



OFFICE OF COMMUNITY PLANNING  
AND DEVELOPMENT

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-7000

June 16, 2023

MEMORANDUM FOR: Jemine A. Bryon, Deputy Assistant Secretary, Office of Special Needs, DN

A handwritten signature in blue ink, appearing to read "Norm Suchar".

FROM: Norm Suchar, Director, Office of Special Needs Assistance Programs, DNS

SUBJECT: Environmental Assessment and Finding of No Significant Impact under the National Environmental Policy Act (NEPA) – Notices of Funding Opportunity for Fiscal Year 2023 Continuum of Care Competition and the Renewal or Replacement of Youth Homeless Demonstration Program Grants (FR-6700-N-25)

It is the finding of this office that the Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2023 Continuum of Care (CoC) Program Competition and the Renewal or Replacement of Youth Homeless Demonstration Program (YHDP) Grants (FR-6700-N25) does not constitute a major Federal action having an individually or cumulatively significant effect on the human environment, and therefore, does not require the preparation of an environmental impact statement.

The purpose of this NOFO is to announce the availability of funds and to provide program information and application instructions for CoC Program projects, including funds for Domestic Violence Bonus projects, and the renewal or replacement of YHDP grants. The CoC Program and YHDP Renewal and Replacement Grants NOFO sets forth the requirements governing grants authorized by subtitle C of Title IV of the McKinney-Vento Homeless Assistance Act, (42 U.S.C. 11381-11389) (the Act). The FY 2023 funds for CoC Program and YHDP Renewal and Replacement Grants were authorized by the Consolidated Appropriations Act, 2023 (Public Law 117-328, approved December 29, 2022), and permits HUD to renew or replace expiring YHDP projects competitively or non-competitively through the CoC Program.

The CoC Program is a competitive program designed to promote a community-wide commitment to the goal of ending homelessness; to provide funding for efforts by nonprofit providers, States, Indian Tribes or tribally designated housing entities, and local governments to quickly re-house persons experiencing homelessness while minimizing the trauma and dislocation caused by homelessness; to promote access to and effective utilization of mainstream programs by persons experiencing homelessness; and to optimize self-sufficiency among those experiencing homelessness. Eligible activities include new construction, rehabilitation, acquisition, rental assistance, leasing, data collection in HMIS, and supportive services.

The goal of YHDP is to support the development and implementation of a coordinated community approach to preventing and ending youth homelessness and sharing that experience with mobilizing communities around the country toward the same end. The population to be served by the demonstration program is youth experiencing homelessness, including unaccompanied and pregnant or parenting youth.

Notwithstanding 24 CFR 578.31 and 24 FR 578.99(a) of the CoC Program regulations, and in accordance with Section 100261(3) of MAP-21 (Pub. L. 112-141, 126 Stat. 405), activities under this NOFO are subject to environmental review by a responsible entity under HUD regulations at 24 CFR part 58 or by HUD under 24 CFR part 50.

Two types of projects are Categorically Excluded from review under the National Environmental Policy Act and not subject to the laws and authorities listed under 24 CFR 58.5 (CENST): All scattered-site projects where program participants choose their own unit and are not restricted to units within a pre-determined specific project site or sites are categorized in 24 CFR 58.35(b)(1) as CENST. This includes both tenant-based rental assistance and tenant-based leasing projects where program participants choose their own unit. An Exempt/CENST environmental review determination addressing the laws and authorities at 24 CFR part 58.6 is only required for each project, not every unit.

For activities under a grant to a recipient other than a state or unit of general local government that generally would be subject to review under 24 CFR part 58, HUD may make a finding in accordance with 24 CFR 58.11(d) and may itself perform the environmental review under the provision of 24 CFR part 50.

Irrespective of whether the responsible entity in accordance with 24 CFR part 58 (or HUD in accordance with 24 CFR part 50) performs the environmental review, the recipient must supply all available, relevant information necessary for the responsible entity (or HUD, if applicable) to perform for each property any required environmental review. The recipient also must carry out mitigating measures required by the responsible entity (or HUD, if applicable) or select alternative property.

The recipient, its project partners, and their contractors may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct property for a project under this NOFO, or commit or expend HUD or non-HUD funds for such eligible activities under this NOFO, until the responsible entity (as defined by 24 CFR 58.2(a)(7)) has completed the environmental review procedures required by 24 CFR part 58 and the environmental certification and Request for Release of Funds (RROF) have been approved or HUD has performed an environmental review under 24 CFR part 50 and the recipient has received HUD approval of the project. HUD will not release grant funds if the recipient or any other party commits grant funds (i.e., incurs any costs or expenditures to be paid or reimbursed with such funds) before the recipient submits and HUD approves its RROF (where such submission is required).

This office finds that issuance of this NOFO for the CoC Program Competitions and the renewal or replacement of YHDP Grants under the CoC Program will not have significant effect on the human environment because, prior to any recipient's commitment of funds for any activities that

would have an environmental impact or limit the choice of reasonable alternatives, an environmental review of these activities under the NEPA and related laws and authorities will be done. Thus, the environmental effects of activities assisted under this NOFO will be taken into account at the appropriate time and environmental impacts will be assessed in the local setting in which they will occur.

Concurrences:

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Omri Gross  
Environmental Clearance Officer  
Office of Community Planning and Development

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Date

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Kristin L. Fontenot  
Director  
Office of Environment and Energy

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Date

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Christopher Hartenau  
Environmental Clearance Officer  
Office of General Counsel

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Date

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Jemine A. Bryon  
Deputy Assistance Secretary  
Office for Special Needs

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Date

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