

Community Development Block Grant Part 58

Environmental Review Process and Resources

This resource presents the environmental review levels possible under the Community Development Block Grant Program, as well as the required documentation.

All grantees must designate an environmental certifying official prior to beginning the review process. If the ECO is not an elected official, the designation must be made by resolution. The responsible entity is required to maintain the environmental review record per 24 CFR § 58.38.

Grantees must complete the environmental review process and obtain an authority to use grant funds prior to taking any action on the project, including but not limited to acquisition, site preparation, procurement or construction.

Environmental review level	Required documentation
Exempt 24 CFR § 58.34 Example: administration, environmental and other studies, soil surveys	Activity/project that is exempt All project activities can be considered exempt. <ol style="list-style-type: none">1. Complete HUD form: environmental review for activity/project that is exempt or categorically excluded not subject to § 58.5.2. Submit to Commerce for review and approval.3. Proceed with the exempt activity; request for release of funds and authority to use grant funds is not required. Environmental review record requirements: <ul style="list-style-type: none">• Resolution for designating the environmental certifying officer

	<ul style="list-style-type: none"> Documentation showing compliance with the requirements at § 58.6: <ul style="list-style-type: none"> FEMA flood insurance Airport runway clear zones or clear zones Finding of exemption for all project activities Other documentation and applicable correspondence
CENST 24 CFR § 58.35(b) Example: homebuyer assistance, supportive services	<p>Categorically excluded, not subject to § 58.5</p> <p>All project activities can be considered categorically excluded and not subject to Part 58.</p> <ol style="list-style-type: none"> Complete HUD form: environmental review for activity/project that is exempt or categorically excluded not subject to § 58.5. Submit to Commerce for review and approval. Proceed with categorically excluded activities; request for release of funds and authority to use grant funds is not required. <p>Environmental review record requirements:</p> <ul style="list-style-type: none"> Resolution for designating the environmental certifying officer Documentation showing compliance with the requirements at § 58.6: <ul style="list-style-type: none"> FEMA flood insurance Airport runway clear zones or clear zones Finding of exemption for all project activities Other documentation and applicable correspondence

<p>CEST</p> <p>24 CFR</p> <p>§ 58.35(a)</p> <p>Example:</p> <p>multifamily and single-family rehabilitation, not significant</p>	<p>Categorically excluded, subject to § 58.5</p> <p>All project activities can be categorically excluded.</p> <ol style="list-style-type: none"> 1. Complete HUD form: environmental review for activity/project that is categorically excluded subject to § 58.5. 2. Submit statutory checklist and draft public notice to Commerce for review and approval.* 3. Publish a notice of intent to request release of funds. 4. Complete RROF and certification. 5. Obtain authority to use grant funds. 6. Proceed with project activities. <p>Environmental review record requirements:</p> <ul style="list-style-type: none"> • Resolution for designating the environmental certifying officer • Documentation showing compliance with related laws and authorities at 58.5 • NOI/RROF and proof of publication • Completed RROF and certification** • Completed authority to use grant funds*** • Other documentation and applicable correspondence, including any public comments and responses from noticing processes
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EA 24 CFR § 58.36 Example: multifamily and single-family new construction and rehabilitation, significant	Environmental assessment Preparation of an environmental assessment is necessary and results in a finding of no significant impact. <ol style="list-style-type: none"> 1. Complete HUD form: environmental assessment determinations and compliance findings. 2. Submit statutory checklist and draft public notice to Commerce for review and approval.* 3. Publish a combined finding of no significant impact and notice of intent to request release of funds. 4. Complete RROF and certification. 5. Obtain authority to use grant funds from Commerce. 6. Proceed with project activities. Environmental review record requirements: <ul style="list-style-type: none"> • Resolution for designating the environmental certifying officer • Documentation showing compliance with related laws and authorities at 58.5. • FONSI/NOI/RROF and proof of publication • Completed RROF and certification** • Completed authority to use grant funds*** • Other documentation and applicable correspondence, including any public comments and responses from noticing processes
EIS 24 CFR § 58.37	Environmental impact statement An environmental assessment is necessary and completed but cannot result in a finding of significant impact.

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| | 1. Consult with Commerce for further guidance. |
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*The grant recipient must allow for an initial minimum seven- or 15-day public comment period for CEST and EA reviews, respectively, and Commerce must allow for an additional 15-day objection period prior to releasing funds. Sample timelines illustrating minimum calendar periods for publication and public comment are included below.

CEST public comment/objection period timeline:

March 15	Publication and distribution of NOI/RROF
March 16-22	Minimum seven-day comment period
March 23-25	Respond to any comments, responsible entity sends RROF to Commerce
March 26-April 9	15-day objection period
April 10	Authority to use grant funds from HUD/Commerce

EA public comment/objection period timeline:

March 15	Publication and distribution of FONSI/NOI/RROF
March 16-30	Minimum 15-day comment period
March 31-April 2	Respond to any comments, responsible entity sends RROF to Commerce
April 3-17	15-day objection period
April 18	Authority to use grant funds from Commerce

It should be noted that comment periods begin the day following publication and distribution. Grantees must maintain records of any comments received during the public comment period and responses to all comments as part of the ERR. Any feedback obtained during the objection period must also be documented as part of the ERR.

Grantees can use the tools on the following page to create a noticing and public comment period schedule.

****Request for release of funds and certification: form HUD-7015.15**

The grantee is responsible for completing, certifying and submitting the RROF and certification form, form HUD-7015.15. The form is broken into several parts, listed below, with instructions on how to complete it for Commerce.

Request for Release of Funds and Certification

U.S. Department of Housing
and Urban Development
Office of Community Planning
and Development

OMB No. 2506-0087
(exp. 04/30/2027)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s) <input type="text"/>	2. HUD/State Identification Number <input type="text"/>	3. Recipient Identification Number (optional) <input type="text"/>
4. OMB Catalog Number(s) <input type="text"/>	5. Name and address of responsible entity <input type="text"/>	
6. For information about this request, contact (name & phone number) <input type="text"/>		

Part 1: Program Description and Request for Release of Funds

1. Program title(s)
Community Development Block Grant
2. HUD/state identification number
Connect with your project specialist to confirm the identification number. Project specialists: If the project is funded between multiple years, Commerce will use the most recent funding year's grant number in this box.
3. Recipient identification number (optional)
This is an optional box and can be left blank.
4. OMB catalog number(s)
14-228



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5. Name and address of responsible entity

Local government entity's mailing address

6. For information about this request, contact (name and phone number)

Name and contact number for the environmental certifying official

8. HUD or State Agency and office unit to receive request	7. Name and address of recipient (if different than responsible entity)
<input type="text"/>	<input type="text"/>
The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following	
9. Program Activity(ies)/Project Name(s)	10. Location (Street address, city, county, State)
<input type="text"/>	<input type="text"/>

7. Name and address of recipient (if different than responsible entity)

Leave blank

8. HUD or state agency and office unit to receive request

Montana Department of Commerce

Community MT Division

301 S. Park Ave.

Helena, MT 59601

9. Program activity(ies)/project name(s)

Name of the project, e.g., Ten Mile Creek wastewater improvement

10. Location (street address, city, county, state)

Project address

11. Program Activity/Project Description**11. Program activity/project description**

Use the same project description that is in the environmental assessment. The description should include the type of activity and enough information to give the public a clear idea of the scope of work, which can be from the contract, and intended results. This must include the address, program fund amount(s), Commerce contract number and total project cost.

Example: Ten Mile Creek wastewater improvement project. 1234 Ten Mile Creek, Helena, MT 59602. Replacement of wastewater treatment lagoon, install new liner, to stop corrosion of current liner and improve wastewater processing. CDBG program funded. Commerce contract number: MT-CDBG-CG-11-01. Total project cost \$4,000,000.



Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did ☐ did not ☐ require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Part 2: Environmental Certification

Review the statements in Part 2 and mark if the environmental review did or did not require the preparation of an environmental impact statement.



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Categorically excluded, subject to § 58.5: NOI/RROF		
1. Date of notice publication/distribution:		
2. Start date of public comment period:		Seven-day public comment period
3. End date of public comment period: Minimum seven days past line 2.		
4. Date grantee can RROF from Commerce: Add one day to line 3.		
5. RROF transmittal date:		
6. Start date of objection period: Add one day to line 5.		15-day objection period
7. End date of objection period: Minimum 15 days past line 6.		
8. Date Commerce issues AUGF		
Environmental review is complete! Maintain records for the ERR.		

Environmental assessment: FONSI/NOI/RROF		
1. Date of notice publication/distribution:		
2. Start date of public comment period:		15-day public comment period
3. End date of public comment period: Minimum 15 days past line 2.		
4. Date grantee can RROF from Commerce: Add one day to line 3.		
5. RROF transmittal date:		
6. Start date of objection period: Add one day to line 5.		15-day objection period
7. End date of objection period:		

Minimum 15 days past line 6.		
8. Date Commerce issues AUGF		
Environmental review is complete! Maintain records for the ERR.		

Once the form HUD-7015.15 is completed and submitted to Commerce, the project specialist will review for compliance with the program rules and regulations. The day after the 7015.15 is submitted to Commerce, the 15-day comment period begins. Once the comment period has ended, Commerce will let the grantee know if there are any comments that need to be addressed. Once resolved, or if no comments have been received, the Commerce project specialist will issue the authority to use grant funds, form HUD-7015.16. The AUGF will be sent electronically to the grantee and must be retained with their ERR documentation. The receipt of the executed AUGF will complete the environmental process.

***Commerce will issue the signed AUGF form to the grantee or their authorized liaison.