

**Environmental Assessment
Determinations and Compliance Findings
for HUD-assisted Projects
24 CFR Part 58**

Project Information

Project Name: Flower-City-Apartments

HEROS Number: 900000010167582

Responsible Entity (RE): ROCHESTER, 30 Church St Rm 106A Rochester NY, 14614

RE Preparer: Lia Anselm

State / Local Identifier:

Certifying Officer: Mayor Lovely A. Warren

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 899 Culver Rd, Rochester, NY 14609

Additional Location Information:

There are three sites to be rehabilitated: 899 Culver Road, Rochester, NY, 14609; 699 E. Main Street, Rochester, NY 14605; 1614-1624 North Clinton Ave., Rochester, NY 14621 (2 Buildings)

Direct Comments to:**Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**

The project includes occupied modernization/rehabilitation of 150 rental housing units located within three multi-family developments on three sites within the City of Rochester. Units will be affordable to households earning at or below 50% to 80% of Area Media Income (AMI), with 50 units set aside for supportive housing. The \$26,237,700 million project will be funded by a combination of public and private funding sources including a \$300,000 HOME Loan from the City of Rochester and \$15,462,700 from New York State HCR HOME. In addition, 38 Housing Vouchers will be available through the Rochester Housing Authority. The scope of work for the project includes moderate rehabilitation of the three (3) existing residential properties. The scope of work encompasses upgrades to the aging buildings, including exterior repairs, new roofs, upgraded mechanical systems, unit upgrades, and redesigned common spaces and minor sitework. Site work: Site work at the three (3) sites includes replacement of existing deteriorated driveways, sidewalks and parking areas, and improvements to accessibility by construction of new sidewalks. Disturbed lawn areas will be re-seeded and some new foundation plantings will be planted. Abatement of Asbestos and Lead Based Paint: Abatement at the properties will include: Roof asbestos abatement during roof replacement, pipe insulation asbestos abatement (where necessary per construction impacts and air testing requirements), and asbestos abatement of mastic at fixtures, under flooring and window caulk (where impacted by construction). Lead based paint abatement, consisting of removal and/or encapsulation will be performed per all applicable regulations. Clearance testing will be performed for asbestos and lead dust prior to occupancy, to ensure that there are no hazards to residents. To address any remaining asbestos and/or Lead Based Paint in the buildings after the construction project, an Asbestos and Lead Based Paint Operations and Maintenance plan will be prepared for each site, which will describe locations and procedures for future maintenance and property supervision regarding any remaining materials and minimizing safety hazards to the residents.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The Flower City Apartments rehabilitation includes the transformation of 150 existing housing units that are extremely distressed due to negligence and poor management from the previous owner, into high quality affordable housing. The Apartments has over 100 uncured code violations causing two of the buildings to not have current Certificates of Occupancy. The City of Rochester and the City-Wide Tenant Union of Rochester have identified the properties as a priority for action and support the proposed project. The goal of the project is to maintaining housing cost for current residents while improving their quality of life with improved housing conditions and property management and maintenance. All project units will be regulated to provide housing to households at 60% of AMI or less and the project will create sustainable permanent supportive housing for previous homeless populations.

Existing Conditions and Trends [24 CFR 58.40(a)]:

According to market research over half of the City's renters earn less than \$30,000 per year which puts them in the income range to afford the projected rent at the Flower City Apartments sites. The project intends to reserve 56 of the units across the Apartments as permanent supportive housing, 35 units will house chronically homeless

individuals in partnership with Person Centered Housing Options (PCHO), and 21 units will house previously incarcerated individuals with a history of substance abuse in partnership with Spiritus Christi Prison Outreach (SCPO). In addition, the project is seeking approval for 38 Project-Based Vouchers through the Rochester Housing Authority, which will ensure affordability to additional households under 30% of the Area Median Income (AMI). The remainder of the units will be available to households under 60% of AMI. Home Leasing's plans to rehabilitate the Apartments, while maintaining housing cost for current residents and improving the quality of life aligns with the goals and strategies outlined in the Rochester 2034 Comprehensive Plan and the 2018 Citywide Housing Market Study. The HSG-4a strategy in the 2034 Comprehensive Plan states that the City should, "Support the production of new-high quality, mixed-income housing that is affordable and accessible to people across a wide range of incomes, abilities, household sizes, life stages, and ages" (p. 152). The project supports this strategy by maintaining the long-term affordability of the properties to target tenants under 30% AMI and 50-60% AMI. It also supports this strategy by working with SCPO and PCHO to support special populations who may not otherwise have access to high-quality housing and the support services provided by SCPO and PCHO. In addition, the HSG-4g strategy in the Plan states that the City should, "Stabilize housing through proactive code enforcement" (p. 154). The Flower City Apartments helps support this strategy by rehabilitating all units and fixing all code violations which includes asbestos abatement, new appliances, updated lightning, and new windows as needed. Home Leasing will also ensure the quality of life of the residents through the addition of an on-site management and maintenance team and the installation of a security system with cameras and a secure entryway. In the 2018 Citywide Housing Market, 899 Culver Road is identified as located in a neighborhood with weaker demand and 1614-1624 Clinton Avenue and 699 East Main Street as being in neighborhoods with moderate demand (p. 17). For neighborhoods with moderate demand, the study identifies several strategies to revitalize and strengthen these neighborhoods which include, "proactive code enforcement" and "build, support, and grow neighborhood confidence" (p. 53). Rehabilitating these distressed properties can build community pride and confidence in their neighborhood. For neighborhoods with weaker demand, the focus should be to "reduce poor quality housing" and "connect residents and families with community programs and services" (p. 54). This project will address these goals by connecting residents with the services provided by SCPO and PCHO and updating the units to exceed code standards.

Maps, photographs, and other documentation of project location and description:

Determination:

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

Approval Documents:**7015.15 certified by Certifying Officer****on:****7015.16 certified by Authorizing Officer****on:****Funding Information**

Grant / Project Identification Number	HUD Program	Program Name
TBD	Community Planning and Development (CPD)	HOME Program

Estimated Total HUD Funded, Assisted or Insured Amount: \$15,762,700.00

This project anticipates the use of funds or assistance from another federal agency in addition to HUD in the form of:

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$26,237,700.00

Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project sites are not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The structures or insurable properties are not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Phase II ESA. On-site or nearby toxic, hazardous, or radioactive substances were found that could affect the health and safety of project occupants or conflict with the intended use of the property. The adverse environmental impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.
Explosive and Flammable Hazards	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the

Above-Ground Tanks)[24 CFR Part 51 Subpart C		project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The Preliminary Screening identified no noise generators in the vicinity of the project. The project is in compliance with HUD's Noise regulation. The project consists of modernization / minor rehabilitation of existing buildings on three sites, which are currently operating as multi-family residential apartments in the City of Rochester, NY. The sites are in mixed use residential & commercial use urban neighborhoods, within 1,000 ft of busy roadways; however, there are no significant potential noise sources in the vicinity of the sites. See attached City Maps. The project is modernization of existing buildings, and noise calculations are not required. Based on site visits of the operating apartment buildings, the Day-Night average sound level in the sites' vicinities does not indicate being above an acceptable level.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description this

Executive Order 11990, particularly sections 2 and 5		project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. There are no wetlands in the vicinity of the project sites, which are located in urban development settings. Additionally, the project does not include new construction/ rehabilitation that expands the footprint of any buildings or any ground disturbance. Therefore, the Protection of Wetlands executive order does not apply.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Impact Codes: An impact code from the following list has been used to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	Zoning The 3 sites of the project are existing operating multifamily apartment buildings, located in the following Zoning districts: 699 East Main St. - Marketview Heights Urban Renewal District /C-2 Community Center; 899 Culver Rd. - R-1	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		Low Density Residential; 1614-1624 North Clinton Ave. - R-1 Low Density Residential Multi-family housing is a permitted use for 699 East Main St., which is in the C-2 zone. The City has issued Certificates of Zoning Compliance for 899 Culver Rd and 1614-1624 North Clinton Ave., which are in R-1 zones, noting that the properties are "legal to be used as apartments/ multi-family dwellings, in accordance with the previously issued certificates of occupancy." The General Contractor will obtain all required building permits with the City of Rochester, as well as any required City Traffic Control/Right of Way permits, and will ensure that electrical and plumbing subcontractors obtain appropriate permits.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	At the three (3) existing apartment building properties, there will be minimal sitework or soil disturbance during the buildings' rehabilitation work. The properties are relatively flat with no steep slopes present. The majority of the properties' sites are paved and have existing underground utility services which will be maintained in place. Site work included in the scope will replace existing driveways and parking areas, improve site drainage and storm water runoff, and will also reduce the amount of impervious surfaces by changing some hardscape into greenspace. The sites' drainage will be maintained, which ties into the City's combined sewer system. Per NYSDEC, based on the site disturbance of less than 1 acre on each site, a SWPPP/SPEDES permit is not required.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	Phase I ESA's, and Asbestos, Lead Based Paint Surveys, PCB testing, and Radon Testing were all completed at the existing project buildings (see Additional Studies Performed for complete list, dates, and consultants). Asbestos containing materials	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		and small amounts of Lead Paint were identified in the buildings and will be remediated/abated as part of the planned rehabilitation improvements. Accepted construction safety practices per all State and Federal regulations, will be implemented during the hazardous material remediation/abatement. The project will not create any visible site safety issues, air pollution generators, natural or man-made hazards such as hazardous cargo transportation routes, unfenced railroad, etc. on or around the site. The existing properties are all accessible to public streets for access by Emergency vehicles. The existing residential use of the buildings will be maintained, which is compatible with the adjacent commercial and residential uses, so noise impacts after construction will be anticipated to reflect current neighborhood use. During the construction period, temporary construction noise and equipment disruption will be experienced; however, the contractor will adhere to City requirements regarding construction hours and will be cognizant to keep adjacent site disruption to a minimum.	
Energy Consumption/Energy Efficiency	1	The proposed project includes replacement of electric and plumbing fixtures, and installation of new, efficient fixtures such as low flow faucets and low GPF toilets, so energy and water consumption will decrease. Appliances will be replaced with Energy Star units, and lighting will be switched to LED, resulting in lower energy usage.	
SOCIOECONOMIC			
Employment and Income Patterns	1	There will be no permanent impacts to employment and income patterns as a result of the project. Based on the proposed project construction, it is anticipated that approximately 50	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		temporary construction jobs will be created by the project. Workforce diversity goals, Minority and Women's Business Enterprise (WMBE) goals, and Section 3 hiring procedures are part of the State and City funding compliance for the project, which will ensure hiring of minority, women and Section 3 income persons. Approximately 3 new permanent jobs will be created for the property management and maintenance.	
Demographic Character Changes / Displacement	2	The existing apartment buildings consist of affordable housing and are located in residential and mixed- use neighborhoods, with an income and diversity mix, and the existing demographic character of the neighborhoods will not change due to the project. The housing will remain affordable, with the majority of units affordable to households earning at or below 50-60% of AMI. The existing properties are located on or near bus lines and within walking distance of many amenities. The residents will not be displaced during construction; they will be relocated within the building while their apartment undergoes rehabilitation work.	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	The Rochester City School District operates a choice and lottery system for admission into City schools, and the school system provides transportation to students who live more than 1.5 miles from school. City Schools within 1- 3 miles of the three project sites are: World of Inquiry School 58 (Elementary & Secondary), 200 University Ave; School of the Arts (Secondary) 45 Prince St; School Without Walls (Secondary); Montessori Academy School (Elementary) 625 Scio St; East High School 1801 East Main St. Additionally, there are various Charter schools which are located in the city. Continuing education and colleges in the vicinity of the project	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		sites include: Monroe Community College-Downtown Campus - State St; Brockport Downtown- College at Brockport, Chestnut St. Cultural facilities located 1-3 miles of the sites are as follows: Museums and Art Galleries: The Strong Museum, Chestnut St.; The Memorial Art Gallery, University Ave; The Rochester Museum and Science Center, East Ave. Library: Central Library of Rochester (Rundel) South Ave.; Lincoln Branch Library, Joseph Ave. Music and Theatre: Eastman Theater and Eastman School of Music (Classical music performances); Little Theatre (Indie and foreign films and music); Downstairs Cabaret Theatre (Theatrical & music performances); Blackfriars Theater (Theatrical performances); Rochester Broadway theatre League - Auditorium Theatre (Musical theatre performances); Geva Theatre Center (Theatrical performances)	
Commercial Facilities (Access and Proximity)	2	The three existing sites are all located in proximity to allow walking and/or bus access to local commercial establishments, including restaurants, retail establishments, pharmacies and grocery stores. The Rochester Public Market, 280 Union St., which offers local fresh produce, bakery products, fish and meat, is less than 2 miles from each of the sites, and operates Tues., Thurs. and Sat. No commercial facilities are currently in the existing buildings, and no new commercial facilities will be created by the project.	
Health Care / Social Services (Access and Capacity)	2	There are three hospitals within the city limits of Rochester, all offering emergency room care, which are all less than 3 miles from the sites. * Healthcare facilities in the vicinity of the project sites include the following: The Manhattan Square Family Medicine Center, operated by the University of Rochester Medical Center 454	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		<p>E. Broad St; The Rochester Primary Care Network, 259 Monroe Ave. offers services for all economic brackets, utilizing a sliding fee scale for lower income patients; Planned Parenthood, University Ave. There are also Urgent care/Walk -in facilities within 1-3 miles of the sites; Rochester Regional Health Care at the Wilson Center, 800 Carter St.; Rochester Regional Health Care, 1881 Monroe Ave; Daisy Marquis Jones Walk-In Care Center, 89 Genesee St. For social services, the Monroe County Department of Social Services has an office on St. Paul St., less than 3 miles from the site, for addressing provision of various forms of assistance to citizens of Monroe County including income support, medical assistance and comprehensive services designed to promote a higher quality of life for children, families and disadvantaged or elderly adults. The following childcare facilities are 1-3 miles of the sites: Rochester Carlson YMCA on E. Main St. offers daycare and after-school child care; Rochester Childfirst Network on E Main St.; Community Arts on East Ave; St. Pauls Day Care Center on Vick Park B.; The Unique Child on Meigs St.</p>	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	<p>The existing operating residential apartment properties currently are served by the City of Rochester Department of Environmental Services, which provides refuse pick-up at the properties, in accordance with the City's refuse and recycling mandates. There will be no significant change to solid waste generation or disposal after the rehabilitation project. The property management team will coordinate trash collection and recycling separation for the apartment units in each building, and ensure that the City's refuse pick up procedures are followed.</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The existing operating apartment buildings' sanitary /waste water systems tie into the municipal City of Rochester's sanitary sewer system, which has more than adequate capacity to handle the buildings. No additional sewage will be generated by the project, since the number of apartments is remaining the same as existing. As part of the project, improvements to the plumbing systems will be implemented which will decrease water consumption, and thus sanitary sewer usage will decrease.	
Water Supply (Feasibility and Capacity)	2	Water is supplied to the existing buildings on the project sites by the City of Rochester Dept of Environmental Services - Water Bureau with an exchange agreement with the Monroe County Water Authority. No changes to the water services to the buildings are proposed as part of the project; however, improvements to the plumbing systems will be implemented, including installation of energy efficient flow fixtures, which will decrease water consumption.	
Public Safety - Police, Fire and Emergency Medical	2	Public safety at the three project sites is provided by the City of Rochester Police and Fire Depts., which have facilities in close proximity to the sites, resulting in efficient response times. The sites are covered by 911 service. The City of Rochester Police Dept operates per 5 Police Patrol Sections, with each Patrol Section divided into patrol beats and platoons led by patrol Lieutenants and Sergeants. The sites are in the following Patrol Sections: The Rochester Fire Dept has numerous Stations throughout the City, and the project sites are all within 1 mile of a Fire Station. Emergency Medical ambulance services are operated by American Medical Response Rochester, which is accessed by 911, and provides transportation to the local hospitals. Because no change is	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		taking place regarding number of apartments in the buildings which are being rehabilitated, no significant change is anticipated in utilization rates for police, fire or emergency services. Based on the new property management, and security features, security and safety at the property sites will be improved.	
Parks, Open Space and Recreation (Access and Capacity)	2	The City of Rochester has numerous parks, open green spaces and playgrounds/ recreational centers throughout the City, and the project sites are each within 1 mile of a park or playground/recreational center.	
Transportation and Accessibility (Access and Capacity)	2	The project sites all have easy access to local roadways and expressways within the City, to commercial and recreational facilities, and employment opportunities. The sites are all accessible by sidewalks, car, bicycle and all the sites are on, or in close proximity to, bus stops on routes for public transportation using the Rochester Transit System. In the summer, the City provides a shuttle to the Rochester Public market that runs on Saturdays, with the shuttle stop at the Scio St./East Main St. corner, 0.5 miles from the 699 East Main St. site. The existing project sites have areas of parking on site and there is also on-street parking on adjacent streets. As part of the rehabilitation of the building sites, project visibility and accessibility will be improved throughout the sites.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	The project sites are all located on existing developed urban areas, and there are no unique natural features nor water resources features which would be impacted.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	The project sites are all located on existing developed urban areas, and no native vegetation nor wildlife will be adversely effected by the rehabilitation of the	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		properties.	
Other Factors	2	Not applicable	

Supporting documentation

Additional Studies Performed:

699 East Main St. 1/17/20 Phase I ESA- 699 East Main St. , prepared by Labella Associates 12/14/19 699 East Main Limited Asbestos Report - ACM Roof Survey, prepared by Envoy Environmental Consultants 1/8/20 699 East Main LBP Risk Assessment, prepared by Labella Associates 1/8/20 699 East Main Ltd Regulated Bldg Material Inspection - ACM & PCB Report, prepared by Labella Associates 3/11/20 699 East Main Soil Vapor Intrusion Report prepared by Labella Associates 7/1/20 699 East Main Radon testing report prepared by Labella Associates 1/18/21 699 East Main St. - Supplemental Phase II ESA 899 Culver Rd. 12/30/19 Phase I ESA - 899 Culver Rd. prepared by Labella Associates 12/16/19 899 Culver Limited Asbestos Report - ACM Roof Survey, prepared by Envoy Environmental Consultants 1/9/20 899 Culver LBP Risk Assessment prepared by Labella Associates 1/10/20 899 Culver Rd. Ltd Regulated Bldg Material Inspection - ACM & PCB Report , prepared by Labella Associates 7/1/20 899 Culver Radon testing report prepared by Labella Associates 1614-1624 North Clinton Ave. 1/7/20 Phase I ESA - 1614-1624 North Clinton Rd. prepared by Labella Associates 12/14/19 1614-1624 North Clinton Limited Asbestos Report - ACM Roof Survey, prepared by Envoy Environmental Consultants 1/8/20 1614-1624 North Clinton LBP Risk Assessment prepared by Labella Associates 1/13/20 1614 North Clinton Ltd Regulated Bldg Material Inspection - ACM & PCB Report , prepared by Labella Associates 3/5/20 1614-1624 North Clinton Soil Vapor Intrusion Report prepared by Labella Associates 7/1/20 1614-1624 North Clinton Radon testing report prepared by Labella Associates

Field Inspection [Optional]: Date and completed by:

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

New York State Office of Parks, Recreation and Historic Preservation (SHPO) Monroe County City of Rochester Planning and Zoning NYS Division of Homes and Community Renewal Greater Rochester Housing Partnership

List of Permits Obtained:

The Project sponsor will obtain all necessary local/state/ federal permits prior to start of construction. Anticipated permits include: City of Rochester Building Permits and City of Rochester Work Zone /Traffic Control Permits (as required)

Public Outreach [24 CFR 58.43]:

Home Leasing has worked closely with the City of Rochester, the City-wide Tenant Union in pursuing this project. Home Leasing met with members of the City-wide Tenant Union at the start of the project to hear their concerns and existing conditions. Home Leasing has also worked closely with two local service providers, Spiritus Christi Prison Outreach and Person-Centered Housing Options, who are integrated in the community. These organizations will provide support services to previous homeless residents in the building after the rehab is complete. Similarly, the Home Leasing property management team has been working to engage with residents at Flower City in several ways. First, we have been active as a team to work with resident specific supportive agencies (Community Place, Balance Care, and PCHO). These agencies, already working with residents in the community, have helped to increase engagement by serving as a bridge in communication. We have been working with Connected Communities on improving resident engagement at the Culver Road location. Connected Communities serves the EMMA and Beechwood neighborhoods and Culver is in the Beechwood neighborhood. Connected Communities employs resident ambassadors (residents that live in the neighborhood) to set up tables at communities and speak with residents in a no-pressure environment (no business talk). We have joined these sessions to get to know residents and answer any questions they might have. Finally, we have been engaged and onsite daily as a team working to engage with all residents. This engagement has focused on resolving outstanding work orders and other maintenance issues, establishing HL management procedures, and educating residents on what relocation will look like.

Cumulative Impact Analysis [24 CFR 58.32]:

This is not a phased project, so this is not applicable.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

The three sites encompassing the project are existing, naturally occurring, affordable housing in dire need of rehabilitation and preservation, and no viable alternatives have been brought forth. The sites and building locations cannot be changed, and either the buildings would be condemned or closed and residents would be displaced, or a rehabilitation of some kind would need to occur. This plan is the most viable option.

No Action Alternative [24 CFR 58.40(e)]

If the housing is not substantially renovated in the near future, the housing may be lost and residents displaced, which is not an acceptable alternative scenario. The loss of these units would lead to the eventual eviction or displacement of several hundred people, who would not be able to afford market rents.

Summary of Findings and Conclusions:

This environmental review was conducted in accordance with requirements of NEPA, the Council on Environmental Quality regulations implementing NEPA (40 CFR 1500) and 24 CFR part 58 HUD NEPA requirements for responsible entities. The analysis concluded that the proposed project would be an appropriate update to the project site, would be a positive aspect of the neighborhood by continuing to provide quality affordable housing for the community, and would meet objectives presented in the City's goals for the area. The proposed project would not significantly affect the character, features nor municipal or cultural resources of the project area.

Mitigation Measures and Conditions [CFR 1505.2(c)]:

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
Contamination and Toxic Substances	<p>*Phase I Environmental Site Assessments were performed for the three project sites.</p> <p>*Soil Vapor Intrusion Assessments were performed for 699 East Main St. and 1614-1624 North Clinton</p> <p>*Regulated Building Materials Inspections were performed at the three sites to identify asbestos and PCB's .</p> <p>*Lead Based Paint Risk Assessments were performed at the three project sites to identify Lead based paint hazards.</p> <p>*Phase II Environmental Site Assessment at 699 East Main St, and No Further Action notice received from DEC regarding Spill #2008537, found at 699 E. Main Street</p> <p>The project includes remediation of hazardous materials in the buildings to</p>	N/A	

	<p>ensure that when the project is complete there will be no environmental toxic or hazardous conditions in the buildings, or at the sites, which could affect the health and safety of the occupants. The project includes abatement of asbestos containing materials, and removal/encapsulation of lead paint per all regulations, in areas impacted by construction, in the buildings. Clearance surface and air testing reports will be provided to ensure that no airborne particles of asbestos or lead exist in the buildings prior to occupancy. If any asbestos or lead based paint remains in the buildings, then Asbestos and Lead Based Paint Operation and Maintenance Plans will be prepared describing the locations of the materials and setting forth maintenance procedures for management and residents to ensure that no safety concerns exist. Additionally, to address soil management during sitework, related to possible urban fill at the sites, and/ or petroleum-impacted soil and/or groundwater at 699 East Main St., the project includes an Environmental Management Plan (EMP) for each site, which details requirements for sitework monitoring, testing and disposal of excavated materials, to ensure that all work is done in accordance with environmental regulations.</p>		
Permits, reviews and approvals	<p>The Project sponsor will obtain all necessary local/state/ federal permits prior to start of construction. Anticipated permits include: City of Rochester Building Permits and City of Rochester Work Zone /Traffic Control Permits (as required)</p>	N/A	

Mitigation Plan

Asbestos Containing Materials Asbestos (ACM) abatement will be performed in conjunction with rehabilitation in the three sites' buildings, and clearance reports indicating that no ACM airborne particles are present in the buildings will be provided prior to occupancy. If any undisturbed ACM remains in the building, an O&M manual will be provided describing the locations and future treatment of any remaining ACM. **Lead** Lead paint abatement will be performed in conjunction with rehabilitation in the three sites' buildings and the Project Sponsor will provide clearance reports describing that all LBP abatement was done in accordance with applicable regulations prior to occupancy. If any Lead paint remains in the building, an O&M manual will be provided describing the locations and future treatment of any remaining LBP. **Mold** If building materials or areas of the buildings become contaminated with mold, a final clearance report will be submitted that demonstrates all mold contamination was properly removed in accordance with the NYC Guidelines on Assessment and Remediation of Fungi in Indoor Environments. A certified industrial hygienist (CIH) must complete the clearance and submit this report. Since the project work will be phased, and the mold contamination is in a building that will be occupied prior to final project-wide mold clearance being issued, then separate Site Mold Clearance will be prepared prior to occupancy of each building. **Impacted Soil and/or Groundwater** Environmental Management Plans are included in the project specifications for each of the 3 sites, which address soil management procedures during sitework, related to any possible urban fill at the sites, and/ or petroleum-impacted soil and/or groundwater at 699 East Main St.. The EMPs detail the requirements for sitework monitoring, testing and disposal of excavated materials, to ensure that all work is done in accordance with environmental regulations.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities**Airport Hazards**

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

✓ No

Based on the response, the review is in compliance with this section.
Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary**Compliance Determination**

The project sites are not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[1 Airport ClearZone.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

1. Is the project located in a CBRS Unit?

✓ No

Document and upload map and documentation below.

Yes

Compliance Determination

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[2 Coastal Barrier Resources.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

No. This project does not require flood insurance or is excepted from flood insurance.

✓ Yes

2. Upload a FEMA/FIRM map showing the site here:

[3 Flood Insurance FEMA maps.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

✓ No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary**Compliance Determination**

The structures or insurable properties are not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD

recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

Supporting documentation

[3 Flood Insurance FEMA maps\(1\).pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

✓ Yes

No

Air Quality Attainment Status of Project's County or Air Quality Management District

2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

✓ No, project's county or air quality management district is in attainment status for all criteria pollutants.

Yes, project's management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

Screen Summary**Compliance Determination**

The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.

Supporting documentation

[4 Clean Air.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

Yes

☒ No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary**Compliance Determination**

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation[5 Coastal Zone Mgt.pdf](#)**Are formal compliance steps or mitigation required?**

Yes

☒ No

Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.

- ☒ American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
- ☒ ASTM Phase II ESA
- Remediation or clean-up plan
- ASTM Vapor Encroachment Screening
- None of the Above

2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)

No

- ☒ Yes

3. Mitigation

Document and upload the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental effects cannot be mitigated, then HUD assistance may not be used for the project at this site.

Can adverse environmental impacts be mitigated?

Adverse environmental impacts cannot feasibly be mitigated.

- ✓ Yes, adverse environmental impacts can be eliminated through mitigation.
Document and upload all mitigation requirements below.

4. Describe how compliance was achieved in the text box below. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls, or use of institutional controls.

*Phase I Environmental Site Assessments were performed for the three project sites.
*Soil Vapor Intrusion Assessments were performed for 699 East Main St. and 1614-1624 North Clinton
*Regulated Building Materials Inspections were performed at the three sites to identify asbestos and PCB's .
*Lead Based Paint Risk Assessments were performed at the three project sites to identify Lead based paint hazards.
*Phase II Environmental Site Assessment at 699 East Main St, and No Further Action notice received from DEC regarding Spill #2008537, found at 699 E. Main Street
The project includes remediation of hazardous materials in the buildings to ensure that when the project is complete there will be no environmental toxic or hazardous conditions in the buildings, or at the sites, which could affect the health and safety of the occupants. The project includes abatement of asbestos containing materials, and removal/encapsulation of lead paint per all regulations, in areas impacted by construction, in the buildings. Clearance surface and air testing reports will be provided to ensure that no airborne particles of asbestos or lead exist in the buildings prior to occupancy. If any asbestos or lead based paint remains in the buildings, then Asbestos and Lead Based Paint Operation and Maintenance Plans will be prepared describing the locations of the materials and setting forth maintenance procedures for management and residents to ensure that no safety concerns exist. Additionally, to address soil management during sitework, related to possible urban fill at the sites, and/ or petroleum-impacted soil and/or groundwater at 699 East Main St., the project includes an Environmental Management Plan (EMP) for each site, which details requirements for sitework monitoring, testing and disposal of excavated materials, to ensure that all work is done in accordance with environmental regulations.

If a remediation plan or clean-up program was necessary, which standard does it follow?

Complete removal

- ✓ Risk-based corrective action (RBCA)

Screen Summary**Compliance Determination**

Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Phase II ESA. On-site or nearby toxic, hazardous, or radioactive substances were found that could affect the health and safety of project occupants or conflict with the intended use of the property. The adverse environmental impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements.

Supporting documentation

[Jan2021 EMP 699EMain.pdf](#)

[Dec2020 EMP 899Culver.pdf](#)

[Dec 2020 EMP 1614 1624NClinton.pdf](#)

[2021127 DEC No Further Action Spill2008537.pdf](#)

[Phase I ESA 1614 1624 N Clinton Ph I ESA.pdf](#)

[Phase I ESA 899 Culver Ph I ESA.pdf](#)

[Phase I ESA 699 E Main Ph I ESA.pdf](#)

[1614 1624 N Clinton Hazard studies.pdf](#)

[899 Culver Hazard studies.pdf](#)

[699 E Main Hazard studies.pdf](#)

Are formal compliance steps or mitigation required?

✓ Yes

No

Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service ("FWS" and "NMFS" or "the Services").	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402

1. Does the project involve any activities that have the potential to affect species or habitats?

- ✓ No, the project will have No Effect due to the nature of the activities involved in the project.

This selection is only appropriate if none of the activities involved in the project have potential to affect species or habitats. Examples of actions without potential to affect listed species may include: purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.

Based on the response, the review is in compliance with this section.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

Yes, the activities involved in the project have the potential to affect species and/or habitats.

Screen Summary**Compliance Determination**

This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.

Supporting documentation**Are formal compliance steps or mitigation required?**

Flower-City-Apartments

Rochester, NY

900000010167582

Yes

✓ No

Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

✓ No

Yes

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

✓ No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary**Compliance Determination**

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

Yes

✓ No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary**Compliance Determination**

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[9 Farmland.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]

55.12(c)(3)

55.12(c)(4)

55.12(c)(5)

55.12(c)(6)

55.12(c)(7)

55.12(c)(8)

55.12(c)(9)

55.12(c)(10)

55.12(c)(11)

✓ None of the above

2. Upload a FEMA/FIRM map showing the site here:

[3 Flood Insurance FEMA maps.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

Does your project occur in a floodplain?

✓ No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary**Compliance Determination**

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.

Supporting documentation

[10 Flood Plain FEMA maps.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html

Threshold**Is Section 106 review required for your project?**

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)

- ✓ No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

Yes, because the project includes activities with potential to cause effects (direct or indirect).

Threshold (b). Document and upload the memo or explanation/justification of the other determination below:

Based on the response, the review is in compliance with this section.

Screen Summary**Compliance Determination**

Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106.

Supporting documentation

[11 Hist Pres 20200511 SHPO No Effect.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Noise Abatement and Control

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

1. What activities does your project involve? Check all that apply:

New construction for residential use

☒ Rehabilitation of an existing residential property

NOTE: For major or substantial rehabilitation in Normally Unacceptable zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. For major rehabilitation in Unacceptable zones, HUD strongly encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details.

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster
None of the above

4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

☒ There are no noise generators found within the threshold distances above.

Based on the response, the review is in compliance with this section. Document and upload a map showing the location of the project relative to any noise generators below.

Noise generators were found within the threshold distances.

Screen Summary

Compliance Determination

The Preliminary Screening identified no noise generators in the vicinity of the project. The project is in compliance with HUD's Noise regulation. The project consists of modernization / minor rehabilitation of existing buildings on three sites, which are currently operating as multi-family residential apartments in the City of Rochester, NY. The sites are in mixed use residential & commercial use urban neighborhoods, within 1,000 ft of busy roadways; however, there are no significant potential noise sources in the vicinity of the sites. See attached City Maps. The project is modernization of existing buildings, and noise calculations are not required. Based on site visits of the operating apartment buildings, the Day-Night average sound level in the sites' vicinities does not indicate being above an acceptable level.

Supporting documentation

[12 City Maps.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Sole Source Aquifers

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

✓ Yes

Based on the response, the review is in compliance with this section.

No

Screen Summary**Compliance Determination**

Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

[13 Sole Source Aquifer.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

✓ No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary**Compliance Determination**

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. There are no wetlands in the vicinity of the project sites, which are located in urban development settings. Additionally, the project does not include new construction/ rehabilitation that expands the footprint of any buildings or any ground disturbance. Therefore, the Protection of Wetlands executive order does not apply.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

1. Is your project within proximity of a NWSRS river?

✓ No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

Screen Summary**Compliance Determination**

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[15 Wild Scenic Rivers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?

Yes

✓ No

Based on the response, the review is in compliance with this section.

Screen Summary**Compliance Determination**

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No



City of Rochester

Inter-Departmental Correspondence

To: Lovely A. Warren, Mayor

From: Gary Kirkmire, Commissioner, Neighborhood & Business Development GK

Date: January 28, 2021

Subject: **Environmental Assessment Finding of No Significant Impact for The Flower City Apartments Affordable Housing Rehabilitation Project**

Attached for your signature is a *Finding of No Significant Impact* for the Flower City Apartments affordable housing rehabilitation project. A public notice will be published shortly in compliance with HUD regulations, alerting the public that the City has completed an environmental review and is issuing a combined *Finding of No Significant Impact* and *Intent to Request the Release of Funds* notice.

The combined notice will give the public fifteen (15) days to examine the environmental review record here at City Hall. Any comments received will be addressed, after which a *Request for Release of Funds* will be sent to HUD Buffalo, seeking their *Authority to Use Grant Funds* for the project.

Questions about this project may be directed to Lia Anselm at telephone number 428-9368 or John Oster, 428-6570.

/la
Attachment



U.S. Department of Housing and Urban
Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name: Flower-City-Apartments

HEROS Number: 900000010167582

Project Location: 899 Culver Rd, Rochester, NY 14609

Additional Location Information:

There are three sites to be rehabilitated: 899 Culver Road, Rochester, NY, 14609; 699 E. Main Street, Rochester, NY 14605; 1614-1624 North Clinton Ave., Rochester, NY 14621 (2 Buildings)

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The project includes occupied modernization/rehabilitation of 150 rental housing units located within three multi-family developments on three sites within the City of Rochester. Units will be affordable to households earning at or below 50% to 80% of Area Media Income (AMI), with 50 units set aside for supportive housing. The \$26,237,700 million project will be funded by a combination of public and private funding sources including a \$300,000 HOME Loan from the City of Rochester and \$15,462,700 from New York State HCR HOME. In addition, 38 Housing Vouchers will be available through the Rochester Housing Authority. The scope of work for the project includes moderate rehabilitation of the three (3) existing residential properties. The scope of work encompasses upgrades to the aging buildings, including exterior repairs, new roofs, upgraded mechanical systems, unit upgrades, and redesigned common spaces and minor sitework. Site work: Site work at the three (3) sites includes replacement of existing deteriorated driveways, sidewalks and parking areas, and improvements to accessibility by construction of new sidewalks. Disturbed lawn areas will be re-seeded and some new foundation plantings will be planted. Abatement of Asbestos and Lead Based Paint: Abatement at the properties will include: Roof asbestos abatement during roof replacement, pipe insulation asbestos abatement (where necessary per construction impacts and air testing requirements), and asbestos abatement of mastic at fixtures, under flooring and window caulk (where impacted by construction). Lead based paint abatement, consisting of removal and/or encapsulation will be performed per all applicable regulations. Clearance testing will be performed for asbestos and lead dust prior to occupancy, to ensure that there are no hazards to residents. To address any remaining asbestos and/or Lead Based Paint in the buildings after the construction project, an Asbestos and Lead Based Paint Operations and Maintenance plan will be prepared for each site, which will describe locations and procedures for future maintenance and property supervision regarding any remaining materials and minimizing safety hazards to the residents.

Funding Information

Grant Number	HUD Program	Program Name
TBD	Community Planning and Development (CPD)	HOME Program

Estimated Total HUD Funded Amount: \$15,762,700.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$26,237,700.00

Mitigation Measures and Conditions [CFR 1505.2(c)]:

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition
Contamination and Toxic Substances	<p>*Phase I Environmental Site Assessments were performed for the three project sites.</p> <p>*Soil Vapor Intrusion Assessments were performed for 699 East Main St. and 1614-1624 North Clinton</p> <p>*Regulated Building Materials Inspections were performed at the three sites to identify asbestos and PCB's .</p> <p>*Lead Based Paint Risk Assessments were performed at the three project sites to identify Lead based paint hazards.</p> <p>*Phase II Environmental Site Assessment at 699 East Main St, and No Further Action notice received from DEC regarding Spill #2008537, found at 699 E. Main Street</p> <p>The project includes remediation of hazardous materials in the buildings to ensure that when the project is complete there will be no environmental toxic or hazardous conditions in the buildings, or at the sites, which could affect the health and safety of the occupants. The project includes abatement of asbestos containing materials, and removal/encapsulation of lead paint per all regulations, in areas impacted by construction, in the buildings. Clearance surface and air testing reports will be provided to ensure that no airborne particles of asbestos or lead exist in the buildings prior to occupancy. If any asbestos or lead based paint remains in the buildings, then Asbestos and Lead Based Paint Operation and Maintenance Plans will be prepared describing the locations of the materials</p>

	and setting forth maintenance procedures for management and residents to ensure that no safety concerns exist. Additionally, to address soil management during sitework, related to possible urban fill at the sites, and/ or petroleum-impacted soil and/or groundwater at 699 East Main St., the project includes an Environmental Management Plan (EMP) for each site, which details requirements for sitework monitoring, testing and disposal of excavated materials, to ensure that all work is done in accordance with environmental regulations.
Permits, reviews, and approvals	The Project sponsor will obtain all necessary local/state/ federal permits prior to start of construction. Anticipated permits include: City of Rochester Building Permits and City of Rochester Work Zone /Traffic Control Permits (as required)

Mitigation Plan

Asbestos Containing Materials Asbestos (ACM) abatement will be performed in conjunction with rehabilitation in the three sites' buildings, and clearance reports indicating that no ACM airborne particles are present in the buildings will be provided prior to occupancy. If any undisturbed ACM remains in the building, an O&M manual will be provided describing the locations and future treatment of any remaining ACM.

Lead Lead paint abatement will be performed in conjunction with rehabilitation in the three sites' buildings and the Project Sponsor will provide clearance reports describing that all LBP abatement was done in accordance with applicable regulations prior to occupancy. If any Lead paint remains in the building, an O&M manual will be provided describing the locations and future treatment of any remaining LBP.

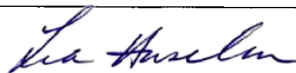
Mold If building materials or areas of the buildings become contaminated with mold, a final clearance report will be submitted that demonstrates all mold contamination was properly removed in accordance with the NYC Guidelines on Assessment and Remediation of Fungi in Indoor Environments. A certified industrial hygienist (CIH) must complete the clearance and submit this report. Since the project work will be phased, and the mold contamination is in a building that will be occupied prior to final project-wide mold clearance being issued, then separate Site Mold Clearance will be prepared prior to occupancy of each building.

Impacted Soil and/or Groundwater Environmental Management Plans are included in the project specifications for each of the 3 sites, which address soil management procedures during sitework, related to any possible urban fill at the sites, and/ or petroleum-impacted soil and/or groundwater at 699 East Main St.. The EMPs detail the requirements for sitework monitoring, testing and disposal of excavated materials, to ensure that all work is done in accordance with environmental regulations.

Determination:

<input checked="" type="checkbox"/>	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
<input type="checkbox"/>	Finding of Significant Impact

Preparer Signature: _____



Date: 2/1/21

Name / Title/ Organization: Lia Anselm / / ROCHESTER

Certifying Officer Signature:



Date:

2/1/21

Name/ Title:



Lovely A. Warren, Mayor

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environment Review Record (ERR) for the activity / project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).



U.S. Department of Housing and Urban
Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name: Flower-City-Apartments

HEROS Number: 900000010167582

Project Location: 899 Culver Rd, Rochester, NY 14609

Additional Location Information:

There are three sites to be rehabilitated: 899 Culver Road, Rochester, NY, 14609; 699 E. Main Street, Rochester, NY 14605; 1614-1624 North Clinton Ave., Rochester, NY 14621 (2 Buildings)

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The project includes occupied modernization/rehabilitation of 150 rental housing units located within three multi-family developments on three sites within the City of Rochester. Units will be affordable to households earning at or below 50% to 80% of Area Media Income (AMI), with 50 units set aside for supportive housing. The \$26,237,700 million project will be funded by a combination of public and private funding sources including a \$300,000 HOME Loan from the City of Rochester and \$15,462,700 from New York State HCR HOME. In addition, 38 Housing Vouchers will be available through the Rochester Housing Authority. The scope of work for the project includes moderate rehabilitation of the three (3) existing residential properties. The scope of work encompasses upgrades to the aging buildings, including exterior repairs, new roofs, upgraded mechanical systems, unit upgrades, and redesigned common spaces and minor sitework. Site work: Site work at the three (3) sites includes replacement of existing deteriorated driveways, sidewalks and parking areas, and improvements to accessibility by construction of new sidewalks. Disturbed lawn areas will be re-seeded and some new foundation plantings will be planted. Abatement of Asbestos and Lead Based Paint: Abatement at the properties will include: Roof asbestos abatement during roof replacement, pipe insulation asbestos abatement (where necessary per construction impacts and air testing requirements), and asbestos abatement of mastic at fixtures, under flooring and window caulk (where impacted by construction). Lead based paint abatement, consisting of removal and/or encapsulation will be performed per all applicable regulations. Clearance testing will be performed for asbestos and lead dust prior to occupancy, to ensure that there are no hazards to residents. To address any remaining asbestos and/or Lead Based Paint in the buildings after the construction project, an Asbestos and Lead Based Paint Operations and Maintenance plan will be prepared for each site, which will describe locations and procedures for future maintenance and property supervision regarding any remaining materials and minimizing safety hazards to the residents.

Funding Information

Grant Number	HUD Program	Program Name
TBD	Community Planning and Development (CPD)	HOME Program

Estimated Total HUD Funded Amount: \$15,762,700.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$26,237,700.00

Mitigation Measures and Conditions [CFR 1505.2(c)]:

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition
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<input type="checkbox"/>	Finding of Significant Impact

Preparer Signature: _____ **Date:** _____

Name / Title/ Organization: Lia Anselm / / ROCHESTER

Certifying Officer Signature: Heather Spitzberg **Date:** 1/28/21

Name/ Title: Heather Spitzberg, Director, NYSHCR Environmental Unit

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