



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)  
[espanol.hud.gov](http://espanol.hud.gov)

**Tiered Environment Review  
for Activity/Project that is  
Categorically Excluded Subject to Section 58.5  
Pursuant to 24 CFR 58.35(a)**

**Project Information**

**Project Name:** Lead-Based-Paint-Hazard-Reduction-Demonstration-Grant

**HEROS Number:** 900000010071191

**State / Local Identifier:**

**Project Location:** New York City, NY

**Additional Location Information:**

The LHRD 2017 grant defines New York City (NYC) as the target area - while prioritizing outreach and enrollment in higher-risk areas throughout NYC, many of which can be found in the Brooklyn and the Bronx sections of NYC. Defining NYC as the target area is done in recognition of the extensive amount of old housing stock found in virtually every neighborhood throughout NYC. With nearly 1.4 million dwelling units constructed prior to 1940, defining NYC as the target area will enable the Program to treat any eligible and needy building in the city while at the same time targeting resources to the areas of greatest need, as demonstrated by prevalence of elevated blood lead levels in children. HPD and DOHMH will specifically focus outreach to neighborhoods that have the highest incidences of elevated blood lead levels in children less than six years of age, a significant number of buildings built pre-1940, and high percentage of families living at very-low income levels. HPD and DOHMH will partner with two community-based organizations within these priority areas to conduct outreach to owners in need of assistance.

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

On behalf of the City of New York, the New York City Departments of Housing Preservation and Development ("HPD") and of Health and Mental Hygiene ("DOHMH"), as collaborators in the HPD Primary Prevention Program (the Program), submitted a proposal for grant funding under HUD's Notice of Funding Availability for the 2017 Lead Hazard Reduction Demonstration (LHRD) Grant program. HUD awarded the City of New York a grant in the amount of \$3.4MM, including \$400K for Healthy Homes repairs in projects receiving lead hazard reduction treatment. The grant runs for a four-year period, from Sept 28, 2018 through Sept 27, 2021 (plus a no-cost extension of up to 12 months). The City of New York's primary objective under this grant, as implemented by HPD's Primary Prevention Program, is to continue to reduce lead-based paint hazards in 215 units, including multifamily rental and owner-occupied small homes, which house low- and very low-income families, prioritizing units occupied by families with children under the age of six years. The program also proposes to leverage the Healthy Homes Supplemental funds to address non-lead paint health hazards in

units treated for lead. Under its current LHRD 2015 grant, HPD and DOHMH received Healthy Homes Supplemental funds for the first time; the Program has developed an inspection protocol and begun to implement Healthy Homes measures. Lessons learned to date about best practices for reducing housing-related health risks will be applied and expanded under the LHRD 2017 grant. By working closely with HPD's existing rehabilitation loan programs - including the recently developed Green Housing Preservation Program - and integrating lead and Healthy Homes work under the LHRD 2017 grant into larger scopes as appropriate, the Program will inform efforts to develop healthier housing across all preservation programs. HPD preserves 12,000 units annually; the Healthy Homes Supplemental funds will enable HPD to identify best practices to be integrated across preservation finance programs. HPD will partner with two community-based organizations (CBOs) to conduct outreach to community members related to lead health hazards and to identify and enroll buildings in the program: Belmont Arthur Avenue Local Development Corporation (BAALDC) of the Bronx; Crown Heights Jewish Community Council (JCC) of Brooklyn. The two groups have been serving their respective communities with housing assistance and other social outreach services for more than three decades and possess trained multi-lingual staff who will work with owners, tenants and tenants organizations. They also offer services, including owner outreach for building improvements, home ownership, counseling and rehabilitation of affordable housing. The grant will support several objectives during the 36 months of the grant's term: to treat 215 units, address housing related health hazards in conjunction with the lead-based paint hazard reduction scope of work, and provide outreach and education on lead hazards to local community organizations and residents. The two CBO's will coordinate with their local community leadership; engage tenants' groups and enroll buildings in the program. They will serve as a conduit to assist with contacting owners, faith-based organizations, libraries, schools, and planned community events. Training and certification courses will also be offered to local minority contract workers. The two CBO partners will identify workers who can benefit from being trained in EPA lead-safe renovation (RRP) and Lead Abatement Worker licensing/certification. All trainings will be provided by DOHMH. All goals will be monitored by the Program on a daily, weekly, and monthly basis. A Lead Task Force, comprised of key staff from HPD, DOHMH and the two CBOs, will meet monthly to track the progress of the Program's strengths and weaknesses, and develop alternative plans to ensure the effectiveness of its strategies. Each objective is supported by benchmarks.

**Level of Environment Review Determination:**

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: 58.35(a)(3)

**Funding Information**

Grant Number	HUD Program	Program Name	Funding Amount
NYLHD0314-17	Healthy Homes and Lead Hazard Control		

**Estimated Total HUD Funded Amount:** \$3,000,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$3,400,000.00

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]:** Consult the completed environmental review record for information on the mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the

above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified.

**Determination:**

- Extraordinary circumstances exist and this project may result in significant environmental impact. This project requires preparation of an Environmental Assessment (EA) ; OR
- There are no extraordinary circumstances which would require completion of an EA, and this project may remain CEST.

Preparer Signature: \_\_\_\_\_

Date: 11/29/18

Name / Title/ Organization: Callista Nazaire / / NYC Dept of Housing Preservation and Dev

Responsible Entity Agency Official Signature: \_\_\_\_\_

Date: 12/4/18

Name/ Title: \_\_\_\_\_

Kerry LaBotz / Assistant Commissioner

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



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**Tiered Environment Review  
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Categorically Excluded Subject to Section 58.5  
Pursuant to 24 CFR 58.35(a)**

**Project Information**

**Project Name:** Lead-Based-Paint-Hazard-Reduction-Demonstration-Grant

**HEROS Number:** 900000010071191

**Responsible Entity (RE):** NYC Dept of Housing Preservation and Dev, 100 Gold Street New York NY, 10038

**State / Local Identifier:**

**RE Preparer:** Callista Nazaire

**Certifying Officer:** Callista Nazaire

**Grant Recipient (if different than Responsible Entity):**

**Point of Contact:**

**Consultant (if applicable):**

**Point of Contact:**

**Project Location:** New York City, NY

**Additional Location Information:**

The LHRD 2017 grant defines New York City (NYC) as the target area - while prioritizing outreach and enrollment in higher-risk areas throughout NYC, many of which can be found in the Brooklyn and the Bronx sections of NYC. Defining NYC as the target area is done in recognition of the extensive amount of old housing stock found in virtually every neighborhood throughout NYC. With nearly 1.4 million dwelling units constructed prior to 1940, defining NYC as the target area will enable the Program to treat any eligible and needy building in the city while at the same time targeting resources to the areas of greatest need, as demonstrated by prevalence of elevated blood lead levels in children. HPD and DOHMH will specifically focus outreach to neighborhoods that have the highest incidences of elevated blood lead levels in children less than six years of age, a significant number of buildings built pre-1940, and high percentage of families living at very-low income levels. HPD and DOHMH will partner with two community-

based organizations within these priority areas to conduct outreach to owners in need of assistance.

**Direct Comments to:** Written comments or objections should be submitted via email to nepa\_env@hpd.nyc.gov or through the mail at 100 Gold Street, 7A-4, New York, NY 10038 on or before December 7th, 2018.

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

On behalf of the City of New York, the New York City Departments of Housing Preservation and Development ("HPD") and of Health and Mental Hygiene ("DOHMH"), as collaborators in the HPD Primary Prevention Program (the Program), submitted a proposal for grant funding under HUD's Notice of Funding Availability for the 2017 Lead Hazard Reduction Demonstration (LHRD) Grant program. HUD awarded the City of New York a grant in the amount of \$3.4MM, including \$400K for Healthy Homes repairs in projects receiving lead hazard reduction treatment. The grant runs for a four-year period, from Sept 28, 2018 through Sept 27, 2021 (plus a no-cost extension of up to 12 months). The City of New York's primary objective under this grant, as implemented by HPD's Primary Prevention Program, is to continue to reduce lead-based paint hazards in 215 units, including multifamily rental and owner-occupied small homes, which house low- and very low-income families, prioritizing units occupied by families with children under the age of six years. The program also proposes to leverage the Healthy Homes Supplemental funds to address non-lead paint health hazards in units treated for lead. Under its current LHRD 2015 grant, HPD and DOHMH received Healthy Homes Supplemental funds for the first time; the Program has developed an inspection protocol and begun to implement Healthy Homes measures. Lessons learned to date about best practices for reducing housing-related health risks will be applied and expanded under the LHRD 2017 grant. By working closely with HPD's existing rehabilitation loan programs - including the recently developed Green Housing Preservation Program - and integrating lead and Healthy Homes work under the LHRD 2017 grant into larger scopes as appropriate, the Program will inform efforts to develop healthier housing across all preservation programs. HPD preserves 12,000 units annually; the Healthy Homes Supplemental funds will enable HPD to identify best practices to be integrated across preservation finance programs. HPD will partner with two community-based organizations (CBOs) to conduct outreach to community members related to lead health hazards and to identify and enroll buildings in the program: Belmont Arthur Avenue Local Development Corporation (BAALDC) of the Bronx; Crown Heights Jewish Community Council (JCC) of Brooklyn. The two groups have been serving their respective communities with housing assistance and other social outreach services for more than three decades and possess trained multi-lingual staff who will work with owners, tenants and tenants organizations. They also offer services, including owner outreach for building improvements, home ownership, counseling and rehabilitation of affordable housing. The grant will support several objectives during the 36 months of the grant's term: to treat 215 units, address housing related health hazards in conjunction with the lead-based paint hazard reduction scope of work, and provide outreach and education on lead hazards to local community organizations and residents. The two CBO's will coordinate with their local community leadership; engage tenants' groups and enroll buildings in the program. They will serve as a conduit to assist with contacting owners, faith-based organizations, libraries, schools, and planned community events. Training and certification courses will also be offered to local minority contract workers. The two CBO partners will identify workers who can benefit from being trained in EPA lead-safe renovation (RRP) and Lead Abatement Worker licensing/certification. All trainings will be provided by DOHMH. All goals will be monitored by the Program on a daily, weekly, and monthly basis. A Lead Task Force, comprised of key staff from HPD, DOHMH and the two CBOs, will meet monthly to track the progress of the Program's strengths and weaknesses, and develop alternative plans to ensure the effectiveness of its strategies. Each

objective is supported by benchmarks.

**Maps, photographs, and other documentation of project location and description:**  
[NYC Map - 5 Boroughs.pdf](#)

**Approximate size of the project area:** more than 1 square mile

**Length of time covered by this review:** 4 Years

**Maximum number of dwelling units or lots addressed by this tiered review:**  
215

**Level of Environmental Review Determination:**

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: 58.35(a)(3)

**Determination:**

	Extraordinary circumstances exist and this project may result in significant environmental impact. This project requires preparation of an Environmental Assessment (EA); OR
✓	There are no extraordinary circumstances which would require completion of an EA, and this project may remain CEST.

**Approval Documents:**

[Tiered Environment Review for Activity Project that is Categorically Excluded Subject to Section 58.5 Pursuant to 24 CFR 58.35\(a\).pdf](#)  
[Affidavits.pdf](#)  
[AUGF NYLHD0314-17\\_NYC\\_12-26-18.pdf](#)

**7015.15 certified by Certifying Officer on:** 12/10/2018

**7015.16 certified by Authorizing Officer on:** 2/6/2019

**Funding Information**

Grant Number	HUD Program	Program Name
NYLHD0314-17	Healthy Homes and Lead Hazard Control	

**Estimated Total HUD Funded Amount:** \$3,000,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$3,400,000.00

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

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Was compliance achieved at the broad level of review?	Describe here compliance determinations made at the broad level and source documentation.
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		
Airport Hazards	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The primary objective under the LHRD grant is to reduce lead-based paint hazards in 215 units, including multifamily rental and owner-occupied small homes, which house low- and very low-income families, prioritizing units occupied by families with children under the age of six years. This program will not provide for any new construction, substantial rehabilitation, acquisition of undeveloped land, activities that would significantly prolong the physical or economic life of an existing (residential) building, or change the use of a (residential) building. Therefore, the program is in compliance with this section without any further evaluation at the site-specific level.
Coastal Barrier Resources Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The Department of State and the Waterfront Open Space Division, on behalf of the New York City Coastal Commission, certifies that the 2017 Lead Hazard Reduction Demonstration (LHRD) Grant Program will not have any effect on coastal uses or resources. (see attached)
Flood Insurance	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b>		
Air Quality	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The primary objective under the LHRD grant is to reduce lead-based paint hazards, a categorically excluded activity (24 CFR 58.34). This program will not provide for any new construction or conversion of use (i.e., non-residential to residential). The proposed project

		work is not of a size or scope that contributes to air pollution or is expected to violate the State Implementation Plan (SIP). Therefore, the program is in compliance with the Clean Air Act without any evaluation at the site-specific level.
Coastal Zone Management Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The purpose of the LHRD 2017 grant is to reduce lead-based paint hazards in 215 units, including multifamily rental and owner-occupied small homes. The target area contains NYS Coastal Zones according to the NYS Coastal Zone Atlas. The Department of State and the Waterfront Open Space Division, on behalf of the New York City Coastal Commission, certifies that the 2017 Lead Hazard Reduction Demonstration (LHRD) Grant Program will not have any effect on coastal uses or resources. A determination has been made that the project activities are not subject to state review. (see attached)
Contamination and Toxic Substances	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Endangered Species Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The Program does not allow for ground disturbance. The program is limited to minor rehabilitation activities of existing residential structures. All project activities will have no potential to impact or affect any species or habitats of plants and/or animals. No site-specific evaluation is required.
Explosive and Flammable Hazards	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The Program will not allow for new construction, rehab to increase the number of units, conversion of non-residential buildings to residential, restoration of vacant or abandoned buildings, or increase in the size of a mobile home by 122%. Therefore, it is in compliance with this section and no site-specific analysis for explosive/flammable hazards is required.
Farmlands Protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The Program is for lead hazard reduction treatment only. It will not



		convert farmland to a nonagricultural use. All project activities will be in compliance with FPPA and will not include any activities such as new construction, acquisition of undeveloped land, site clearance, or conversion of undeveloped land. Therefore the program is in compliance with Farmlands Protection and no site-specific analysis is required.
Floodplain Management	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The entire program is in compliance with Executive Order 11988, Floodplain Management and will not conduct any activities that will have any adverse impacts associated with the occupancy and modification of floodplains.
Historic Preservation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Noise Abatement and Control	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	This program will not provide for any new construction or major rehabilitation. Therefore, it is in compliance with Noise Abatement and Control without site-specific noise analysis. Additionally, some Lead Hazard Control and Healthy Homes intervention activities have an unintended consequence of noise attenuation, i.e., window/exterior door replacement, wall/ceiling insulation, sealing of cracks and holes.
Sole Source Aquifers	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	All projects will be in compliance with Safe Drinking Water Act of 1974. All project activities will not release hazard materials, chemicals that will contaminate sole source aquifers. Additionally, the program is limited to minor rehabilitation of existing residential structures and, therefore, in compliance with Sole Source Aquifers. No site-specific evaluation is required.
Wetlands Protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	All projects will be in compliance with Executive Order 11990, sections 2 & 5. The program will not involve new construction activities defined at Sec. 55.2(b)(8). Therefore, the program is in compliance with wetlands protection and site specific analysis is not required.

Wild and Scenic Rivers Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The project will be in compliance with Wild and Scenic Rivers Act of 1968. All projects are not located within any designated wild and scenic river area. Additionally, since the program is limited to minor rehabilitation of existing residential buildings, it is in compliance with this section and no site specific evaluation is required.
<b>ENVIRONMENTAL JUSTICE</b>		
Environmental Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Each site will be reviewed for compliance with HUD Environmental Standards. The 2017 LHRD grant will support several objectives: to treat 215 units, address housing related health hazards in conjunction with the lead-based paint hazard reduction scope of work, and provide outreach and education on lead hazards to local community organizations and residents. The project would not result in a disproportionately high adverse human health impact or environmental effect on minority and low- income populations. The proposed project would not result in any unmitigated impacts.

**Supporting documentation**

- [DCP approval - WRP Consistency Review 2017 Lead Hazard Reduction Demonstration \(LHRD\) Grant Program\(1\).pdf](#)
- [F-2018-1175 \(FA\) GC No Obj\(1\).pdf](#)
- [DCP approval - WRP Consistency Review 2017 Lead Hazard Reduction Demonstration \(LHRD\) Grant Program.pdf](#)
- [F-2018-1175 \(FA\) GC No Obj.pdf](#)
- [nyc-wrp-coastal-boundary\(1\).pdf](#)
- [HPD 2017 LHRD Grant - Coastal Zone Consistency - final package.pdf](#)

**Written Strategies**

The following strategies provide the policy, standard, or process to be followed in the site-specific review for each law, authority, and factor that will require completion of a site-specific review.

<b>1</b>	Flood Insurance
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	It must be determined whether a project is in a 100-year floodplain and source documentation identified by FEMA map panel number and date must be in the file. If a project is located in a 100-year floodplain, evidence must be provided that the homeowner has flood insurance. The City will not provide substantial improvement to homes located in the 100 year flood zone. All sites will be reviewed for their location on FIRM maps at: <a href="https://msc.fema.gov/portal">https://msc.fema.gov/portal</a>
<b>2</b>	Contamination and Toxic Substances
	Site-specific reviews must include a review of previous uses of the site and other evidence of contamination on or near the site to assure the occupants are not impacted by any of these hazards. For each proposed site, the environmental review preparer will provide a report of nearby toxic sites and releases using EPA's Envirofacts, NEPAAssist, or an equivalent State resource. An analysis of the information will be used to determine whether there is evidence of toxics or contamination. If there is evidence of adverse impacts, the grantee, in coordination with the appropriate local/state/federal oversight authority, determine appropriate next steps. These steps may involve mitigation, further evaluation, or rejection of the project. Additionally, the LHRD grant would involve rehabilitation activities that may result in the generation, handling, storage and shipment of construction and demolition debris, and other regulated waste. The shipping, handling and storage of waste generated by LHRD-related activities would be handled in accordance with applicable regulations. No deleterious effects on humans or the environment are anticipated. Work would be performed by United States Environmental Protection Agency-licensed (EPA) firms with licensed workers who hold an EPA certification.
<b>3</b>	Historic Preservation
	Buildings awarded through the LHRD grant may be located in, on or adjacent to a historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York. However, prior to a grant award, HPD will consult with the New York City Landmarks Preservation Commission. In the event the rehabilitation activity has the potential to affect a historic structure, it will be referred to the State Office of Historic Preservation (SHPO) to determine whether the project would result in an adverse effect on historic properties. In the event the project could result in an adverse effect on a historic property, HPD would resolve adverse effects in consultation with the SHPO, the Advisory Council on Historic Preservation (ACHP) if it wishes to participate, and any other consulting parties. The grant may not be approved until adverse effects are resolved or ACHP comment is considered by HPD.

**Supporting documentation**

[Lead Based Paint Hazard Reduction Demonstration Grant 2017 - full project description.pdf](#)

[NYC Map - 5 Boroughs\(1\).pdf](#)

[hurricane\\_map\\_english\\_FIRM.pdf](#)

**APPENDIX A: Site Specific Reviews**