



**FLOW CHART
OUTLINING ENVIRONMENTAL REVIEW
PROCESS
AND SECTION 106 REVIEW PROCESS**



Step 1: Determine the entire capacity of the project and if it being funded with federal dollars or not 24.CFR 58.32

Step 2: Determine what type of federal funds are being associated with the project, i.e. CDBG, HOPWA, HOME, ESG, HTF

Step 3: Determine the level of Environmental Review, **this determined by the City of Cleveland**

- Exempt, Categorical Excluded, Environmental Assessment, or Environmental Impact Statement

Step 4: Conduct Environmental Review 24CFR 58.38

- Conduct a site visit which includes a Field Notes Checklist
- Coordinate with related Federal laws and other requirements such as 106 Historic Preservations guidelines 24.CFR 58.5 and 24.CFR 58.6 **(See attached Historic Compliance Review Procedures)**
- Interact with State, Federal and non-Federal entities 24 CFR 58.14
- Record the evaluation process and results 245 CFR 58.40
- Make sure the record is available for public review 24 CFR 58.38

Step 5: If the project has been determined to be Environmental Assessment with not Finding of No Significant Impact:

- Publish and disseminate public notices 24 CFR 58.43, **to be completed by the City of Cleveland**
- Publish a Notice of Finding of No Significant Impact (FONSI) in a locally circulating newspaper where project is effected i.e. The Plain Dealer
- The notice has a 15 day public comment period 24 CFR 58.45

Step 6: If project has been determined to be Categorically Excluded and Environmental Assessment projects please follow these guidelines:

- Publish and disseminate Notice of Intent to Request Release of Funds 24 CFR 58.70 and 24 CFR 58.43, **this is to be completed by the City of Cleveland**
- The notice has a 7 day public comment period 24 CFR 58.45

Step 7: Submit a Request for the Release of Funds (RROF) and Certification to HUD

- A copy of the newspaper ad must be attached. HUD will not approve the Request for Release of Funds before 15 calendar days have passed from the time of receipt of the RROF and certification 24 CFR 58.73, **this is to be completed by the City of Cleveland**



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Step 8: HUD issue a RROF and the project can precede.

Step 9: If the project has been determined to be Exempt, Categorical Excluded but Subsequently Exempt, and Categorical Excluded not Subject to 58.5 (Can skip Steps 5 through 8). The project may then proceed.

Note: if the project is funding with any one of these programs an Environmental/Historical Review must be completed prior to the **START** of any physical construction. If construction has started prior to the reviews being completed it can result in the **FORFEITING** of all federal assistance for your project and future projects. Please contact your contact the Environmental Review Compliance Officer, Kellie Glenn at (216) 664-4070 or kglenn@city.cleveland.oh.us and the Historic Preservation Compliance Officer, Dan Musson at (216) 664-2575 or dmusson@city.cleveland.oh.us Also, the earlier you contact these individuals concerning your project the better potential environmental/historic issues can be resolved.

NOTE: Timeframe for reviews is usually two weeks but sometimes projects can take longer due the capacity of the project (s)



Policies and Procedures Regarding the Environmental and Historic Preservation Review Process



Environmental Review (s) must be conducted on any project(s) that utilizes federal dollars i.e. CDBG, HOME, HTF, HOPWA, ESG, etc. **regardless of how many federal funds are involved and what the purpose of the project**

The easiest way to conduct a through review is if it is conducted at the beginning of a project. This is necessary in order to account for any unforeseen circumstances that maybe involved with the project. A review is conducted on a project no matter what the project entails i.e. a planning study, engineering and design, rehabilitation, relocation, change in density, historic structures, new construction, etc.

First step in the environmental and historical review process is to identify the project(s) and the details of that project. The best way to complete this task is to have continuous communication with the Project Manager, Planner and each area in the Compliance Section i.e. URA, Environmental, Historic Preservation, in addition to staff regarding lead based paint abatement. This will enable all parties to be involved at the beginning of the project and to be on one accord.

The following information must be obtained at the beginning of a project proposal in order to complete an accurate an Environmental and/or Historic Review:

- Need to identify what type of funding is being utilized for the project (s) i.e. specifically if federal funds of any kind are being utilized for this project
- How many units
- The type of project. The details of the project i.e. Demolition, Renovation, Rehabilitation, New Construction, and Change in Density, etc.
- Need to know if the project in an Historic District and/or Historic Structure on the National Register of Historic Places or any other designation
- Location of the project
- Are there multiple locations involved with this project? If so where are they
- Is this project going being conducted in phases?
- Need to know any impacts on the environment. Is located near a coastal zone, floodplain, wild or Scenic Rivers, farmland, manmade hazards, noise hazards, etc.
- Copies of Environmental Phase I and/or Phase II that have been conducted on this site, if applicable
- Need photographs of the site and any structures; maps, site plans, etc.
- Previous usages of the site i.e. commercial, residential, industrial

Once the documents have been provided the environmental review process can begin. The Environmental Officer and Preservation Officer will review the project in order to determine its environmental impact and its historical integrity. If there are any revisions to the project during the Environmental Review Process they must be communicated to the Program Manager immediately in order for the review to be accurate and concise. An environmental review can usually be completed with in two (2) weeks if all of the above information has been obtained.



**CITY OF CLEVELAND
ENVIRONMENTAL COMPLIANCE REVIEW FORM**

DATE SUBMITTED: _____

Applicant Instructions: Complete Parts 1-3 and submit to Compliance Officer with photos and specs/plans

Part 1: Project Identification

Program _____

Type of Funding HOPWA HTF CDBG HOME
 ESG NSP Other: _____

Project Name/Owner _____

Address & Zip _____

PPN _____

Project Manager _____

Telephone _____

Email _____

Part 2: Building Type/Condition check (X) all that apply

New Construction	Existing Building	
___ Single-Family	___ Residential	___ Date Built _____
___ Multi-Family	___ Single-Family	___ OV&V
___ Townhomes	___ Multi-Family	___ Imminent Threat
___ # of Units	___ Industrial	___ Tax delinquent
	___ # of Units	___ EBL

NOTES _____

Part 3: Proposed Work (check (X) all that apply & detail in notes, submit along with photos/plans to Compliance Officer)

EXTERIOR/SITE		INTERIOR	OTHER
___ New Construction	___ New exterior siding	___ Electrical	_____
___ Demolition	___ Replacement windows	___ Plumbing	_____
___ Rehabilitation	___ Storm door/windows	___ Heating	_____
___ Addition	___ Glass block	___ New walls	_____
___ Repair existing	___ New roof material	___ Demolition	_____
___ Replace ext materials	___ Stabilize Paint	___ Weatherization	_____

Detailed information about project: (write a brief verbal description)

Part 4: Environmental Review Categorization (to be completed by Compliance Officer)

Exempt Activity Categorical Exclusion - not subject to further review Environmental Assessment

Categorical Exclusion - subject to further review Environmental Impact Statement

Part 5: Statutory Checklist (to be completed by Compliance Officer)

Historic preservation Floodplain Airport hazards Toxic chemicals

Noise Coastal barrier Wetland protection Hazardous operations

Lead Asbestos Other: _____

**** ITEMS CHECKED REQUIRE FURTHER REVIEW - SEE RECOMMENDATIONS BELOW****

Part 6: Historic Review Categorization (to be completed by Compliance Officer)

Activity Exempt under Stipulation III, Category ___ of Programmatic Agreement with SHPO Non-Exempt Activity

Part 7: Historic Evaluation (to be completed by Compliance Officer)

No historic property within APE Historic Property within APE

Determination made through: Review of Maps Review of Photographs Site Visit

Part 8: Compliance Determination (to be completed by Compliance Officer)

Exempt - Activity has limited potential to affect historic property and does not require individual review

No Historic Properties within Area of Potential Effect - Project can proceed as specified

No Adverse Effect on Historic Properties - proposed work complies with Secretary of the Interior's Standards for Rehabilitation

If the determination is one of the above three, the project can proceed as specified.

Further Review Needed - Project is in compliance and may proceed, but further review is needed as further plans are developed/modified

Adverse Effect - Proposed work will have an adverse effect on historic properties

*The project has been determined to adversely affect historic properties. **Project CANNOT proceed** until further review per 36 CFR 800.6 has been conducted. Please consult with the Compliance Officer to revise the project to bring it into compliance and resubmit the project for review.*

Project has completed Environmental Review per 24 CFR 58 and no further review is required.

Historic Compliance Officer _____ DATE _____ Environmental Compliance Officer _____ DATE _____

Recommendations: _____

City of Cleveland - ENVIRONMENTAL REVIEW RECORD

Compliance Per 24 CFR Part 58

PAGE 2 - ENVIRONMENTAL REVIEW CATEGORIES

I. Exempt Activities

- | | |
|---|---|
| <input type="checkbox"/> environmental and other studies | <input type="checkbox"/> administrative and management activities |
| <input type="checkbox"/> resource identification | <input type="checkbox"/> inspections and testing of properties for hazards or defects |
| <input type="checkbox"/> development of plans and strategies | <input type="checkbox"/> purchase of insurance |
| <input type="checkbox"/> information and financial services | <input type="checkbox"/> purchase of tools |
| <input type="checkbox"/> engineering/design costs | <input type="checkbox"/> payment of principal/interest on loans made or obligations guaranteed by HUD |
| <input type="checkbox"/> technical assistance and training | <input type="checkbox"/> public services not having any physical impact |
| <input type="checkbox"/> assistance for temp or permanent improvements limited to repair, protection and restoration to control or arrest effects of disasters or imminent threats to public safety | |

II. Categorical Exclusions not Subject to Further Review

- tenant-based rental assistance
- supportive services including but not limited to health care, housing, permanent housing placement, day care, nutrition, short-term payments for rent/mortgage/utility costs, and assistance in gaining access to local, State, and Federal government benefits and services.
- operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training, and recruitment and other incidental costs.
- economic development activities, including but not limited to, equipment purchase, inventory financing, interest subsidy, operating expenses and similar costs not associated with construction or expansion of existing operations.
- activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction, including closing costs, and down payment assistance, interest buydowns, and similar activities that result in the transfer of title.
- affordable housing pre-development costs including legal, consulting, developer and other costs related to obtaining site options, project financing, administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact.
- approval of supplemental assistance (including insurance or guarantee) to a project previously approved under this part, if the approval is made by the same responsible entity that conducted the environmental review on the original project and re-evaluation of the environmental findings is not required under sec. 58.47.

III. Categorical Exclusions Subject to Further Review

- acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20% (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).
- special projects directed to the removal of material and architectural barriers that restrict the mobility and accessibility to elderly and handicapped persons.
- rehabilitation of buildings and improvements when in the case of:
 - a. a building for residential use (1-4 units), the density is not increased beyond four units, the land use is not changed, and the footprint of the building is not increased in a floodplain or wetland.
 - b. a multi-family residential building 1) unit density is not changed more than 20%; 2) the project does not involve changes in land use from residential to non-residential; and the estimated cost of rehabilitation is less than 75% of the total estimated cost of replacement after rehabilitation.
 - c. non-residential structures including commercial, industrial, and public buildings 1) the facilities and improvements are in place and will not be changed in size or capacity by more than 20% and 2) the activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.

IV. Environmental Assessment

- If project has not been found to fit in I, II or III above, then an EA is required.

V. Environmental Impact Statements

- EIS is required if project has a significant impact on the human environment.
- The project: (any of the following)
 - a. provides a site or sites for, or is result in the construction of, hospitals or nursing homes containing 2,500+ beds.
 - b. removes, demolished, converts, or substantially rehabilitates 2,500+ housing units.
 - c. installs 2,500+ housing units, or would provide sites for 2,500+ units.
 - d. would provide enough additional water or sewer capacity to support 2,500+ housing units. Not only specified for residential use or have to all new construction. If project is designed to provide upgraded service to existing development as well as to serve new development, only that portion of the increased capacity which is intended to serve new development should be counted.
- EIS is required if an EA has one of the above terms applies
- EIS is not required if Sec. 58.53 (previous EIS compilation) is applicable.