

**Memorandum
CDBG Policy Guidance**

Date: January 28, 2010
Policy 10-01

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

Subject: CDBG Environmental Reviews
Resource: CDBG Implementation Manual, Chapter 2

HUD has recently issued guidance on a number of processes relative to CDBG environmental reviews. Forms listed below have been revised or updated as well. Please review all referenced processes and documents in detail to ensure full compliance on all Environmental Review records (ERR). This is effective immediately for all projects which have not received a Notice of Removal of Environmental Conditions.

1. A new Documentation Sources document has been provided. Numerous changes have been made, including a new requirement for consultation with the Eastern Band of the Cherokee Indians (EBCI) for disturbance of soils not classified as Urban Soil (as defined by NRCS) in certain counties. For Urban Soil disturbance, the EBCI has asked to be informed of the soil impacts via e-mail. The new document should be carefully reviewed and utilized when preparing environmental reviews for CDBG projects. New contact information is on the updated Agency Contact List.
2. The Regional Federal Emergency Management Agency (FEMA) Office has asked to be contacted anytime an 8-step process (Site specific or area-wide) has been completed for Executive Order 11998: Floodplain Management as implemented at 24 CFR Part 55; therefore effective immediately any time an 8-step process is completed a copy of the Early Notice for Public review (Notice 1 or step 2) and Final Notice for Public Review (Notice 2 or step 7) must be forwarded to the FEMA Regional Environmental Officer for comment and documented in the ERR. Contact information is on the updated Agency Contact List.
3. The Office of Environment and Energy attorney has informed HUD that Environmental Review Records maintained electronically are in compliance with the requirements of 24 CFR Sec. 58.35 which states: "The responsible entity must maintain a written record of the environmental review undertaken...for each project. This document will be designated the Environmental Review Record' (ERR)..." Please be advised that electronically maintained ERRs must remain available for public review and monitoring in accordance with 24 CFR Sec. 58.38 (i.e., An individual, organization or HUD monitor wishing to review an ERR cannot be denied access to an ERR because it is stored on an employee's computer or a private network). However, Grants Administration still requires a hard copy to be submitted for our review.
4. The Agency Contact List, Notice of Intent to Request Release of Funds and the Combined Notice have also been revised.

Please make sure you are using the most updated forms and sources. If you have any questions, please call Dick Scott or Lisa Kalsbeck. All forms may be downloaded from our website:

[CDBG Forms and Documents Webpage](#)

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.

[CDBG Forms and Documents Webpage](#)
