

NEW YORK STATE HOUSING TRUST FUND
HOME PROGRAM

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

PROGRAM NAME: Invest in Brooklyn Homebuyer Program

SHARS NUMBER: 20153079

PROGRAM SPONSOR: NHS of East Flatbush

PRIMARY CONTACT: Mr. Rodney Grierson
(NAME AND TITLE) Program Manager

ADDRESS: NHS of East Flatbush
2806 Church Avenue
Brooklyn, NY 11226

TELEPHONE: (718) 469-4679

FAX:

EMAIL: Rodney_Grierson@nhsnyc.org

RESPONSIBLE ENTITY: New York State Homes & Community Renewal

CERTIFYING OFFICER: Director, Environmental Analysis Unit

PROGRAM LOCATION (OR TARGET AREA): Scattered sites, to be chosen, within Kings County

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).*

Neighborhood Housing Services of East Flatbush, Inc. (NHS of East Flatbush) will administer its second Purchase Assistance Program by leveraging its existing homeownership counseling and mortgage placement program. Brooklyn residents who are at or below 80% median income (\$61,450 – family of four) will qualify for the program.

NHS of East Flatbush will provide at least twenty (20) grants of up to \$20,000 to be used toward down payment and closing cost. NHS will leverage the program by working with our 12 existing bank partners who will be providing additional grant subsidies if they apply and affordable mortgages. Applicants will have access to a nationally recognized homebuyer education course,

landlord training and individual technical assistance by experienced HUD Certified, NHS Mortgage Counselors.

ESTIMATED TOTAL PROJECT COSTS: \$1,900,000

HTFC HOME AWARD AMOUNT: \$400,000

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 Disaster Protection Act of 1973:

All sites will be reviewed to determine their flood zone status: <http://msc.fema.gov/portal>
No sites within a floodway will be chosen. Any site within a 100-year flood zone will be required to maintain flood insurance.

Coastal Barrier Resources Act:

Coastal Barrier Resource Areas (CBRA) exist in the target area. All sites will be reviewed for their location with regard to CBRAs at: <http://www.fws.gov/ecological-services/habitat-conservation/cbra/Maps/index.html> or <https://msc.fema.gov/portal>
No funding will be provided to sites within the CBRA.

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

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

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

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:

Other alternatives:

Preferred alternative:

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)

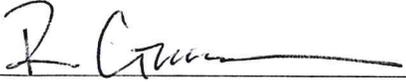
Finding of Significant Impact (FOSI)

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).*

Signed: 

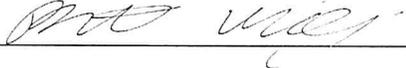
Name: Mr. Rodney Grierson

Title: Program Manager

Group: NHS of East Flatbush

Date:

Prepared by: Benedict Wolfling, CORE Environmental Consultants, Inc.

Consultant Signature & Date:  April 19, 2016

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

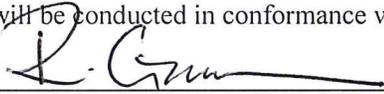
SHARS No: 20153079
 LPA Name: NHS of East Flatbush
 Program Name: Invest in Brooklyn Homebuyer Program

*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. |
|--|-------------------------------------|-------------------------------------|--|
| Section 4.1 | | | |
| Flood Disaster Protection Act of 1973 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | All sites will be reviewed for their location on FIRM maps at: https://msc.fema.gov/portal No sites within a floodway will be chosen. Any site within a 100-year flood zone will be required to maintain flood insurance. |
| Coastal Barrier Resources Act | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Coastal Barrier Resource Areas (CBRA) exist in the target area. All sites will be reviewed for their location with regard to CBRAs at: http://www.fws.gov/CBRA/Maps/index.html or https://msc.fema.gov/portal No funding will be provided to sites within the CBRA. |
| Runway Clear Zones (notification) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | No designated primary or commercial service airports exist within or near to the target area. No further Tier 2 review required. |
| Section 4.2 | | | |
| Historic Properties | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA |
| Floodplain Management | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA |
| Wetland Protection | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA |
| Coastal Zone Management | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA |
| Sole Source Aquifers | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA |
| Endangered Species | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA |

| | | | |
|----------------------------------|-------------------------------------|--------------------------|----|
| Wild and Scenic Rivers | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA |
| Air Quality | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA |
| Farmlands Protection | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA |
| Noise Abatement and Control | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA |
| Thermal/Explosive Hazards | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA |
| Runway Clear Zones (development) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA |
| HUD Environmental Standards | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA |
| Environmental Justice | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA |
| Asbestos & Lead-Based Paint | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA |

“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: 

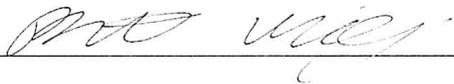
Name: Mr. Rodney Grierson

Title: Program Manager

Group: NHS of East Flatbush

Date:

Prepared by: Benedict Wolfling, CORE Environmental Consultants, Inc.

Consultant Signature & Date:  April 19, 2016

PROJECT AREA MAP



Prepared by:



2312 Wehrle Drive, Buffalo, NY 14221
P: (716) 204-8054 F: (716) 204-8557

Prepared for:



38-40 State Street
Albany, NY 12207
(518) 486-3379

Project Name & SHARS No.:

Invest in Brooklyn Homebuyer Program; 20153079

Responsible Entity:

New York State Homes & Community Renewal

Grant Recipient:

Neighborhood Housing Services of East Flatbush

Date:

April 12, 2016

Source: NEPAassist, US Environmental Protection Agency. Unknown Scale; Generated by Ben Wolfling; <<http://nepassisttool.epa.gov/nepassist/>> (12 April 2016).