

NEW YORK STATE HOUSING TRUST FUND  
HOME PROGRAM

PROGRAMMATIC ENVIRONMENTAL REVIEW RECORD  
FOR LOCAL PROGRAM ADMINISTRATOR (LPA) PROGRAMS

PROGRAM NAME: ACRHA HOME Repair Program

SHARS NUMBER: 20133126

PROGRAM SPONSOR: Albany County Rural Housing Alliance, Inc.

PRIMARY CONTACT: Judith A. Eisgruber, Executive Director  
(NAME AND TITLE)

ADDRESS: P. O. Box 407  
  
24 Martin Road  
Voorheesville, NY 12186

TELEPHONE: 518-765-2425 (x2588)

FAX: 518-765-9014

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RESPONSIBLE ENTITY: New York State Housing Trust Fund Corporation

CERTIFYING OFFICER: Director, Environmental Analysis Unit

PROGRAM LOCATION (OR TARGET AREA): Albany County (City of Albany Excluded)

1.0 PROGRAM ACTIVITIES *(Provide a complete description of the program. Include whether sites selected for the program may require a zone change, special use permit or subdivision approval and the number of units to be provided. Also determine any site disturbance will occur, including digging utility trenches and installing or improving wells or septic systems).*

This program is for the moderate rehabilitation for 12 single family owner occupied properties. Average expenditure of HOME funds for repair costs per unit will be approximately \$25,000.00. Repairs may include roofs, furnace replacement, septic system repairs (repairs to pre-existing systems with ground disturbance on previously disturbed ground), electrical and plumbing. All 12 of these sites should not require a zone change, special use permit or subdivision approval. The total estimated cost per unit for repair and administrative costs, if all other funding sources are included, will be approximately \$48,831.

ESTIMATED TOTAL PROJECT COSTS: \$585,968

HTFC HOME AWARD AMOUNT: \$300,000

2.0 PROGRAM CLASSIFICATION - NEPA (Check one)

- 2.1 – Exempt
- 2.2 – Categorically Excluded - subject only to regulations at 58.6
- 2.3 – Categorically Excluded - subject to 24 CFR 58.5 and 58.6
- 2.4 - Environmental Assessment Required

3.0 PROGRAM CLASSIFICATION - SEQR (Check one)

- 3.1 - Type II action.
- 3.2 - Unlisted action (*Contact HTFC environmental staff for further guidance*).

4.0 REGULATORY COMPLIANCE DOCUMENTATION

4.1 PROCEDURES TO COMPLY WITH RELATED LAWS AT 24 CFR 58.6  
(Use additional pages if necessary)

Flood Insurance Rate Maps (FIRM) for each property will be checked and if the property appears to be in a flood hazard area. A consultation with the Code Enforcement Officer will take place for verification/determination if there is uncertainty if a site is within a floodzone or not.

No funds will be used in the regulatory floodway.

4.2 PROCEDURES TO COMPLY WITH RELATED LAWS AT 24 CFR 58.5  
(Use additional pages if necessary)

Historic Properties - For properties with site disturbance or if property is more than 50 years old is being rehabilitated, a Building Structure Inventory Form will be submitted to State Historic Preservation Office (SHPO) to determine historic significance. If a project will include ground disturbance, the LPA will consult with the Tribal Historic Preservation Officer (THPO).

Floodplain Management - All sites will be reviewed for their location on Flood Insurance Rate Maps (FIRM) at:  
<https://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1>

No sites within a floodway will be chosen. If a site is located outside of the 100-year floodplain, no further action is required. If a site is within the 100-year-floodplain, the Floodplain Management Worksheet will be completed (Appendix J of the NYSHCR HOME LPA Manual).

If the project does not constitute “substantial improvement,” no further action is needed. If it does, EAU must be contacted for further instruction.

**Wetland Protection** - If a project requires intrusive work, even on previously disturbed land, maps of jurisdictional wetlands will be reviewed for these projects. If it is suspected that the potential presence of wetlands in the areas are to be disturbed, one of two actions may be taken: 1) a formal jurisdictional review will be requested from ACOE, DEC or local authority depending on which type of wetland is in close proximity, 2) a qualified biologist will be consulted to determine if a formal on-site wetlands investigation or delineation is required. If the site is located on or in proximity to wetlands, the relevant regulator will be consulted and all necessary permits be obtained prior to construction activities after completing the Executive Order 11990 8-Step review process. If a site is located in any State associated buffers, the NYSDEC will be consulted and all necessary permits will be obtained.

**Coastal Zone Management** - The target area contains NYS Coastal Zones according to the NYS Coastal Zone Atlas (attached). NYS Coastal Atlas will be checked for each site and if the site is within the regulated coastal zone, the local municipality will be contacted to determine if project sites are within the boundaries of a Local Waterfront Revitalization Program and whether this will impact the project. Also, for projects in the coastal zone, the EAU will be consulted and coordination of a submission of the project to New York State Department of State (DOS) prior to completion of the Tier 2 checklist for that site.

**Wild and Scenic Rivers** - The following state and/or federal Wild, Scenic and Recreational rivers (WSRR) are located within the target area: Catskill Creek, Hunger Kill/Norman Kill, Kaikout Kill, and Kayaderoseros Creek. All sites will be reviewed to determine their location with regard to the WSRRs. No Program activities should impact the WSRR, but EAU and/or NYSDEC will be contacted with regards to any site within 100 feet of a WSRR to determine any permitting requirements.

**Noise Abatement and Control** - The HUD Noise requirement at 24 CFR 51 must be complied with for all substantial rehabilitation projects. For each site a statement will be submitted that the project constitutes moderate rehabilitation of the necessary noise assessment documents.

To demonstrate moderate rehabilitation, there will be a review of the scope of work and value of the home using the Flood Management Worksheet in Appendix J of the HOME LPA Manual and attach it to each Tier 2.

For substantial rehabilitation projects where the site is located within 3,000 feet of an active railroad line, 15 miles of a major commercial or military airport, or 1,000 feet of a four-lane highway, a noise assessment worksheet will be prepared. The noise worksheets will be submitted to EAU for further assessment. If the noise level is determined to be over 65dB, noise mitigation will be required and if the noise level is over 75dB the site will normally not be acceptable for HOME funding.

**Runway Clear Zones (development)** - The following civil or military airports exist within the target area: Albany International (KALB). All sites will be reviewed for their location with

regard to the airport. If a site exists within a runway clear zone, the site will be excluded from the Program.

HUD Environmental Standards - Each site will be reviewed by an environmental professional including a site visit, to determine that the site is not located on or near ant hazardous materials or contamination. The site visit report will include a signed certification statement, that : “I, (Name, Title), certify that I am a qualified environmental professional as per ASTM 1527.”

Environmental Justice - According to NYSDEC mapping at <http://www.dec.ny.gov/public/899.html>, the target area includes potential environmental justice areas. The Program is intended to serve an existing need for rehabilitation of affordable housing and is not expected to facilitate development which would result in adverse environmental justice impacts. The program activities are consistent with the objectives of Executive Order 12898.

Asbestos and Lead-Based Paint (LBP) - Regarding asbestos containing materials (ACM), all project work will comply with NYS Department of Labor Part 56 requirements including the need for surveys and clearance reports, as required. A contractor will be involved in the project construction and will be instructed regarding the need for compliance with Part 56.

Regarding lead-based paint (LBP), in homes constructed prior to 1978, all work will be conducted according to the HUD “Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing” and the EPA Renovation, Repair and Painting Rule (RRP rule).

All ACM and LBP must be properly disposed of at a properly licensed facility.

The LPA must maintain all compliance documentation for potential audit by EAU.

5.0 ENVIRONMENTAL ASSESSMENT *(This section to be completed only for programs which require an EA according to Section 2.4).*

Not Applicable.

5.1 MITIGATION MEASURES NEEDED *(This section to be completed only for programs which require an EA according to Section 2.4).*

Not Applicable

5.2 ALTERNATIVES TO THE PROPOSED ACTION *(This section to be completed only for programs which require an EA according to Section 2.4).*

*No Action:*

Not Applicable.

*Other alternatives:*

Not Applicable.

*Preferred alternative:*

Not Applicable.

5.3 ENVIRONMENTAL FINDING: *(This section to be completed only for programs which require an EA according to Section 2.4 - Check one)*

Finding of No Significant Impact (FONSI)

Finding of Significant Impact (FOSI)

6.0 PUBLIC NOTICES (Check one)

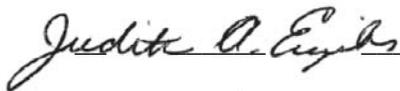
6.1 No public notice is required in connection with this program (for program classifications 2.1 and 2.2, above).

6.2 A Notice of Intent to Request Release of Funds (NOIRROF) will be published and distributed in connection with this program *(for program classification 2.3, above)*.

6.3 A combined Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (NOIRROF) will be published and distributed in connection with this program *(for program classification 2.4, above)*.

Prepared by: Cashin Associates, P.C.

Signature:



Date:

April 1, 2015

ERR ATTACHMENT 2.1  
EXEMPT ACTIVITIES (24 CFR 58.34, you may check more than one)

- Environmental and other studies, resource identification and development of plans and strategies [58.34(a)(1)].
- Information and financial services [58.34(a)(2)].
- Administration and management activities [58.34(a)(3)].
- Public services that will not have a physical impact or result in physical changes, such as services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs [58.34(a)(4)].
- Inspections and testing of properties for hazards or defects [58.34(a)(5)].
- Purchase of insurance [58.34(a)(6)].
- Purchase of tools [58.34(a)(7)].
- Engineering or design costs [58.34(a)(8)].
- Technical assistance and training [58.34(a)(9)].
- Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair or restoration activities necessary only to control or arrest the effects from physical disasters, imminent threats or physical deterioration [58.34(a)(10)].
- Payment of principal and interest on loans made or obligations guaranteed by HUD [58.34(a)(11)].
- Any of the categorical exclusions listed in 58.35(a), provided that there are no circumstances which require compliance with any other federal laws and authorities cited in 58.5 [58.34(a)(12)].

ERR ATTACHMENT 2.2  
CATEGORICALLY EXCLUDED ACTIVITIES [58.35(b)]

*Activities in this section require compliance with related laws and authorities at 58.6, but not 58.5. \* you may check more than one.*

- Tenant-based rental assistance [58.35(b)(1)].
- Supportive services including, but not limited to health care, housing services, permanent housing placement, day care, nutritional services, short-term payments for rent/mortgage/utility costs, and assistance in gaining access to local, state and federal government benefits and services [58.35(b)(2)].
- Operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment and other incidental costs [58.35(b)(3)].
- Economic development activities, including but not limited to, equipment purchase, inventory financing, interest subsidy, operating expenses and similar costs not associated with construction or expansion of existing operations [58.35(b)(4)].
- Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction\*\*, including closing costs and down payment assistance, interest buydowns, and similar activities that result in the transfer of title [58.35(b)(5)].
- Affordable housing pre-development costs including legal, consulting, developer and other costs related to obtaining site options, project financing, administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact [58.35(b)(6)].
- Approval of supplemental assistance (including insurance or guarantee) to a project previously approved under this part, if the approval is made by the same responsible entity that conducted the environmental review on the original project and re-evaluation of the environmental findings is not required under Sec. 58.47 [58.35(b)(7)].

\* If a responsible entity determines that an activity or project identified above, because of extraordinary circumstances or conditions at or affecting the location of the activity or project, may have a significant environmental effect, an environmental assessment must be prepared and a determination of significance made.

\*\* **This exclusion applies only to financial assistance for purchase of existing for-sale homes or homes under construction. Homebuyer assistance for units not already under construction is classified as Categorically Excluded according to Section 2.3 of the ERR form, or an activity requiring Environmental Assessment according to Section 2.4 of the ERR form. In all cases, for this exclusion to apply, the prospective buyer must have discretion regarding selection of properties within the target area.**

ERR ATTACHMENT 2.3  
CATEGORICALLY EXCLUDED ACTIVITIES [58.35(a)]

*Activities in this section require compliance with related laws and authorities at 58.5 and 58.6, you may check more than one.*

- Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent. Examples of this type of activity include replacement of water and sewer lines, reconstruction of curbs and sidewalks, street repaving [58.35(a)(1)].
- Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons [58.35(a)(2)].
- Rehabilitation of buildings and improvements for residential use (with one to four units), where the density is not increased beyond four units, the land use is not changed, and the footprint of the building is not increased in a floodplain or in a wetland [58.35(a)(3)(i)].
- Rehabilitation of multifamily residential buildings (with five or more units), when the following conditions are met: a) unit density is not changed more than 20 percent, b) the project does not involve changes in land use from residential to non-residential, and c) the estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation [58.35(a)(3)(ii)].
- Rehabilitation of non-residential structures, including commercial, industrial, and public buildings when the following conditions are met: a) the facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent, and b) the activity does not involve a change in land use, such as from non-residential to residential, or from one industrial use to another [58.35(a)(3)(iii)].
- An individual action on up to four dwelling units (not including rehabilitation - see 58.35(a)(3)(i) above) where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between [58.35(a)(4)(i)].
- An individual action on a project of five or more housing units (not including rehabilitation - see 58.35(a)(3)(i) above) developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site [58.35(a)(4)(ii)].
- Acquisition or disposition of an existing structure or acquisition of vacant land provided that the structure or land acquired or disposed will be retained for the same use [58.35(a)(5)].
- Any combination of the above activities [58.35(a)(6)].

## Statutory Checklist – PROGRAMMATIC REVIEW

SHARS No: 20133126  
 LPA Name: Albany County Rural Housing Alliance, Inc.  
 Program Name: ACRHA HOME Repair Program

\*A - Not Applicable to this Project  
 B - Consultation, Permit and/or Mitigation Required.

Area of Statutory -Regulatory Compliance	A*	B	Provide compliance documentation
			Additional material may be attached.
<b>Section 4.1</b>			
Flood Disaster Protection Act of 1973	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Flood Insurance Rate Maps (FIRM) for each property will be checked and if the property appears to be in a flood hazard area. A consultation with the Code Enforcement Officer will take place for verification/determination if there is uncertainty if a site is within a floodzone or not.  No funds will be used in the regulatory floodway.
Coastal Barrier Resources Act	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Tier 2 review is required because the project area is located in an area where the Coastal Barrier Resource Areas are nonexistent.
Runway Clear Zones (development)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Tier 2 review is required since this program is for rehabilitation only - no purchase assistance.
<b>Section 4.2</b>			
Historic Properties	<input type="checkbox"/>	<input checked="" type="checkbox"/>	For properties with site disturbance or if property is more than 50 years old is being rehabilitated, a Building Structure Inventory Form will be submitted to State Historic Preservation Office (SHPO) to determine historic significance. If a project will include ground disturbance, the LPA will consult with the Tribal Historic Preservation Officer (THPO).

Floodplain Management	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>All sites will be reviewed for their location on Flood Insurance Rate Maps (FIRM) at: <a href="https://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&amp;catalogId=10001&amp;langId=-1">https://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&amp;catalogId=10001&amp;langId=-1</a></p> <p>No sites within a floodway will be chosen. If a site is located outside of the 100-year floodplain, no further action is required. If a site is within the 100-year-floodplain, the Floodplain Management Worksheet will be completed (Appendix J of the NYSHCR HOME LPA Manual). If the project does not constitute “substantial improvement,” no further action is needed. If it does, EAU must be contacted for further instruction.</p>
Wetland Protection	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>If a project requires intrusive work, even on previously disturbed land, maps of jurisdictional wetlands will be reviewed for these projects. If it is suspected that the potential presence of wetlands in the areas are to be disturbed, one of two actions may be taken: 1) a formal jurisdictional review will be requested from ACOE, DEC or local authority depending on which type of wetland is in close proximity, 2) a qualified biologist will be consulted to determine if a formal on-site wetlands investigation or delineation is required. If the site is located on or in proximity to wetlands, the relevant regulator will be consulted and all necessary permits be obtained prior to construction activities after completing the Executive Order 11990 8-Step review process. If a site locates in any State associated buffers, the NYSDEC will be consulted and all necessary permits will be obtained.</p>
Coastal Zone Management	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The target area contains NYS Coastal Zones according to the NYS Coastal Zone Atlas (attached). NYS Coastal Atlas will be checked for each site and if the site is within the regulated coastal zone, the local municipality will be contacted to determine if project sites are within the boundaries of a Local Waterfront Revitalization Program and whether this will impact the project. Also, for projects in the coastal zone, the EAU will be consulted and coordination of a submission of the project to New York State Department of State (DOS) prior to completion of the Tier 2 checklist for that site.</p>
Sole Source Aquifers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The target area contains the Schenectady-Niskayuna SAA (attached). No Tier 2 review is required since this program is excluded as it is a rehabilitation of residential units project and is Not Applicable.</p>
Endangered Species	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The Program does not allow for ground disturbance of previously undisturbed ground. No Tier 2 review required.</p>

Wild and Scenic Rivers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The following state and/or federal Wild, Scenic and Recreational rivers (WSRR) are located within the target area: Catskill Creek, Hunger Kill/Norman Kill, Kaikout Kill, and Kayaderosseros Creek. All sites will be reviewed to determine their location with regard to the WSRRs. No Program activities should impact the WSRR, but EAU and/or NYSDEC will be contacted with regards to any site within 100 feet of a WSRR to determine any permitting requirements.
Air Quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The Program is for rehabilitation of residential units, a categorically excluded activity. The proposed project work is not of a size of scope that contributes to air pollution or is expected to violate the State Implementation Plan (SIP). No Tier 2 review required.
Farmlands Protection	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A Tier 2 review is not required because this program will not involve any activities with potential to convert farmland to nonagricultural use.
Noise Abatement and Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The HUD Noise requirement at 24 CFR 51 must be complied with for all substantial rehabilitation projects. For each site a statement will be submitted that the project constitutes moderate rehabilitation of the necessary noise assessment documents.</p> <p>To demonstrate moderate rehabilitation, there will be a review of the scope of work and value of the home using the Flood Management Worksheet in Appendix J of the HOME LPA Manual and attach it to each Tier 2.</p> <p>For substantial rehabilitation projects where the site is located within 3,000 feet of an active railroad line, 15 miles of a major commercial or military airport, or 1,000 feet of a four-lane highway, a noise assessment worksheet will be prepared. The noise worksheets will be submitted to EAU for further assessment. If the noise level is determined to be over 65dB, noise mitigation will be required and if the noise level is over 75dB the site will normally not be acceptable for HOME funding.</p>
Thermal/Explosive Hazards	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The Program will not include new construction, conversion of non-residential use, an increase in unit density, or restoration of an abandoned or vacant property. No Tier 2 review is required.
Runway Clear Zones (development)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The following civil or military airports exist within the target area: Albany International (KALB). All sites will be reviewed for their location with regard to the airport. If a site exists within a runway clear zone, the site will be excluded from the Program.

HUD Environmental Standards	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Each site will be reviewed by an environmental professional including a site visit, to determine that the site is not located on or near ant hazardous materials or contamination. The site visit report will include a signed certification statement, that : "I, (Name, Title), certify that I am a qualified environmental professional as per ASTM 1527."
Environmental Justice	<input checked="" type="checkbox"/>	<input type="checkbox"/>	According to NYSDEC mapping at <a href="http://www.dec.ny.gov/public/899.html">http://www.dec.ny.gov/public/899.html</a> , the target area includes potential environmental justice areas. The Program is intended to serve an existing need for rehabilitation of affordable housing and is not expected to facilitate development which would result in adverse environmental justice impacts. The program activities are consistent with the objectives of Executive Order 12898.
Asbestos & Lead-Based Paint	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Regarding asbestos containing materials (ACM), all project work will comply with NYS Department of Labor Part 56 requirements including the need for surveys and clearance reports, as required. A contractor will be involved in the project construction and will be instructed regarding the need for compliance with Part 56.</p> <p>Regarding lead-based paint (LBP), in homes constructed prior to 1978, all work will be conducted according to the HUD "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing" and the EPA Renovation, Repair and Painting Rule (RRP rule).</p> <p>All ACM and LBP must be properly disposed of at a properly licensed facility.</p> <p>The LPA must maintain all compliance documentation for potential audit by EAU.</p>

"I am the authorized signatory for the HTFC HOME LPA award to the entity named below. I have read the Programmatic Environmental Review Record and Statutory Checklist and by signing these documents agree with the statements made therein and agree that all site specific reviews will be conducted in conformance with the described procedures."

Signed:

*Judith A. Eisgruber*

Name: Judith A. Eisgruber

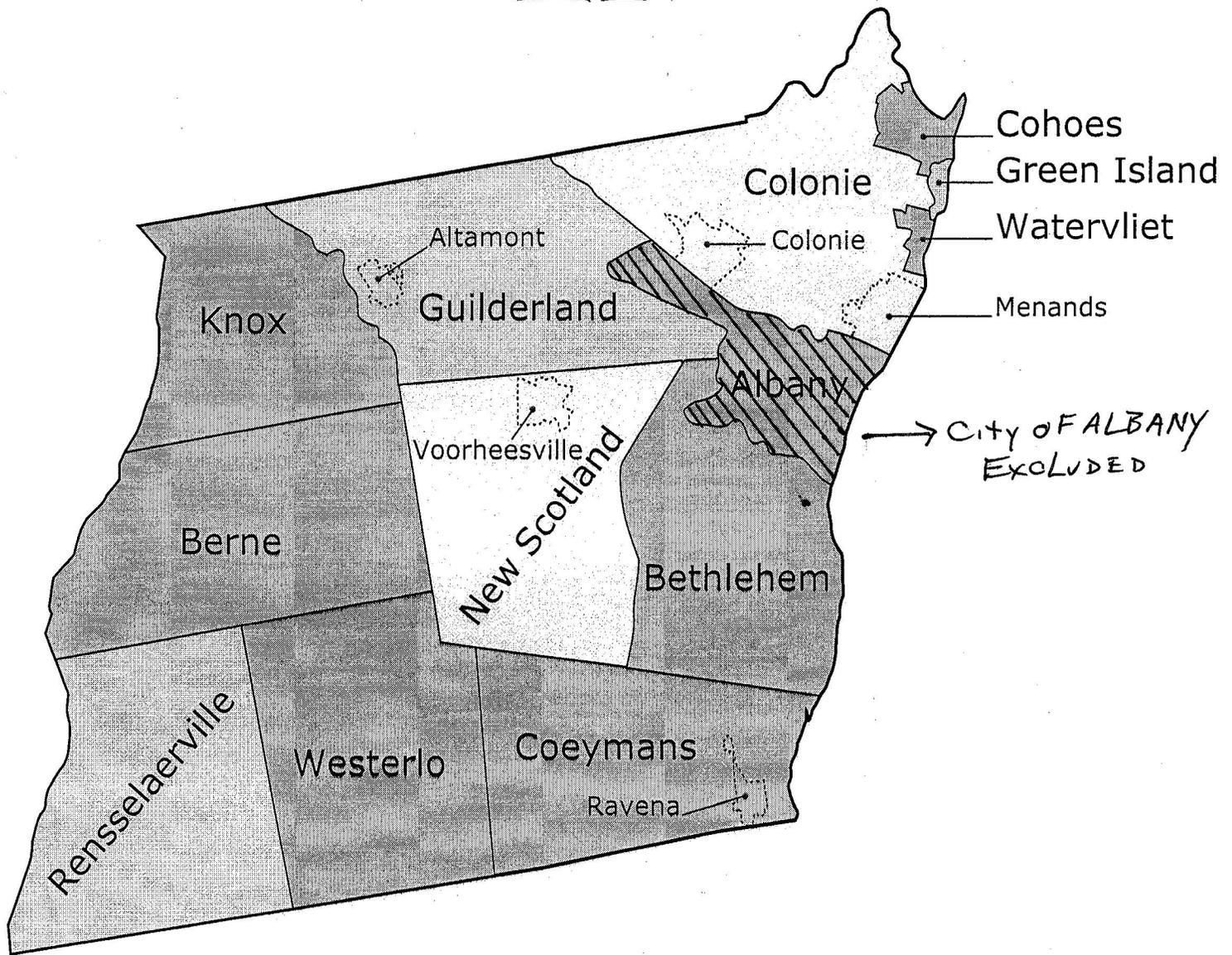
Title: Executive Director

Group: Albany County Rural Housing Alliance, Inc.

Date: April 1, 2015

Prepared by: Cashin Associates, P.C.

Consultant Signature & Date: *Justine Stelmach* April 1, 2015



HOME 20133126 PROGRAM AREA

SPONSOR: ALBANY COUNTY RURAL HOUSING ALLIANCE, INC.



## Welcome to the NYS Coastal Boundary Map

Help

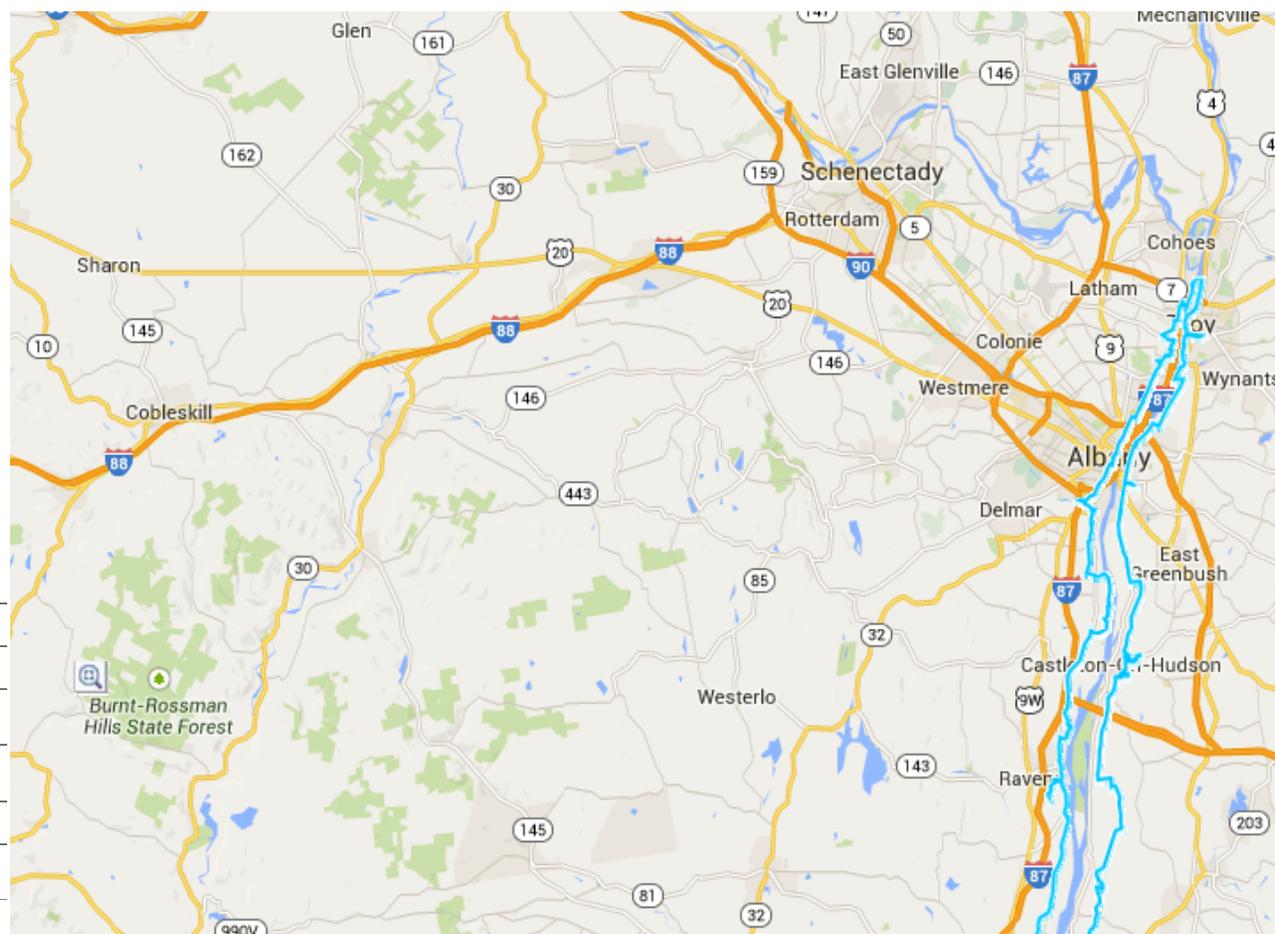
Search

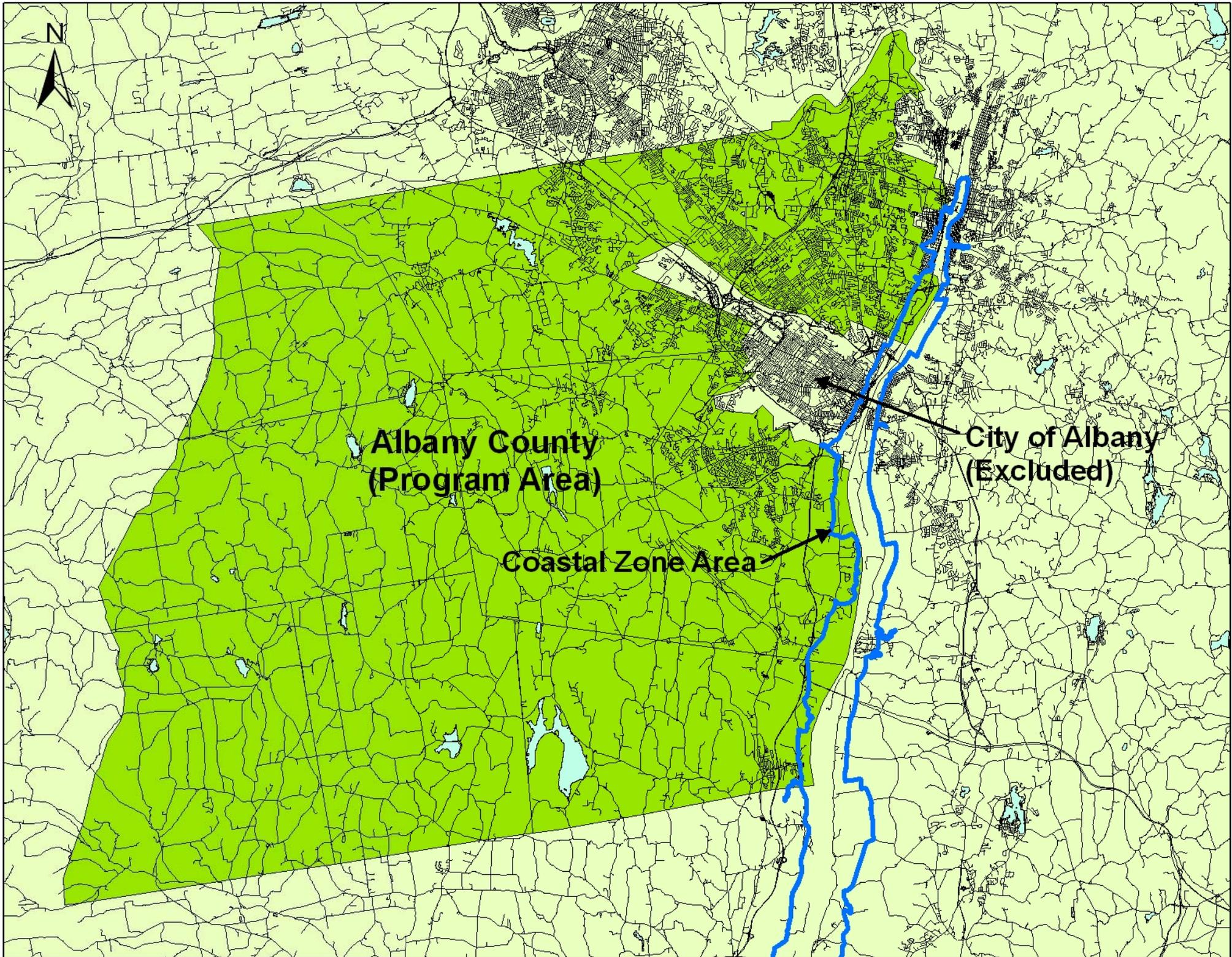
Address:

*Please note that the address marker is automatically placed along the street while certain activities may take place along the waterward property boundary. Please make sure to click and drag the marker to the exact location of the proposed activity for an accurate assessment of whether or not the activity would be located within any DOS Special Management Areas.*

Layers

- Landward Coastal Boundary
- Scenic Areas
- Local Waterfront Revitalization Areas
- Local Waterfront Revitalization Program Communities
- Significant Coastal Fish and Wildlife Habitats
- DOS Identified Canals
- Long Island Sound CMP (excludes LWRP communities)





**Albany County  
(Program Area)**

**Coastal Zone Area**

**City of Albany  
(Excluded)**

# SOLE SOURCE AQUIFER

Figure 1. Schenectady-Niskayuna Aquifer System Designated Area

