



Re-Evaluation of Environmental Assessments

24 CFR 58.47

A re-evaluation under 24 C.F.R. 58.47(a) is required for a HUD-assisted project when a Responsible Entity (RE) identifies a change in project description or scope or in environmental conditions. The RE must determine if any of the following conditions apply:

Substantial Change

The RE proposes substantial changes in the nature, magnitude or extent of the project, including adding new activities not anticipated in the original scope of the project.

New Circumstances or Environmental Conditions

There are new circumstances and environmental conditions which may affect the project or have a bearing on its impact, such as concealed or unexpected conditions discovered during the implementation of the project or activity which is proposed to be continued.

Selection of a New Alternative

The RE proposes an alternative that was not evaluated in the original environmental finding.

When an RE modifies a project scope or when environmental conditions change after receiving an Authority to Use Grant Funds (AUGF) or after environmental review clearance is completed, the RE must assess whether the change triggers any of the criteria above. Processing amendments to a GLO contract due to a scope change is independent of the HUD Part 58 requirements, and a re-evaluation can run concurrently with the amendment process with GLO Grant Management. The commitment of HUD or non-HUD funds to a scope change without considering a re-evaluation can lead the RE to commit a choice-limiting action (24 C.F.R. 58.22), potentially making the project ineligible or requiring repayment of federal funds.

A re-evaluation from the RE, also known as a Letter of Re-Evaluation (LRE), should identify the proposed change(s), assess whether the change affects the original Finding of No Significant Impact (FONSI), if applicable, and all environmental determinations, and reaffirm whether the original findings remain valid. If an original review is more than five but less than ten years old and the project is already in progress, a reevaluation may be appropriate to update the review.

If the RE concludes that the original findings are no longer valid after review of the 3 criteria referenced above, a **new** environmental review must be completed. If the findings remain valid, no additional action is required.

A memo stating that no re-evaluation is required is appropriate and sufficient documentation if an RE determines that none of the criteria in 58.47(a) are met. The responsible entity would document in a memo to the file that a re-evaluation is not required. This memo should briefly explain the change in scope and the basis for determining that a re-evaluation is not required.

Documentation Process: The RE must upload these documents as a separate shell (new environmental review) in the Texas Integrated Grant Reporting (TIGR) portal. Both LRE and a memo of no re-evaluation will be uploaded under a new “re-evaluation” shell rather than under the original environmental review shell.

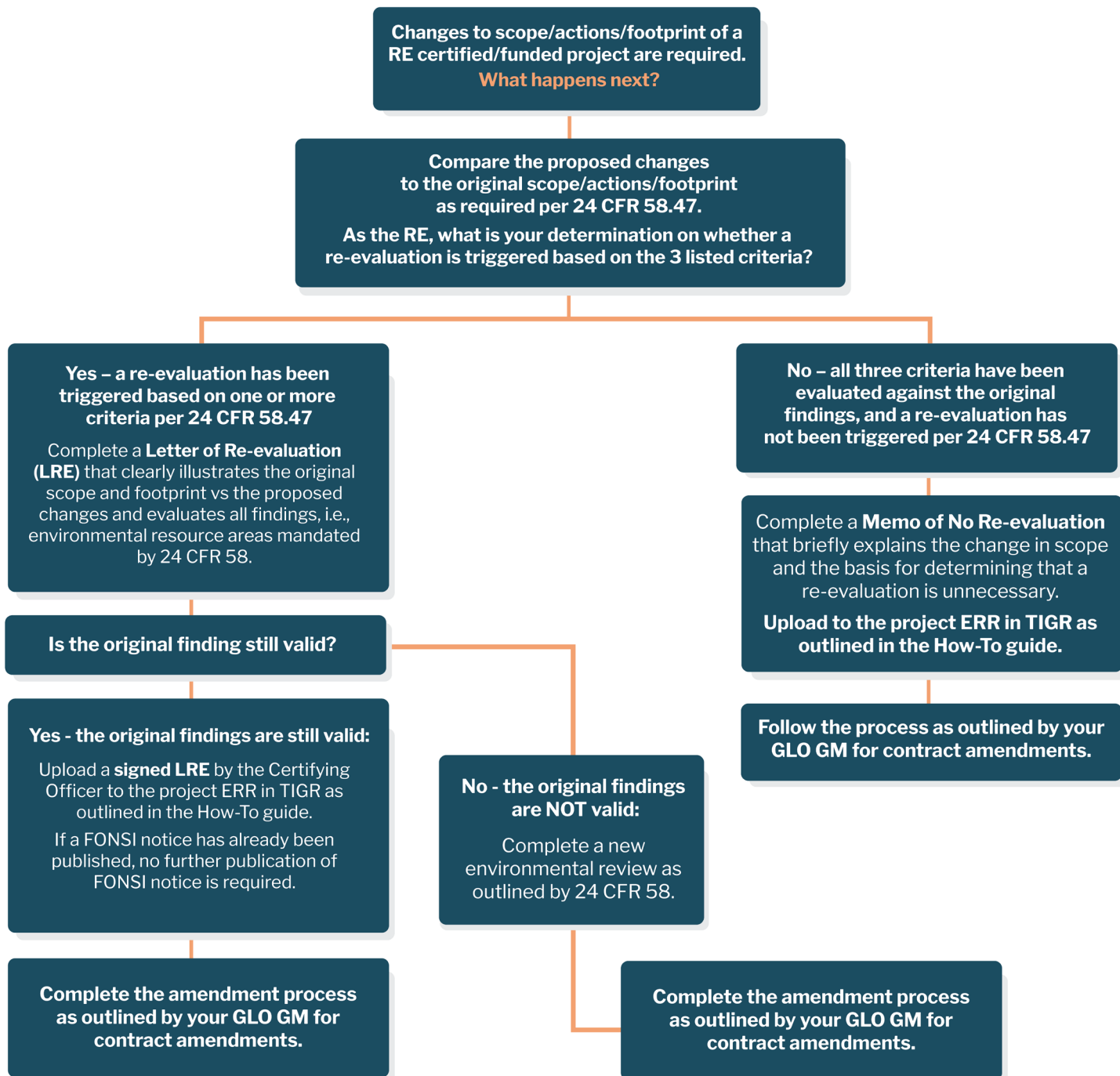
GLO Environmental Oversight (EO) receives a TIGR email notification of the uploaded LRE or memo of no re-evaluation.

If the LRE or memo of no re-evaluation has been completed, signed, and dated, EO will send an acknowledgment email instructing the subrecipient that they may proceed with committing funds. The email will be sent from TIGR to the RE, with the GLO Grant Manager (GM) copied.

Please note that the Texas General Land Office (GLO) does not approve re-evaluations or memos of no re-evaluations. For additional information, please contact us at env.reviews@recovery.texas.gov.



Environmental Oversight Re-Evaluation Flowchart





Environmental Oversight Re-Evaluation Table

	Memo of No Re-Evaluation	Letters of Re-Evaluation	A Completely New Environmental Review
Changes to the project scope	No substantial change in the extent, magnitude, or nature of the project.	Substantial change proposed or when environmental conditions change.	The project changes to something entirely new or a different level of review is now triggered.
Impact or findings	Same findings, and no changes to the original data or conditions.	Same findings, but changes to the original data or conditions used to making those determinations.	Findings have changed, where potentially significant impacts need to be evaluated.
Project site	Minor changes to project scope, where no environmental concerns were present.	Changes to the footprint of the new project, new ground disturbance, or environmental concerns.	The project is being proposed in a different location.
Age of the ERR	ERR is less than 5 years old.	ERR is up to 10 years old (when the project is in progress and the description is clear and finite).	ERR is over 10 years old Or if the ERR is 5-10 years old but the project has not started or the description was not clear or finite.