



City of New York
DEPARTMENT OF
HOUSING PRESERVATION AND DEVELOPMENT
100 GOLD STREET, NEW YORK, N.Y. 10038
nyc.gov/hpd

RAFAEL E. CESTERO
Commissioner

Programmatic **Environmental Review Record**

Home Investment Partnership Program (HOME)

CONTENTS:

- Environmental Review Record – 4 pages
- Combined Notice of Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds – 2 pages
- Statutory Checklist – Programmatic Review – 3 pages
- Environmental Assessment Checklist - Programmatic Review – 3 pages
- Appendix A – Site-Specific Statutory Checklist form – 1 page
- Appendix B – Site Specific Environmental Assessment Checklist form – 3 pages
- Attachments 1 – 7: Documentation – 28 pages

December 2010

Web site: <http://www.nyc.gov/html/hpd/html/developers/Environmental-Review.shtml>

Environmental Assessment Programmatic Review

Responsible Entity: City of New York Department of Housing Preservation and Development (HPD)
[24 CFR 58.2(a)(7)]

Certifying Officer: Rafael E. Cestero, Commissioner, HPD
[24 CFR 58.2(a)(2)]

Program Name: Home Investment Partnership Program (HOME)

Federal Agency: U.S. Department of Housing and Urban Development (HUD)

Project Locations: To be determined - Project Locations throughout New York City

Estimated total project cost: \$124,813,610

Grant Recipient: City of New York HPD
[24 CFR 58.2(a)(5)]

Recipient Address: 100 Gold Street, New York, NY, 10038

Project Representative: Patrick S. Blanchfield, AICP
Director of Environmental Planning, HPD

Telephone Number: 212-863-5056

Conditions for Approval:

Mitigation measures may include, but are not limited to: testing and remediation measures associated with hazardous materials; window-wall attenuation measures associated with ambient noise; flood insurance; and testing and/or modification of project design to avoid or minimize effects associated with historic architectural or archaeological resources. All applicable mitigation measures would be incorporated into each proposed project. When an individual project is awarded HOME funds, the site location and project description will be posted on HPD's website.

Instructions on obtaining a copy of the complete Environmental Review Record (ERR) may also be found on HPD's website.

FINDING: [58.40(g)]

- Finding of No Significant Impact**
(The project will not result in a significant impact on the quality of the human environment)
- Finding of Significant Impact**
(The project may significantly affect the quality of the human environment)

Preparer Signature: _____ (Signature on File) 12/1/2010
Title/Agency: Environmental Planner/Project Manager **Date:**

RE Approving Official Signature: _____ (Signature on File) 12/1/2010
Title/ Agency: Executive Director of Environmental Policy and Implementation **Date:**

Statement of Purpose and Need for the Proposal:

The City of New York Department of Housing Preservation & Development (HPD) intends to undertake activities funded through the United States Department of Housing and Urban Development's (HUD) HOME Investment Partnership Program (HOME) grant.

Description of the Proposal:

HPD intends to undertake activities funded through HUD's HOME grant. The funding provided by HUD under HOME would be allocated by HPD. HOME is a Federal grant program designed to serve low-income renters and owners, as well as, homeless families and individuals. HPD estimates that the majority of the grant will be targeted for new construction as well as substantial and moderate rehabilitation activities designed to provide affordable housing for a range of small and large households, homeless families and individuals, and elderly families. In addition, the HOME grant may be used toward homeownership, rental assistance, planning, administration and to refinance loans.

During calendar year 2010, HPD will use HOME funds in the following programs:

Neighborhood Entrepreneurs Program (NEP);
Neighborhood Redevelopment Program (NRP);
Participation Loan Program (PLP);
Supportive Housing Program;
Third Party Transfer Program;
Multifamily Homeownership (formerly the Cornerstone Program);
Article 8-A Loan Program;
Small Homes Scattered Sites (New Foundations);
HUD Multifamily;
HUD Multifamily Rental Mixed Income;
Low Income Rental Program;
HUD Section 202 Program; and
HomeFirst down payment Assistance Program.

The intent of the attached HUD environmental assessment for HOME is to include the entire group of projects to be funded under the program, even though specific project sites have not yet been selected. It is anticipated that these projects and sites will vary in terms of construction type, scope of work and geography, but all will be subject to related laws at 24 CFR 58.5 and 58.6 as set forth in Part 58 – ENVIRONMENTAL REVIEW PROCEDURES FOR ENTITIES ASSUMING HUD ENVIRONMENTAL RESPONSIBILITIES.

Project sites proposed for rehabilitation will be assessed relative to the federal statutes, executive orders and regulations detailed in the Statutory Checklist contained in Appendix A (attached) and project sites proposed for new construction will be assessed relative to the federal statutes, executive orders and regulations detailed in the Statutory Checklist, and evaluated to determine the significance of effects of the proposal on the character, features and resources of the project area as detailed in the Environmental Assessment Checklist contained in Appendix B (attached)

Existing Conditions and Trends:

Sites intended for HOME funding are located within NYC. HPD estimates that the majority of the grant will be targeted for new construction as well as substantial and moderate rehabilitation activities designed to provide affordable housing for a range of small and large households, homeless families and individuals, and elderly families. In addition, the HOME grant may be used toward homeownership, rental assistance, planning, administration and to refinance loans.

Absent the proposed project, an opportunity to provide much needed affordable housing while preventing abandonment and blight in these communities would be lost.

Summary of Findings and Conclusions

Alternatives and Project Modifications Considered

HPD has determined that it has no practicable alternative other than to proceed with the proposed projects. The failure to provide funding for rehabilitation and/or construction under HOME could result in a decline in neighborhood quality and the availability of much needed affordable housing for a range of individuals and families throughout New York City.

No Action Alternative. Under the no-action alternative, foreclosed, abandoned and/or vacant properties would remain and potentially destabilize long-established residential neighborhoods in New York City. Existing residential buildings would remain in a dilapidated state and could negatively affect the value of neighboring properties. No benefits would result from not implementing the HOME program in New York City. The failure to provide funding for rehabilitation and/or construction under HOME could result in a decline in neighborhood quality and the availability of much needed affordable housing for a range of individuals and families throughout New York City.

Mitigation Measures Recommended [24 CFR 58.40(d), 40 CFR 1508.20]

(Recommend feasible ways in which the proposal or its external factors should be modified in order to minimize adverse environmental impacts and restore or enhance environmental quality.)

Certain categories included in the attached Programmatic Statutory and Environmental Assessment Checklists may indicate potential adverse impacts. Projects will be reviewed by HPD in terms of the potential adverse environmental impacts to determine if any design features or modifications are required to mitigate such adverse impacts.

Mitigation measures may include, but are not limited to: testing and remediation measures associated with hazardous materials; window-wall attenuation measures associated with ambient noise; flood insurance; and testing and/or modification of project design to avoid or minimize effects associated with historic architectural or archaeological resources. All applicable mitigation measures would be incorporated into each proposed project.

Individual projects for which significant adverse impacts cannot be mitigated or avoided would not be considered for funding.

Additional Studies Performed

Programmatic Statutory Checklist
Programmatic Environmental Assessment

Attachments

Appendix A – Site-specific Statutory Checklist
Appendix B - Site-specific Environmental Assessment Checklist
Appendix C – Other Requirements Checklist
Attachment 1 – Historic Preservation MOU
Attachment 2 – NYC Floodplain Map
Attachment 3 – NYC Coastal Zone Map
Attachment 4 - NYC Coastal Barrier Map
Attachment 5 – NYC Endangered Species by County
Attachment 6 – Airport Clear Zones for JFK and LaGuardia Airports
Attachment 7 – HOME-funded HPD programs

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

New York City Department of Housing Preservation and Development (HPD);
New York City Landmarks Preservation Commission (LPC);

New York City Department of Environmental Protection (DEP);
New York City/Mayor's Office of Environmental Remediation (OER);
New York City Department of Buildings (DOB);
New York City Department of City Planning (DCP);
New York City Planning Commission (CPC);
New York State Department of Environmental Conservation (DEC);
New York State Office of Parks, Recreation and Historic Preservation (OPRHP);
United States Department of Housing and Urban Development (HUD)
United States Department of the Interior – Fish and Wildlife (FWS)
United States Federal Emergency Management Agency (FEMA); and
United States Environmental Protection Agency (EPA).

Combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds

To: All Interested Agencies, Groups and Individuals

The City of New York - Department of Housing Preservation & Development (HPD) intends to undertake projects funded through the United States Department of Housing and Urban Development's (HUD) Home Investment Partnership Program (HOME) grant. The funding provided by HUD under HOME would be allocated by HPD. HOME is a Federal grant program designed to serve low-income renters and owners, as well as homeless families and individuals. HPD estimates that the majority of the grant will be targeted for new construction as well as substantial and moderate rehabilitation activities designed to provide affordable housing for a range of small and large households, homeless families and individuals, and elderly families. In addition, the HOME grant may be used toward homeownership, rental assistance, planning, administration, and to refinance loans.

The intent of this HUD environmental review for HOME is to include the entire group of projects to be funded under the program. Specific projects and sites have not yet been selected. It is anticipated that these projects and sites will vary in terms of construction type, scope of work and geography, but all will be subject to environmental review laws found at 24 CFR 58.5 and 58.6.

Prior to an individual project award of HOME funding, each project requiring an Environmental Assessment (EA) and its Finding of No Significant Impact (FONSI) will be posted to HPD's website for the interested public to review and/or comment. Project proposals that are determined to have a potentially significant impact on the human environment will either be rejected or will require the filing of an Environmental Impact Statement (EIS) in accordance with 24 CFR 58.37 and would be subject to a separate Request for Release of Funds notice. HPD will accept comments for a period of 18 days following the date of the project-specific posting. Please visit HPD's website at <http://www.nyc.gov/html/hpd/html/developers/Environmental-Review.shtml> for additional information regarding environmental review procedures and project information.

Finding of No Significant Impact:

The HOME Program in New York City is administered by HPD. An environmental review record has been established for the HOME program in accordance with 24 CFR 58.76 and is on file at HPD. Based on this review, it has been determined that the HOME program will not constitute an action significantly affecting the quality of the environment and, accordingly the City of New York has decided not to prepare an EIS under the National Environmental Policy Act of 1969. The reasons for the decision not to prepare an EIS are as follows:

1. There are no significant adverse physical impacts, either direct or indirect, associated with these projects.
2. There are no significant adverse social impacts, either direct or indirect, associated with these projects.
3. There are no significant adverse economic impacts, either direct or indirect, associated with these projects.

Intent to Request Release of Funds:

This document constitutes the City of New York's Notice of Intent to Request Release of Funds from HUD for the Federal HOME Program.

The activities proposed under the program require an EA, as identified in the HUD Environmental Regulations found under 24 CFR Part 58.36 and, therefore, this notice is being prepared on a programmatic basis in accordance with 24 CFR 58.15.

The City of New York will certify to HUD in its request for release of funds that the City and HPD's Commissioner, in his official capacity as certifying officer for HOME Program funds, consents to accept jurisdiction of the federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making and action, and that these responsibilities have been satisfied.

The environmental review record established for the HOME program is in accordance with 24 CFR 58.76 and is on file at HPD, Office of Development, Division of Environmental Planning & Implementation, 100 Gold Street, Room 9I-6, New York, New York 10038 and available on HPD's website.

Written comments or objections to the obligation and/or use of HOME Program Funds must be received by the NYC HPD at 100 Gold Street, New York, NY 10038, Attn: P. Blanchfield, AICP, Room 9I-6 on or before the 18th day following the date of this notice. No comments or objections received after this date will be considered by HPD.

On or about February 7, 2011, the City of New York intends to submit to HUD the Request for Release of Funds for the HOME funding.

Objection to Request Release of Funds:

HUD will accept objections to its release of funds and the Responsible Entity's (RE) certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if objections are on one of the following bases: (a) the certification was not executed by the Certifying Officer of HPD; (b) the RE has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to Director of Community Planning and Development, U.S. Department of Housing and Urban Development, 26 Federal Plaza, New York, New York 10278-0068.

Potential objectors should contact HUD to verify the actual last day of the objection period.

Date issued: January 19, 2011

Statutory Checklist Programmatic Review

Factors	Determinations and Compliance Documentation
<p>Historic Preservation [36 CFR 800]</p>	<p>In accordance with an existing MOU between the City of New York and the New York City Landmarks Preservation Commission (LPC) and, if necessary, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP), HPD will perform a site specific review in compliance with Section 106 of the National Historic Preservation Act. A copy of the MOU is included as Attachment 1.</p> <p>If a project or project site has the potential to effect a historic resource, a Memorandum of Agreement (MOA) will be executed between OPRHP and HPD to ensure there is no significant adverse effects to historic resource(s).</p>
<p>Floodplain Management [24 CFR 55, Executive Order 11988]</p>	<p>Project sites located in a 100-year floodplain will follow the decision making process in accordance with § 55.20. HPD will conduct an evaluation as required by Executive Order 11988 in accordance with HUD regulations at 24 CFR 55.20 to determine the potential environmental effect of construction activity in the floodplain.</p> <p>Projects located along coastal and riverfront areas of Manhattan, Brooklyn, Queens, Staten Island, and the Bronx have a potential to be within the 100-year floodplain, as indicated in Attachment 2, Floodplain Map.</p> <p>Projects within the 100-year floodplain will be restricted from building footprint expansions and will be required to purchase and maintain flood insurance.</p> <p>Projects that involve new construction, substantial improvement of 1-4 family structures, or rehabilitation of structures with more than four units within a floodplain will not be covered by this programmatic review and will require additional notices including a Notice for Early Public Review of a Proposal to Support Activity in the 100-Year Floodplain and Wetland, and Notice and Public Explanation of a Proposed Activity in the 100-Year Floodplain and Finding of No Significant Impact (FONSI) to be published/posted to be eligible to receive HOME funding.</p> <p>No federal assistance will be provided within the regulatory floodway.</p>
<p>Wetlands Protection [Executive Order 11990]</p>	<p>Projects involving rehabilitation of existing structures are not required to be reviewed for consistency with Executive Order 11990.</p> <p>For sites proposed for new construction, HPD will conduct an evaluation as required by 11990 in accordance with HUD regulations at 24 CFR 55.20 to determine the potential environmental effect of construction activity near a wetland area.</p> <p>If a project will impact federal wetlands, it will not be covered by this programmatic review and will require an individual FONSI to be published/posted. Such sites will be subject to site-specific notices and would require a separate FONSI to be eligible to receive HOME funding.</p>
<p>Coastal Zone Management Act [Sections 307(c),(d)]</p>	<p>Projects involving acquisition of existing structures or rehabilitation of existing structures (without a change in building footprint or use) are not required to be reviewed for consistency with the Coastal Zone Management (CZM) Act.</p> <p>Projects involving new construction and which are located within New</p>

	<p>York City's designated coastal zone will be reviewed and assessed for consistency with the New York City Waterfront Revitalization Program (WRP). The WRP is New York City's Federally-approved CZM Plan.</p> <p>Projects located along coastal areas of Manhattan, Brooklyn, Queens, Staten Island, and the Bronx have a potential to be within the CZM Plan area as indicated in Attachment 3, Coastal Zones Map.</p> <p>The New York City Department of City Planning's Waterfront and Open Space Planning Division will be consulted for a determination of a proposed project's consistency with the WRP. Projects that are inconsistent with the WRP will not be included under HOME. Therefore, no significant impacts on coastal zone management act will result and further assessment is not required.</p>
<p>Sole Source Aquifers [40 CFR 149]</p>	<p>Projects involving rehabilitation of existing structures are not required to be reviewed for consistency with 40 CFR 149.</p> <p>For new construction projects in the Brooklyn-Queens Sole Source Aquifer area, the US Environmental Protection Agency (EPA) will be consulted in accordance with 40 CFR 149.</p>
<p>Endangered Species Act [50 CFR 402]</p>	<p>Projects involving rehabilitation are not required to be reviewed for consistency with 50 CFR 402.</p> <p>For new construction projects, the U.S. Fish and Wildlife Service (USFWS) will be consulted to determine whether any listed, proposed, or candidate species (T/E species) are likely to occur based on the location of the proposed project.</p> <p>Attachment 5 shows the most current inventory of listed, proposed, or candidate species by County in New York City. New construction projects in areas previously disturbed/developed are not expected to adversely affect any threatened or endangered species.</p> <p>If any listed, proposed, or candidate species are present at a project location, the project will not be covered under the Programmatic review. Consultation with USFWS in accordance with Section 7 of the Endangered Species Act would be required, and a site-specific FONSI would be published/posted.</p>
<p>Wild and Scenic Rivers Act [Sections 7 (b), (c)]</p>	<p>There are no wild and scenic rivers within New York City, as designated by the US Department of the Interior. No impacts would result and further assessment is not required.</p>
<p>Air Quality [Clean Air Act, Sections 176 (c) and (d), and 40 CFR 6, 51, 93]</p>	<p>Projects would not substantively affect the State Implementation Plan (SIP). No significant impacts on air quality will result and further assessment is not required.</p>
<p>Farmland Protection Policy Act [7 CFR 658]</p>	<p>Project sites are located in developed, urban, areas of New York City and would not involve the conversion of farmland to non-agricultural use and therefore would not violate the Farmland Protection Policy Act. Further assessment is not required.</p>
<p>Environmental Justice [Executive Order 12898]</p>	<p>Projects would facilitate the provision of affordable housing. Projects involving rehabilitation are not expected to result in impacts. However, for any project (rehabilitation or new construction) which results in impacts and is located in a neighborhood characterized as low-income and minority, measures will be described and recommended to mitigate such impacts.</p>

HUD Environmental Standards

Determinations and Compliance Documentation

<p>Noise Abatement and Control [24 CFR 51 B]</p>	<p>There are no active military airfields within 15 miles of New York City. If a project site is within 3,000 feet of an active railroad, within 1,000 feet of a major highway; or 5 miles of a civil airport and within the 65 Ldn noise contour, a noise assessment would be conducted. Projects proposed for new construction or rehabilitation which are located outside of the areas described above may require noise assessments and will meet HUD standards under 24 CFR 51. The appropriate window-wall attenuation measures will be addressed on a site-specific basis.</p>
<p>Toxic or Hazardous Substances and Radioactive Materials [HUD Notice 79-33]</p>	<p>Projects involving rehabilitation will be screened for potential contamination, including, but not limited to the review of historic Sanborn Maps, database searches and field inspections. Phase I Environmental Site Assessments (ESA) will be required for all new construction projects. If the potential for contamination cannot be ruled out, a Phase II ESA/Subsurface Investigation will be required. If contaminants are identified, they will be remediated according to all applicable city, state and federal regulations.</p> <p>Lead and asbestos will be handled in accordance with all applicable federal, state and local regulations. Additionally, the recipients shall comply with the Lead Disclosure Rule (24 CFR part 35, subpart A), and the Lead Safe Housing Rule's provisions for rehabilitation (subpart J), and for acquisition, leasing, support services, or operation (subpart K), and the accompanying procedural requirements in subparts B and R.</p> <p>According to US EPA, New York City is located in Radon Zone 3, where the predicted average indoor radon screening level less than 2 pCi/L.</p>
<p>Siting of HUD-Assisted Projects near Hazardous Operations [24 CFR 51 C]</p>	<p>Projects involving acquisition and rehabilitation (without expansion) are not required to be reviewed for consistency with 24 CFR 51C because the number of persons exposed is not increased.</p> <p>Projects involving new construction in proximity to explosive or flammable hazards will comply with HUD's Acceptable Separation Distance standards as defined in 24 CFR 51.</p>
<p>Airport Clear Zones and Accident Potential Zones [24 CFR 51 D]</p>	<p>There are no military airports within 1 mile of New York City. Projects located within 2,500 feet of a civil airport, will require consultation with the appropriate civil airport operator will be provided to determine the project site's location relative to a civil airport runway clear zone.</p> <p>Projects in northern and southern Queens located within close proximity to JFK and LaGuardia airports have a potential to be within the airport clear zone area as indicated in Attachment 6, Airport Clear Zone Maps.</p> <p>If the project is within the zone, the appropriate notifications will be made as per 24 CFR 51D.</p>

Environmental Assessment Programmatic Review

[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]

Evaluate the significance of the effects of the proposal on the character, features and resources of the project area. Enter relevant base data and verifiable source documentation to support the finding. Then enter the appropriate impact code from the following list to make a finding of impact. **Impact Codes:** (1) - No impact anticipated; (2) - Potentially beneficial; (3) - Potentially adverse; (4) - Requires mitigation; (5) - Requires project modification. Note names, dates of contact, telephone numbers and page references. Attach additional materials as needed.

Land Development	Code	Source or Documentation
Conformance with Comprehensive Plans and Zoning	1	Projects would generally be constructed in accordance with existing zoning regulations contained in the New York City Zoning Resolution. No significant effects related to zoning and adopted public policy would result from the proposed projects.
Compatibility and Urban Impact	2	Projects would result in the development of new residential buildings in established, built-up neighborhoods of New York City. No effects related to urban design are anticipated and significant effects related to compatibility and urban impact would not result from the proposed projects. A proposed project may include the demolition or completion of unsightly and unsafe buildings. The redevelopment of such a site could potentially provide an urban design benefit to the surrounding neighborhood.
Slope	1	Projects would be located in built-up, developed urban areas of New York City and would not result in major alterations of the slope of the site or surrounding area.
Erosion	1	Projects would be located in a built-up, developed urban area of New York City and would not result in significant effects related to soil erosion.
Soil Suitability	1	Soil throughout New York City is generally classified as "Urban Land." Geotechnical evaluations (including soil borings) would be required for new construction projects in accordance with NYC Building Code.
Hazards and Nuisances including Site Safety	1	Projects will not have significant effects related to construction activity. The construction effects associated with the proposed projects would be typical of construction effects throughout New York City. Typical effects include sidewalk closures, fugitive dust and noise and effects would be addressed under existing regulations governing construction activity in New York City.
Energy Consumption	1	Projects would utilize the existing electrical grid and be developed in accordance with the New York State Energy Conservation Code, therefore, they would not consume a significant amount of energy.
Noise - Contribution to Community Noise Levels	1	Projects would not contribute to community noise levels as they would not result in significant levels of traffic (mobile source noise). In terms of stationary noise sources, building mechanical systems (i.e. heating, ventilation, and air conditioning systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code, the New York City Department of Buildings Code) to avoid producing levels that would result in any significant increase in ambient noise levels.
Air Quality Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	1	Projects would not contribute to community air pollution levels as they would not result in significant levels of traffic or unusually high concentrations of stationary source emissions (boiler emissions).
Environmental Design Visual Quality - Coherence, Diversity, Compatible Use and Scale	2	Projects would not alter Visual Quality - Coherence, Diversity, Compatible Use and/or Scale. No effects related to environmental design are anticipated and significant effects related to compatibility and urban impact would not result from a proposed

		project. Projects may include the demolition or completion of unsightly and unsafe buildings. The redevelopment of such a site could potentially provide a benefit by improving visual quality, use and scale in the surrounding neighborhood.
--	--	--

Socioeconomic	Code	Source or Documentation
Demographic Character Changes	1	Projects would not alter the demographic character of the area. The inhabitants of a proposed project would have similar demographic characteristics as the population residing in the surrounding neighborhood.
Displacement	1	In rare instances where project tenants may occupy residential buildings on a project site, relocation during rehabilitation activities will be conducted in compliance with HUD Handbook 1378 which provides policy and guidance in implementing 49 CFR Part 24 for HUD funded programs and projects. Projects will not result in any permanent displacement of residents.
Employment and Income Patterns	1	Projects would not result in changes to employment and income patterns. Project site development would be in a manner consistent with area needs, income patterns and land use.

Community Facilities and Services	Code	Source or Documentation
Educational Facilities	1	Projects would not place a significant demand on public schools operated or chartered by the New York City Department of Education (DOE). Projects would not increase allowable density, therefore no impacts to educational facilities are anticipated.
Commercial Facilities	2	Projects would not result in a significant effect on existing commercial establishments. Existing commercial facilities are proximate to the project sites. Project residents may frequent retail establishments in the neighborhood, which can potentially be a benefit to local businesses.
Health Care	1	Projects would not place a significant demand on health care facilities.
Social Services	1	Projects would not place a significant demand on social services. Social services are provided by a range of non-profit and New York City and State agencies. For some new construction projects, on-site social services designed to meet the needs of tenants may be provided.
Solid Waste	1	The New York City Department of Sanitation (DSNY) provides municipal solid waste disposal. Projects would not place a significant demand on solid waste disposal services.
Waste Water	1	Waste water would be handled by the New York City Department of Environmental Protection (DEP). Projects would not place a significant demand on waste water disposal/treatment services.
Storm Water	1	There is no impact anticipated on storm water due to the proposed projects. New York City's storm water system is managed by DEP.
Water Supply	1	There is no impact anticipated on New York City's water supply due to the proposed projects. New York City's potable water supply is provided by DEP.
Public Safety - Police	1	There is no impact anticipated on police services due to the proposed projects. The New York City Police Department (NYPD) provides police protection service.
- Fire	2	There is no impact anticipated on fire protection services due to the proposed projects. Fire protection service is provided by the New York City Fire Department (FDNY). The proposed project may provide potential benefits by reducing the amount of derelict properties, which pose potential fire hazards.

- Emergency Medical	1	There is no impact anticipated on emergency medical services due to the proposed projects. There are hundreds of emergency medical facilities located throughout New York City.
Open Space and Recreation - Open Space	1	Projects are not expected to place a significant demand on open space resources in the area.
- Recreation	1	Projects are not expected to place a significant demand on recreation resources in the area.
- Cultural Facilities	1	Projects would not result in impacts to cultural facilities. In addition, New York City contains many world-class cultural institutions, including museums, galleries, theaters and other facilities which are easily accessible by mass transit.
Transportation	1	Projects are not expected to generate significant levels of traffic. Overall, no significant effect on New York City's transportation systems would occur.

Natural Features

Source or Documentation

Water Resources	1	Projects would not result in a significant effect on water resources, including groundwater and surface water. For new construction projects in the Brooklyn-Queens Sole Source Aquifer area, the US Environmental Protection Agency (EPA) will be consulted in accordance with 40 CFR 149.
Surface Water	1	Projects would not result in a significant effect on surface waters.
Unique Natural Features and Agricultural Lands	1	There are no unique natural features or agricultural lands near the project sites; therefore, the projects would have no effect on unique natural features and agricultural lands.
Vegetation and Wildlife	1	Project sites would be located in developed areas of New York City. Endangered plant or animal species are not expected to occupy the project sites or the immediate vicinity. The U.S. Fish and Wildlife Service would be consulted in accordance with Section 7 of the Endangered Species Act if such species exist. No significant effects would result from the projects.

Other Factors

Source or Documentation

NOTE: The Responsible Entity must additionally document compliance with 24 CFR §58.6 in the ERR, particularly with the Flood Insurance requirements of the Flood Disaster Protection Act and the Buyer Disclosure requirements of the HUD Airport Runway Clear Zone/Clear Zone regulation at 24 CFR 51 Subpart D.

Appendix A
Site-Specific Statutory Checklist

STATUTORY CHECKLIST

24 CFR §58.5 STATUTES, EXECUTIVE ORDERS & REGULATIONS

PROJECT NAME and DESCRIPTION –

This project is determined to be categorically excluded according to: [Cite section(s)]:

DIRECTIONS - Write “**A**” in the Status Column when the project, by its nature, does not affect the resources under consideration; OR write “**B**” if the project triggers formal compliance consultation procedures with the oversight agency, or requires mitigation (see Statutory Worksheet Instructions). Compliance documentation must contain verifiable source documents and relevant base data.

Compliance Factors:

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	Status A / B	Compliance Documentation
--	-----------------	--------------------------

Historic Preservation [36 CFR Part 800]		
Floodplain Management [24 CFR 55, Executive Order 11988]		
Wetland Protection [Executive Order 11990]		
Coastal Zone Management Act [Sections 307(c), (d)]		
Sole Source Aquifers [40 CFR 149]		
Endangered Species Act [50 CFR 402]		
Wild and Scenic Rivers Act [Sections 7(b), and (c)]		
Clean Air Act - [Sections 176(c), (d), and 40 CFR 6, 51, 93]		
Farmland Protection Policy Act [7 CFR 658]		
Environmental Justice [Executive Order 12898]		

HUD ENVIRONMENTAL STANDARDS Noise Abatement and Control [24 CFR 51B]		
Explosive and Flammable Operations [24 CFR 51C]		
Site Contamination* [24 CFR part 58.5(i)(2)]		
Airport Clear Zones and Accident Potential Zones [24 CFR 51D]		

SIGNATURE: _____ DATE: _____

(End of Statutory Checklist)

Appendix B
Site-Specific Environmental Assessment Checklist

Environmental Assessment Checklist

[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]

Evaluate the significance of the effects of the proposal on the character, features and resources of the project area. Enter relevant base data and verifiable source documentation to support the finding. Then enter the appropriate impact code from the following list to make a finding of impact. **Impact Codes:** (1) - No impact anticipated; (2) - Potentially beneficial; (3) - Potentially adverse; (4) - Requires mitigation; (5) - Requires project modification. Note names, dates of contact, telephone numbers and page references. Attach additional materials as needed.

Land Development	Code	Source or Documentation
Conformance with Comprehensive Plans and Zoning		
Compatibility and Urban Impact		
Slope		
Erosion		
Soil Suitability		
Hazards and Nuisances including Site Safety		
Energy Consumption		

Noise - Contribution to Community Noise Levels		
Air Quality Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels		
Environmental Design Visual Quality - Coherence, Diversity, Compatible Use and Scale		

Socioeconomic	Code	Source or Documentation
Demographic Character Changes		
Displacement		
Employment and Income Patterns		

Environmental Assessment Checklist (continued)

Community Facilities and Services	Code	Source or Documentation
Educational Facilities		
Commercial Facilities		
Health Care		
Social Services		
Solid Waste		
Waste Water		
Storm Water		
Water Supply		
Public Safety - Police		
- Fire		
-Emergency Medical		
Open Space and Recreation - Open Space		
- Recreation		
- Cultural Facilities		
Transportation		

Environmental Assessment Checklist (continued)

Natural Features		Source or Documentation
Water Resources		
Surface Water		
Unique Natural Features and Agricultural Lands		
Vegetation and Wildlife		

Other Factors		Source or Documentation

NOTE: The Responsible Entity must additionally document compliance with 24 CFR §58.6 in the ERR, particularly with the Flood Insurance requirements of the Flood Disaster Protection Act and the Buyer Disclosure requirements of the HUD Airport Runway Clear Zone/Clear Zone regulation at 24 CFR 51 Subpart D.

SIGNATURE: _____ DATE: _____

(End of Environmental Assessment Checklist)

Appendix C
Other Requirements Checklist

Other Requirements (Section 58.6) Checklist

PROJECT NAME

GRANT NUMBER

In addition to the duties under the laws and authorities specified in 58.5 for assumption by Responsible Entities (RE's) under the laws cited in 58.1(b), RE's must comply with the following requirements. Applicability of the following requirements does not trigger the certification and release of funds procedure under this Part or preclude exemption of an activity under 58.34 (a) (12) and/or the applicability of 58.35(b). However, the RE remains responsible for addressing the following requirements in its ERR and meeting these requirements, where applicable, regardless of whether the activity is exempt under 58.34 or Categorically Excluded under 58.35 (a) or (b).

(a) Federal Flood Insurance Purchase Requirements (do not apply to funds from Federal formula grants made to a State).

(1) Does the project involve acquisition or construction (including rehabilitation) in a community identified by the Federal Emergency Management Agency (FEMA) as having special flood hazard areas (100 year and 500 year floodplains)? Yes ___ No ___ If "Yes," go to (a)(2). If "No," go to Question (b).

(2) Is the project located in 100 year flood plain (500 year floodplain for "critical" actions*)? Yes ___ No ___ If "Yes," go to (a) (3). If "No," go to Question (b).

(3) Is the community in which the project is located **(X)** participating in the National Flood Insurance Program or, () has less than a year passed since FEMA notified the community concerning such hazards. (Please check one of the above depending on the situation) Yes ___ No ___. If "Yes," attach a statement concerning how you will assure that flood insurance will be maintained in accordance with the "Flood Insurance Protection" guidance sheet attached to this Checklist and go to Question (b). The implementation of this project consistent with your statement must be made a condition on the environmental findings and recommendations for the project. If "No," project cannot be funded.

*As defined in the U.S. Water Resources Council's Floodplain Management Guidelines for Implementing Executive Order 11988.

(b) Coastal Barriers Resources

Is the project to be undertaken located in the coastal Barrier Resources System, as amended by the Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3501)?

Yes ___ No ___ If "Yes," Federal financial assistance may not be provided. If "No," then go to Question (c).

(c) Projects located in Close Proximity to Airports Contained on the HUD list of 24 CFR Part 51D Covered Airports.

Does the project involve assistance, subsidy, or insurance for the purchase or sale of an existing property in a Runway Clear Zone or Clear Zone as defined in 24 CFR Part 51D? Yes ___ No ___. If "Yes," the buyer must be advised that the property is in a runway Clear Zone or Clear Zone, what the implications of such a location are, and then there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information. The implementation of this requirement must be made a condition in the environmental review findings and recommendations for this project.

Prepared by: _____ Title _____

Date: _____

Attachment 1
Historic Resources MOU

Advisory Council On Historic Preservation

The Old Post Office Building
1100 Pennsylvania Avenue, NW, #809
Washington, DC 20004

JAN 10 1986

Mr. John J. Leonard
Environmental Review Coordinator
Office of the Mayor
Office of Management and Budget
Municipal Building
New York, NY 10007

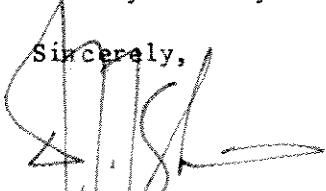
REF: Community Development Block Grant Program, Urban Development Action
Grant Program, Rental Rehabilitation Program, and Housing Development
Grant Program
New York, New York

Dear Mr. Leonard:

The enclosed Memorandum of Agreement for the referenced programs has been ratified by the Chairman of the Council. This document constitutes the comments of the Council required by Section 106 of the National Historic Preservation Act and the Council's regulations. A copy of the ratified Agreement has also been sent to the New York State Historic Preservation Officer.

Thank you for your cooperation.

Sincerely,



Don L. Klima
Chief, Eastern Division
of Project Review

Enclosure

Advisory Council On Historic Preservation

The Old Post Office Building
1100 Pennsylvania Avenue, NW, #809
Washington, DC 20004



MEMORANDUM OF AGREEMENT

WHEREAS, the City of New York, New York (City), has determined that the proposed implementation of its Community Development Block Grant Program, Urban Development Action Grant Program, Rental Rehabilitation Program, and Housing Development Grant Program (Programs), with funds from the Department of Housing and Urban Development (HUD), will have an effect on properties included in or eligible for inclusion in the National Register of Historic Places and has requested the comments of the Advisory Council on Historic Preservation (Council) pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) and its implementing regulations, "Protection of Historic and Cultural Properties" (36 CFR Part 800),

WHEREAS, the City's Unsafe Building Demolition and Seal-Up Program is covered under a separate Memorandum, and

WHEREAS, this Memorandum of Agreement will supercede previous Memoranda ratified February 9, 1981, and July 28, 1981,

NOW, THEREFORE, the City, the New York State Historic Preservation Officer (SHPO), and the Council agree that the Programs shall be implemented in accordance with the following stipulations in order to take into account the effect of the programs on historic properties.

Stipulations

The City will ensure that the following measures are carried out.

1. Long Range Identification.

A comprehensive survey of the City will be continued to identify districts, sites, buildings, structures, and objects (hereafter "properties") that may meet the Criteria for listing in the National Register of Historic Places (36 CFR Section 60.6). The survey will be conducted in accordance with the "Guidelines for the Location and Identification of Historic Properties Containing Scientific, Prehistoric, Historical, or Archeological Data" (36 CFR Part 66, Appendix B). The New York City Landmarks Preservation Commission (LPC) will keep a comprehensive record of all properties surveyed.

(a) Upon completion of the survey, LPC, on behalf of the City and in consultation with the New York SHPO, will apply the National Register Criteria to the properties identified in the survey.

(b) If there is any question concerning the eligibility of a property, the City sponsoring agency will submit the matter to the Secretary of the Interior for a determination of eligibility for inclusion in the National Register, in accordance with 36 CFR 63.2

(c) Properties which have been determined to meet the National Register criteria and which are designated New York City Landmarks will be nominated by LPC, on behalf of the City, to the National Register through the process provided for in the State of New York.

2. Interim Identification.

Until the survey is completed, properties that may be affected by the Programs will be evaluated by LPC, on behalf of the City, against the National Register criteria. This process of evaluation is detailed in the attached "New York City Process."

(a) Properties that appear to meet the Criteria will be considered and treated as eligible for the National Register of Historic Places.

(b) If there is any question as to whether a property may meet the Criteria, the City sponsoring agency will request a determination of eligibility from the Secretary of the Interior in accordance with 36 CFR Section 63.2.

3. Review and Treatment.

Properties that are determined eligible for the National Register, nominated to the National Register, or listed in the National Register, will be treated in the following manner:

(a) Prior to initiating work on a project, the City sponsoring agency will submit documentation on the project to the New York SHPO for review and comment, following the process detailed in the attached "New York City Process."

(b) Properties that are to be rehabilitated will be rehabilitated in accordance with the recommended approaches in "The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" (Standards). The City will require that contracts for rehabilitation work adhere to the Standards.

(c) If the Standards cannot be met, or the proposed treatment of the property is not rehabilitation, or demolition is contemplated, or if the contemplated action could have an indirect effect on such properties, prior to taking any action, the City sponsoring agency will consult with the New York SHPO and obtain the Council's comments pursuant to 36 CFR Section 800.6(a), (b) and Section 801.4(b), (c).

(d) Funding of commercial moving costs and purchase of machinery and equipment will be exempt from the above-mentioned review process.

4. Ground-disturbing activity

(a) Prior to any ground-disturbing activity, LPC, on behalf of the City, will determine the archeological sensitivity of project areas. For those areas determined archeologically sensitive, the city sponsoring agency will submit documentation to the New York SHPO. This review process is detailed in the attached "New York City Process."

(b) If, after reviewing the documentation, the New York SHPO, in consultation with LPC, determines that the potential for significant archeological resources exists, then an archeological survey (field testing) of the affected area will be undertaken by the City sponsoring agency in consultation with the New York SHPO.

(c) The New York SHPO will evaluate the results of the survey and determine if there are archeological resources eligible for the National Register. If eligible resources exist, they will be avoided or preserved in place whenever feasible. When this is not feasible, the New York SHPO will be consulted, and a treatment consistent with the Council's handbook, "Treatment of Archeological Properties," and approved by the New York SHPO will be developed and implemented.

5. Personnel Training


All City agencies receiving funding through the Programs will send a representative to an annual training session with the New York SHPO staff architect on the application of the Standards.

6. Renewal.

This Memorandum of Agreement will continue in force in perpetuity. At two year intervals, the City and the New York SHPO will review and evaluate the Memorandum for possible modifications, termination, or extension. At the request of any of the parties, this Agreement may be reviewed for possible modification or termination at any time.

Execution of this Memorandum of Agreement evidences that the City has afforded the Council a reasonable opportunity to comment on the Programs and that the City has taken into account the effects of the Programs on historic properties.

DEPUTY


Executive Director
Advisory Council on Historic Preservation
(date) 7/19/85


City of New York, New York
(date) 10/4/85

Julia S. Steiner (date) 12/11/85
New York State Historic Preservation
Officer

Anthony J. Baker (date) 3 Jan '86
Chairman
Advisory Council on Historic Preservation

NEW YORK CITY PROCESS

The following process applies to activities funded through the Community Development Block Grant Program, the Urban Development Action Grant Program, the Rental Rehabilitation Program, and the Housing Development Grant Program (Programs).

1. All City agencies requesting funding through the Programs will send the Environmental Review Unit of Budget (OMB) three copies of the environmental reviews. OMB will send the New York City Landmarks Preservation Commission (LPC) one copy of the environmental review. The City sponsoring agency, ~~when required by LPC~~, will send photographs and maps itemizing properties under consideration.

2. LPC will analyze each review and will send OMB a response, within two weeks of receipt of the reviews, indicating those projects which may affect properties that are listed in the National Register of Historic Places or, in LPC's opinion, appear to meet the criteria for listing in the National Register, or which are proposed for areas that appear to be archeologically sensitive.

LPC shall consider the following criteria when conducting its analysis:

(a) individual exterior significance of any property to be affected by the Programs;

(b) context of any property to be affected by the Programs (designated or potential historic district?)

(c) proximity of any property to be affected by the Programs to a designated or potential historic district.

In addition, for any project involving ground disturbance, LPC will evaluate the project area against the New York SHPO's "Archeological Site Sensitivity Model" and other documentation maintained by LPC to determine the area's likelihood of yielding significant archeological remains.

3. For all projects involving properties listed in the National Register of Historic Places, or that appear to meet the criteria for listing in the National Register, or that appear to be archeologically sensitive as determined by LPC, OMB will then notify the sponsoring agency to submit the Project Review Checklist, including maps and necessary photographs, to the New York State Historic Preservation Officer (SHPO) for review. For areas that appear to be archeologically sensitive, the sponsoring agency will submit an historical background report (Stage 1A archeological report) describing the developmental history of the area from prehistoric to present times; this report will also contain information concerning prior ground disturbance. The sponsoring agency will supply OMB with a copy of the Project Review Checklist and/or the archeological historical background report submitted to the New York SHPO.

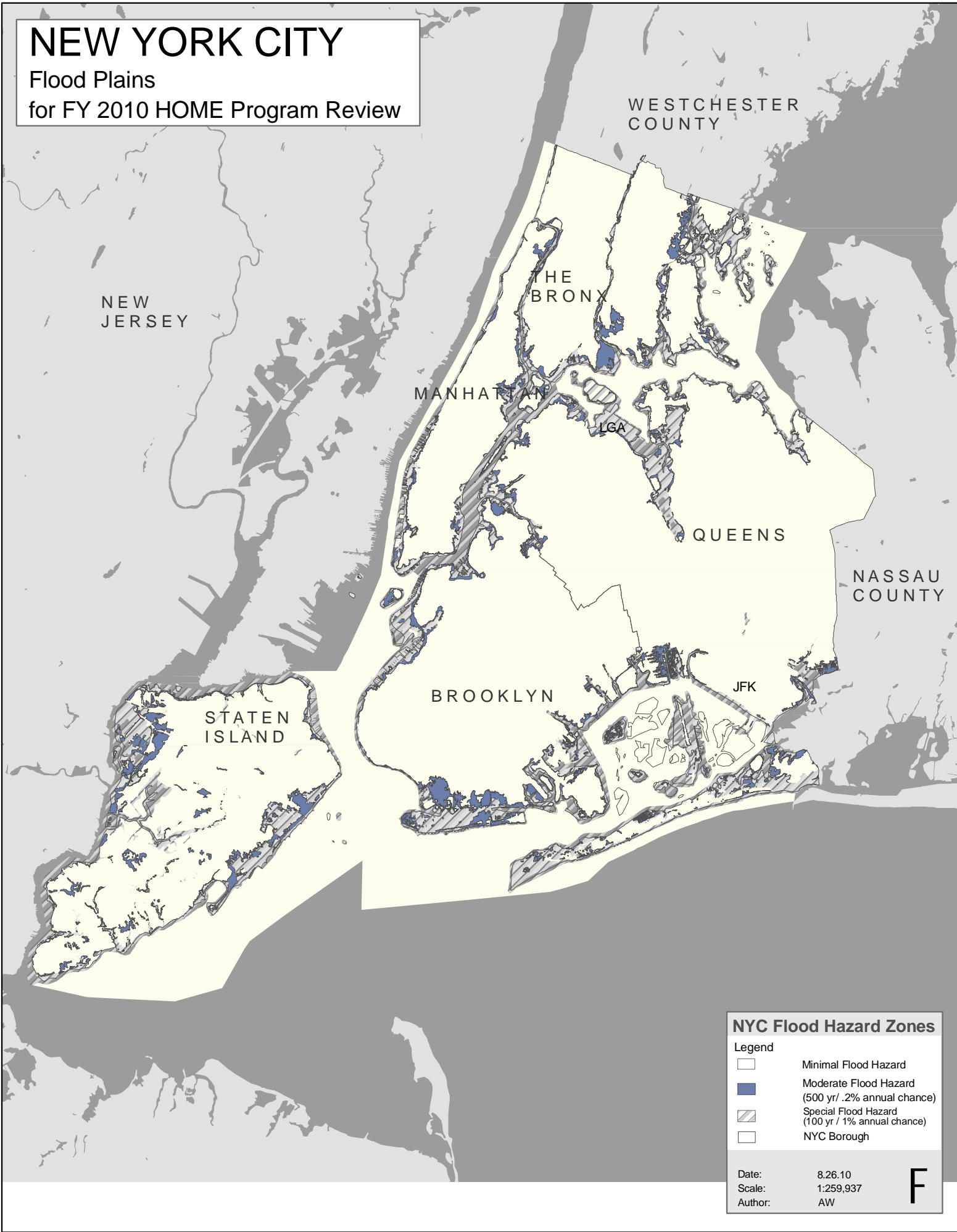
4. Upon receipt of the Project Review Checklist, the New York SHPO will review the information supplied and comment in 30 days. If the sponsoring agency submission is inadequate to complete review, the New York SHPO will notify the City sponsoring agency and OMB within 15 working days. When the New York SHPO receives adequate information, the 30-day comment period will begin.

**Attachment 2
NYC Floodplain Map**

NEW YORK CITY

Flood Plains

for FY 2010 HOME Program Review



WESTCHESTER COUNTY

NEW JERSEY

THE BRONX

MANHATTAN

LGA

QUEENS

NASSAU COUNTY





STATEN ISLAND

BROOKLYN

JFK

NYC Flood Hazard Zones

Legend

-  Minimal Flood Hazard
-  Moderate Flood Hazard (500 yr / .2% annual chance)
-  Special Flood Hazard (100 yr / 1% annual chance)
-  NYC Borough

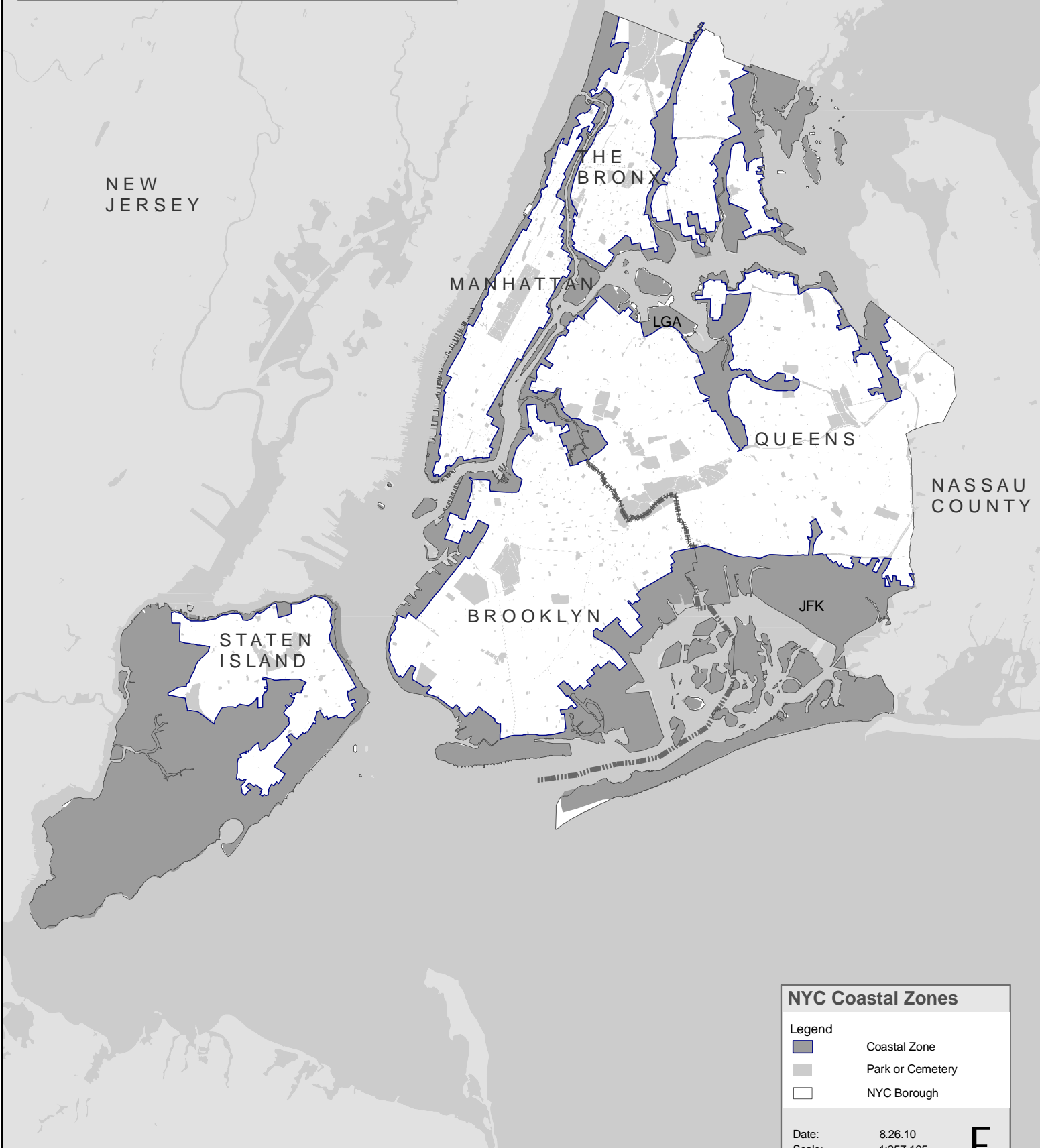
Date: 8.26.10
Scale: 1:259,937
Author: AW

F

Attachment 3
NYC Coastal Zone Map




NEW YORK CITY

Coastal Management Program Zones
for FY 2010 HOME Program Review



NYC Coastal Zones

Legend

-  Coastal Zone
-  Park or Cemetery
-  NYC Borough

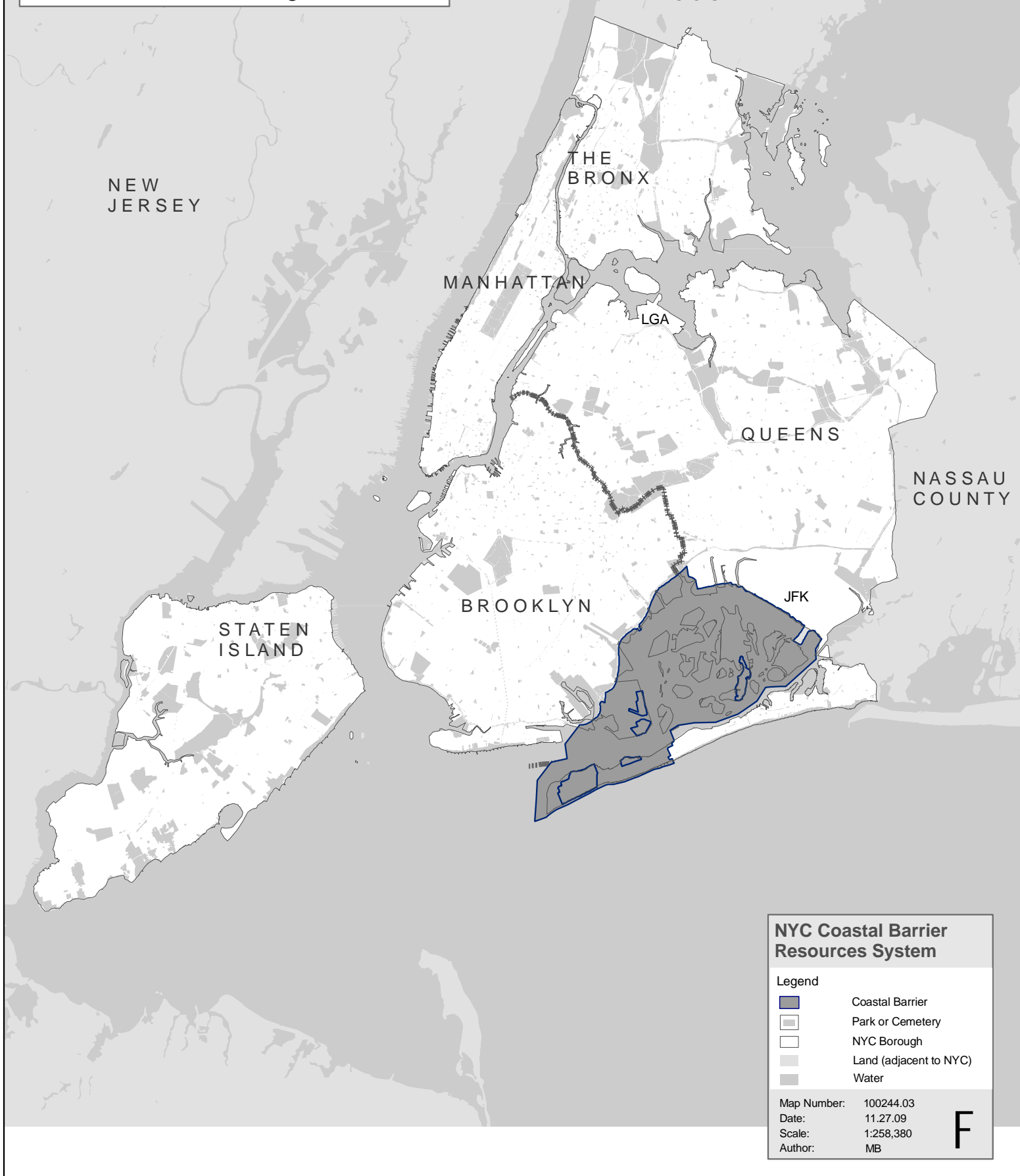
Date: 8.26.10
Scale: 1:257,105
Author: AW

F

Attachment 4
NYC Coastal Barrier Map

NEW YORK CITY

Coastal Barrier Resources System
for FY 2010 HOME Program Review



Attachment 5
NYC Endangered Species by County



New York County

Federally Listed Endangered and Threatened Species and Candidate Species

This list represents the best available information regarding known or likely County occurrences of Federally-listed and candidate species and is subject to change as new information becomes available.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Shortnose sturgeon ¹	<i>Acipenser brevirostrum</i>	E

Status Codes: E=Endangered, T=Threatened, P=Proposed, C=Candidate, D=Delisted.

¹ Primarily occurs in Hudson River. Principal responsibility for this species is vested with the National Oceanic and Atmospheric Administration/Fisheries.

Please visit the following website for more information <http://www.nmfs.noaa.gov/pr/species/esa.htm>.

[Print Species List](#)



Kings County

Federally Listed Endangered and Threatened Species and Candidate Species

This list represents the best available information regarding known or likely County occurrences of Federally-listed and candidate species and is subject to change as new information becomes available.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Shortnose sturgeon ¹	<i>Acipenser brevirostrum</i>	E

Status Codes: E=Endangered, T=Threatened, P=Proposed, C=Candidate, D=Delisted.

¹ Primarily occurs in Hudson River. Principal responsibility for this species is vested with the National Oceanic and Atmospheric Administration/Fisheries.

Please visit the following website for more information <http://www.nmfs.noaa.gov/pr/species/esa.htm>.

Print Species List



Queens County

Federally Listed Endangered and Threatened Species and Candidate Species

This list represents the best available information regarding known or likely County occurrences of Federally-listed and candidate species and is subject to change as new information becomes available.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Piping plover	<i>Charadrius melodus</i>	T
Roseate tern	<i>Sterna dougallii dougallii</i>	E
Seabeach amaranth	<i>Amaranthus pumilus</i>	T
Shortnose sturgeon ¹	<i>Acipenser brevirostrum</i>	E

Status Codes: E=Endangered, T=Threatened, P=Proposed, C=Candidate, D=Delisted.

¹ Primarily occurs in Hudson River. Principal responsibility for this species is vested with the National Oceanic and Atmospheric Administration/Fisheries.

Please visit the following website for more information <http://www.nmfs.noaa.gov/pr/species/esa.htm>.

Print Species List



Bronx County

Federally Listed Endangered and Threatened Species and Candidate Species

This list represents the best available information regarding known or likely County occurrences of Federally-listed and candidate species and is subject to change as new information becomes available.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Shortnose sturgeon ¹	<i>Acipenser brevirostrum</i>	E

Status Codes: E=Endangered, T=Threatened, P=Proposed, C=Candidate, D=Delisted.

¹ Primarily occurs in Hudson River. Principal responsibility for this species is vested with the National Oceanic and Atmospheric Administration/Fisheries.

Please visit the following website for more information <http://www.nmfs.noaa.gov/pr/species/esa.htm>.

Print Species List



Richmond County

Federally Listed Endangered and Threatened Species and Candidate Species

This list represents the best available information regarding known or likely County occurrences of Federally-listed and candidate species and is subject to change as new information becomes available.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Shortnose sturgeon ¹	<i>Acipenser brevirostrum</i>	E

Status Codes: E=Endangered, T=Threatened, P=Proposed, C=Candidate, D=Delisted.

¹ Primarily occurs in Hudson River. Principal responsibility for this species is vested with the National Oceanic and Atmospheric Administration/Fisheries.

Please visit the following website for more information <http://www.nmfs.noaa.gov/pr/species/esa.htm>.

Print Species List

Attachment 6
Airport Clear Zones

**John F. Kennedy
International Airport**

F.A.A. Part 77 Surface

**Aviation Department
Master and Site Planning
FX-1405 July 2002 MTL**



LaGuardia Airport

F.A.A. Part 77 Surface

**Aviation Department
Master and Site Planning
LOA-9015
July 2002
MTL**



Attachment 7
HOME-funded HPD Programs

Fiscal Year 2010
HOME-Funded HPD Programs

Neighborhood Entrepreneurs Program (NEP)

The Neighborhood Entrepreneurs Program (NEP) identifies neighborhood based property managers and developers to manage and oversee the rehabilitation and subsequently own occupied and vacant City-owned buildings. By focusing on small locally based entrepreneurs, the program hopes to rebuild local real estate capacity in addition to ensuring quality management and maintenance for the buildings. Buildings selected for this program are net leased to the Neighborhood Partnership Housing Development Fund Company (NPHDFC) who simultaneously enter into a management agreement with the entrepreneurs. During the lease period, the NPHDFC provides financial and technical assistance to the entrepreneurs and links the owners and managers to participating construction lenders. HPD will then sell the buildings to the NPHDFC along with a commitment for the major portion of its financing. Proceeds from the sale of Federal Low Income Housing Tax Credits provide for the remaining portion of the construction loan financing as well as operating reserves to ensure that the tenants can pay affordable rent while the project is economically viable.

Neighborhood Redevelopment Program

The Neighborhood Redevelopment Program (NRP) provides financing to enable experienced locally-based non-profit organizations to acquire and rehabilitate occupied City-owned buildings. Federal HOME and City Capital funds constitute the construction loans that provide the financing for the rehabilitation of these buildings. The loans are funded by HPD and serviced by the NYC Housing Development Corporation (HDC) and carry a nominal interest rate of one percent of which the federally funded portion is for the term of the loan up to 15 years. Buildings and the not-for-profit participants are selected by HPD based on technical and planning criteria. The selected building receive an HPD approved scope of work for substantial rehabilitation, which includes the installation, replacement or repair of building systems, the correction of inadequate, unsafe, or unsanitary conditions and the creation of lead safe apartments. Post-rehabilitation rents are set by HPD at a level affordable to generally low and moderate-income existing tenants and the apartments are then entered into the New York Rent Stabilization System. Federal Low Income Housing Tax Credits provide operating reserves to ensure that tenants can pay affordable rent while the project is economically viable. Existing tenants (70% to 75% of total units) are overwhelming very low income households; however, vacant units may be rented to moderate or even middle income families with incomes not to exceed 80% of the area median. All renter types benefit from this program.

Participation Loan Program (Gut/Mod)

The Participation Loan Program provides low-interest loans to private owners for the moderate-to-gut rehabilitation of multi-family dwellings with more than twenty units. City funds at one percent interest are combined with market-rate bank financing to provide a below market interest rate loan. Funds may also be used for refinancing in conjunction with rehabilitation.

After rehabilitation, real property taxes may be eligible for abatement through the J-51 Program and all apartments are placed under New York State's Rent Stabilization System. In vacant buildings, depending on the allocation of funding sources, rents are set either at HOME Program levels or up to the area market rate. The program provides an average combined City and HOME subsidy per unit of approximately \$55,000.

The Supportive Housing Program

HPD's Supportive Housing Program (formerly known as SRO Loan Program) funds the acquisition and new construction or rehabilitation of properties by not-for-profit organizations for the purpose of developing new permanent housing for homeless and low income single adults. Many projects also provide for the supportive services needs of those residents with special needs, i.e. mental illness, histories of substance abuse, and AIDS related illness.

The required tenant mix of all SRO Loan Program funded projects is 60 percent homeless (referred by DHS's Shelter Placement Division, HRA's HIV/AIDS Services Administration (HASA) or HPD's Division of Relocation Operations) and 40% low income and community referrals. Most homeless rentals are to individuals with annual gross incomes of no greater than 50 percent of median; non homeless rental eligibility requires individual median incomes of no greater than 60 percent of median.

Loans are funded under Article 8 and 11 of the State Private Housing Finance Law and are provided at zero or one percent interest for terms of up to 30 years. Support and operating subsidies are funded through the use of Section 8 and McKinney Program Rental Assistance, DHS SRO Support Services contracts, Department of Mental Health Community Support Service contracts, or HRA contracts for support services for PWAs. In addition, many projects obtain an allocation of tax credits from the Federal Low Income Tax Credit Program. Proceeds of the sale of these credits are used to fund social service and operating reserves.

Third Party Transfer

The Third Party Transfer Program (TPT) is result of landmark 1996 City of New York legislation (Local Law 37) designed to improve real property tax collection while more effectively preserving residential housing in the City. The legislation allows the City, pursuant to a judgment of foreclosure by the court, to transfer title of tax delinquent and distressed residential properties directly from former owners to responsible new owners without ever taking title itself.

The new owners remove housing code violations and rehabilitate the properties without permanently displacing existing tenants, thus improving the City's stock of decent and affordable housing. HPD creates a list of "Qualified Developers" through a Request for Qualifications process. The Qualified Developers typically seek HPD financing to rehabilitate the properties through an appropriate loan program, such as the Participation Loan Program (PLP), the Small Buildings Loan Program, the Article 8A Loan Program, or the Supportive Housing Loan Program. Qualified Developers will be required to meet applicable program guidelines and have scopes of work approved by HPD. In addition, projects may be eligible for HPD tax incentive programs. HOME funds may also be used, but their use will be restricted to buildings that are fully vacant during the construction period and whose after-rehab rents will conform to HOME guidelines.

Once a loan has been closed and title has been transferred to the Qualified Developers, rehabilitation, lease-up, and management of the properties must commence in accordance with the terms and schedules. Upon completion of rehabilitation, rents are established which are affordable to current tenants and all rents will be stabilized.

Multifamily Homeownership

Under HPD's Multifamily Homeownership Loan Program, sponsors may be selected to construct buildings to create 1-4 family homes, multifamily cooperative units and developments, and multifamily condominium units and developments. The buildings may also contain commercial space and community facilities. The objective of the program is to provide funds to facilitate that creation of low-income, moderate-income and middle-income homeownership opportunities for new construction projects on City-owned land and private property. Eligible borrowers include limited partnerships, corporations, trusts, joint ventures, limited liability corporations, and 501(c) 3 corporations. The development team must have demonstrated a record in successfully developing and marketing the type of facilities proposed.

Construction financing may be provided through loans from private institutional lenders and, in some cases, loans from public sources including, but not limited to, New York City Department of Housing Preservation and Development (HPD), the New York City Housing Development Corporation (HDC), the New York State Housing Finance Agency (HFA), and the United State Department of Housing and Urban Development (HUD). For lease-to-purchase projects, financing may also be provided from the syndication of low income housing tax credits (LIHTC).

Upon completion of construction, the sponsor sells the homes to eligible purchasers.

Article 8-A Loan Program

The Article 8-A loan Program provides low-interest funding for the rehabilitation for privately owned multi-family buildings and is authorized by the New York State Private Housing Finance Law. Loan proceeds are to be used for the replacement of systems that prolong the useful life of the building or to remove substandard conditions that are violations of either the New York State Multiple Dwelling Law or local housing code including but not limited to Lead Law 1. They cannot be used for acquisition or debt refinancing. The owner must demonstrate an inability to obtain private financing. The buildings must be occupied by low-income tenants with rents not to exceed the average rent or carrying charges in New York City-aided Article 2 housing companies.

The maximum loan amount is currently \$35,000 per dwelling unit; this cap is inclusive of any of HPD's subsidy, capital or federal funds. The interest rate for the loan is generally 3% with the maximum loan term being 30 years regardless of size or funding level. The owner/developer may leverage any warranted funds in excess of the maximum with private financing sources.

HUD Multifamily Program

HPD has created its HUD Multifamily Preservation Loan Program to facilitate workouts of troubled projects with existing HUD mortgages and/or use restrictions that are facing HUD foreclosure, at risk of a market conversion, or facing similar challenges to financing acquisition or rehabilitation while maintaining affordability. As part of the program, HUD requires assisted projects to be restricted to families at or below 80% of Area Median Income (AMI) for extended time periods pursuant to use agreements and/or by requiring long-term renewal of a Housing Assistance Payments contract. HPD's HUD Multifamily Preservation Loan Program will provide a low-interest loan (1%) to preserve and rehabilitate housing for low- to moderate-income households.

Multifamily Rental Mixed Income

Multifamily Rental Mixed Income sponsors the new construction of mixed income multifamily rental projects on public or privately owned land that will be affordable to low income and middle income households up to 165% of New York City's HUD Income Limit. The buildings may also contain commercial space and/or community facilities. HPD will provide a direct subsidy of up to \$85,000 per unit to leverage construction and permanent financing from sources such as private institutional lenders, taxable or tax exempt bond financing from the New York City Housing Development Corporation, and the syndication of low income housing tax credits.

Low Income Rental Program

Low Income Rental Program sponsors the construction of multifamily rental projects on public or private land that will be affordable to households earning up to 60% of New York City's HUD Income Limit. Projects must have a unit set aside of at least 20% for formerly homeless families or 20% for households earning up to 40% New York City's HUD Income Limit. HPD will provide a direct subsidy of up to \$60,000 per unit to leverage construction and permanent financing from sources such as private institutional lenders, tax exempt bond financing, and the syndication of low income housing tax credits.

HUD Section 202 Program

The HUD Section 202 Program develops permanent affordable housing for low-income elderly individuals. Tenants must earn no more than 50% of the Area Median Income (AMI). Tenants pay 30% of their income in rent and HUD pays for project-based rental assistance to cover remaining operating costs. Eligible Borrowers: Not-for-profit organizations. HUD Section 202 provides forgivable loans that are repayable only in the event that the sponsor does not comply with the regulatory agreement. The term of the loan is 40 years.

Projects may be on city owned or privately owned sites. A typical project consists of studio and one-bedroom apartments. Rehabilitation of existing buildings is also eligible but these cases are relatively rare. An average project is between 60-90 units. 100% of apartments must be for senior citizens earning less than 50% of Area Median Income. Because the HUD Section 202 program includes rental assistance, tenant income can be far lower than the 50% of AMI income cap.

HUD Provides a Project Rental Assistance Contract (PRAC) for HUD Section 202 projects. Sponsors submit an operating budget for HUD's review, and HUD pays the difference between the operating costs and the tenant rent. Presently the HUD Section 202 maximum is approximately \$124,000 for a studio and \$142,000 for a one-bedroom apartment.

HomeFirst Down Payment Assistance Program

The Homefirst Program offers down payment assistance to first-time homebuyers. Eligible homebuyers can qualify for a forgivable loan to use toward down payment and/or closing costs on a one- to four-family home, condominium, or cooperative purchased in one of the five boroughs of New York City. The amount of the forgivable loan will be up to six per cent (6%) of the purchase price of the home.

Small Homes Scattered Sites (New Foundations)

HPD has established this Program as a streamlined model to make homeownership a reality for more New Yorkers and, in turn, enhance the City's community revitalization efforts. By capitalizing on the strong real estate market, created in part by previous and current HPD investment through the New Foundations program, the New York City Housing Partnership and other City initiatives, the program targets infill sites in City neighborhoods to provide affordable homeownership opportunities. To accomplish this, assemblages ("Clusters") of City-owned vacant lots ("Sites") are conveyed to qualified respondents who in turn construct one-to-four family homes or cooperative/condominium units and sell them to eligible low, moderate and middle-income purchasers.

The Program strives to increase the opportunities for small, neighborhood-based developers as well as not-for-profits to participate in the development process and encourages such entities to apply. New Foundations is a mixed-income program that seeks to maximize homeowner affordability and income diversity. The intent is to develop projects that include sales prices that are affordable to a range of incomes and provide as many affordable units as is financially feasible for low, moderate and middle-income purchasers. Within a project at least one third of the units must be affordable to households earning up to 80 percent of area median income (AMI). Additional consideration is given to those projects that target an additional one-third of the units to households earning between 80 percent and 100 percent of AMI, and the balance to households earning between 100 and 130 percent of AMI.