**Environmental Review Guidance due to COVID-19 restrictions on personal interactions**

Due to the National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak and restrictions on personal interactions, the Office of Environment and Energy (OEE) has issued new guidance on completing environmental reviews during this time. The following procedures as they pertain to TDHCA are as follows:

**Guidance for Responsible Entities (RE) Submitting 7015.15 Request for Release of Funds (RROF) to TDHCA**

RROF forms submitted to TDHCA using the following guidelines will meet the legal obligations for environmental review purposes.

* REs may continue to process the RROF as normal, including via U.S. mail if the RROF was completed on paper. Please notify our environmental staff via email if you plan to physically mail the RROF: environmental@tdhca.state.tx.us. Please note that TDHCA is operating on a skeleton crew schedule and delays may occur in processing a RROF received via U. S. mail.
* Alternatively, REs may submit the RROF to TDHCA via email or through the Housing Contract System with either:
	+ If you have access to a printer and scanner (or scanner via smartphone app), a paper signature by the Certifying Officer on the emailed version of the RROF form; or
	+ An e-signature by the Certifying Officer on a PDF version of the RROF form. View instructions for creating an e-signature using Adobe Reader. REs may need to work with their local IT departments to create and implement an e-signature.

**Consultation, Review, and Comment on the Environmental Review Record in Response to COVID-19**

Public Availability of the ERR

During the National Emergency concerning COVID-19, the Responsible Entity (RE) should work with the public to provide the ERR electronically or via U.S. mail upon request. The RE may also make the ERR available electronically on the official RE website. If the RE chooses to make the ERR available via email, U.S. mail, or online, the public notice should be updated to include the following language, as applicable:

*Additional project information is contained in the Environmental Review Record (ERR). The ERR will be made available to the public for review either electronically or by U.S. mail. Please submit your request by U.S. mail to \_\_\_\_\_ or by email to \_\_\_\_\_. The ERR can be accessed online at the following website \_\_\_\_\_\_\_\_\_.*

Accepting Public Comments

If the RE chooses to send the ERR to the public for review via U.S. mail, the RE should allow for flexibilities in the timing of the public comment period. For example, if a copy of the ERR is requested via U.S. mail on day 12 of the 15 day public comment period, the RE should allow enough time for the ERR to be mailed to the recipient and for the recipient to respond with comments. In this case, the RE should establish a timeframe for accepting comments with the person requesting the ERR.

Submitting Objections

Due to TDHCA/HUD staff working remotely, any objections to TDHCA/HUD’s release of funds should now be sent via email during the objection period. REs receiving funding through TDHCA should include TDHCA’s email address in the public notice using the following language:

*Objections must be prepared and submitted via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to* ***TDHCA*** *at* ***environmental@tdhca.state.tx.us******.***  *Potential objectors should contact* ***TDHCA*** *via email to verify the actual last day of the objection period.*

Section 106 Consultation

The Advisory Council on Historic Preservation (ACHP) requests that most communications regarding Section 106 reviews be submitted directly to staff via email or phone – no hard copy mail. HUD reviewers are Anthony Guy Lopez (alopez@achp.gov, 202-517-0220) and Sarah Stokely (sstokely@achp.gov , 202-517-0224). For notification of Adverse Effect, continue to use the e-106 form. Timeframes in 36 CFR 800 remain in effect for ACHP, although the ACHP urges flexibility if SHPOs, THPOs, and Tribes are having trouble meeting 30-day deadlines. ACHP may allow extension of deadlines for SHPO/THPOs that are experiencing office closures or staff reductions due to COVID-19. For the ACHP FAQs on the role of Section 106 in disaster response, view Role of Section 106 in Disaster Response – Frequently Asked Questions.

Should you have any questions regarding these procedures, please contact Jaclyn Leasure, TDHCA Environmental Specialist, at environmental@tdhca.state.tx.us.