

NEW YORK STATE HOUSING TRUST FUND  
HOME PROGRAM

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

PROGRAM NAME: Saratoga County Manufactured Home Replacement Program II

SHARS NUMBER: 20123132

PROGRAM SPONSOR: Saratoga County Rural Preservation Company

PRIMARY CONTACT: Michelle DeGarmo, Compliance Manager  
(NAME AND TITLE)

ADDRESS: 12 Spring Street, Suite 203 1-W  
Schuylerville, NY 12871

TELEPHONE: 518-279-7643

FAX: 518-279-7643

EMAIL: cdrschuylerville@gmail.com

RESPONSIBLE ENTITY: NYS Housing Trust Fund Corporation

CERTIFYING OFFICER: Director, Environmental Analysis Unit

PROGRAM LOCATION (OR TARGET AREA): Saratoga 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).*

Saratoga County Rural Preservation Company, will utilize \$400,000 in HOME funds to replace owner-occupied, dilapidated mobile homes throughout Saratoga County. Saratoga County RPC will replace 10 owner-occupied mobile homes for low and moderate income owners. Owners will be provided a deferred payment loan of up to \$40,000 per unit. The total project cost is budgeted at \$1,130,000 with \$50,000 in 502 Loan Program funds; \$480,000 in AHC funds and \$200,000 in CDBG funds. Each mobile home will be replaced on the site by a new unit and will match the footprint of the existing mobile home when possible. Larger mobile home replacements or placement of the new unit on a different portion of the site will be permitted. There may be

ground disturbance associated with the activity but no disturbance of previously undisturbed ground.

ESTIMATED TOTAL PROJECT COSTS: \$880,000  
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**

Flood Insurance Rate Maps (FIRM) maps will be reviewed for all sites to determine if they are located in the flood plain. If necessary, the Code Enforcement Officer will be consulted for verification and determination. Projects located within a "regulatory flood way" are not eligible for HOME funding. If the site is in a 100 year floodplain, the project will be rejected.

**Runway Clear Zones (notification)**

If a property is in the proximity to an airport, the prospective buyer will be advised that the property is located in a Runway Clear Zone and includes safety risks and the potential of being acquired by the airport operator at a later date. The buyer will be required to sign a statement acknowledging receipt of this information.

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

Historic Properties:

For any property deemed more than 50 years old or requiring ground disturbance a Historic Resource-Building Structures Inventory forms will be submitted to the NYS Historic Preservation Office for review and determination. If activities require site disturbance, a Tribal Historic Preservation Office review will be submitted.

#### Floodplain Management:

FIRM maps for selected properties will be reviewed to determine if they are located in the SFHA. If so, the project will be rejected.

#### Wetlands

For any project with ground disturbance in a non-urban area, NYS DEC and US Fish and Wildlife maps will be consulted to determine the presence of jurisdictional wetlands or associated buffers or check zones. No HOME funds will be spent in these wetland areas. If a site is located on or in proximity to wetlands or associated buffers or check zones, the site will be rejected

#### Wild and Scenic Rivers:

NYS DEC website will be consulted to determine if a permit is required for sites located near wild/scenic rivers. If a permit is needed, the site will be rejected

#### Noise Abatement and Control

For any project within 1000 feet of a major 4 lane highway, 3000 feet of an active railroad line or 15 miles from a major commercial or military airport, HUD Noise Assessment Guidelines will be followed and a noise assessment will be prepared according to procedures described in "The Noise Guidebook", HUD 953-CPD as updated June 5, 2002, and noise guidelines will be followed in accordance with Part 51. If noise levels are between 65 and 75 db, noise will be attenuated; if unacceptable noise levels are found over 75 db, the site will be rejected.

#### Thermal/Explosive Hazards

When the mobile home replacement enlarges the footprint of the existing unit by 122% or greater, or placed outside of the original footprint, there will be an ASD review survey conducted by a qualified environmental professional within 1,000 foot radius of the site for above ground stationary facilities which store flammable or explosive gasses and tanks storing flammable or explosive liquids exceeding 100 gallons. Tanks which exceed 20,000 gallons within a mile of the site will be identified all in accordance with 24CFR Part 51(c)

If a thermal/explosive hazard is found within the ASD, actions will be taken to modify the proposed layout. This may include burying the tank, construction of earthen beams or concrete barriers, or removal of the thermal hazard. If compliance is not feasible, the site will be rejected

#### HUD Environmental Standards

A qualified environmental professional will conduct a site visit and provide a certification that will be put into each file that they are certified as per ASTM 1527 that a site visit was conducted

and that the site is not located on or near hazardous materials or contamination.

**Asbestos & Lead-Based Paint**

The presence of asbestos will be determined according to DOL Part 56-5.1

All work involving asbestos will be conducted in accordance with DOL regulations at 12 NYCRR Part 56.

All work requiring lead based paint 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)

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)

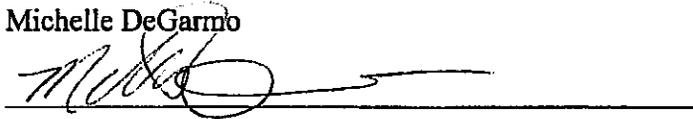
Finding of Significant Impact (FOSI)

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*).

Prepared by: Michelle DeGarmo

Signature:



A handwritten signature in black ink, appearing to read 'Michelle DeGarmo', is written over a solid horizontal line.

Date: 2/1/13

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: 20123132  
 LPA Name: Saratoga County Rural Preservation Company  
 Program Name: Manufactured Home Replacement Program Phase II

\*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"/>	X	Flood Insurance Rate Maps (FIRM) maps will be reviewed for all sites to determine if they are located in the flood plain. If necessary, the Code Enforcement Officer will be consulted for verification and determination. Projects located within a "regulatory flood way" are not eligible for HOME funding. If the site is in a 100 year floodplain, the project will be rejected.
Coastal Barrier Resources Act	X	<input type="checkbox"/>	There are no coastal barrier resources in Saratoga County
Runway Clear Zones (notification)		X	If a property is in the proximity to an airport, the prospective buyer will be advised that the property is located in a Runway Clear Zone and includes safety risks and the potential of being acquired by the airport operator at a later date. The buyer will be required to sign a statement acknowledging receipt of this information.
<b>Section 4.2</b>			
Historic Properties	<input type="checkbox"/>	X	For any property deemed more than 50 years old or requiring ground disturbance a Historic Resource-Building Structures Inventory forms will be submitted to the NYS Historic Preservation Office for review and determination. If activities require site disturbance, a Tribal Historic Preservation Office review will be submitted.
Floodplain Management	<input type="checkbox"/>	X	FIRM maps for selected properties will be reviewed to determine if they are located in the Special Flood Hazard Area. If so,the project will be rejected.

Wetland Protection	<input type="checkbox"/>	X	For any project with ground disturbance in a non-urban area, NYS DEC and US Fish and Wildlife maps will be consulted to determine the presence of jurisdictional wetlands or associated buffers or check zones. No HOME funds will be spent in these wetland areas. If a site is located on or in proximity to wetlands or associated buffers or check zones, the site will be rejected
Coastal Zone Management	X		There are no Coastal Zones in the target area.
Sole Source Aquifers	X	<input type="checkbox"/>	New construction of 1-4 family units and rehabilitation of residential units are excluded activities
Endangered Species	X		No ground disturbance of previously undisturbed ground
Wild and Scenic Rivers		X	NYS DEC website will be consulted to determine if a permit is required for sites located near wild/scenic rivers. If a permit is needed, the site will be rejected
Air Quality	X	<input type="checkbox"/>	Program activities are not of a size or scope that contribute to air pollution
Farmlands Protection	X	<input type="checkbox"/>	Program will not convert farmland to non agricultural use
Noise Abatement and Control	<input type="checkbox"/>	X	For any project within 1000 feet of a major 4 lane highway, 3000 feet of an active railroad line or 15 miles from a major commercial or military airport, HUD Noise Assessment Guidelines will be followed and a noise assessment will be prepared according to procedures described in "The Noise Guidebook", HUD 953-CPD as updated June 5, 2002, and noise guidelines will be followed in accordance with Part 51. If noise levels are between 65 and 75 db, noise will be attenuated; if unacceptable noise levels are found over 75 db, the site will be rejected.
Thermal/Explosive Hazards		X	When the mobile home replacement enlarges the footprint of the existing unit by 122% or greater or placed outside of the original footprint, there will be an ASD review survey conducted by a qualified environmental professional within 1,000 foot radius of the site for above ground stationary facilities which store flammable or explosive gasses and tanks storing flammable or explosive liquids exceeding 100 gallons. Tanks which exceed 20,000 gallons within a mile of the site will be identified all in accordance with 24CFR Part 51(c)  If a thermal/explosive hazard is found within the ASD, actions will be taken to modify the proposed layout. This may include burying the tank, construction of earthen beams or concrete barriers, or removal of the thermal hazard. If compliance is not feasible, the site will be rejected
Runway Clear Zones (development)	X		In accordance with 24CFR 51(D)there are no major commercial airports or clear zones at military airports in the program area

HUD Environmental Standards	<input type="checkbox"/>	X	A qualified environmental professional will conduct a site visit and provide a certification that will be put into each file that they are certified as per ASTM 1527 that a site visit was conducted and that the site is not located on or near hazardous materials or contamination.
Environmental Justice	X	<input type="checkbox"/>	The program is consistent with Executive Order 12898
Asbestos & Lead-Based Paint	<input type="checkbox"/>	X	<p>The presence of asbestos will be determined according to DOL Part 56-5.1</p> <p>All work involving asbestos will be conducted in accordance with DOL regulations at 12 NYCRR Part 56.</p> <p>All work requiring lead based paint 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>

"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

Michelle DeGarmo

Title

Housing Director / Compliance Manager

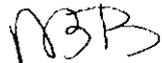
Group

Saratoga County Rural Preservation Company

Date

02/21/2013

Prepared by:



Noncyp & Associates

Consultant Signature & Date

2/21/2013