



# **Environmental Review Record (ERR) Policy and Procedure Manual**

City of Urbana  
Community Development Services Department  
Grants Management Division  
*Updated: 1/24*

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## Environmental Review Record Process

The purpose of the environmental review process is to analyze the effect a proposed project will have on the people and environment within a defined area, and the effect the material and social environment may have on a project. An environmental review must be completed for all programs and projects funded through the U.S. Department of Housing and Urban Development.

The purpose of this manual is to provide an overview of the ERR process, and to outline the roles and responsibilities of staff in completing environmental reviews. Grants Management staff that are responsible for the ERR process must read this manual in its entirety. For the most up-to-date information, staff is encouraged to visit the [HUD Exchange](#) Environmental Review portal regularly.

### 1. Responsible Entity & Certifying Officer

The agency designated by HUD as the Responsible Entity (RE) must complete and sign the Environmental Review Record for all HUD funded projects prior to the commitment of HUD funds to a project. The City of Urbana is designated as the responsible entity (RE).

During the environmental review process, the RE must:

- Ensure compliance with NEPA and other Federal laws and authorities
  - Designate a Certifying Officer
  - Issue all required public notifications
  - Complete and submit request for release of funds and certification (when required)
- Ensure the ERR is complete

The City of Urbana Grants Manager is designated as the Certifying Officer for the City. The certifying officer has the authority to assume legal responsibility for certifying that all environmental requirements have been followed. This function cannot be assumed by administering agencies or consultants.

### 2. HUD Environmental Review Online System (HEROS)

The Grants Management Division utilizes HUD's online system to create and submit environmental reviews. In order to login to HEROS, GMD staff must already have an account in the CPD Grants Portal. To access HEROS, login through HUD Exchange: <https://www.hudexchange.info/programs/environmental-review/heros/>.

To start a new environmental review, select "Start a new environmental review" on the left hand side of the screen. To edit or view an existing review, choose "Select" and scroll to the bottom of the page and choose either "Edit selected environmental review" or "View selected

environmental review”. To print or save review to PDF, select the green arrow icon under “Generate ERR.”

### 3. Levels of Review

The first step in completing an ERR is to determine the level of review that is required. This will depend on the type of project the Responsible Entity is undertaking.

Exempt (58.34):

- 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

Categorically Excluded NOT Subject to 58.5 (58.35(b)):

- 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 do not have a physical impact.



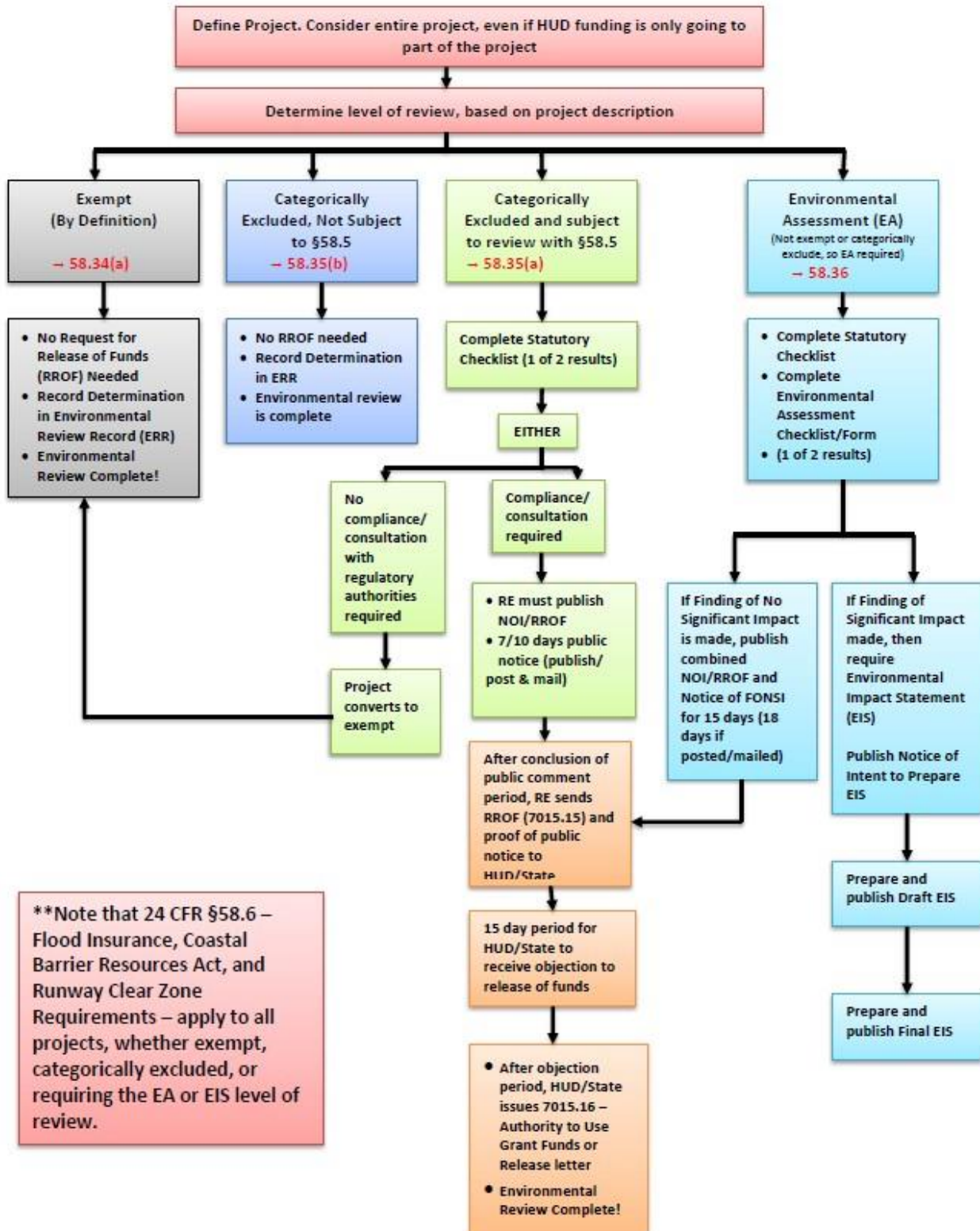
- Approval of supplemental assistance (including insurance or guarantee) to a project previously approved under Part 58, if: approval is by same the RE, and re-evaluation is

Categorically Excluded AND subject to 58.5 (58.35(a)):

- 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 if the structure or land acquired or disposed of will be retained for the same use.

**\* Once the appropriate level of review has been determined, the ERR process proceeds as follows:**

## Environmental Review Process (To Be Conducted by Responsible Entity)



## Related Laws & Authorities

Once staff have determined the appropriate level of review, they must complete the Related Laws & Authorities screen in HEROS. The system will guide the user through a series of questions for each related law & authority, and will prompt the user to upload the appropriate supporting documentation.

The following are procedures for completing the Related Laws & Authorities screen in HEROS. The steps below assume that no Tier I review has been completed. For more information on how to complete a Tier I review, see section III of this manual.

Additional information on ERR procedures can be found on HUD Exchange (<https://www.hudexchange.info/programs/environmental-review/federal-related-laws-and-authorities/>). When completing an ERR, it is best practice to reference HUD Exchange in the event that there is updated information available.

- 1. Airport Hazards:** Most activities in Urbana and Champaign can demonstrate compliance with this regulation by producing a Google or GIS map that shows the distance between the project site and the nearer of Frasca Field or Willard Airport. If the project is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport, GMD staff will upload the appropriate map to the HEROS and select “No” under “Are formal compliance steps or mitigation required?” Then select “Save and Return to Summary.”

If the project site is within the distance threshold, GMD staff will contact the airport authorities to determine if the project is located within an Accident Potential Zone (APZ) or Runway Protection Zone/Clear Zone (RPZ/CZ).

GMD staff must then ensure that the project is in conformance with DoD guidelines if it is within an APZ and the project entails:

- New construction
- Substantial rehabilitation
- Acquisition of undeveloped land
- Activities that would significantly prolong the physical or economic life of existing facilities or change the use of the facility to a use that is not consistent with the recommendations of the Department of Defense (DoD)’s Land Use Compatibility Guidelines
- Activities that would significantly increase the density or number of people at the site
- Activities that would introduce explosive, flammable, or toxic materials to the area

If in a RPZ/CZ and the project involves facilities that will be frequently used or occupied by people, then written assurances from the airport operator must be obtained. If the project involves the acquisition or sale of an existing property that will be frequently used or occupied by people, staff must provide written notice to the prospective buyer. This notice must inform the buyer of the potential hazards from

airplane accidents as well as the potential for the property to be purchased as part of an airport expansion project in accordance with 24 CFR 51.303(a)(3). HUD assistance may not be used at this location if project involves new construction, substantial rehabilitation, and acquisition of undeveloped land, or activities that would significantly prolong the physical or economic life of existing facilities that will be frequently used or occupied by people.

- 2. Coastal Barrier Resources:** The Screen Summary page already includes default language stating, “This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resource Act.” No further evaluation is required under this section.
- 3. Flood Insurance:** If the project involves mortgage insurance, refinance, acquisition, repairs, rehabilitation, or construction of a structure, mobile home, or insurable personal property, examine the relevant FEMA FIRM to determine whether the structure, part of the structure, or insurable property is located in a FEMA-designated Special Flood Zone. GMD staff can download FIRMS from FEMA’s website <https://msc.fema.gov/portal/home>.

If the project is outside of the 100-year floodplain, then upload the FIRM to HEROS to show compliance. If the project is within the 100-year floodplain, and if the funds involved are in excess of \$5,000 and are not being used for leasing activities alone, then GMD staff must obtain a copy of the applicable flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance. Staff must upload this documentation into HEROS to show compliance.

- 4. Clean Air:** Champaign County is currently not in a non-attainment zone. For each new project, determine non-attainment or maintenance status using the EPA information here: [https://www3.epa.gov/airquality/greenbook/anayo\\_il.html](https://www3.epa.gov/airquality/greenbook/anayo_il.html). Verify that Champaign County is not listed, and upload into HEROS.
- 5. Coastal Zone Management:** Confirm with the Illinois Department of Natural Resources that no part of Champaign County is located within the Illinois Coastal Zone. File a copy of the map on this webpage (<https://www.dnr.illinois.gov/cmp/Pages/default.aspx>) to document compliance.
- 6. Contamination and Toxic Substances:** Grants Management Division staff will provide evidence the site is not contaminated using NEPAssist (<https://www.epa.gov/nepa/nepassist>). Define the project boundaries in NEPAssist and draw a 3,000 foot radius around the project. Under the “Select Map Contents” menu, turn on all boxes under “EPA Facilities.” Click on the project location and create a NEPAssist report. File all Facility Reports or ECHO Reports for each EPA facility in a 3,000 foot radius of the project. If any ECHO reports indicate that an EPA facility is in non-compliance status, then document the reason for it and determine if it could pose a threat to the project. If a solid-waste landfill is found through NEPAssist within 3,000 feet of the

project site, then a Phase I must be completed prior to taking choice limiting action related to the project.

If evidence of contamination is found either on-site or through NEPAassist, then a Phase I Environmental Site Assessment will be undertaken. A Phase I is required for any activities related to multifamily housing. The Phase I must support a determination that the hazard will not affect health and safety of the occupants or conflict with the intended use of the site, including any mitigation measures used. If it does not, then documentation must be provided showing that the site has been cleaned up according to EPA or state standards for residential properties, which requires a letter of No Further Action (NFA) required from the appropriate state department/agency, or a RAO letter from the LSRP.

7. **Endangered Species:** Grants Management Division staff will use the U.S. Fish and Wildlife Service's (FWS) IPaC interface (<https://ecos.fws.gov/ipac/>) to determine if critical habitats exist within the project area. If no critical habitats exist within the project area, then staff will request official species lists through IPaC and prepare a determination that the project will have No Effect. If the project is not exempt due to the nature of its activities, then identify what the activities are and document a No Effect finding in the ERR. Activities eligible for this exemption include rental assistance, purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings. A No Effect determination can also be made if there are endangered species present in Champaign County, but a habitat assessment shows that there is no suitable habitat in the project area. Habitat information for applicable species can be obtained from the Region 3 FWS website (<https://www.fws.gov/midwest/es/soc/>). The ERR must contain the official species lists and an explanation of the reasoning for the determination. Staff will contact the appropriate office of the U.S. Fish and Wildlife Service if any determination other than No Effect is made.
8. **Explosive and Flammable Hazards:** If the proposed project involves development, construction, rehabilitation that will increase residential densities, or conversion, then Grants Management Division staff will study an aerial image showing a 1-mile radius around the proposed project area for evidence of above-ground storage tanks (ASTs). In Urbana, please consult with the GIS map showing the locations of hazardous materials sites to determine if ASTs exist at any of the sites shown in the map. If ASTs are located within 1-mile of the proposed project site, then staff will determine if any of the following exceptions apply:
  - Stationary aboveground containers that store natural gas and have floating tops
  - Underground storage containers, mobile conveyances (tank trucks, barges, railroad tank cars), and pipelines, such as high pressure natural gas transmission pipelines or liquid petroleum pipelines
  - Aboveground storage tanks that are part of a one to four unit single-family FHA-insured property
  - Aboveground storage tanks containing liquified petroleum gas (“LPG” or propane) when they are 1,000 gallons or less in volume and comply with the National Fire

Protection Association (NFPA) Code 58, version 2017 (NFPA 58 (2017)). Further guidance on the exclusion for LPG and propane is provided in the Fact Sheet: Final Propane Rule - 24 CFR Part 51 Subpart C and Sample Memo: Documentation of Compliance with NFPA 58 (2017).

If excepts do not apply, staff will then use the electronic calculator on the HUD Exchange to determine the appropriate AST's Acceptable Separation Distance (ASD). If the proposed project's distance from the AST is not acceptable and if the project is not properly screened, then a barrier is required to mitigate the project. Otherwise, the project should be moved to a different location.

In order to document compliance with this part, the environmental review record should include one of the following on aboveground storage tanks in proximity to the proposed HUD-assisted project site:

- A determination that the project does not include development, construction, rehabilitation that will increase residential densities, or conversion
- Evidence that within one mile of the project site there are no current or planned stationary aboveground storage containers except:
  - Containers less than 100-gallons capacity containing common liquid industrial fuels
  - Containers that are 1,000 gallons or less water volume capacity and in compliance with NFPA 58 (2017)
  - For all other containers within the search distance, a determination along with all supporting documentation that the separation distance of such containers from the project is acceptable
  - Documentation of mitigation verified by a licensed engineer
- AND one of the following on hazardous facilities that are proposed for development using HUD assistance:
  - A determination along with all supporting documentation that the hazardous facility is located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present
  - Documentation of the existing or planned barrier that would serve as sufficient mitigation, including correspondence with a licensed engineer

9. **Farmlands Protection:** If the project in question includes new construction, acquisition of undeveloped land, or conversion that could potentially convert one land use to another, then Grants Management Division staff must determine if the project site is located within the Champaign Urban Area using the U.S. Census Bureau Tigermap (<https://tigerweb.geo.census.gov/tigerweb/>).

If it is not, then staff must determine whether another exemption at 7 CFR 658.2(a) applies. If no other exemption applies, then staff must determine if “Important Farmland,” including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the FPPA occur on the project site. The presence of “Important Farmland” would

require staff to document alternatives and complete form AD-1006 with the support of the local USDA-NRCS staff. In the past, the Champaign USDA-NRCS office has been able to begin and assist in the process.

**10. Floodplain Management:** If none of the exceptions at 55.12(c) applies, then the appropriate FEMA FIRM will be examined to determine whether or not the project occurs in a FEMA-designated Special Flood Zone (see Flood Insurance section above). If the proposed site is within a FEMA-designated Special Flood Zone, then the Grants Management Division staff will proceed with the 8- or 5-Step Process as appropriate as described on the HUD Exchange.

**11. Historic Preservation:** For all projects other than new construction, RE staff listed as Qualified Personnel in the Programmatic Agreement among the City of Urbana, the Illinois SHPO, and the ACHP will follow the procedures outlined in the PA to determine if any historic properties will be impacted by the project.

Qualified Personnel will:

- Verify that the project address is not listed as a local landmark or within an Urbana Historic District on the City Zoning Map. If the project is not located in Urbana, then staff must research historic properties and districts in the subject community to ensure that no historic resources will be affected. If any landmarks or structures within a historic district are effected, then the project scope must be reevaluated. Grants Management Division staff will certify using the Illinois Historic Preservation Association's (IHPA) HARGIS interface that the project's address is not listed as a historic resource. If so, the project will not commence at its proposed scope until clearance is given from IHPA. Grants Management Division staff will request and receive clearance from IHPA before the project can be undertaken.
- If ground disturbance on previously undisturbed ground will occur, then Grants Management Division staff will properly notify applicable tribal authorities identified through the Tribal Directory Assessment Tool (<https://egis.hud.gov/tdat/>). If consultation is undertaken with any tribal authorities, and the project scope will be reevaluated subject to any consultation that may occur.
- Prepare an Area of Potential Effect (APE) Map, document the steps taken to identify historic properties, and summarize the basis for determining that no historic properties are present or affected. If historic properties are present or affected, then the scope of the project will be reevaluated subject to consultation with City of Urbana or other applicable historic preservation officials, IHPA, or tribal authorities. All ERRs to which Historic Preservation applies must at a minimum contain a map from IHPA HARGIS, documentation showing that the project site will not have an effect on local historic landmarks, a clearance letter from IHPA, and evidence of tribal notification if applicable.

Projects consisting of new construction must be evaluated by the Illinois State Historic Preservation Office (SHPO). Prior to SHPO review, City staff will review the project details



as well as the proposed site. If it is the determination of Staff that no historic properties will be affected by the project, then Staff will write up the conclusion in a clearance request letter using the template included in this manual. In addition to the determination of “No Historic Properties Affected,” the letter must also include:

- HARGIS map
- Street level photograph of the site
- CCGIS satellite image

Completed letters are submitted to the SHPO for review using the email address: [SHPO.Review@illinois.gov](mailto:SHPO.Review@illinois.gov). Per Section 106 of the Natural Historic Preservation Act of 1966, the SHPO has 30 days to issue either a concurrence, or objection to the finding of no affect. If a response is not received within 30 days, the City of Urbana’s responsibilities under Section 106 are fulfilled (36 CFR 800.4 (d)(1)(i)).

SHPO response letters are uploaded here: <https://dnr2.illinois.gov/cts/Default.aspx>. To login, enter the City’s TAXID: 37-6000524. Please note that email notifications are not sent out once a letter is issued. Therefore, it is important to check the website regularly.

**12. Noise Abatement and Control:** If major roadways exist within 1,000 feet of the proposed project site or railroads exist within 3,000 feet of the proposed project, then Grants Management Division staff will use the Site DNL Calculator (<https://www.hudexchange.info/programs/environmental-review/dnl-calculator/>) to determine if noise levels exceed 65 dB. If so, then appropriate mitigation will be required prior to project approval.

- Railroad crossing information can be obtained through the Federal Railroad Administration:  
<http://safetydata.fra.dot.gov/OfficeofSafety/PublicSite/Crossing/Xingqryloc.aspx>
- Average daily trips can be determined through the Illinois Department of Transportation’s Getting around Illinois interface:  
<https://www.gettingaroundillinois.com/gai.htm?mt=aadt>
- Airport information can be obtained through applicable FAA Form 5010 documents. Most local airports are exempt as determined through the Small Airport Worksheet.

HUD’s DNL calculator will add 10 dB for nighttime noise (defined as noise occurring between 10:00 p.m. and 7:00 a.m. If nighttime data is not available for calculating the DNL for a site, then use 15 percent for roadway noise sources. If the number of locomotives/train cars cannot be determined, it is acceptable to use HUD’s assumption, which is 2 locomotives and 50 cars per diesel train, and 8 cars per electric train. HUD also assumes that whistles are used at at-grade crossings.

**13. Sole Source Aquifers:** If the project includes any activities beyond acquisition, leasing, or rehabilitation of existing buildings, then Grants Management Division staff will determine if



the project site is located on the Mahomet Aquifer using the EPA's SSA Map Interface (<https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b>). A copy of this map must be included in the file to document that the project is not located above the Mahomet Aquifer.

If the project is located above the Mahomet Aquifer, staff must take into consideration the type of project that is proposed.

- If the project consists of constructing 1-4 residential units, then staff can document compliance by attached a copy of the MOU between HUD Region V and the EPA, which exempts such projects from further review. The MOU is included in attachment IV of this document.
- If the project consists of constructing more than 4 residential units, then staff must contact the EPA Region V staff dedicated to sole source aquifers for further guidance. Staff must document the EPA's comments and incorporate any mitigation measures if required. If a memorandum of understanding between HUD and the EPA for Region V, then staff must follow the procedures outlined in that memorandum instead of what is listed here.

**14. Wetlands Protection:** If the project involves new construction, ground disturbance, or the expansion of a building's footprint, then Grants Management Division staff will verify that the proposed project site is not located within a wetland as shown on the Fish and Wildlife Service National Wetland Inventory Maps (<https://www.fws.gov/wetlands/Data/Mapper.html>). If the proposed site is shown to be within a wetland, then the 8-Step Process must be undertaken and applicable permits received from appropriate agencies.

**15. Wild and Scenic Rivers:** Staff must determine if the project is located in the vicinity of any of the following:

**Wild & Scenic Rivers (NWSRS):** These rivers or river segments have been designated by Congress or by states (with the concurrence of the Secretary of the Interior) as wild, scenic, or recreational.

**Study Rivers (SR):** These rivers or river segments are being studied as a potential component of the Wild & Scenic River system.

**Nationwide Rivers Inventory (NRI):** The National Park Service has compiled and maintains the NRI, a register of river segments that potentially qualify as national wild, scenic, or recreational river areas.

There are no SR or NRI in the vicinity of Champaign County. The only NWSRS in Illinois is the Middle Fork of the Vermillion River, located in Vermillion County. Staff will demonstrate compliance by including a map from the NWSRS website showing the river's position in relation to Champaign County. Mapping tool located here: <https://www.rivers.gov/>.

**16. Environmental Justice:** Grants Management Division staff will provide evidence that the proposed project site or surrounding neighborhood does not suffer from adverse environmental conditions and that the proposed action will not create an adverse and disproportionate environmental impact or aggravate an existing impact. Grants Management Division staff could also show evidence that the project is not in an environmental justice community of concern (demographics, income, etc.) or evidence that the project does not disproportionately affect a low-income or minority population using the EPA's EJScreen interface (<https://ejscreen.epa.gov/mapper/index.html>).

If adverse effects on low-income or minority populations are anticipated, or if the project would move low-income or minority populations into areas where they could be impacted by environmental conditions, then Grants Management Division staff will provide documentation that the affected community residents have been meaningfully informed and involved in a participatory planning process to address (remove, minimize, or mitigate) the adverse effect from the project and the resulting changes.

## Tiering

Staff will use tiered reviews to evaluate a collection of projects that are the same or very similar that take place within a defined geographic area and timeframe but where the specific sites and activities are not yet known. An example might include a program to rehabilitate many single-family homes within a defined neighborhood during a specific timeframe. Tiering cannot be used to review an entire funding source or HUD program unless all tiered activities are similar enough to make a tiered review meaningful and effective. Tiered reviews should never be used if a site-specific review is feasible.

Tiered reviews have two stages. The first is the broad-level review of the entire project and should identify and evaluate any issues that can be fully addressed and resolved without site-specific information and must also establish the standards, constraints, and processes that will be followed in the site-specific reviews. At the broad level, staff must consider each of the environmental laws and authorities that require compliance, depending on the level of review. If the full scope of the project including all potential activities can be determined to comply with an environmental law, authority or factor, then that particular compliance topic can be resolved at the broad level. For example, if the entire project area considered by the review is outside of the floodplain and in a county without a coastline, then the broad-level review may find that the project complies with the Coastal Barrier Resources Act, the Coastal Zone Management Act, the Flood Disaster Protection Act, and Executive Order 11988 on Floodplain Management (EO 11988).

Where compliance cannot be determined, the broad-level review must define a protocol for how compliance will be achieved at the site-specific level. This protocol should not merely state that the factor will be addressed in the site-specific review; rather, the broad review must define a strategy

including procedures to be followed to determine compliance, mitigate impacts where possible, and dismiss sites that cannot be made compliant.

The second stage is the subsequent site-specific review. The second stage takes place as individual sites are selected for the project. The site-specific reviews evaluate the remaining issues that were not resolved in the broad-level review using the policies and procedures already identified. The broad-level review and all site-specific reviews will collectively comprise a complete environmental review addressing all required elements. Funds cannot be spent or committed on a specific site or activity until both the broad-level review and the site-specific review have been completed for the site.

To create a tiered review in HEROS, select “Go to tiered reviews” and select “Start a new broad-level/Tier 1 Review.”

There is a specific RROF/FONSI template that must be used for tiered reviews. See Attachment II.

## Forms and Notices

- 1. Notice of Finding of No Significant Impact (FONSI) and Request Release for Funds (RROF):** See Attachment I. For all projects that require an Environmental Assessments, staff must complete the FONSI/RROF with all relevant project information and funding amounts using the sample notice in Attachment I of this manual. Once completed, staff must publish the FONSI/RROF in the News-Gazette for a minimum fifteen-day public comment period. One business day after the fifteen-day period ends, staff must then upload a copy of the notice along with any public comment received into HEROS. Staff must then assign the review in HEROS to Urbana’s CPD rep for review. This will begin the fifteen-day HUD public comment period.
- 2. Notice of Finding of No Significant Impact (FONSI) and Request Release for Funds (RROF) for Tiered Reviews:** See Attachment II. For tiered reviews, staff must use the tiered FONSI/RROF format. Once completed, staff must publish the FONSI/RROF in the News-Gazette for a minimum fifteen-day public comment period. One business day after the fifteen-day period ends, staff must then upload a copy of the notice along with any public comment received into HEROS. Staff must then assign the review in HEROS to Urbana’s CPD rep for review. This will begin the fifteen-day HUD public comment period.
- 3. Request for Release of Funds and Certification (Form 7015.15):** See Attachment III. Once the FONSI/RROF has been completed and uploaded into HEROS, staff must complete HUD Form 7015.15 Request for Release of Funds and Certification. This form must be completed for all tiered reviews and environmental assessments. Once completed, the form must be uploaded into HEROS along with the FONSI/RROF and assigned to Urbana’s CPD HUD rep.

## Training & Resources

**HUD Exchange:** The Environmental Review section of HUD Exchange contains guides, templates, and FAQs regarding the environmental review process. GMD staff should regularly reference this section for the most up-to-date information on how to complete ERRs. <https://www.hudexchange.info/programs/environmental-review/>. Detailed information on each of the Related Federal Law and Authorities can be found here: <https://www.hudexchange.info/programs/environmental-review/federal-related-laws-and-authorities/>

**WISER:** The Web-Based Instructional System for Environmental Reviews (WISER) is available on HUD Exchange: <https://www.hudexchange.info/trainings/wiser/>. WISER is a set of self-paced online learning modules that can be completed in any order. The modules teach grantees how to understand and address all aspects of the environmental review process required for all HUD-assisted projects. Each module includes its own learning assessment and opportunity for obtaining a certificate of completion. GMD staff that are responsible for managing the environmental review process must successfully complete the WISER series before entering an ERR in HEROS.

**Illinois State Historic Preservation Office (SHPO):** The Illinois SHPO website contains program summaries, guides, and other resources that GMD staff must use to complete the Section 106 review process. The site also links to the Historic and Architectural Resources Geographic Information System (HARGIS), which staff must use to determine the Area of Potential Effect for each project. <https://www2.illinois.gov/dnrhistoric/Preserve/Pages/default.aspx>

## Certification of Completion

**To be signed upon completion of ERR training:**

*I, \_\_\_\_\_, have read the City of Urbana Environmental Review Policy and Procedure Manual in its entirety and completed the required ERR trainings listed in Section V of the manual.*

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Attachments

## Sample Notice of Finding of No Significant Impact and Notice of Intent to Request a Release of Funds

The sample language below is HUD's recommended wording of the combined Notice of Finding of No Significant Impact and Notice of Intent to Request a Release of Funds. This Notice is used for projects requiring an Environmental Assessment (24 CFR Part 58, Section 58.36). Words in **bold type** are required language. Words in *italics* are to be replaced by language appropriate to the particular project and Responsible Entity.

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### NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

*Date of Notice*

*Name of Responsible Entity [RE]*

*Address (e.g., Street No. or P.O. Box)*

*City, State, Zip Code*

*Telephone Number of RE*

**These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the name of RE or grant recipient.**

#### REQUEST FOR RELEASE OF FUNDS

**On or about** *at least one day after the end of the comment period* **the name of RE will if the RE is not also the grant recipient, insert the following language here: "authorize the [name of grant recipient] to"** **submit a request to the HUD/State administering agency for the release of name of grant program funds under Title/Section [ ] of the name of the Act of [year], as amended, to undertake a project known as project title for the purpose of nature/scope of project, estimated funding (include non-HUD funding sources if applicable) and project location if applicable.**

#### FINDING OF NO SIGNIFICANT IMPACT

**The name of RE has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at name and address of RE office where ERR can be examined and name and address of other locations where the record is available for review and may be examined or copied weekdays \_\_A.M to \_\_P.M.**

## PUBLIC COMMENTS

**Any individual, group, or agency may submit written comments on the ERR to the RE designated office responsible for receiving and responding to comments. All comments received by if notice is published: publication date plus fifteen days; if notice is mailed and posted: mailing and posting date plus eighteen days will be considered by the name of RE prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.**

## ENVIRONMENTAL CERTIFICATION

**The name of RE certifies to HUD/State that name of Certifying Officer in his/her capacity as Official Title consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's State's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the name of grant recipient to use Program funds.**

## OBJECTIONS TO RELEASE OF FUNDS

**HUD/State will accept objections to its release of fund and the RE's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the name of RE; (b) the RE has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD/State; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD/State administration office at address of that office. Potential objectors should contact HUD/State to verify the actual last day of the objection period.**

*Name and Title of RE Certifying Officer*

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Note: The fifteen or eighteen-day public comment periods are the minimum time periods required by regulation prior to submission of a Request for Release of Funds and Certification (form HUD-7015.15) to HUD/State. The Responsible Entity may choose to allow a longer comment period. 24 CFR Part 58 requires, at Section 58.46, "Time delays for exceptional circumstances," a 30-day comment period for controversial or unique projects or those similar to projects normally requiring preparation of an Environmental Impact Statement. The fifteen-day objection period is a statutory requirement. The objection period follows the submission date specified in the Notice or the actual date of receipt by HUD/State, whichever is later.

Following completion of the comment period recipients may FAX the form HUD-7015.15 to HUD/State together with a copy of the public notice and a cover letter stating whether comments were received and, if so, how the recipient responded to the



comment. The Request for Release of Funds and Certification should not be submitted before the recipient has responded. If the request is sent by FAX, the original signed form should be mailed to HUD/State. The date of receipt by FAX will be counted as the submission date. However, HUD will not issue the 7015.16 "Authority to Use Grant Funds" until after the original signed form is received.

## Notice of Intent to Request Release of Funds [Tiered Reviews]

The sample language below is HUD's recommended wording of the Notice of Intent to Request Release of Funds. This Notice is used to request the environmental release of funds for Categorically Excluded projects (24 CFR Part 58, §58.35(a)) or for projects for which a Notice of Finding of No Significant Impact was previously issued. Words in **bold type** are required language. Words in *italics* are to be replaced by language appropriate to the particular project and Responsible Entity.

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### NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS FOR TIERED PROJECTS AND PROGRAMS

**Date of Publication:** *[date published]*

*Name of Responsible Entity (RE)*

*Address (e.g., Street No. or P.O. Box)*

*City, State, Zip Code*

*Telephone Number of RE*

**On or after** *at least one day after the end of the comment period* **the name of RE will** *if the RE is not also the grant recipient, insert the following language here: "authorize the [name of grant recipient] to"* **submit a request to the HUD Program Office/State administering agency for the release of name of grant program funds under Title/Section [xx] of the name of the appropriation Act of [year], as amended, to undertake the following project:**

**Tier 1 Broad Review Project/Program Title:** *State the project/program name.*

**Purpose:** *Summarize purpose and need for the project/program.*

**Location:** *Give the general idea of the location and state specific addresses will be assessed in the site specific reviews.*

**Project/Program Description:** *Describe what the project/program does, what is going to be done and how.* **Tier 2 site specific reviews will be completed for those laws and authorities not addressed in the tier 1 broad review for each address under this program when addresses become known.**

**Level of Environmental Review Citation:** *Give the specific categorical exclusion citation under which the program falls. For example, for a Rehabilitation Program of home-owner occupied single family homes, state: "24 CFR Part 58.35(a)(3)(i)"*

**Tier 2 Site Specific Review:** **The site specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review:** *List the laws and authorities that were not addressed in the tier 1 broad review and will be addressed in the tier 2 site specific review.*

**Mitigation Measures/Conditions/Permits (if any):** *For each of the laws and authorities listed in the tier 2 site specific review, describe how issues will be addressed, and how mitigation measures, conditions or permits required will be implemented.*

**Estimated Project Cost:** *Include HUD funding & total estimated project cost.*

**The activity/activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements per give citation listed above. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at name and address of RE office where ERR can be examined and name and address of other locations where the record is available for review and may**

be examined or copied weekdays \_\_A.M to \_\_P.M. or if the review was completed in HEROS at <https://www.hudexchange.info/programs/environmental-review/environmental-review-records/>.

## PUBLIC COMMENTS

**Any individual, group, or agency may submit written comments on the ERR to the RE designated office responsible for receiving and responding to comments. All comments received by if notice is published: notice date plus seven days; if notice is mailed and posted: mailing and posting date plus ten days will be considered by the name of RE prior to authorizing submission of a request for release of funds.**

## ENVIRONMENTAL CERTIFICATION

**The name of RE certifies to HUD/State that name of Certifying Officer, Certifying Officer, in his/her capacity as Official Title consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's/State's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the name of grant recipient to use HUD program funds.**

## OBJECTIONS TO RELEASE OF FUNDS

**HUD/State will accept objections to its release of fund and the RE's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the name of RE; (b) the RE has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD/State; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD/State administration office at address of that office. Potential objectors should contact HUD/State to verify the actual last day of the objection period.**

*Name and Title of RE Certifying Officer, Certifying Officer*

Note: The seven or ten-day public comment periods are the minimum time periods required by regulation prior to submission of a Request for Release of funds and Certification (form HUD-7015.15 to HUD/State. The Responsible Entity may choose to allow a longer comment period. The fifteen-day objection period is a statutory requirement. The objection period follows the submission date specified in the Notice or the actual date of receipt by HUD/State, whichever is later.

# 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. 08/31/2023)

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)<br><input type="text"/>  | 2. HUD/State Identification Number<br><input type="text"/>                                      | 3. Recipient Identification Number (optional)<br><input type="text"/> |
| 4. OMB Catalog Number(s)<br><input type="text"/>   | 5. Name and address of responsible entity<br><input type="text"/>                               |   |
| 6. For information about this request, contact (name & phone number)<br><input type="text"/> |   |   |
| 8. HUD or State Agency and office unit to receive request<br><input type="text"/>            | 7. Name and address of recipient (if different than responsible entity)<br><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)<br><input type="text"/> | 10. Location (Street address, city, county, State)<br><input type="text"/> |
|--|--|

11. Program Activity/Project Description

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

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**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.

|   |   |
|---|---|
| Signature of Certifying Officer of the Responsible Entity<br><br><b>X</b> | Title of Certifying Officer<br><input type="text"/> |
|   | Date signed<br><input type="text"/>                 |

|   |
|---|
| Address of Certifying Officer<br><input type="text"/> |
|---|

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**Part 3. To be completed when the Recipient is not the Responsible Entity**

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The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

|  |   |
|--|---|
| Signature of Authorized Officer of the Recipient<br><br><b>X</b> | Title of Authorized Officer<br><input type="text"/> |
|  | Date signed<br><input type="text"/>                 |

**Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
REGION 5, CHICAGO, ILLINOIS

AND

THE ENVIRONMENTAL PROTECTION AGENCY, REGION 5,  
CHICAGO, ILLINOIS

INTRODUCTION

This memorandum of understanding (“MOU”) is intended to memorialize an understanding between the Environmental Protection Agency (“EPA”) Region 5 and the Department of Housing and Urban Development (“HUD”) Region 5 concerning the review of proposed Federal financially assisted projects located in whole or in part in project review areas of designated sole source aquifers (“SSAs”) in Region 5 (Minnesota, Wisconsin, Michigan, Illinois, Indiana, and Ohio), which include any recharge zone, streamflow source area, or artesian zone. These SSAs are described and depicted on the maps in **Attachment A** (attached hereto and incorporated herein).

This MOU is a voluntary agreement that expresses the good-faith intentions of HUD and EPA, is not intended to be legally binding, does not create any contractual obligations, and is not enforceable by any party. This MOU does not obligate and will not result in an exchange of funds, personnel, property, services, or any kind of financial commitment. This memorandum outlines procedures to be followed by HUD in determining which projects should be forwarded to EPA for review. It also outlines the procedures to be followed and the general criteria EPA will use in such review.

This MOU does not create any right or benefit, substantive or procedural, enforceable by law or equity, by persons who are not party to this agreement, against HUD or EPA, their officers or employees, or any other person. This MOU does not apply to any person outside of HUD and EPA, except that the exclusions in **Attachment B** (attached hereto and incorporated herein) and the procedures for submission to EPA under this MOU (and any modification thereof by HUD and EPA) may be followed by Responsible Entities (RE) – as defined below – during the term of the MOU, unless otherwise instructed by EPA.

BACKGROUND

Pursuant to Section 1424(e) of the Safe Drinking Water Act, 42 U.S.C. § 300h-3(e), EPA designated several aquifers located within Region 5 as SSAs because they are the sole or principal drinking water source for their areas and contamination of any of them would create a significant hazard to public health. As such, no commitment for Federal financial assistance may be entered into for any project which EPA determines may contaminate any of these SSAs so as to create a significant hazard to public health. “Federal financial assistance” is defined in part as “any financial benefits provided directly as aid to a project by a department, agency, or instrumentality of the Federal government in any form including contracts, grants, and loan guarantees.” 40 C.F.R. § 149.101(g).

HUD administers funds under programs subject to its National Environmental Policy Act (NEPA) implementing regulations in 24 C.F.R. Part 50 ("Part 50"), Protection and Enhancement of Environmental Quality. HUD is the responsible Federal agency for NEPA purposes for these regulations. 24 C.F.R. § 50.4(d) of these regulations requires compliance with Section 1424(e) of the Safe Drinking Water Act.

HUD regulations at 24 C.F.R. Part 58 ("Part 58"), Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities, allow the assumption of authority to perform the environmental reviews by REs, which are units of general local government, such as a town, city, or county, or a tribe or state. The RE is responsible for the scope and content of the review and making the finding. The certifying officer of the RE, usually the mayor, signs the review and takes legal responsibility for the review. Part 58 applies when legislation for a program allows States, tribes, and/or local governments to assume authority (see 24 C.F.R. 58.1(b) for a list of programs authorized under Part 58). Local governments must assume responsibility for grants made directly to the local government when legislation permits. They are encouraged to be responsible for the environmental review in cases where the grants are made to other entities, such as nonprofit organizations and public housing authorities. 24 C.F.R. § 58.5(d) of these regulations requires compliance with Section 1424(e) of the Safe Drinking Water Act.

## GOALS

The goals of this MOU are to ensure that each project receiving Federal financial assistance is designed and constructed in a manner that will not contaminate an SSA so as to create a significant hazard to public health, and to formalize the process by which review of Federal financially assisted projects is to be coordinated between EPA and HUD.

## GUIDING PRINCIPLES FOR PROJECT REVIEW

For the purposes of this MOU, in determining whether the act of constructing a proposed project would create a significant hazard to public health, the following factors, at a minimum, shall be considered with guidance from appropriate EPA staff:

1. The toxicity and migration/transformation potential of the contaminants involved;
2. The volume of contaminants that may enter any of the Aquifers; and
3. Characteristics of the SSAs in the area affected by the project (i.e., geochemical, hydrological, geological, etc.), and attenuation capability of the SSAs.

## PROJECTS SUBJECT TO PART 50

HUD will review projects requesting Federal financial assistance that are subject to the Part 50 regulations to assure that each project located in whole or in part within an SSA project review area, as depicted in **Attachment A**, is referred to the EPA Region 5 Sole Source Aquifer Coordinator for review, as follows:

EPA and HUD agree that projects of the types listed in **Attachment B** would not normally affect water quality in the SSAs, and generally need not be referred to EPA for review prior to funding.

HUD agrees to refer to EPA for review the types of projects listed in **Attachment C** (attached hereto and incorporated herein), which are located in whole or in part within an SSA project review area. For any of the proposed projects which are of the types listed in **Attachment C** and which are located in whole or in part within an SSA project review area, HUD will ensure that the following information is submitted to EPA:

1. A copy of the application (if appropriate).
2. Project location and its relationship to any SSA.
3. Description and objective of project or activity, including project design, materials to be used, and any alteration of natural topography.
4. Names/addresses/telephone numbers of any city or county, state or other Federal agency's personnel that are involved.
5. Responses to "Sole Source Aquifer Project Review Information" found in **Attachment D** (attached hereto and incorporated herein).

#### PROJECTS SUBJECT TO PART 58

For projects located in whole or in part within any SSA project review area, as depicted in **Attachment A**, it is agreed that projects of the types listed in **Attachment B** would not normally affect water quality in the SSAs, and generally need not be referred by REs to EPA for review prior to funding.

HUD will inform its Part 58 RE in SSA areas of the exclusions in **Attachment B** and the requirement to seek EPA's review for the projects of the types listed in **Attachment C** that are located in whole or in part within an SSA project review area.

#### EPA RESPONSIBILITIES

1. EPA agrees that all requests for Region 5 SSA reviews shall be responded to within thirty (30) calendar days of receipt unless:
  - a) Supplemental documentation is needed to make a determination, in which case EPA notifies HUD or the RE, within thirty (30) calendar days of receipt, that supplemental documentation is needed to make a determination. The thirty (30) calendar day clock for EPA's decision will then start once all necessary documentation has been received by EPA.
  - b) There are comments (with substantiating data) arising from review by the public, interested agencies, and/or tribes, indicating potential adverse impacts on the SSAs.
    - i) HUD or the RE will immediately send these comments to EPA.
    - ii) EPA will notify HUD or the RE, within thirty (30) calendar days of receipt of the comments, regarding EPA's decision. The EPA reserves the right to extend this time period when it finds that additional information is needed, that additional administrative review is necessary, or that it will be in the public interest to hold a public meeting. The EPA will notify HUD or the RE of any extension of the review time period.
  - c) EPA requests additional review time either by telephone or in writing. If EPA requests additional time, EPA will inform HUD or the RE within thirty (30) additional calendar days, or any other reasonable period of time needed to conduct the review, of the results of this review.
2. EPA's formal review will result in one of the following outcomes, which will be submitted in writing to HUD or the RE:



- a) A determination that the proposed project as designed most likely will not result in contamination of any SSA so as to create a significant hazard to public health and no further assessment or evaluation related to the SSA program is required.
  - b) A determination that the project has the potential to result in contamination of an SSA so as to create a significant hazard to public health, and a *Detailed Ground Water Impact Assessment*, approved by EPA, is required.
    - i. EPA and HUD or the RE will agree on measures that must be implemented to assure that no contamination of the SSA that would result in a significant hazard to the public health will occur;
    - ii. HUD or the RE will submit a revised project description to EPA for review and approval; and
    - iii. HUD or the RE will inspect and monitor to ensure that such measures are implemented and update EPA as necessary.
3. HUD or a RE may advance the project after notifying in writing the EPA Region 5 Sole Source Aquifer Coordinator that the formal review period has concluded. HUD will not commit funds to a project before notifying EPA that the formal review period has concluded. Although comments from EPA will be accepted at any time, HUD or the RE will consider to the maximum extent practicable those comments that are submitted after the review period has concluded, and will accept EPA's final determination (which will be announced after consultation with HUD or the RE) if received prior to HUD's commitment of funds.

#### GENERAL PROCEDURAL MATTERS

Materials provided to EPA by HUD (or the RE) under this MOU will be addressed to the attention of the EPA Region 5 Sole Source Aquifer Coordinator at 77 W. Jackson Blvd. (WG-15J), Chicago, IL 60604.

HUD and EPA will each assign a liaison officer to serve as a central contact point to be responsible for maintaining communications as to procedures and activities of their respective agency. The liaison officers are:

HUD: Regional Environmental Officer, Region 5, US Department of Housing and Urban Development  
77 W. Jackson Blvd., Chicago, IL

EPA: Sole Source Aquifer Coordinator, Region 5, US Environmental Protection Agency  
77 W. Jackson Blvd., Chicago, IL

The liaison officers accompanied by appropriate staff will hold meetings as needed to discuss matters of concern related to the SSAs and this MOU.

#### MODIFICATION AND DURATION

This MOU is to take effect upon signature and remain in effect for a period of five (5) years. This MOU may be extended or modified at any time through the mutual written consent of EPA and HUD. Additionally, either party may terminate its participation in this MOU at any time by providing written notice to the other party, at least ninety (90) days in advance of the desired termination date.

COMPLIANCE WITH APPLICABLE LAWS

It is understood and agreed by EPA and HUD that changes in local, state, and Federal rules, regulations, or laws applicable hereto, may occur during the term of this MOU and that any such changes are automatically incorporated as of the effective date of the rule, regulation, or law into this MOU without written amendment hereto. EPA and HUD expressly agree to comply with all applicable Federal, state, and local laws.

When any other Aquifers in Region 5 are designated as SSAs, EPA will notify HUD, and **Attachment A** will be updated as necessary. Following such notice to HUD, this MOU will apply to the review of all projects located within the newly designated SSAs in addition to all current designated SSA project review areas in Region 5.

ENTIRE MOU

This MOU constitutes the complete and entire MOU between the EPA Region 5 and HUD Region 5 and replaces all prior agreements or understandings, if any. HUD and EPA are not bound by any statement, promise, condition or stipulation not specifically set forth in this MOU. No representative of HUD or EPA has the authority to make any oral statements that modify or change the terms and conditions of this MOU.

U.S. Department of Housing and  
Urban Development

U.S. Environmental Protection Agency,  
Region 5

  
(Signature)

  
(Signature)

Name: Danielle Schopp  
Title: Departmental Clearance Officer  
Date: 7/17/18

Name: Cathy Stepp  
Title: Regional Administrator  
Date: 8-16-18

**ATTACHMENT A – DESIGNATED SOLE SOURCE AQUIFERS IN EPA REGION 5**

<https://www3.epa.gov/region5/water/gwdw/solesourceaquifer/>

**ILLINOIS**

1. Mahomet Aquifer, 80 FR 14370, Designated 03/19/15

**INDIANA**

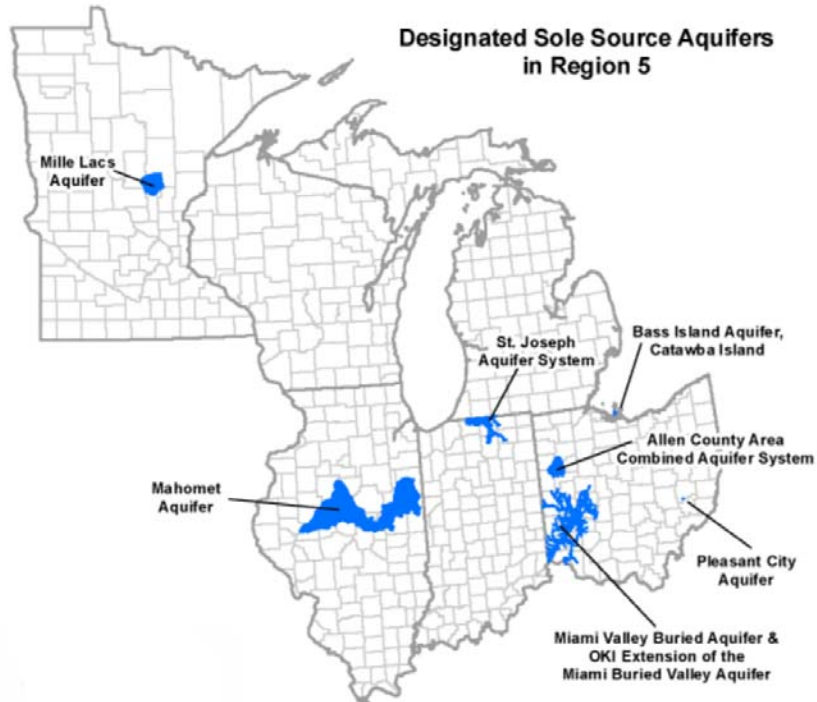
1. St. Joseph Aquifer, 53 FR 23682, Designated 06/23/88

**MINNESOTA**

1. Mille Lacs Aquifer, 55 FR 43407, Designated 10/29/90

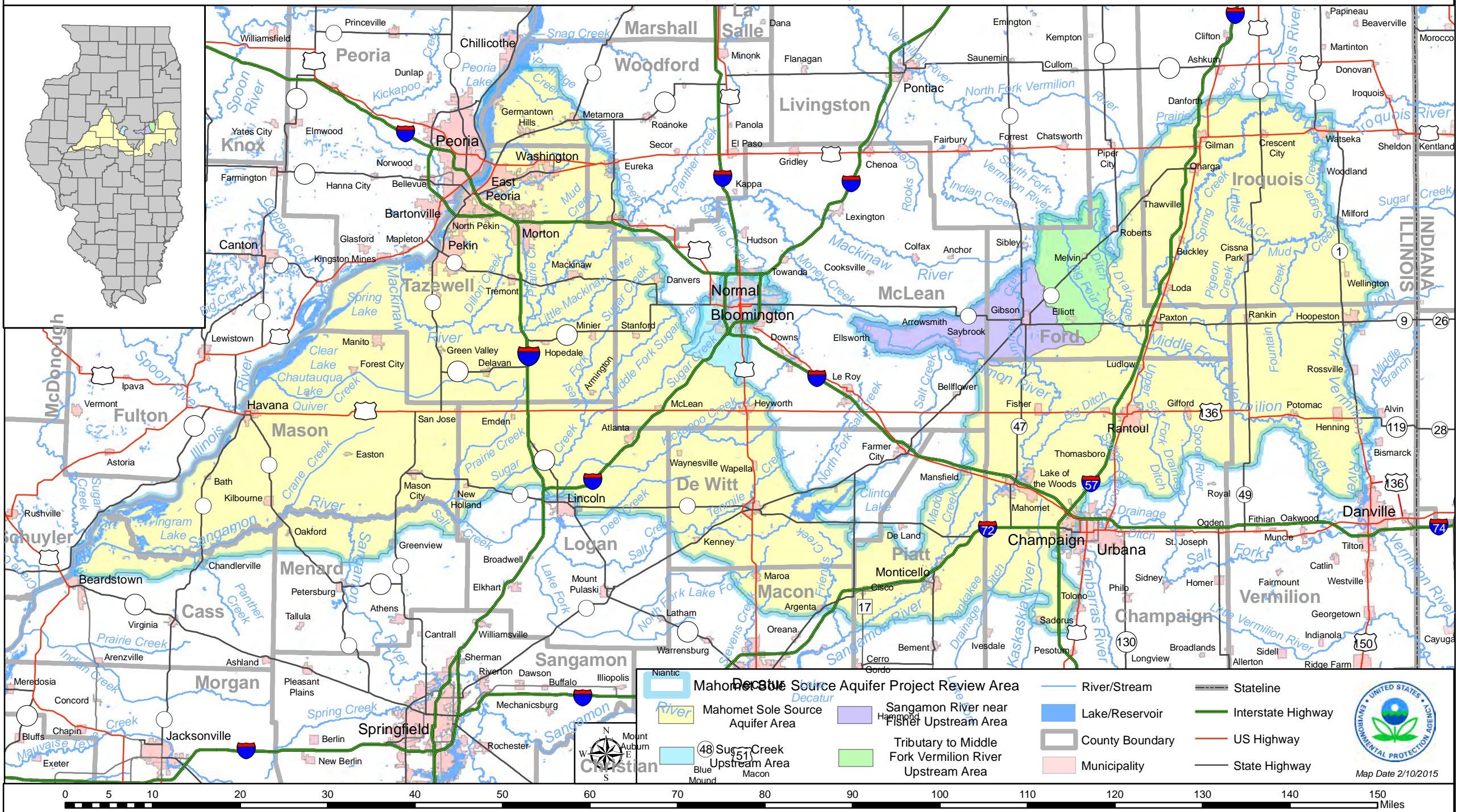
**OHIO**

1. Allen County Combined Aquifer, 57 FR 53111, Designated 11/06/92
2. Bass Island Aquifer (Catawba Island), 52 FR 37009, Designated 10/02/87
3. Great Miami Buried Valley Aquifer, 53 FR 15876 and 53 FR 25670, Designated 05/04/88 and 07/08/88
4. Pleasant City Aquifer, 52 FR 32342, Designated 08/27/87





# Mahomet Sole Source Aquifer Project Review Area



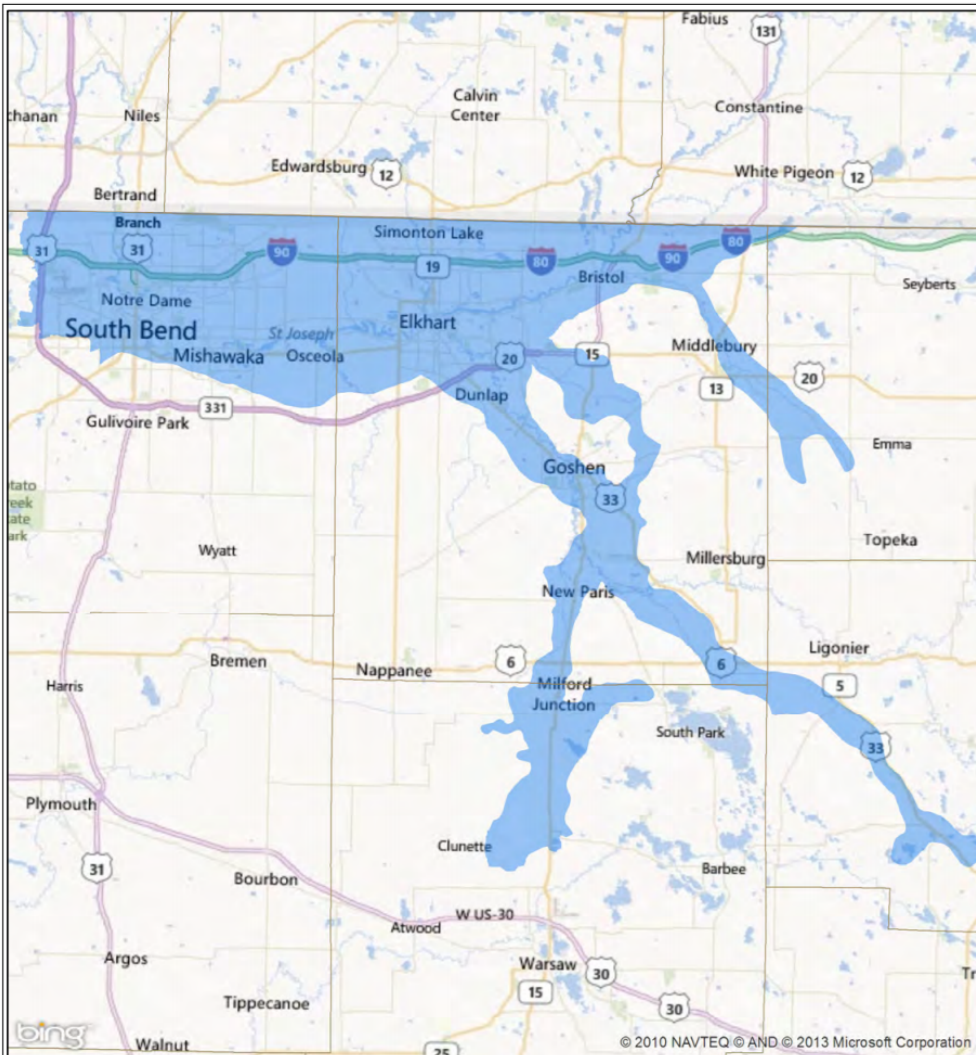
**Mahomet Sole Source Aquifer Project Review Area**

- Mahomet Sole Source Aquifer Area
- Sangamon River near Fisher Upstream Area
- Tributary to Middle Fork Vermilion River Upstream Area

- River/Stream
- Lake/Reservoir
- County Boundary
- Municipality
- Stateline
- Interstate Highway
- US Highway
- State Highway







**Designated  
Sole Source Aquifers  
in Region 5**

**St. Joseph  
Aquifer System  
Indiana**

**Notes and Explanation:**

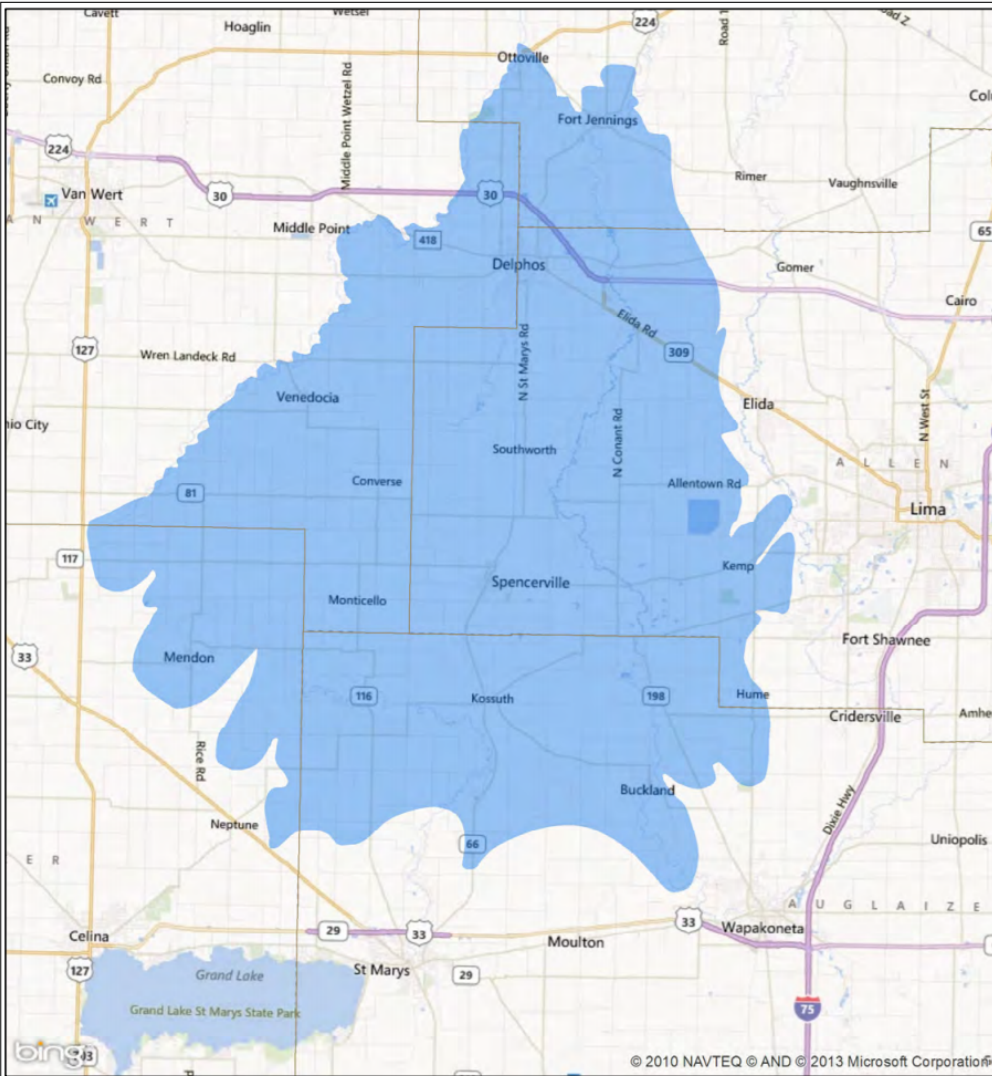
The St. Joseph Aquifer System was designated under the authority of Sect. 1424(e) of the Safe Drinking Water Act, Federal Register Citation-53 FR 23682, Publication Date - 06/23/88. For more information, please contact USEPA, Region 5 (William Spaulding) at 312-886-9262.

**Map Status and Disclaimer:**

Please note that this working map is a computer representation compiled by the Environmental Protection Agency (EPA) from sources which have supplied data or information that may not have been verified by the EPA. This data is offered here as a general representation only and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information. The EPA does not guarantee the accuracy, completeness, or timeliness of the information shown, and shall not be liable for any loss or injury resulting from reliance upon the information shown.







**Designated  
Sole Source Aquifers  
in Region 5**

**Allen County Area  
Combined  
Aquifer System  
Ohio**

**Notes and Explanation:**

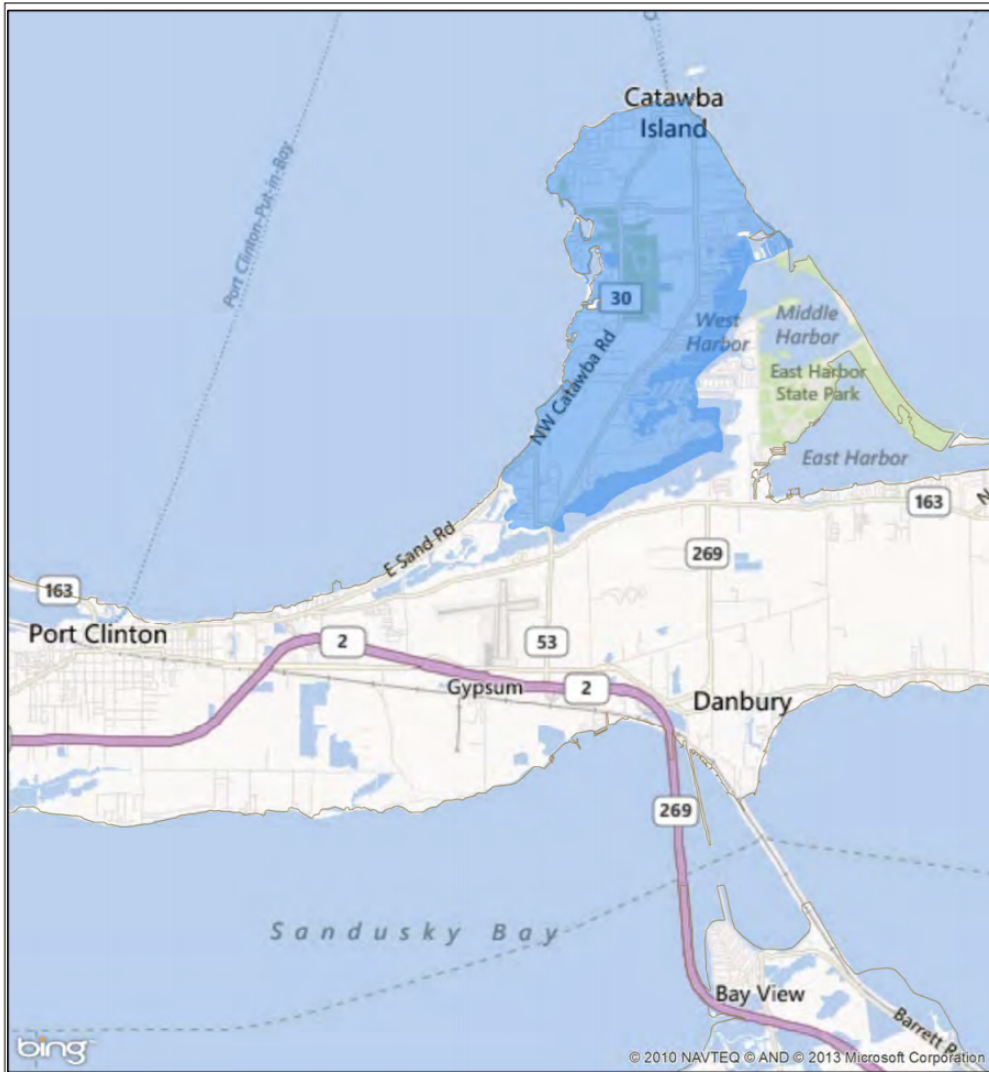
The Allen County Area Combined Aquifer System was designated under the authority of Sect. 1424(e) of the Safe Drinking Water Act, Federal Register Citation-57 FR 53111, Publication Date - 11/06/92. For more information, please contact USEPA, Region 5 (William Spaulding) at 312-886-9262.

**Map Status and Disclaimer:**

Please note that this working map is a computer representation compiled by the Environmental Protection Agency (EPA) from sources which have supplied data or information that may not have been verified by the EPA. This data is offered here as a general representation only and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information. The EPA does not guarantee the accuracy, completeness, or timeliness of the information shown, and shall not be liable for any loss or injury resulting from reliance upon the information shown.







**Designated  
Sole Source Aquifers  
in Region 5**

**Bass Island Aquifer,  
Catawba Island  
Ohio**

**Notes and Explanation:**

The Bass Island Aquifer, Catawba Island was designated under the authority of Sect. 1424(e) of the Safe Drinking Water Act, Federal Register Citation-52 FR 37009, Publication Date - 10/02/87. For more information, please contact USEPA, Region 5 (William Spaulding) at 312-886-9262.

**Map Status and Disclaimer:**

Please note that this working map is a computer representation compiled by the Environmental Protection Agency (EPA) from sources which have supplied data or information that may not have been verified by the EPA. This data is offered here as a general representation only and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information. The EPA does not guarantee the accuracy, completeness, or timeliness of the information shown, and shall not be liable for any loss or injury resulting from reliance upon the information shown.







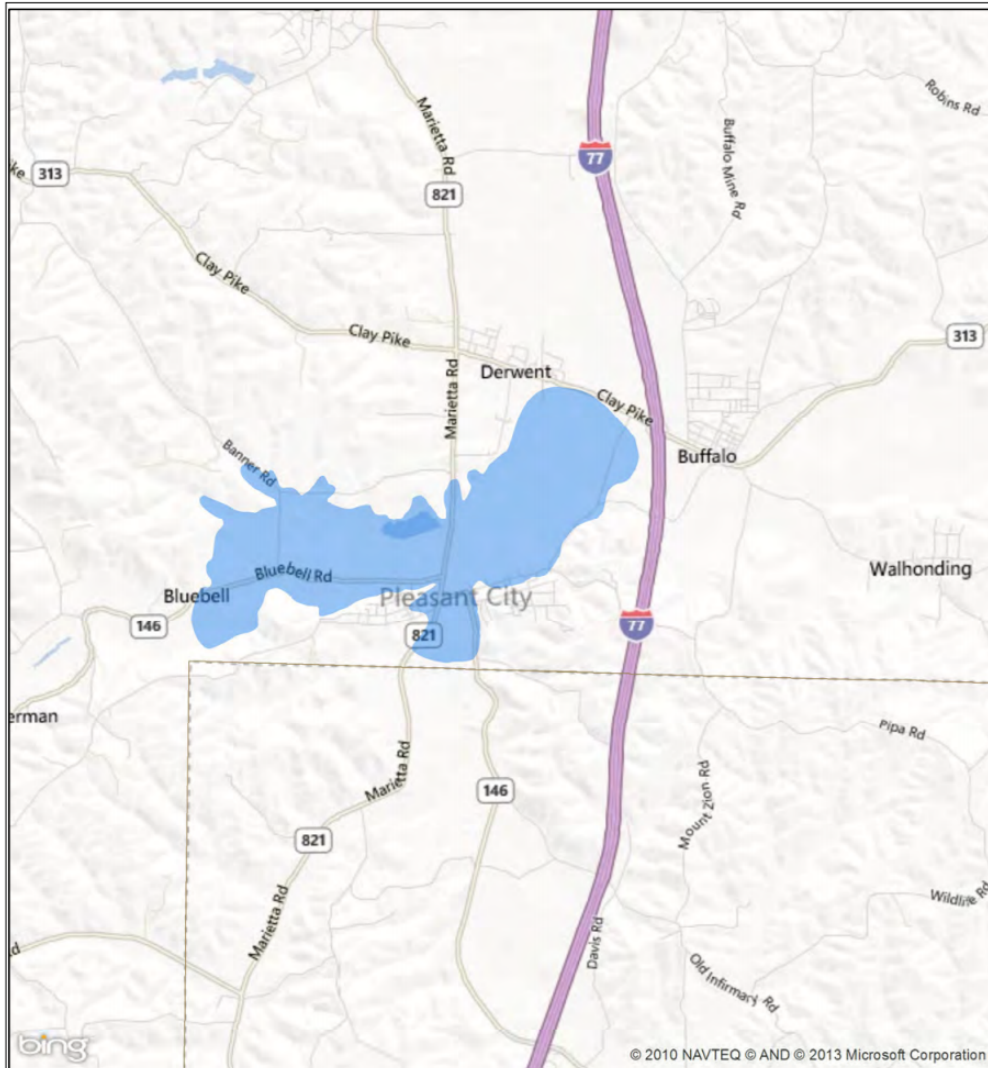
**Designated  
Sole Source Aquifers  
in Region 5**

**Greater  
Miami Buried Aquifer,  
and OKI Extension  
Ohio**

**Notes and Explanation:**  
The Greater Miami Buried Aquifer, and the OKI Extension of the Miami Buried Valley Aquifer was designated under the authority of Sect. 1424(e) of the Safe Drinking Water Act, Federal Register Citation-53 FR 15876 and 53 FR 25670, Publication Dates - 05/04/88 and 07/08/88.  
For more information, please contact USEPA, Region 5 (William Spaulding) at 312-886-9262.

**Map Status and Disclaimer:**  
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**Designated  
Sole Source Aquifers  
in Region 5**

**Pleasant City Aquifer  
Ohio**

**Notes and Explanation:**

The Pleasant City Aquifer was designated under the authority of Sect. 1424(e) of the Safe Drinking Water Act, Federal Register Citation-52 FR 32342, Publication Date - 08/27/87. For more information, please contact USEPA, Region 5 (William Spaulding) at 312-886-9262.

**Map Status and Disclaimer:**

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**ATTACHMENT B – PROJECTS ASSUMED NOT TO POSE A SIGNIFICANT HAZARD TO PUBLIC HEALTH IN ANY SSA PROJECT REVIEW AREAS**

Listed below are the types of projects which are assumed not to pose a significant hazard to public health, and which will NOT be referred to EPA.

1. All projects whose legal boundaries of the subject property are located wholly outside the SSA project review areas.
2. New construction, acquisition, or rehabilitation of residential housing that involves no more than four dwelling units (unless such project involves activities listed in **Attachment C, items 2-13**).
3. Construction of (or additions to) residential, commercial, industrial projects, public facilities or land developments that will be served by a municipally or publicly owned and operated sewage treatment plant which is operating within the capacity for which it was designed and is not subject to any local, state, or EPA imposed moratorium (unless such project involves activities listed in **Attachment C**).
4. Rehabilitation or modernization of residential structures, commercial, industrial or publicly owned buildings that are served by a municipally or publicly owned sanitary sewer system operating in compliance with its authorized permit (unless such project involves activities listed in **Attachment C**).
5. Acquisition of, or financial assistance including refinancing, provision of mortgage insurance, and rental assistance on existing projects, properties, buildings or developments where no alterations, additions, or expansions are to take place, and all expenses listed as operating costs in 24 C.F.R. §§ 50.19(b)(13) and 58.35(b)(3).
6. Funding of public services, planning activities, technical assistance, training, payment/repayment or reimbursement of either loans or interest.
7. Projects which do not require the use or storage of chemicals listed in the National Primary Drinking Water Regulations 40 C.F.R. Part 141 (unless such project involves activities listed in **Attachment C**).

## ATTACHMENT C – PROJECTS REQUIRING REFERRAL TO EPA FOR REVIEW

- A. The following projects located in whole or in part within the SSA project review areas will be referred to the EPA for review prior to any commitment of Federal financial assistance:
1. Construction or rehabilitation of residential (with the exception of single one-to-four-unit family structures excluded under **Attachment B**), commercial or industrial projects, public facilities, or land developments whose sanitation facilities will consist of individual disposal systems such as cesspools, septic tanks with leach fields or seepage areas, pit toilets, or privately-owned sewerage systems including those owned by a homeowners' association.
  2. Any project or activity for an existing or proposed facility that manufactures, stores, transports, spreads, or disposes of radioactive materials or toxic, noxious, or hazardous chemicals (beyond household quantities), including insecticides, fungicides, and fertilizers.
  3. Any project or activity within or directly adjacent to an area with known soil or groundwater contamination, such as within the boundaries of a site listed on the EPA National Priorities List (i.e., a Superfund site) or of a state-designated brownfield or clean-up site.
  4. Acquisition, disposition, rehabilitation or new construction of a site intended as a landfill or other waste storage, transfer, disposal, or treatment facility.
  5. Acquisition, disposition, rehabilitation or new construction of any facility or operation which disposes of its waste water into dry wells, retention ponds, or methods other than a treatment plant.
  6. Projects that involve new development and redevelopment projects involving addition of new impervious area greater than one acre.
  7. Acquisition, disposition, rehabilitation or new construction of storm water drainage facilities that might contaminate the SSAs, significant modifications to existing wetlands, or significant modifications or new construction of shallow injection wells (i.e., dry wells, French drains, sumps, and drain fields).
  8. Any project or activity involved in agricultural activities or related operations employed in the production, raising, processing, and marketing of crops or livestock.
  9. Projects for which a NEPA Environmental Impact Statement (EIS) is required.
  10. Projects that involve the storage or handling of hazardous or toxic materials or petroleum products, including but not limited to aboveground or underground storage tanks, and oil and gas pipelines (other than service lateral extensions for 4 or fewer residential units, or service lateral extensions where trenching and excavation is no deeper than 10 feet below ground surface).

11. Projects that involve new wells (of any use type, including groundwater wells as well as wells for geothermal, oil, gas, or mineral exploration), modifications to existing wells (including abandonment), or any deep pilings or other deep foundations (i.e., greater than 10 feet below ground surface).
  12. Projects that involve construction or expansion of publicly-owned treatment works, new wastewater sewers (other than service extension laterals to 4 or fewer residential units, or service lateral extensions where trenching and excavation is no deeper than 10 feet below ground surface), or an amount of domestic waste that could potentially create a significant hazard to public health.
  13. Any other project or activity which HUD, the RE or EPA determines could be a potential source of contamination to the SSAs.
- B. Any project located in whole or in part within the SSA project review areas for which EPA makes a written request for information will be referred to EPA for review prior to any commitment of Federal financial assistance.

## **ATTACHMENT D – SOLE SOURCE AQUIFER PROJECT REVIEW INFORMATION**

HUD or the RE will provide the information below at the time of submittal of the project to EPA in order to assist the EPA's Sole Source Aquifer Program in timely evaluating whether proposed projects have the potential to contaminate an SSA. EPA may request additional information as necessary.

1. Confirm an SSA project review is needed.
  - a. Is any portion of the project or the property(ies) involved located within a designated SSA project review area? A searchable interactive map of designated SSA project review areas is available at <https://www.epa.gov/dwssa>. **If the answer to this question is no, EPA does not need to review the project under the SSA program.**
  - b. What Federal funding source is being sought or proposed? **If no Federal financial assistance is sought or proposed, EPA does not need to review the project under the SSA program.**
2. Provide location of the project, a map, and the name of the SSA within which the project is located. Descriptions or maps with the information below would be helpful if available and applicable.
  - a. What is known about local hydrogeology in the project review area (e.g., soil types, depth to groundwater, groundwater flow direction)?
  - b. Are there any known wells in the project review area (including groundwater wells; shallow injection wells; and oil, geothermal, and mineral exploration wells) and how close are they to the project?
  - c. Are there any wetlands within the project review area? If applicable, describe any discharge to, loss of, or creation of wetlands by the project.
3. Provide project description, including but not limited to answers to the applicable questions below.
  - a. Will the project result in any increase of impervious surface (e.g., concrete, asphalt)? If so, what is the area (e.g., square feet or acres)?
  - b. What is the depth of excavation?
  - c. Will any wells be installed or modified as part of the project (of any use type, including groundwater wells as well as wells for geothermal, oil, gas, or mineral exploration)? For new/proposed wells, indicate depth of wells, depth of casing, casing diameter, and (for water wells) anticipated average and maximum water demand from the wells during normal operation (gallons per minute).
  - d. Are there any deep pilings or foundations (e.g., greater than 10 feet below land surface) that will be installed, modified, or disturbed during the project?
4. Describe storm water management for the project area.
  - a. Will the project require the use of shallow injection wells (i.e., dry wells, French drains, sumps, and drainfields)? **If the answer to this question is yes, please provide EPA with an explanation as to why these shallow injection wells are required.**
  - b. How will storm water be managed on this site during construction and after the project is complete, including treatment if applicable?
5. Describe chemical use and storage associated with the project.

- a. Will any quantities of hazardous chemicals or petroleum (above routine household quantities) be used or stored in the project review area?
  - b. Are there any aboveground storage tanks or underground storage tanks present or to be installed? Fuel tanks are often involved in projects that include generators and/or pump stations. If applicable, include details of such tanks, including spill containment and spill response plans.
6. Describe waste management related to the project, including but not limited to answers to the applicable questions below.
  - a. Will any liquid or solid waste be generated during construction (e.g., construction/drilling fluids, excavation dewatering fluids, demolition debris)? If so, how will it be managed?
  - b. How will liquid or solid waste be managed after project completion, other than routine quantities of household wastes to a permitted sanitary landfill or publicly-owned treatment works (e.g., describe any on-site treatment/disposal, industrial wastewater, or other waste generation)? If applicable, provide details about any individual disposal systems such as cesspools, septic tanks with leach fields or seepage areas, pit toilets, or privately-owned sewerage systems including those owned by a homeowners' association.
  - c. Are there any known brownfield or hazardous waste sites in close proximity to the project review area (e.g., sites listed on the EPA National Priorities List [i.e., Superfund sites], state-designated brownfield or clean-up sites)? Do any such contaminated sites have underground contamination plumes, monitoring wells, or soil contamination that may be disturbed by the project? Include details including the name(s) and location(s) of the brownfield or hazardous waste site(s).
  - d. For agricultural projects involving animals, how will animal wastes be managed?
7. Provide any other available information (examples below) that could be helpful in determining if this project may potentially create a significant hazard to public health.
  - a. Are Best Management Practices (BMPs) planned to address any possible risks or concerns? If so, which BMPs will be used?
  - b. Does the project include any improvements that may be beneficial to any SSA, such as improvements to the publicly-owned treatment works?
  - c. Are any previous environmental assessments available regarding the project or project area?





State Historic Preservation Office –  
IDNR Attn: Review and Compliance  
1 Old State Capitol  
Plaza Springfield, IL  
62701

RE: IHPA Clearance Letter

This address is the tentative site of new construction of a [type of housing project].

**1. [Project address / location]**

This site is currently an empty lot. The scope of work includes new construction and ground disturbance, which must be reviewed by an archeologist. Funds for this project come from [HOME/CDBG].

This site is:

|                                   |                              |  |
|-----------------------------------|------------------------------|--|
| Listed on the National Register:  | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Within a Local Historic District: | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| A Local Landmark:                 | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

Please review for necessity to comply with Section 106 of the Natural Historic Preservation Act of 1966, as amended. The determination of the City of Urbana is that no historic properties are affected by this project and it will have no adverse effect.

The City of Urbana will proceed to the next step in the Section 106 process if we do not receive a response from your office within 30 days of receipt. If the SHPO does not object to the “No Historic Properties Affected” finding within 30 days, the City of Urbana’s responsibilities under Section 106 are fulfilled (36 CFR 800.4 (d)(1)(i)).

Please contact me with any questions or concerns. Thank you in advance for your assistance.

Sincerely,

[Name]  
[Title] | City of Urbana | 400 South Vine Street  
Urbana, IL 61801  
[Phone]  
[Email]