

ENVIRONMENTAL REVIEW RECORD
**Community Development Block Grant, Home Investment
Partnerships, and Neighborhood Stabilization Programs**

Multi -Year Clearance
July 1, 2009 - June 30, 2011

To Whom It May Concern:

The City of Alexandria has reviewed the following programs/activities to be funded with Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and/or Neighborhood Stabilization Program funds with regard to compliance with the U.S. Department of Housing & Urban Development's (HUD) Environmental Review regulations:

<u>IDIS Project ID #</u>	<u>Project Name</u>
(1)	Program Administration - CDBG
(2)	Program Administration - HOME
(3)	Submissions or Applications for Federal Programs - CDBG
(4)	Fair Housing Testing Program – CDBG
(5)	Home Rehabilitation Loan Program - CDBG
(6)	Homeownership Assistance Program - CDBG and HOME
(7)	Eviction Assistance and Furniture Storage – CDBG
(8)	Transitional Assistance Program – CDBG
(9)	Winter Shelter – CDBG
(10)	Rental Accessibility Modification Program - CDBG
(11)	Housing Development Assistance Program - HOME
(n/a) ¹	Neighborhood Stabilization Program (NSP)

I. COMBINED ENVIRONMENTAL REVIEW FOR EXEMPT ACTIVITIES

The following five projects were determined to be exempt from the requirements of 24 CFR 58. Since these projects are exempt from National Environmental Policy Act (NEPA) review under 24 CFR 58.34, the recipient does not have to publish a Finding of No Significant Impact (FONSI) and a Notice of Intent to Request Release of Funds (NOI/RROF), nor submit a certification and a Request for Release of Funds (RROF) to HUD for related activities. As these projects are exempt under 24 CFR 58.34, they do not require action under 24 CFR 51 and, as they do not involve acquisition, disposition, construction or rehabilitation activities or property located within a coastal barrier

¹ The Commonwealth of Virginia through the Department of Housing and Community Development (VDHCD) received a substantial NSP entitlement from the federal Department of Housing and Urban Development (HUD) and will be sub-allocating funds to local units of government. VDHCD requires local governments to perform environmental reviews on projects under the NSP program funds. Therefore, the NSP Environmental Review Record is made part of this multi-year clearance review, and an IDIS project number is not required.

resources area or runway clear zone, these projects do not require action under 24 CFR 58.6.

PROJECTS EXEMPT UNDER 24 CFR 58.34(a)(3): Administrative and Management Activities

- (1) Program Administration - CDBG
- (2) Program Administration – HOME
- (3) Submissions or Applications for Federal Programs/Public Information - CDBG
- (4) Fair Housing Testing Program – CDBG

PROJECTS EXEMPT UNDER 24 CFR 58.34(a)(4): Public services that will not have a physical impact or result in any physical changes.

- (7) Eviction Assistance and Furniture Storage

II. COMBINED ENVIRONMENTAL REVIEW FOR CATEGORICALLY EXCLUDED PROJECTS

The following seven projects were determined to be categorically excluded under 24 CFR 58.

PROJECTS CATEGORICALLY EXCLUDED UNDER 24 CFR 58.35(b), AND NOT SUBJECT TO REQUIREMENTS UNDER 24 CFR 58.5: The following two projects were determined to be Categorically Excluded from NEPA requirements and not subject to Statutory/Regulatory Compliance under 24 CFR 58.5. These projects will also require no further action under 24 CFR 51 or 58.6. See below for a more complete explanation.

- (8) Transitional Assistance Program
- (9) Winter Shelter

PROJECTS CATEGORICALLY EXCLUDED UNDER 24 CFR 58.35(a) THAT MAY BE SUBJECT TO REQUIREMENTS UNDER 24 CFR 58.5: The following five projects were determined to be Categorically Excluded from NEPA requirements and may be subject to review under 24 CFR 58.5. See below for a more complete explanation. Pursuant to 24 CFR 51, 58.5 and 58.6, these projects will be carried out in compliance with statutory/regulatory requirements as described in Section III below.

- (5) Home Rehabilitation Loan Program
- (6) Homeownership Assistance Program
- (10) Rental Accessibility Modification Program
- (11) Housing Development Assistance Program
- (n/a) Neighborhood Stabilization Program

A. Categorically Excluded Projects Not Subject to Statutory - Regulatory Compliance under 24 CFR 58.5

- **PROJECT NAME:** Transitional Assistance Program (project ID 8)

PROJECT PURPOSE/NATURE: To provide short-term housing assistance to homeless or overcrowded families with at least one employed member.

STATUS OF THE PROJECT: Continuation of an existing program

PROJECT AREA: City of Alexandria Citywide-Census Tracts 2001.01 through 2016 and 2018.01 through 2020.02 (see attached map 1).

DETERMINATION: The project is categorically excluded from NEPA requirements under 24 CFR 58.35(b)(2), which covers supportive services including, but not limited to short-term payments for rent/mortgage/utility costs. Pursuant to 24 CFR 58.35(b), this project does not require any action under 24 CFR 58.5 because HUD has determined that the type of activities involved would not alter any conditions that would require a review or compliance determination under the federal laws and authorities cited in that section. As this project does not involve acquisition, disposition, construction or rehabilitation activities or property within a coastal barrier resources area or runway clear zone, it does not require action under 24 CFR 58.6; and as the project does not involve property development, construction, rehabilitation, modernization or conversion activities or property near a runway clear zone, it is not subject to the requirements of 24 CFR 51. Since this project is categorically excluded from NEPA review under 24 CFR 58.35(b), the recipient does not have to publish a Finding of No Significant Impact (FONSI) and a Notice of Intent to Request Release of Funds (NOI/RROF), nor submit a certification and a Request for Release of Funds (RROF) to HUD.

- **PROJECT NAME:** Winter Shelter (project ID 9)

PROJECT PURPOSE/NATURE: Funding to support the Winter Shelter Program for homeless families and adults.

STATUS OF THE PROJECT: Continuation of an existing program

PROJECT AREA: The Winter Shelter Program currently operates out of Carpenter's Shelter (930 N. Henry), the Church of St. Clement (1701 North Quaker Lane), and Alfred Street Baptist Church (310 S. Alfred Street).

DETERMINATION: The project is categorically excluded from NEPA requirements under 24 CFR 58.35(b)(3), which covers operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment and other incidental costs. Pursuant to 24 CFR 58.35(b),

this project does not require any action under 24 CFR 58.5 because HUD has determined that the type of activities involved would not alter any conditions that would require a review or compliance determination under the federal laws and authorities cited in that section. As this project does not involve acquisition, disposition, construction or rehabilitation activities or property within a coastal barrier resources area or runway clear zone, it does not require action under 24 CFR 58.6; and as the project does not involve property development, construction, rehabilitation, modernization or conversion activities or property near a runway clear zone, it is not subject to the requirements of 24 CFR 51. Since this project is categorically excluded from NEPA review under 24 CFR 58.35(b), the recipient does not have to publish a FONSI and an NOI/RROF, nor submit a certification and an RROF to HUD.

B. Projects Subject to Statutory-Regulatory Compliance under 24 CFR Part 58.5

- **PROJECT NAME:** Home Rehabilitation Loan Program (project ID 5)

PROJECT PURPOSE/NATURE: To provide no-interest, deferred payment, home rehabilitation loans to income eligible owner-occupants.

STATUS OF THE PROJECT: Continuation of an existing program

PROJECT AND AREA DESCRIPTION: City of Alexandria Citywide-Census Tracts 2001.01 through 2016 and 2018.01 through 2020.02 (see attached map 1).

DETERMINATION: The project is categorically excluded from NEPA requirements under 24 CFR 58.35(a)(3), (i) which covers rehabilitation of buildings and improvements where in the case of a building for residential use (with one to four units) 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; and (ii) where in the case of multifamily residential buildings, the unit density is not changed more than 20 percent, the project does not involve changes in land use from residential to non-residential, and the estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation. This project will be carried out in compliance with the federal laws and authorities cited at 24 CFR 58.5 and 58.6 and with requirements listed at 24 CFR 51, as described in Section III below. Since this project is categorically excluded from NEPA review under 24 CFR 58.35(a), the recipient does not have to publish a FONSI.

- **PROJECT NAME:** Homeownership Assistance Program (project ID 6)

PROJECT PURPOSE/NATURE: To assist low- and moderate- income first-time homebuyers living or working in the City of Alexandria through the provision of downpayment, interest writedown and settlement cost assistance; and

to acquire and rehabilitate properties for resale to qualified low- and moderate-income homebuyers.

STATUS OF THE PROJECT: Continuation of an existing program

PROJECT AREA: City of Alexandria Citywide-Census Tracts 2001.01 through 2016 and 2018.01 through 2020.02 (see attached map 1).

DETERMINATION: The aspect of the project allowing for the provision of downpayment, interest writedown and settlement cost assistance is categorically excluded from NEPA requirements under 24 CFR 58.35(b)(5), which covers 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. Activities of this type require flood insurance only where necessary under the Flood Disaster Protection Act of 1973. Pursuant to 24 CFR 58.35(b), this aspect of the project does not require any further action under 24 CFR 58.5 because HUD has determined that the activities involved would not alter any conditions that would require a review or compliance determination under the federal laws and authorities cited in that section. As this project does not involve property development, construction, rehabilitation, modernization or conversion activities or property near a runway clear zone, it is not subject to the requirements of 24 CFR 51. This aspect of the project will be reviewed for compliance with the requirements of 24 CFR 58.6, as described in Section III below.

The acquisition and rehabilitation aspect of this project is categorically excluded under 24 CFR 58.35(a)(3), (i) which covers rehabilitation of buildings and improvements where in the case of a building for residential use (with one to four units) 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; and (ii) where in the case of multifamily residential buildings, the unit density is not changed more than 20 percent, the project does not involve changes in land use from residential to non-residential, and the estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation.; and 24 CFR 58.35(a)(5), which covers acquisition or disposition of an existing structure provided that the structure acquired or disposed of will be retained for the same use. This aspect of the project would be carried out in compliance with the federal laws and authorities cited at 24 CFR 58.5 and 58.6 and with requirements listed at 24 CFR 51, as described in Section III below. Since the project as a whole is categorically excluded from NEPA review, the recipient does not have to publish a FONSI.

- **PROJECT NAME:** Rental Accessibility Modification Program (project ID 10)

PROJECT PURPOSE/NATURE: To provide grants for accessibility modifications to rental units for tenants with disabilities.

STATUS OF THE PROJECT: Continuation of an existing program

PROJECT AND AREA DESCRIPTION: City of Alexandria Citywide-Census Tracts 2001.01 through 2016 and 2018.01 through 2020.02 (see attached map 1).

DETERMINATION: The project is categorically excluded from NEPA requirements under 24 CFR 58.35(a)(2), which covers special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to handicapped persons; 24 CFR 58.35(a)(3), (i) which covers rehabilitation of buildings and improvements where in the case of a building for residential use (with one to four units) 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; and (ii) where in the case of multifamily residential buildings, the unit density is not changed more than 20 percent, the project does not involve changes in land use from residential to non-residential, and the estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation. This project will be carried out in compliance with the federal laws and authorities cited at 24 CFR 58.5 and 58.6 and with requirements listed at 24 CFR 51, as described in Section III below. Since this project is categorically excluded from NEPA review under 24 CFR 58.35(a), the recipient does not have to publish a FONSI.

- **PROJECT NAME:** Housing Development Assistance Program (project ID 11)

PROJECT PURPOSE/NATURE: To support the development and preservation of affordable rental and sales housing stock by providing loans and/or grant financing to housing developers. Activities to be funded may include feasibility studies, pre-development, acquisition, rehabilitation and/or construction.

STATUS OF THE PROJECT: Continuation of an existing program

PROJECT AND AREA DESCRIPTION: City of Alexandria Citywide-Census Tracts 2001.01 through 2016 and 2018.01 through 2020.02 (see attached map 1).

DETERMINATION: Activities carried out as part of this project are categorically excluded from NEPA requirements if they meet conditions under 24 CFR 58.35(a)(3)(ii) which covers the rehabilitation of multifamily residential buildings where unit density is not changed more than 20%, the project does not involve changes in land use from residential to non-residential and the estimated cost of rehabilitation is less than 75% of the total estimated cost of replacement after rehabilitation; 24 CFR 58.35(a)(5), which covers acquisition or disposition of an existing structure or acquisition of vacant land provided that the structure or land acquired or disposed of will be retained for the same use; 58.35(b)(5), which covers activities to assist homebuyers to purchase existing 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; or 58.35(b)(6), which covers affordable housing predevelopment costs that do not have a physical impact. Pursuant to 58.35(c), if the recipient determines that an activity undertaken as part of this project may have a significant environmental effect, it shall comply with NEPA requirements. Activities undertaken as part of this project will be carried out in compliance with the federal laws and authorities cited at 24 CFR 58.5 and 58.6 and with requirements listed at 24 CFR 51, as described in Section III below. Since this project is categorically excluded from NEPA review, the recipient does not have to publish a FONSI.

- **PROJECT NAME:** Neighborhood Stabilization Program (project ID n/a)

STATUS OF THE PROJECT: New federally-assisted program

PROJECT AND AREA DESCRIPTION: City of Alexandria Hume Springs Community Target Area -Census Tract 12.03 (see attached map 2).

PROJECT PURPOSE/NATURE: Provides grants to local communities to purchase foreclosed or abandoned homes and to rehabilitate, resell, or redevelop these homes in order to stabilize neighborhoods and stem the decline of house values of neighboring homes. Properties will be originally acquired by Alexandria Housing Development Corporation (AHDC) and rehabilitated by Rebuilding Together Alexandria (RTA). The City will be providing loans to households to purchase homes.

DETERMINATION: The project is categorically excluded from NEPA requirements under 24 CFR 58.35(a)(3), (i) which covers rehabilitation of buildings and improvements where in the case of a building for residential use (with one to four units) 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; and (ii) where in the case of multifamily residential buildings, the unit density is not changed more than 20 percent, the project does not involve changes in land use from residential to non-residential, and the estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation. This project will be carried out in compliance with the federal laws and authorities cited at 24 CFR 58.5 and 58.6 and with requirements listed at 24 CFR 51, as described in Section III below. Since this project is categorically excluded from NEPA review under 24 CFR 58.35(a), the recipient does not have to publish a FONSI.

III. STATUTORY/REGULATORY COMPLIANCE PURSUANT TO 24 CFR 51, 58.5 and 58.6

The statutory/regulatory compliance findings, including procedures that must be undertaken to determine potential environmental impacts, for projects that may be subject to 24 CFR 51, 58.5 and 58.6, are combined and summarized below.

Historic Properties (for projects subject to 24 CFR 58.5)

Whether a project will have an impact on historic properties is determined through a state-approved process consistent with federal guidelines (36 CFR 800) for implementing Section 106 of the National Historic Preservation Act, as amended. First, staff will determine whether the proposed activity is an “undertaking” as defined by 36 CFR 800 (i.e., whether the proposed project will be carried out with Federal financial assistance). If the project is not found to be an “undertaking,” then no further action is required under Section 106.

For a project that is found to be an “undertaking,” the City will make a determination regarding the project’s impact on historic properties. Three possible determinations could be made: 1) a finding of no effect; 2) a finding of no adverse effect; or 3) a finding of adverse effect. The City will then submit a letter to the State Historic Preservation Officer in Richmond, Virginia describing the project and requesting concurrence with the City’s determination of the project’s impact on historic properties. In addition to the letter, a site map showing the property’s location, data sheets, which include photos, and assessment sheets will be included. Renovation specifications will be included for properties known to be in current or proposed historic districts. The State Historic Preservation Officer will have 30 days to respond. After 30 days, the City will either be in receipt of a memorandum from the State on the matter and will proceed accordingly or the City will assume that the State is in concurrence with the City determination.

If the State concurs with a City determination that the proposed project will have either no effect or no adverse effect on properties that are listed or eligible for listing in the National Register of Historic Places and that it has met the requirements of Section 106 of the National Historic Preservation Act, the statutory-regulatory requirements will be considered fulfilled.

If the State concurs with a City determination that there is an adverse effect on historic properties, the City will notify the Advisory Council on Historic Preservation of the finding and invite the Council to participate as a consultant as the City works with the State Historic Preservation Office to determine what changes need to take place within the planned rehabilitation (such as what materials and colors are acceptable for rehabilitation work) to obtain a no effect or a no adverse effect ruling.

Floodplain Management (for projects subject to 24 CFR 58.5 and/or 58.6)

The City will conduct site-specific reviews in accordance with 24 CFR Part 55 and Executive Order 11988 to determine if proposed activities will be impacted by or have any adverse impact on the 100-year floodplain. Where avoidance of activities in the floodplain or activities that may adversely impact the floodplain is not possible, measures will be taken to mitigate any potential adverse impacts to the floodplain and/or risk of flood loss. Required mitigation measures may include the purchase of flood insurance. Other site-appropriate modifications (such as the elevating or grading of properties) will be determined in consultation with the City's Department of Transportation and Environmental Services through the permitting process. All mitigative measures will be in compliance with City Ordinance 3517, which regulates development in floodplain districts in the City.

Wetlands Protection (for projects subject to 24 CFR 58.5)

According to a memorandum from the Division Chief of Environmental Quality in the City's Department of Transportation and Environmental Services (dated April 3, 2009), for activities involving existing residential structures, if no new site plan is required, there will not be an impact on wetlands in the City. Activities involving new development or significant expansion will go through the City's development process, which will include an evaluation for wetlands impacts.

Coastal Zone Management/Coastal Barrier Resources (for projects subject to 24 CFR 58.5 and 58.6)

According to the Commonwealth of Virginia's Department of Environmental Quality (letter dated May 21, 2009), activities must be executed in a manner consistent with the Commonwealth of Virginia's Coastal Resources Management Program; i.e., all applicable permits or approvals described in the document entitled, "Enforceable Programs of Virginia's Coastal Resources Management Program" must be received prior to project implementation. Therefore, as each site and specific activity is identified, if any of the enforceable programs are applicable, the required permits and approvals will be obtained.

As no part of Alexandria is located within a Coastal Barrier Resources System or an Otherwise Protected Area, the projects will not have an adverse impact on such resources.

Water Quality (for projects subject to 24 CFR 58.5)

For activities that do not involve changes in the footprint of a building or other impervious areas, no water quality review is necessary. For activities involving the disturbance of more than 2,500 square feet of land, staff will at a minimum implement a Soil and Erosion Control Plan. If an activity involving greater than 2,500 square feet of land disturbance requires the City to approve a Site Plan, Development SUP, or a Plot

plan, then the activity will be subject to the Environmental Management Regulations in the City's Zoning Ordinance, which include the City's Chesapeake Bay Ordinance and require stormwater from the site to be treated.

If proposed activities unavoidably involve dredging or filling in navigable waters, smaller water bodies or wetlands, appropriate permits will be obtained and mitigative measures will be implemented.

Water Quality - Aquifers (for projects subject to 24 CFR 58.5)

This impact category is not applicable to the proposed projects, as the City of Alexandria has no sole source aquifers.

Endangered Species (for projects subject to 24 CFR 58.5)

According to the responses from the United States Department of the Interior Fish and Wildlife Service (letter dated June 5, 2009), the Commonwealth of Virginia's Department of Game and Inland Fisheries (letter dated May 28, 2009), the Department of Conservation and Recreation (letter dated May 19, 2009), and the Department of Agriculture and Consumer Services Division of Consumer Protection (letter dated May 19, 2009; Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services [VDACS] and the Virginia Department of Conservation and Recreation [DCR], DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species), there are currently no threatened or endangered species within Alexandria. Therefore, no significant adverse impacts to threatened or endangered species are anticipated as a result of activities undertaken in connection with the proposed projects.

Wild and Scenic Rivers (for projects subject to 24 CFR 58.5)

This impact category is not applicable to the proposed projects, as the Department of Interior has not identified any wild and scenic rivers within the City of Alexandria.

Air Quality (for projects subject to 24 CFR 58.5)

Alexandria is meeting all of the National Ambient Air Quality Standards, except for ozone, for which the City has been designated a severe non-attainment area. As a result of this designation, a new State Implementation Plan (SIP) will be required. However, according to a memorandum from the Division Chief of Environmental Quality in the City's Department of Transportation and Environmental Services (dated April 29, 2009), due to the limited size and scope of the proposed projects, the projects will not have an adverse impact on air quality and will not be subject to State Implementation Plan (SIP) requirements.

Farmlands Protection (for projects subject to 24 CFR 58.5)

This impact category is not applicable to the proposed projects as the City of Alexandria is urban in nature and has no farmlands.

Noise (for projects subject to 24 CFR 51 and 58.5)

Review for compliance with noise regulations is done on a site-specific basis. If an area is determined to have unacceptable noise levels, City staff will ensure that mitigation measures are implemented.

Thermal/Explosive Hazards (for projects subject to 24 CFR 51 and 58.5)

Projects will be reviewed for compliance with regulations related to thermal or explosive hazards on a site-specific basis. If a site is determined to be within an unacceptable distance of thermal or explosive hazards, City staff will implement mitigating measures.

Solid/Hazardous Wastes (for projects subject to 24 CFR 51 and 58.5)

According to a memorandum from the Division Chief of Environmental Quality in the City's Department of Transportation and Environmental Services (T&ES; dated April 29, 2009), there are no hazardous waste disposal facilities within Alexandria, and T&ES is not aware of any sites that have radiological concerns or radioactive contamination. There is one active solid waste disposal site within Alexandria, which is located at 5301 Eisenhower Avenue. As a general policy, the City does not support residential uses close to this facility. Activities involving new development or significant expansion of existing structures will go through the City's development process, which will include an evaluation for contaminated land issues.

Airport Clear Zones (for projects subject to 24 CFR 51, 58.5 and 58.6)

This impact category is not applicable to the proposed projects as no airport runway clear zones fall within the City of Alexandria.

Toxic Chemicals and Radioactive Materials (for projects subject to 24 CFR 58.5)

According to a memorandum from the Division Chief of Environmental Quality in the City's Department of Transportation and Environmental Services (T&ES; dated April 29, 2009), T&ES is not aware of any sites within the City that have radiological concerns or radioactive contamination. Projects will be reviewed for compliance with toxic chemicals and radioactive materials on a site-specific basis.

Environmental Justice (for projects subject to 24 CFR 58.5)

The City has determined that as all projects are efforts to assist low- and moderate-income persons within existing neighborhoods, and as 85% of the program beneficiaries of the continuing projects among this group have been minorities during City FY 2007 through FY 2008, the programs implemented will not have a disproportionately high and adverse human health or environmental effect on minority or low-income populations.

The above findings were made by the Alexandria Office of Housing on June 10, 2009.

James Hartmann, City Manager