



**State of Texas  
Office of the Governor  
Homeland Security Grants Division**

## **Environmental and Historic Preservation (EHP) FAQ's**

**Question:** Why does a grant project need an Environmental and Historic Preservation (EHP) review?

**Answer:** Actions proposed by a federal agency are subject to an environmental planning, compliance, and review process required by the National Environmental Policy Act (NEPA) of 1969. As a federal entity, the Grant Programs Directorate (GPD) within the Federal Emergency Management Agency (FEMA) is responsible for integrating NEPA and other laws, regulations, and Executive Orders (EOs) into the EHP review process. By accepting federal funds, grantees accept the responsibility of complying with NEPA and other laws, regulations, and EOs, as required by GPD. As part of this responsibility, sub-grantees must participate in the GPD EHP review process by providing information necessary to complete an EHP review.

**Question:** When should a sub-grantee begin planning for an EHP review process?

**Answer:** Planning for an EHP review process should start in the pre-project phase. Planning early and gathering all necessary information in advance can expedite the EHP review process.

**Question:** Can work begin on a project during the EHP review process?

**Answer:** No. The EHP review process must be completed and an official approval notification must be received before projects may be implemented.

**Question:** What is an EHP review packet and what is needed to complete it?

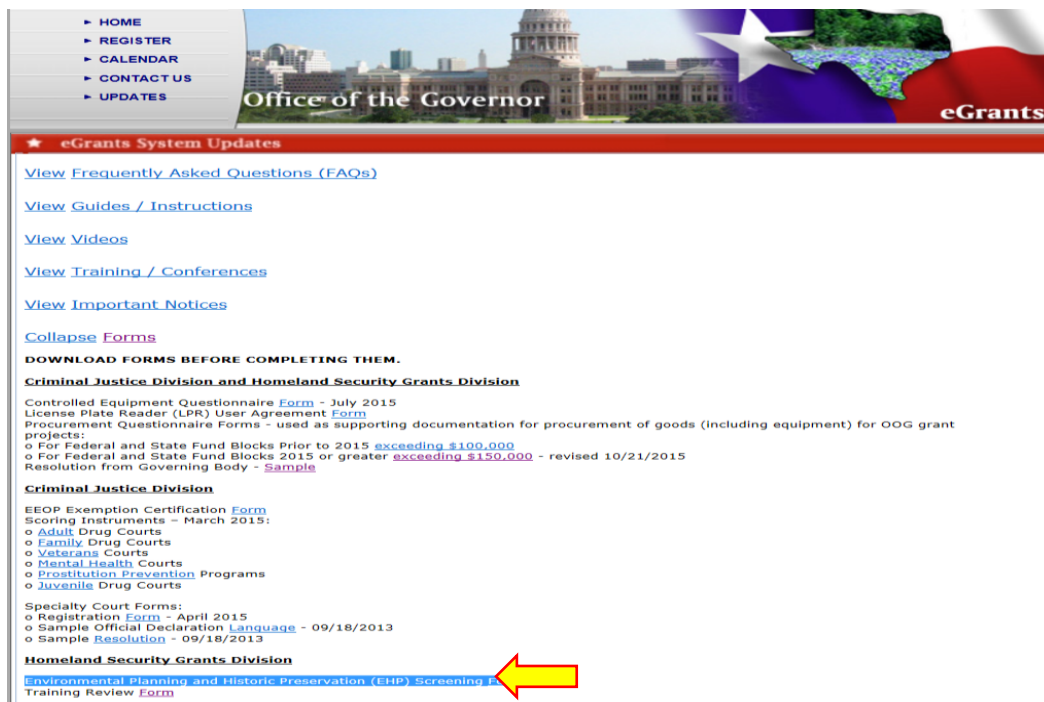
**Answer:** An EHP review packet is a compilation of all of the relevant EHP information and documentation that is necessary for GPD to conduct a complete EHP review of a project. An EHP review packet contains:

- A detailed project description;
- Dimensions/acreage/square footage of the proposed structure and/or land area affected by the project;
- Communication tower height and type (i.e., guyed, lattice, monopole);
- Clear, color photographs of the area affected;
- Aerial photographs of the project vicinity;
- Detailed description of ground disturbance caused by the project;
- Description of special equipment used, and staging areas, etc.;
- Age (year built) of the structure or building occupied, used, or to be modified.

Note that GPD has also developed an Environmental and Historic Preservation Screening Form as a tool to assist grantees in supplying the necessary information for a complete EHP review packet.

**Question:** Where do I find a copy of the EHP Screening Form?

**Answer:** The EHP Screening Form may be downloaded from the eGrants system by going to the Forms link located under “Updates” on the eGrants home page.

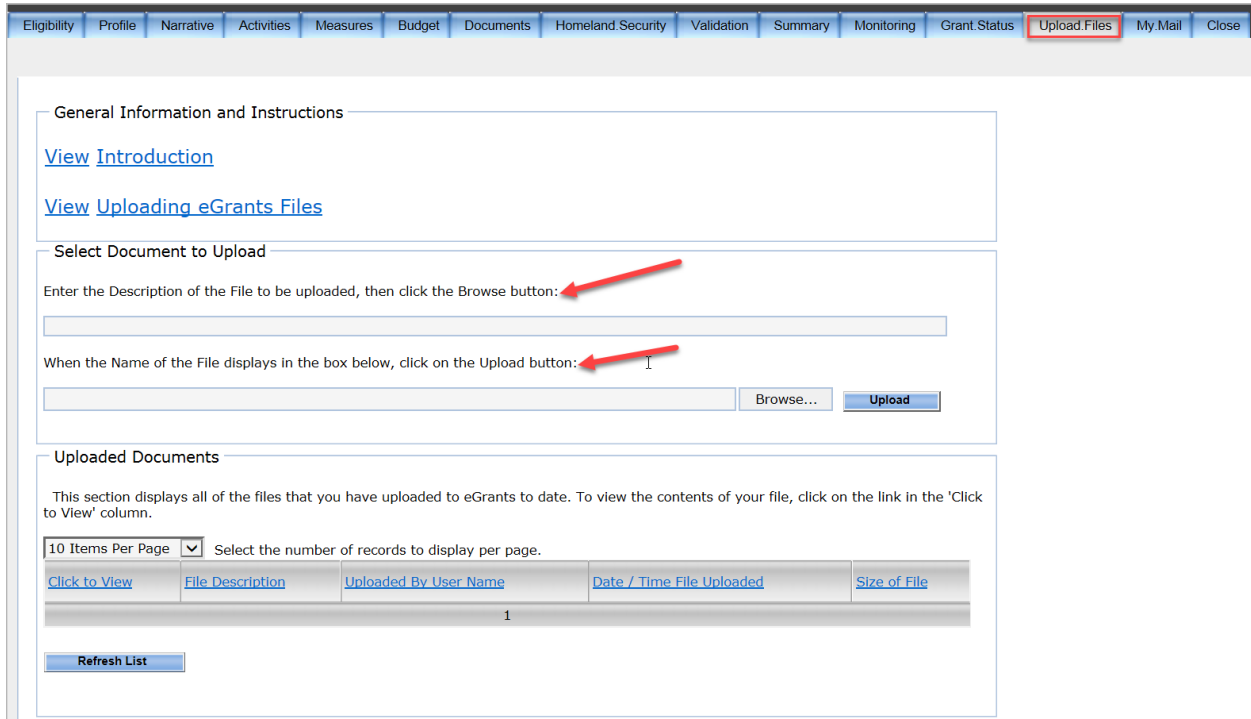


**Question:** How do sub-grantees submit EHP Screening Forms for review?

**Answer:** Sub-grantees must upload their completed EHP Screening Form(s) into the eGrants system. To upload a file you must open the grant for which the EHP screening form is needed and select the “Upload.Files” tab.

In the “Description” section please give a description of what kind of EHP document is being uploaded (i.e. EHP- Screening form; EHP- Site Photos; EHP- Letter of Response).

Please name the file using the following format: EHP\_\*site description\*. pdf (i.e. EHP\_DeWeese Stadium Bollards.pdf).



**Question:** For an EHP review, what project description information is needed?

**Answer:** The project description should include the following components:

- What the project involves,
- The dimensions of any proposed structures,
- What, how, and where equipment is being installed,
- Where the project is proposed to take place,
- The basic steps required to complete the project, and
- The project’s goals and how those goals are proposed to be accomplished.

**Question:** What is the definition of a Type A project and who approves them?

**Answer:** Type A projects are projects that have undergone an initial screening by the federal Program Analysts (PA) and have been determined to have no impact to EHP resources (e.g., classroom training). Type A projects are approved by the PA, and do not require review by the GPD EHP team or the Regional Environmental Officer (REO). For Type A projects, the PA notifies HSGD of the EHP approval, and then HSGD notifies the sub-grantee.

**Question:** What is the definition of a Type B project, and who approves them?

**Answer:** Type B projects are projects that have been screened by the PA, and forwarded to the GPD EHP team for further review. Type B projects meet the following criteria:

- No new ground disturbance
- No new construction
- Proposed work is confined to the existing footprint
- No historic properties are present in the project vicinity
- No use of chemical/biological agents, explosives, fire, or other hazardous materials that could impact the environment

**Question:** What is the definition of a Type C project and who oversees those reviews?

**Answer:** Type C projects have the greatest potential to impact the environment and includes projects that involve new construction, installation of equipment in an area of potential effect, modification of buildings or structures 50 years old or older, and the installation of communication towers. Type C projects are entered into FEMA's Environmental Management Information System (EMIS), sent to the appropriate REO for analysis, and final approval.

**Question:** Do Type B projects require photographs too?

**Answer:** Yes, Type B projects require color photographs that clearly indicate where the installation of equipment will occur (e.g., fencing, bollards, cameras, motion detectors, card readers, generators, etc.). Photos can be helpful in placing the project into context by showing whether there are any nearby historic buildings, floodplains, or potential for new ground disturbance

**Question:** What is the timeline for an EHP review and when can I anticipate a compliance determination for my project?

**Answer:** EHP review times will vary based on the complexity of the project, the resources affected, and the amount of information that was initially provided by the grantee. If the level of documentation required is relatively simple, then the total review time from receipt of a complete EHP review packet may still take up to 45 business days. If the project in question is more complex and/or requires further EHP review (e.g., an Environmental Assessment (EA) or an Environmental Impact Statement (EIS)), then the time to complete the appropriate documentation is likely to be longer, and may take up to a year or more to complete.

**Question:** What is the role of Regional Environmental Officers (REO)?

**Answer:** REOs are environmental and historic preservation specialists based in each of the ten FEMA regions. They are responsible for reviewing projects with the potential to adversely affect the human environment, referred to as “Type C” projects. REOs are also responsible for working closely with grantees and the GPD EHP team for those projects that require an increased level of analysis to determine the impacts to the human environment.

**Question:** What is a Programmatic Environmental Assessment and what effect does it have on the EHP process?

**Answer:** The Programmatic Environmental Assessment (PEA) details the expected environmental impacts associated with the implementation of the programs funded by FEMA’s Grant Programs Directorate. The PEA defines project types for which no environmental impacts are expected; these projects (e.g.: portable equipment, PPE, vehicles) do not require additional NEPA documentation.

**Question:** What is considered “ground disturbance” for a project?

**Answer:** Ground disturbance is anything that generally breaks ground or changes the condition of the ground’s surface (i.e., installation of a concrete pad or a guard shack). Some examples of ground disturbing activities include the installation of fence posts for perimeter fencing and trenching for utility lines. Additionally, some training activities could involve ground disturbance. Any training which involves vehicles or equipment moving over an area, heavy foot traffic, holes or ruts being created, explosive ordinance, and/or any other activity which could change the condition of the ground would be considered ground disturbance.

**Question:** Do we still need to submit an EHP Review packet if training is all classroom training?

**Answer:** Classroom, web-based training, conferences, and workshops conducted within closed facilities are classified as a Type A projects. Classroom training activities WOULD NOT require a formal EHP review, and EHP documentation would not need to be submitted to GPD. The exception to this, as stated in FEMA Information Bulletin 345, would be if the training will involve Explosives, Chemicals or Fire.

**Question:** Are buildings over 50 years automatically deemed a "historical building?"

**Answer:** Buildings or structures that are 50 years old or older are potentially eligible for listing under the National Historic Preservation Act. All buildings over 50 years of age must undergo an EHP review to determine whether: a) the building/structure is historic and b) the proposed action would impose adverse impacts that alter the character of that building/structure.

**Question:** If the asset is over 50 years old and it is a Dam or a water treatment plant is the EHP still required?

**Answer:** Yes. EHP is required for any structure that is over 50 years of age to determine whether: a) the building/structure is historic and b) the proposed action would impose significant impacts that alter the character of that building/structure.

**\*NEW- Question:** If a grantee was given EHP approval for the installation of a piece of equipment, and that piece of equipment breaks or is damaged, would the replacement of that piece of equipment be covered under the original EHP approval if it is being replaced with an identical "one to one" piece of equipment to the original? What if an identical piece of equipment is unavailable, and the new equipment would be very similar?

**Answer:** Repairs or replacement of component parts of security/communication equipment purchased with FEMA funds and already reviewed by FEMA under EHP laws, do not need additional EHP review. The exact make or model of parts or components does not matter in this regard, as long as those parts or components **do not require new installation into a building**

or structure and are of the same size and dimension of the part or component of equipment that is being repaired or upgraded.

However, an entire new “system,” for instance the replacement of a collection of security cameras or lights that were functionally integrated, would need EHP review.

The Office of the Governor (OOG) views drilling new holes and/or installing new brackets or other hardware onto a building or structure to accommodate the replacement as “New Installation”, and as such the project would require a new EHP. Additionally, any replacement of equipment that would change the physical dimensions or footprint of the system in question, would also require a new EHP.

**\*NEW- Question:** Are there any exceptions for plug-in equipment? In regards to “plug in” replacements does this exception (FP 108-023-1), apply to replacements of equipment that happen outside of a console, rack, siren, camera, or radio?

**Answer:** “Plug in” equipment does not need to be in a rack, console, etc. “Plug in” equipment is not installed (physically attached on to or into a building or structure, by fasteners or other means other than a “plug.”). A “plug” means inserting an electric cord and plug into a wall socket, a power cord attached to a computer, or a component of equipment that is “pulled out and/or plugged in.”

The position of OOG is that “plug in” equipment is equipment that plugs into a socket by means of a cord. This equipment should be such that it can be “pulled out and/or plugged in” to a system, wall, and/or rack, **without any further modifications to the building, structure, or environment, required for installation.**

“Plug in” equipment and the replacement and/or repair of “plug in” equipment, would not require an EHP screening form, since the **“plug in” items are not permanently fixed and do not require “installation.”**

**\*NEW- Question:** What is FEMA’s definition of routine maintenance, and does it require an EHP?

**Answer:** There is no specific definition of routine maintenance. Where routine maintenance is referred to, it is used as a proxy for upkeep. FEMA anticipates that HSGP funds, where allowable, allocable, reasonable and necessary, will be used to maintain and sustain previously funded equipment and systems.

The position of OOG is that routine maintenance that is allowable, allocable, reasonable, and necessary will be allowed without a new EHP review. To determine if maintenance within a project needs a new EHP Screening Form, the OOG will need very detailed information regarding maintenance activities. In cases where the applicant does not provide OOG enough information, the grantee will need to go through the EHP process.

**Question:** If a piece of equipment is added to a tower that was federally grant funded in a previous year, but the new equipment and installation of the new equipment will not be federally funded, then does the installation of the new equipment need an EHP screening/ review?

**Answer:** There is no FEMA requirement that requires activities that are not federally funded, to be reviewed for EHP implications.

However, HSGD does have a previous response from FEMA indicating projects should not split into individual components to limit what is included in EHP screening / review. When a new project is undertaken, and initial plans include multiple components, the sub-recipient should submit the entire project for review, not just the specific federal component. Below is language from FEMA on the topic:

*“Connected actions” is a complex concept, in the simplest terms it means that the environmental impacts of entire project must be considered, even if only one part is being funded by FEMA. In this case if FEMA is funding the radio and the antenna that will be installed on a new site, then construction of the site, the fences, the communications shelter that will hold the radio, and the tower or mast that will support the antenna, are all connected actions.*

**Question:** How can I get help on the EHP Review Process?

**Answer:** Your assigned HSGD Grant Manger is available and can provide training and technical assistance to help you: a) answer questions regarding the EHP screening form, b) comply with EHP requirements, and c) understand the review process.