

Memorandum

CDBG Policy Guidance

Date: March 12, 2018

Policy: 18-01

SC Department of Commerce, Grants Administration, 1201 Main Street, Suite 1600, Columbia, SC 29201
www.cdbgSC.com

Subject: Environmental Reviews – Floodplains Compliance
Resource: *SC CDBG Implementation Manual*
HUD Notice CPD-17-013

24 CFR Part 55 states no HUD financial assistance may be approved for any project located in a floodway, other than for a functionally dependent use. Recent HUD guidance has clarified what HUD intends in regards to linear infrastructure projects that may pass over or under a floodway without harm.

For the purpose of this memorandum, linear infrastructure includes installation, construction, or repair of water and sewer lines, power and broadband transmission lines, and other large scale corridor projects that connect infrastructure resources to a community.

Floodways appear on Flood Insurance Rate Maps (FIRM) as Zone AE and are marked with cross hatches for the horizontal limits. HUD has interpreted that the floodway's vertical limits are from the ground or riverbed to the base flood elevation (BFE).

HUD funded projects may not enter or disturb the area between the ground or riverbed and the BFE within the horizontal limits of the floodway. The new HUD guidance provides that linear infrastructure projects **may** be funded if they pass entirely over the BFE or pass entirely under the ground level of the floodway.

Technology such as directional drilling may be used to pass under the floodway's ground level. Above ground lines may pass over the floodway completely clear of the BFE on existing spans or using existing supports, **however no new supports may be placed in the floodway.**

The 8-Step Process must be completed to determine if there are practicable alternatives to locating the project in a floodway. HUD Notice CPD-17-013 outlines the information that must be considered to supplement Section 55.20 to complete the required 8-Step process. Grantees are advised Step 4 and 5 have specific items that must be addressed by a professional engineer.

Please review the attached HUD Notice CPD-17-013 for full details.

If you have any questions, please contact Barry Butler or Keely McMahan at 803-734-0429. Environmental forms and documents are available at www.cdbgSC.com.

This policy memorandum updates the Community Development Block Grant Program and becomes effective immediately unless otherwise stated. The program documents located on the SC Department of Commerce website have the most up to date policies of the CDBG program.
