or posted. <u>Comment Period End Date:</u> The last day of the required publication or posting.	NOI/RROF – 7 days published; or 10 days posted. FONSI – 15 days published; or 18 days posted. Combined Notice – 15 days published; or 18 days posted. NOTE: May also publish the Final Notice of 8-Step concurrent with the FONSI or Combined Notice.	18
5	ENV Preparer alerts Authorized Official (AO) that it is time for certification.		
6	AO certification of the RROF: At the bottom of the Main Form, AO will mark the certify box and click the Save button. Then change the status in the left navigation bar to <i>Submit for TDA Review</i> .	Completed (the next business day) <u>after</u> the Comment Period End Date.	1
7	For levels CatEx cannot Convert <u>or</u> EA, the State Comment Period begins the working day <u>after</u> the AO submits.	State Comment Period is 15 days.	15
8	For levels CatEx cannot Convert <u>or</u> EA, the AUGF release will be the working day <u>after</u> the State Comment Period.		



Level of Review

SUMMARY OF LEVELS OF ENVIRONMENTAL REVIEW & DOCUMENTATION REQUIRED IN ERR

A309

rev. 1-27-2010

2017-12-20 2018

LEVEL OF ENVIRONMENTAL REVIEW				
58.34 Exempt	58.35(b) Categorically Excluded NOT subject to 58.5	58.35(a) Categorically Excluded AND subject to 58.5 "A" checked for all on Statutory Worksheet	58.35(a) Categorically Excluded AND subject to 58.5 statutory authorities: "B" checked for one or more on Statutory Worksheet	58.36 NEPA Environmental Assessment
TYPE OF ACTIVITIES				
Environmental and other studies Resource identification Development of plans and strategies Information and financial services Administrative and Management Activities Public services, i.e., employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation, welfare, recreational needs Inspections and testing for hazards or defects Purchase Insurance and tools Engineering or design costs Technical assistance and training Temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair or restoration activities to control or arrest the effects from disasters or imminent threats to public safety, including those resulting from physical deterioration. Payments of principal and interest on loans or obligations guaranteed by HUD	Tenant-based rental assistance Supportive services such as health care, housing services, permanent housing placement, day care, nutritional services, short-term payments for rent, mortgage, or utilities, assistance in gaining access to government benefits. Operating costs including maintenance, furnishings, security, equipment, operation, supplies, utilities, staff training and recruitment Economic development activities including equipment purchase, inventory financing, interest subsidy, operating costs, and other expenses not associated with construction or expansion Activities to assist homeownership of existing dwelling units or units under construction, including closing costs and down payment assistance to homebuyers, interest buy downs or other actions resulting in transfer of title. Affordable housing pre-development costs: legal consulting, developer and other site-option costs, project financing, administrative costs for loan commitments, zoning approvals, and other activities which don't have a physical impact. Approval of supplemental assistance (including insurance or guarantee) to a project previously approved under Part 58, if: approval is by same the RE, and re-evaluation is not required, per 58.47	Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are already in place and will be retained in the same use without change in size or capacity of more than 20% - Replacement of water or sewer lines - Reconstruction of curbs & sidewalks - repaving of streets Special projects directed toward the removal of material and architectural barriers that restrict the mobility of and accessibility to the elderly and handicapped. Single Family Housing Rehab - Unit density is not increased beyond 4 units, - Project doesn't involve change in land use from residential to non-residential - The footprint of the building in not increased in a floodplain or a wetland. Multifamily Housing Rehab - Unit density change is not more than 20% - Project doesn't involve change in land use from residential to non-residential - Cost of rehabilitation is less than 75% of the estimated cost of replacement after rehab Non-Residential Structures - Facilities and improvements were in place and will not be changed in size or capacity by more than 20% - Activity does not involve change in land use from non-residential to residential, commercial to industrial, or one industrial use to another Individual action (e.g., disposition, new construction, demolition, acquisition) on a 1 to 4 family dwelling; or individual action on five or more units scattered on sites more than 2000 feet apart and no more than 4 units per site. Acquisition (including leasing) or disposition of, or equity loans on an existing structure or acquisition (including leasing) of vacant land provided that the structure or land acquired or disposed of will be retained for the same use. Combinations of the above activities		Activities not exempt or categorically excluded. Generally, new construction of 5 or more homes, and conversion from one type of land use to another.
DOCUMENTATION REQUIRED IN ERR				
Describe activity and make a written determination of exemption. Also, determine compliance with 58.6: - National Flood Insurance Program - Coastal Barrier Resource Act - Runway Clear Zones	Describe activity and make a written 58.35(b) determination. Also, determine compliance with 58.6: - National Flood Insurance Program (NFIP) - Coastal Barrier Resource Act (CBRA) - Runway Clear Zones	Complete Statutory Worksheet, (sec. 58.5) and indicate converts exempt. Also, determine compliance with 58.6 - NFIP - CBRA - Runway Clear Zones	Complete Statutory Worksheet (sec. 58.5) NOI/ROOF notification RROF & Certification (form 7015.15) Authority to Use Grant Funds (form 7015.16) Also, determine compliance with 58.6 - NFIP - National Flood Insurance Program - Coastal Barrier Resource Act - Runway Clear Zones	Environmental Assessment (including Statutory Checklist) FONSI and NOI/ROOF notification Form 7015.15 Form 7015.16 Also, determine compliance with 58.6



Compliance Factors & Consultations

Amendment Number:

1

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DO NOT reuse a completed form.

Click **ADD** button for a new re-evaluation form.

Describe the project revisions that require re-evaluation

Revise 03J project description to install 6" water line instead of 2" and 4" line.
Reduce 03K project location, removing the southern section that was bid as an additive alternate.

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A re-evaluation is required because of:

- ☒ Changes in the nature, magnitude or extent of the project, including adding new activities not anticipated in the original scope of the project.
- ☐ New circumstances and environmental conditions which may affect the project or have a bearing on its impact.
- ☐ Proposed selection of an alternative not in the original finding.

Compliance Factor	Is the original finding still valid?	If still valid, provide any update to change in data or conditions. If the original finding is no longer valid, proceed with conducting an environmental assessment to address changes to the project, conditions, or proposed alternatives.
Clean Air	Yes	Proposed amendment changes were included in the original EA clearance. No changes to the project site or activities that necessitate a new finding. FONSI is still valid for this factor.

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ENV Re-Eval Submission in TDA-Go

ENV Preparer (ENV Performance Report)

Authorized Official (Amendment Request)

Questions/Comments



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