



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

**MEMORANDUM FOR:** Richard J. Monocchio, Principal Deputy Assistant Secretary  
for Public and Indian Housing, P

**FROM:** Danielle Basterache, Deputy Assistant Secretary  
for Office of Public Housing and Voucher Programs, P

**SUBJECT:** Environmental Assessment and Finding of No Significant Impact  
Under the National Environmental Policy Act (NEPA) for Section  
8 Housing Choice Vouchers: Revised Implementation of the HUD-  
Veterans Affairs Supportive Housing Program (FR-6476-N-01)

It is the finding of this Office that the subject Federal Register Notice does not constitute a major Federal action having an individually or cumulatively significant effect on the physical/human environment and, therefore, does not require the preparation of an environmental impact statement.

This Federal Register Notice updates the policies and procedures for the administration of tenant-based and project-based Section 8 Housing Choice Voucher (HCV) rental assistance under the Department of Housing and Urban Development-Veterans Affairs Supportive Housing (HUD-VASH) program. Significant policy updates include-

- The exclusion of VA disability income for purposes of program eligibility
- A requirement to allow participants up to 80% of Area Median Income for program eligibility
- An allowance for zero-Housing Assistance Payment (HAP) HUD-VASH families to live in PBV units exclusively made available to HUD-VASH families where there are on-site HUD-VASH VA services
- A provision for noncompetitive selection of HUD-VASH PBV projects with units made exclusively available to HUD-VASH families on the site of a VA facility
- Flexibility for PHAs to approve Exception Payment Standards as reasonable accommodations up to 140% of the FMR or SAFMR
- Flexibility for PHAs to set a separate minimum rent (or zero minimum rent) specifically for HUD-VASH families

In addition, the Federal Register Notice revises requirements based on other recent HCV program changes including the Housing Opportunity Through Modernization (HOTMA) final rules (FR-6092-F-03 and FR-6057-F-03).

This Federal Register Notice does not make any changes regarding the requirements for environmental review. Activities under this Notice are subject to the environmental review requirements at 24 CFR 983.56 and 24 CFR 982.626(c) and 982.628(e). Projects and activities will be reviewed by the state or unit of general local government (Responsible Entity) under 24 CFR Part 58, as applicable. If a PHA objects in writing to having the RE perform the Federal environmental review, or if the Responsible Entity declines to perform it, then HUD may perform the review itself under 24 CFR Part 50. Under applicable laws and regulations, PHAs and any participant in the development process, including contractors, are prohibited from undertaking any actions that are choice-limiting or could have environmentally adverse effects, including demolishing, acquiring, rehabilitating, converting, leasing, repairing, or constructing property proposed to be assisted under this Notice or committing or expending HUD or non-HUD funds for such activities, until HUD has approved a Responsible Entity's Request for Release of Funds/Certification after an environmental review has been completed in accordance with 24 CFR Part 58, or HUD has completed an environmental review and given approval for the action under 24 CFR Part 50. The environmental review may result in requirements for mitigation or remedial measures, or a change in the project site. The publication of the HOTMA final rule (89 FR 38224) implemented a statutory provision which provides that a Federal environmental review is not required for the purpose of executing a PBV HAP contract for existing housing projects except where a Federal environmental review is required by law or regulation relating to funding other than PBV housing assistance payments. This provision applies to projects selected using the site selection standards applicable upon the effective date of the final rule (June 6, 2024).

This Office finds that issuance of this Federal Register Notice will not have a significant effect on the human environment because before actions that could have a physical impact or limit the choice of alternatives may be taken, there will be an environmental review done under 24 CFR Part 50 (by HUD) or 24 CFR Part 58 (by a responsible entity) that will assess the potential environmental impacts in the local setting before the impacts or any choice limiting activities may take place.

Concurrences:

Justin Gray  
PIH Environmental Clearance Officer  
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Kristin L. Fontenot  
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Approval:

Richard J. Monocchio  
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