



Steps for a Successful Environmental Review (ER)

1. Open the Environmental Review (ER) in GEARS System

- GEARS= VCDP's online Grants Electronic Application & Reporting System.
- The municipality/organization will open an account on GEARS.
- The municipality must be the one to open the ER Application on GEARS.

2. Define the Project Activities & Description

- List all potential project activities.
 - Area of ground disturbance, existing conditions, funding sources, size of parcel and existing buildings, structural changes, & scope of work.
 - Specific Examples: Weatherization, installation of septic, accessibility modifications etc.
- Capture the maximum scope of the proposed project.

3. Determine Level of Review

- Exempt (24 CFR 58.34)
 - Planning grants, urgent need grants, no public notice.
 - Does not mean the project is exempt from the ER process.
- Categorically Excluded (25 CFR 58.35)
 - Minor rehab, no change in land use, and an increase in occupancy or footprint <20%.
 - 7-day comment period, 15-day objection period.
- Environmental Assessment (24 CFR 58.36)
 - Highest level of review; evaluates the project as a whole.
 - 15-day comment period, 15-day objection period.

4. Analysis & Compliance Documentation

- Ensure that supporting documentation is uploaded on GEARS and is backed up by the language in the applicable Environmental Review checklist.
- Pay special attention to... noise, toxics, floodplain management, explosives, and historic preservation as they commonly have compliance issues.



5. Finalize the ER & Applicable Public Notice

- Public notice templates are available in GEARS or from the Environmental Officer.
- If a Categorically Excluded project is converted to Exempt, no public notice is needed.
- The public notice should also be sent to any interested parties.
- Include mitigation measures and HUD funding sources in the notice.

6. ER Release is Received

- The release will detail the ER conditions and is important to review carefully.
- Conditions will be specific and will outline a plan for mitigation.
- Choice-limiting actions are allowed at this point in the review process.
- Providing an anticipated timeline of construction to the Environmental Officer at this time is helpful.

7. Expend Project Funds

- Once the release is in hand and compliance for the conditions has been guaranteed, project funds can be used.
- You may reach out to VCDP staff with any questions regarding spending funds.

8. Post-Review Consideration/Release Conditions

- It is important to meet your conditions and upload documentation of compliance onto the “Conditions” page on GEARS.
- The Environmental Officer will follow up to ensure compliance.

More Information: Choice Limiting Actions

Engaging in Choice Limiting Activities prior to the receipt of the Environmental Review Release compromises the unbiased consideration of alternatives and is therefore disallowed.

Choice Limiting Activities for Implementation Projects

- Acquisition or leasing of property. Signing an Option Agreement is NOT a choice limiting action, but signing a Purchase & Sales Agreement IS choice limiting.



- If a project has not completed an Environmental Review, is currently in a Purchase & Sales Agreement and is unable to convert the agreement to an Option Agreement, the project is ineligible for HUD funding.
- Entering into commitment for repair, rehabilitation, construction, or demolition.
 - Commitment= Legally binding contract or agreement.
- You may go out to bid for construction activities but can NOT open the bids or move forward. Please refer to the Environmental Review Process Memo or reach out to the Environmental Officer for more information.
- Commitment or expenditure of HUD funds or non-HUD funds for choice limiting activities. Engaging in and expending funds on planning activities is allowed and needed to adequately complete the Environmental Review.

Choice Limiting Activities for Planning Projects

- Commitment or expenditure of HUD funds or non-HUD funds for planning activities that fall under the scope of work that has been defined for the project (expenses that will be counted as match in the project's budget, or expenses that will seek HUD funds for reimbursement).

General Choice Limiting Information

- If you are ever unsure if an activity is choice limiting, contact the Environmental Officer.
- A party may begin a project in good faith as a private project and is NOT precluded from later deciding to apply for federal assistance. However, once a party applies for federal assistance, it will need to cease choice limiting actions on the project until the Environmental Review process is complete and the Release has been received.
 - Good faith means, as soon as the project is considering applying for HUD funding, the project ceases with moving forward with Choice Limiting Actions,

Environmental Review Contact Information

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