

DETERMINING THE LEVEL OF ENVIRONMENTAL REVIEW

The National Environmental Policy Act (NEPA) of 1969 as Amended applies to **all** Vermont Community Development Program (VCDP) projects. HUD procedures are found at [24 CFR §58](#). The environmental review is conducted on the project as a whole to determine the project's impact on the environment and the impacts of the environment on the project. Project activities must be defined to determine the level of environmental review. Your project will fall into one the following:

A. EXEMPT ACTIVITIES – project has minimal to no impact on the environment

Some examples of exempt projects/grants are:

- 1) **Planning Grants**
- 2) **Public Service Grants** that have no physical impact, there is no facility development or renovation involved
 - a) Child care services
 - b) Counseling
 - c) Technical assistance and training
- 3) **Homeowner Assistance Grants**, closing costs and down payment assistance to purchase existing units or new unit under construction
- 4) **Economic Development Grants**, limited to equipment purchase and working capital, no expansion of business or no construction involved.
- 5) **Urgent Need Grants**, imminent threat to public safety
 - a) Do not alter environmental conditions
 - b) Limited to protection, repair or restoration to control effects of a disaster

B. CATEGORICALLY EXCLUDED ACTIVITIES – project has minor impact to the environment, usually to existing structures/facilities

Some examples of Categorically Excluded projects/grants are:

- 1) **Public Facility Grants**, water or sewer lines, repaving of streets and sidewalks, or assisted living projects, parent-child development center that involve reconstruction of facilities in place and will be retained for same use, and no increase of capacity or size by more than 20%.
- 2) **Accessibility Modification Grants**, limited to the removal of architectural barriers through renovation, no major new construction.
- 3) **Housing Rehabilitation Grants**, no change in land use, unit density is not changed by more than 20%, and cost of rehabilitation is less than 75% of total estimated cost of replacement after rehabilitation.
- 4) **Scattered-site Housing Rehabilitation Grants**, units are more than 2000 feet apart, and not more than 4 units on any one site.
- 5) **Economic Development Grants**, involves retrofitting existing space.

NOTE: If your project can be converted from Categorically Excluded to Exempt, a public notice is not required.

C. ASSESSMENT ACTIVITIES - project has major impact to the environment, usually involves substantial/new construction

Apply the following criteria:

- Involves substantial reconstruction (the cost of improvements is equal to or greater than 50% of the market value of the structure before the improvements started)
- Involves new construction
- Increase in density greater than 20%
- Change of use of the existing structure or facility
- Construction outside the existing footprint or water/sewer line

D. ENVIRONMENTAL IMPACT STATEMENT – projects have a significant impact to the human environment. **The impact statement must be developed in the format as prescribed in 40 CFR §1502.10. Some examples of projects that would require this level of environmental review are:**

- 1) Construction of a nursing home of 2,500 or more beds
- 2) Demolish, convert, or substantially rehabilitate 2,500 or more existing housing units, or newly construct 2,500 or more units of housing
- 3) Increase water or sewer capacity to support 2,500 or more additional housing units

Please do not hesitate to contact Quin Mann at (802) 828-1357, or e-mail: quin.mann@vermont.gov to discuss level of review required for your project.