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## MEMORANDUM

**To:** CDBG-DR Housing Recovery 1-4 ERR File

**From:** Lori A. Shirley 

**Date:** February 18, 2014

**Subject:** Re-evaluation of Environmental Assessment under 24 CFR 58.47

The CDBG-DR Program, NY Rising Housing Recovery Program for 1-4 Unit Residential Properties, was developed to cover rehabilitation, reconstruction and repairs costs of moderate, major and substantially storm-damaged properties. In compliance with HUD's Regulations at 24 CFR Part 58, a Programmatic Environmental Assessment (PEA) was conducted for 26 NYS counties and a combined Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (NOI/RROF) was published for each county. (See attached chart for all dates of all actions referred to in this memo).

On November 26, 2013, the CDBG-DR team submitted Request for Release of Funds (RROFs) to HUD for 13 of the 26 counties. CDBG-DR planned to submit RROFs to HUD for the additional 13 counties over the following week.

Later that day, Therese Fretwell (HUD) responded to the RROFs by an e-mail to the CDBG-DR team submitting comments. Ms. Fretwell expressed HUD's concern that that the PEAs appeared to be very boiler plate, many of them seeming so similar as to almost be direct copies of the Nassau and Suffolk County drafts with only the titles and place names changed. She added that HUD was concerned with the level of detail being provided in the project descriptions, alternatives and existing conditions descriptions of the impact areas. HUD felt that the PEAs were all a bit devoid of area specific analysis and that some area wide analysis was necessary.

In response to HUD's comments and pursuant to 24 CFR 58.47 "Re-evaluation of environmental assessments and other environmental findings," the CDBG-DR team revised the original PEAs and conducted re-evaluations of the associated findings. The original findings remained valid, and, accordingly, new FONSI and RROFs were not necessary.<sup>1</sup> After reviewing the revised EAs for the 26 counties, HUD accepted the RROFs and issued Authority To Use Grant Funds (ATUGFs) (See attached chart for dates).

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<sup>1</sup> 24 CFR § 58.47(b)(1) "If the original findings are still valid but the data or conditions upon which they were based have changed, the responsible entity must affirm the original findings and update its ERR by including this re-evaluation and its determination based on its findings. Under these circumstances, if a FONSI notice has already been published, no further publication of a FONSI notice is required."

**CDBG-DR Program- Environmental Review  
 NY Rising Housing Recovery Program for 1-4 Units- Re-Evaluation Memo Chart**

<b>County</b>	<b>PEA and FONSI/NOI- RROF Date</b>	<b>RROF Date (Batch 1 of 2- 13 counties)</b>	<b>HUD Comments Received</b>	<b>Revised PEA Submission Date</b>	<b>RROF Date (Batch 2 of 2- 13 counties)</b>	<b>ATUGF Date</b>
Greene	10/22/2013	11/26/2013	11/26/2013	1/14/2014		1/24/2014
Schoharie	10/22/2013	11/26/2013	11/26/2013	12/23/2013		1/24/2014
Orange	10/23/2013	11/26/2013	11/26/2013	1/14/2014		1/24/2014
Tioga	10/23/2013	11/26/2013	11/26/2013	1/14/2014		1/24/2014
Ulster	10/22/2013	11/26/2013	11/26/2013	1/14/2014		1/24/2014
Albany	10/30/2013	11/26/2013	11/26/2013	1/14/2014		1/24/2014
Delaware	10/30/2013	11/26/2013	11/26/2013	1/14/2014		1/24/2014
Herkimer	10/30/2013	11/26/2013	11/26/2013	1/14/2014		1/24/2014
Otsego	10/30/2013	11/26/2013	11/26/2013	1/14/2014		1/24/2014
Schenectady	10/30/2013	11/26/2013	11/26/2013	1/14/2014		1/24/2014
Broome	11/6/2013	11/26/2013	11/26/2013	1/14/2014		1/24/2014
Columbia	11/6/2013	11/26/2013	11/26/2013	1/14/2014		1/24/2014
Rensselaer	11/6/2013	11/26/2013	11/26/2013	1/14/2014		1/24/2014
Saratoga	11/12/2013		11/26/2013	1/24/2014	2/4/2014	2/7/2014
Dutchess	11/12/2013		11/26/2013	1/24/2014	2/4/2014	2/7/2014
Montgomery	11/12/2013		11/26/2013	1/24/2014	2/4/2014	2/7/2014
Oneida	11/12/2013		11/26/2013	1/24/2014	2/4/2014	2/7/2014
Sullivan	11/12/2013		11/26/2013	1/24/2014	2/4/2014	2/7/2014
Putnam	11/14/2013		11/26/2013	1/27/2014	2/4/2014	2/7/2014
Chenango	11/20/2013		11/26/2013	1/27/2014	2/4/2014	2/7/2014
Essex	11/20/2013		11/26/2013	1/27/2014	2/4/2014	2/7/2014
Warren	11/20/2013		11/26/2013	1/27/2014	2/4/2014	2/7/2014
Chemung	11/26/2013		11/26/2013	1/27/2014	2/4/2014	2/7/2014
Clinton	11/26/2013		11/26/2013	1/31/2014	2/4/2014	2/7/2014
Fulton	11/26/2013		11/26/2013	1/31/2014	2/4/2014	2/7/2014
Washington	11/26/2013		11/26/2013	1/31/2014	2/4/2014	2/7/2014