

Early Guidance on SEPA and NEPA Requirements for CDBG Applicants

An environmental review for a project does not need to be completed before submitting a CDBG application. However, there are advantages for beginning the environmental review early. If CDBG funds are awarded, completing the environmental review is an early requirement. Section 6 of the CDBG Management Handbook outlines the CDBG environmental review requirements in detail and provide forms, samples and resources. The Handbook is available on the CDBG website (www.commerce.wa.gov/cdbg).

SEPA and NEPA

The CDBG environmental review includes steps to meet both the State Environmental Policy Act (SEPA) and the National Environmental Policy Act (NEPA), including a Section 106 cultural and historic resources review. The CDBG program is unique in that the local government grant recipient (rather than the federal or state agency) is responsible for certifying the environmental review requirements. While the local government can begin the NEPA process using environmental review forms from other federal funding programs, the local government still must complete the CDBG steps, which include additional public notices and public comment periods for projects not certified as exempt.



Start Early Because:

- The review process might discover issues affecting the originally planned project.
- Construction design cannot be finalized and projects cannot go out to bid until the CDBG environmental review is fully complete.
- Delay in meeting the CDBG public notice and comment period timelines can slow down a project.

The CDBG environmental review requirements involve additional assessments and public notices for projects having a greater potential impact on environmental, historic or cultural resources. The following chart gives a brief overview of CDBG requirements for environmental review by type of project:

CDBG Requirements		
Type of Project	SEPA	NEPA
Planning, public services	May be exempt – See SEPA Homepage at http://www.ecy.wa.gov/programs/sea/sepa/e-review.html	May be exempt – Management Handbook attachments
Minor construction, acquisition & rehab.	Checklist with determination of non-significance, public review	Statutory Checklist, federal/state consultation, and possible public review and comment and release of funds
Ground altering or other significant change in size/capacity	Checklist with determination, public review	Environmental Assessment and federal/state consultation, public notice requirements and Commerce release of funds
Significant environmental impact	EIS – may not be appropriate for CDBG funding	EIS – may not be appropriate for CDBG funding

Conduct Cultural and Historic Resources Review

The federal Section 106 cultural and historic resources review requires consultation with the Department of Archeology and Historic Preservation (DAHP) and affected tribes for activities that are not exempt. DAHP and tribes have at least 30 days to respond to your submission of forms included in the CDBG Management Handbook. However, it can take longer depending upon the historic or cultural nature of the property or buildings.



Additional public comment periods:

- If project is not exempt
- If project is Categorically Excluded with federal compliance areas affected
- If project requires an Environmental Assessment or an EIS
- If project is located in a floodplain or wetland

Floodplain/Wetland Notices

Whenever a proposed project will affect a designated floodplain or wetland, or occurs in a designated floodplain (the flat or nearly flat land that borders a stream, river or other water body and experiences occasional floods in typically dry areas) or wetland (area inundated by surface or ground water with a frequency to support a prevalence of vegetative or aquatic life, such as swamps, marshes, bogs, potholes, wet meadows, mud flats and natural ponds), additional steps must be taken to ensure the project will not have unacceptable adverse affects on the floodplain/wetland, create a hazard, or be susceptible to flood damage. Publication of two floodplain/wetland notices is required. Projects in a designated floodway (the stream channel and adjacent areas that might carry higher velocity flows) are not eligible for CDBG funding.

Tiered Review for Specific Site Projects

For some CDBG-funded projects, such as housing rehabilitation or microenterprise assistance, it is advantageous to follow a tiered review. A broader review is initially completed to identify environmental review issues facing the area and activity, and then a site specific review is completed once the property and specific location is established.

Environmental Review Record

The CDBG local government recipient must maintain documentation of written environmental assessments, consultation correspondence, environmental findings, and public notices for the project.

Section 6 of the CDBG Management Handbook is available on the CDBG website (www.commerce.wa.gov/cdbq).