

City of Rensselaer

Proud Neighborhoods Initiative

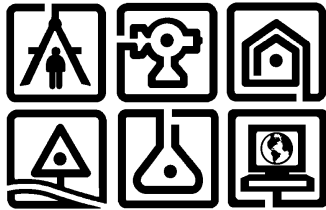


2019 HOME Program Award Environmental Review Record

SHARS 20193083 - Awarded by the
NYS Homes and Community Renewal

Michael Stammel, Mayor
May 2020

May 28, 2020



Proud Neighborhoods Initiative

2019 NYS HOME Program

SHARS 20193083

Environmental Review Record

City of Rensselaer

Prepared for:

CITY OF RENSSELAER
62 Washington Street
Rensselaer, New York 12144

Prepared by:

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Proud Neighborhoods Initiative

City of Rensselaer

2019 NYS HOME Program - Environmental Review Record

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Attachment 1 - Review Documents

Grantee Information

Program Summary

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Tier 1 and Tier 2 Statutory Checklists and Narrative

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Grantee Information

Name and Address of Grantee:

City of Rensselaer
62 Washington Street
Rensselaer, NY 12144
(518) 462-9511 Phone
(518) 462-9895 FAX
Rensselaer County, NY

Chief Executive Officer:

Michael Stammel, Mayor
City of Rensselaer
62 Washington Street
Rensselaer, NY 12144
(518) 462-9511 Phone
(518) 462-9895 FAX

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Director of Planning & Development
62 Washington Street
Rensselaer, NY 12144
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ketura.vics@rensselaerny.gov

Name of Grant:

New York State HOME Program
SHARS: **20193083**

Name of Grantor:

NYS Housing Trust Fund
Corporation
Hampton Plaza
38-40 State Street, 4th Floor
Albany, New York 12207

Grantor Agency Contact:

Crystal Loffler
Acting President

NYS Office of Community Renewal
Hampton Plaza
38-40 State Street, 4th Floor
Albany, NY 12207
(518) 474-2057
(518) 474-5247 FAX

Program Summary

The City of Rensselaer will use \$420,000 in 2019 NYS HOME Program funding to create the Proud Neighborhoods Initiative, which will provide comprehensive technical and financial assistance to help up to 14 low-and-moderate income home owners make substantial repairs to their single-family (one unit) homes.

The City will target the assistance to the most vulnerable home owners from its current waiting list and additional community outreach, including frail elderly and disabled owners who are least able to afford health and safety, mechanical, and structural home improvements including mobility and accessibility upgrades. The City will encourage additional public and private investments to improve energy conservation, promote “green” building principles, reduce or eliminate lead-based paint hazards, and facilitate a positive impact on surrounding properties to foster pride in middle class neighborhoods that form the backbone of our community.

Home owners who live in their houses as their primary residences and have income that is below certain federal limits (80% of the Area Median) will be able to apply for “deferred loan” funding to make significant health and safety improvements to their homes. Owners who receive assistance must agree to remain in their homes for at least five (5) years after all project work is completed, and the City will help owners inspect all work to ensure quality materials and workmanship are utilized for each project. The City will also promote the Initiative and the investment of federal HOME funds to qualified local contractors, including minority and women-owned firms and businesses that employ City residents, to keep the requested grant funding invested within the Rensselaer community.

Description

For all projects, the City will finance 100% of the identified repair costs using federal HOME Program funds. The City will encourage owners, however, to seek other federal or state grants and loans, weatherization assistance through Rensselaer County, and bank equity to the extent feasible to make additional improvements and help stretch the HOME resources. Assisted home owners will be subject to sale restrictions for five (5) years after project completion.

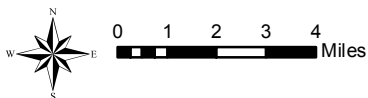
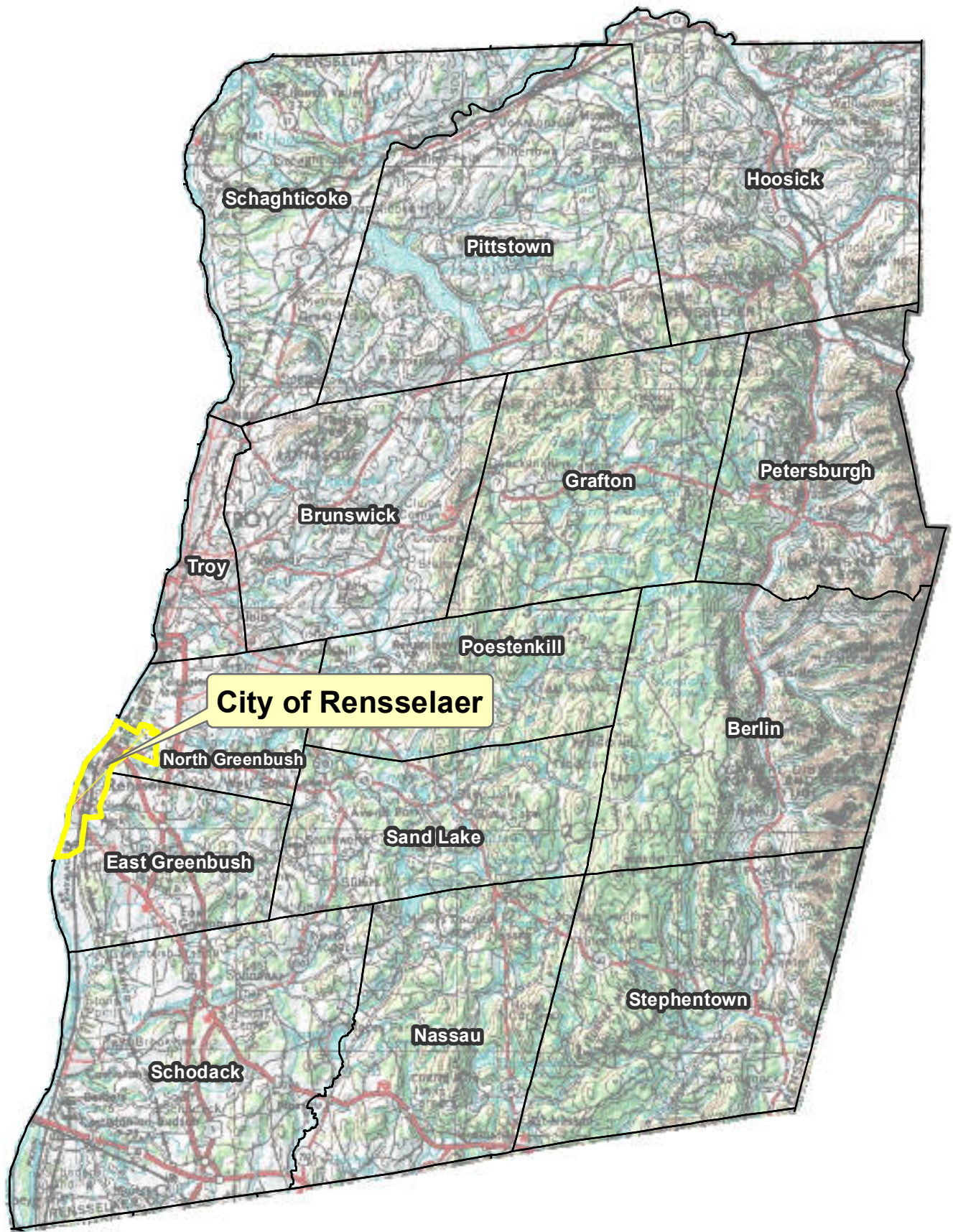
In addition, the City will target nearly 35% of the proposed units to be rehabilitated (4 to 5 units) to “special populations” including frail elderly and disabled households who are receiving services from the Rensselaer County Office for the Aging or the Department of Social Services, as well as other local or regional service providers. The City has discussed the Program with representatives of those agencies, and they have agreed to refer their clients who need help with problems in their homes to maintain safe and comfortable living conditions.

HOME assistance will be limited to substandard homes that have one or more “critical” issues as identified by the City’s Rehabilitation Specialist, including the presence of code violations or other serious health and safety hazards such structural problems, lead-based paint or asbestos, high levels of radon gas, moisture and mold problems, or other indoor air quality concerns. The City will also utilize the Rensselaer County Health Department to conduct LBP Risk Assessments and separate vendors to complete Energy Audits to identify heating, ventilation and insulation problems and suggest cost-effective energy conservation improvements.



Program Location

2019 HOME Program funding will be provided to 14 to 15 scattered-site owner occupied housing rehabilitation projects located throughout the City, based on the individual housing problems and eligibility criteria demonstrated by existing home owners through an open application process. All program files and project-specific materials, as well as fiscal grant and accounting records, will be maintained at the Planning and Development Department within City Hall, located on the second floor at 62 Washington Street.



Legend
 City of Rensselaer
 Town Boundaries

Project Number: 15.5400
 Data Source: NYSGIS Clearinghouse, USGS topo
 Projection: NY State Plane East NAD 83 (ft.)
 Date: July 29, 2015
 File: CityLocationMap.mxd
 GIS: CHay

City Location Map CITY OF RENNELAER

City of Rensselaer

Rensselaer County, New York



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Existing Environmental Conditions

Land Development

The City of Rensselaer is situated on the eastern shoreline of the Hudson River, across the River from Albany and running in a linear fashion for several miles. The area is densely developed, with a traditional grid-type downtown centered by City Hall on Washington Street and mixed land uses and private residences scattered among small neighborhood stores and taverns and older single family and multi-unit apartment buildings. The terrain rises quickly to the east, with dense residential development along with a few stores and churches, and former school buildings on the steep hillside overlooking the State Capitol on the western side of the Hudson.

The center of the City also includes a significant amount of land dedicated to industrial and passenger rail lines, maintained by Amtrak and focused on the massive Albany-Rensselaer Train Station rebuilt in the mid 2000s. Much of the land surrounding the Station is former industrial parcels demolished to make room for train maintenance and storage facilities and the modern passenger station and adjacent public parking. Significant waterfront parcels along the Hudson are also ripe for redevelopment. These properties include the former High School property known as DeLaet's Landing, which is ready for potential new mixed development uses and includes more than 90 new middle-and-upper income apartments.

Noise

There are no commercial airports or roadways larger than four lanes within the City. Most streets are two lanes, except for part of Broadway running north and south along the riverfront and Columbia Turnpike in the southern part of the downtown. Railroad tracks pass through the center of the City adjacent to Broadway in a north-south direction, with the Albany-Rensselaer Train Station and related Amtrak maintenance facility utilizing a large swath of land just north of the central business district.

Air Quality

The City of Rensselaer meets all Federal and State ambient air quality standards for the latest data period, according to the NYS DEC. The most recent air quality information for Rensselaer County as part of DEC Region 4 is included in Attachment 2 for reference.

Environmental Design and Historic Value

Development patterns in Rensselaer are somewhat awkward due to the steep hillside on the eastern side, where much of the residential density and newer housing is located. Combined with the concentration of railroad tracks and related land dedicated to Amtrak, freight lines, and the modern Rensselaer-Albany passenger train station and parking garage in the middle of what had been a traditional downtown business district, older neighborhoods are not as well connected with the Hudson Riverfront and downtown as in decades past.

Various industrial mills and factories once lined the Hudson River, as well as the former Rensselaer High School complex, which have been razed to make way for future mixed-use redevelopment projects and riverfront housing or other long-awaited projects. The housing stock in the Broadway South area is generally older than other parts of the City, although substandard conditions are evident in virtually every neighborhood except newer townhouse and suburban-type developments on top of the City's eastern hillside boundary.

The downtown business district consists of late 19th Century single, two, and some three-story mixed-use buildings, the former Washington Street School turned into City Hall, and various-sized vacant lots used for parking or waiting for future "in-fill" type development. Close to the riverfront, much of the land underneath the I-787 ramp system is used for active and passive recreation, festivals, and community open space, along the west side of Broadway.

Socioeconomic Characteristics

The City of Rensselaer is an urbanized population center consisting of 9,375 persons (2010 Census), an increase of nearly 1,650 people since 2000 (21%). More than 55% of the population is considered low and moderate income (below 80% of the area median according to HUD figures), and 20% percent live in poverty. The median household income in 2017 was \$49,773.

With its location across the Hudson River from Albany, Rensselaer has a long-standing reputation as a quiet bedroom community serving the adjacent Capital. The healthy population growth in the past 10 to 15 years can be attributed in part to increased mobility between the two cities and generally safe and affordable housing stock in Rensselaer County compared to urban neighborhoods within Albany. In 2010, the percentage of owner-occupied homes in the City was nearly half, but that number had dropped to 39% by the 2014-2018 estimate compiled by the American Community Survey. With increasing rental apartments and tenant households comes varying levels of income, employment status, and housing conditions, as landlords try to take advantage of a healthy rental market and may defer maintenance and larger scale repairs and improvements for the sake of signing leases faster with new tenants.

Community Facilities

Virtually all housing units within the City are served by public water and sewer systems, and the City maintains a comprehensive park and recreation program and both active and passive park facilities for residents. Private or non-profit civic organizations also maintain social halls and related facilities for use of their members and/or other public functions. The Boys and Girls Clubs of Southern Rensselaer County, for example, serves more than 2,000 youth each year from the City and surrounding counties with a variety of after-school care and youth recreation and social programs. Services are also provided through various City agencies, churches, and other local non-profit organizations based within the City and the rest of Rensselaer County.

Natural Features

The City's most prominent natural feature is the Hudson River and the long stretch of waterfront on the western boundary. That land, held by both public and private owners, represents potential for new growth, redevelopment, and mixed income housing construction to take advantage of the River and its views to Albany on the western side. Much of the residential portion of the community is built along steep hillsides that rise to the east and have commanding views of the River and Albany downtown skyline. Even parts of the downtown have decent views over to Albany, based on the topography of the riverfront areas.

Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency indicate limited Special Flood Hazard Areas adjacent to the river banks and covering a portion of Broadway in the central and southern parts of the City (which is relatively flat). Some of these flood plains are close to the downtown and may also contain scattered residential and commercial buildings (such as the area that consists of the City's primary Historic District and the Fort Crailo State Historic Site). The City participates in the National Flood Insurance Program and has adopted local regulations addressing development within Special Flood Hazard Areas. See a portion of the FIRMs for the City of Rensselaer in Attachment 2.

There are no designated state wetlands within Rensselaer, according to correspondence and maps provided by the NYS Department of Environmental Conservation (see Attachment 2). There are no coastal barrier resources within the City. The Hudson River is a designated Inland Waterway by the NYS Department of State (DOS), and the City has adopted a Local Waterfront Revitalization Program (LWRP) with oversight from the DOS covering planning and revitalization initiatives for much of the downtown and the Fort Crailo Historic District along the southern side of the City's downtown.

Project Alternatives

The City's housing rehabilitation program is a long-standing and popular initiative that targets financial and technical assistance directly to households in need. By focusing on home owners, including elderly and disabled residents, the City can support housing repairs and upgrades that have an immediate impact on the quality of life of poorer residents, especially those owners who have worked and lived in Rensselaer for decades and wish to remain in their proud homes. But publicly funded rehabilitation also addresses one of the City's primary revitalization priorities, which is the elimination, or at least prevention, of neighborhood blight and decay suffered by home owners who cannot afford major maintenance items and needed repairs.

Officials know from recent housing survey efforts that substandard conditions, and particularly severe and even life-threatening health and safety hazards, are generally found within the owner-occupied housing stock. These homes are older and less distinctive than many larger rental homes and historic brownstone-type units, located on the hills overlooking our downtown and the River. Thanks in part to an aggressive rental landlord registration program, the City believes it has kept substandard conditions in absentee rental properties in check, and it continues to use its building codes officials to conduct outreach to landlords and inspect all apartments on a regular basis, preventing physical and mechanical problems from getting worse.

The City has therefore concluded that investing in a city-wide housing rehabilitation program, targeted to lower income and special needs home owners, represents an efficient and direct use of public resources to have a positive impact on still-proud working-class neighborhoods. After more than 215 rehabilitation projects in the past 12 years, and stronger partnerships with related social service agencies that can also help support home ownership (such as the Office for Aging, the County's Weatherization Assistance Program provider, and others), the City can best prioritize rehabilitation assistance to lower income and other vulnerable home owners. These households will then be able to anchor older neighborhoods, keeping conditions safe and leveraging the other infrastructure improvements the City is sponsoring at the same time.

The "do-nothing" or existing condition alternative (meaning the City would not seek public grant funding to help home owners with needed repairs) would not resolve the most critical housing condition problems facing many home owners. This, in turn, could allow serious health and safety threats to continue to spread among older homes and neighborhoods, creating hazardous conditions and higher risks of fire, illness, personal injuries, and other social problems. Not providing any housing rehabilitation assistance could also promote continued blight and unsafe neighborhood conditions, helping decrease property values, tax revenues, and discouraging other families from purchasing homes within the City.

Environmental Review - NEPA and SEQRA Justifications

NEPA

Under the National Environmental Policy Act (NEPA) and U.S. Department of Housing and Urban Development (HUD) regulations, certain activities funded by the HOME Investment Partnerships Program are categorically excluded from a full Environmental Assessment but are subject to a review of other related Federal statutes and regulations listed under 24 CFR Part 58.5 and Part 58.6. These excluded activities are detailed in 24 CFR Part 58.35, but in general they consist of the following:

- The rehabilitation of buildings and improvements described in 24 CFR 570.202, except paragraph (e); when the following condition is met:
 - *In the case of a building for residential use (with one to four units), where the density is not increased beyond four units, the land use is not changed, and the footprint of the building is not increased in a floodplain or in a wetland;*

The Proud Neighborhoods Initiative involves the rehabilitation of existing residential dwellings (single-family owner-occupied homes) as described in 24 CFR Part 570.202 and 24 CFR Part 571.202. Further, the Program will not increase the number or density of housing units, nor involve any changes in existing land uses or increase building footprints in designated floodplains or wetland areas.

Therefore, the Program consists of **Categorically Excluded** activities under 24 CFR Part 58.35(a) and (b). The Programmatic (Tier 1) Checklist, as required by 24 CFR Part 58.35, is included on the following pages to describe potential environmental impacts on various resources once individual homes are selected for consideration of HOME assistance.

Environmental Review - *NEPA and SEQRA Justifications*

SEQRA

Under the State Environmental Quality Review Act (SEQRA), certain activities involving acquisition, construction, and rehabilitation are categorized into various levels of review depending on the type of actions proposed. According to 6 NYCRR Part 617.5(a), Type II actions have been determined not to have a significant impact on the environment and are otherwise precluded from environmental review under Environmental Conservation Law, Article 8. These Type II actions are detailed in 6 NYCRR Part 617.5, but in general they include:

- Maintenance or repair involving no substantial changes in an existing structure or facility;
- Replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in 6 NYCRR Part 617.4.

The Proud Neighborhoods Initiative involves the moderate rehabilitation of existing residential dwellings (single-family owner-occupied homes) as described in 24 CFR Part 570.202 and 24 CFR Part 571.202. Further, the Program will not involve new construction of any housing units or increase the number or density of units, nor involve any changes in existing residential land uses or increase building footprints in designated floodplains or wetland areas.

Rehabilitation work proposed for existing residential properties under the Program will not change the current use of any property, nor will project work exceed any of the above-referenced thresholds listed at 6 NYCRR Part 617.4 regarding housing unit density, building size, or the building footprint at each selected home's specific location. Therefore, the City considers the Program to consist of Type II activities that will not require further review steps under SEQRA.

Tier 1 Programmatic Review for Activity/Project that is Categorically Excluded Subject to Section 58.5

Pursuant to 24 CFR Part 58.35(a)

Project Information

Program Name: Proud Neighborhoods Initiative

SHARS Number: 20193083

Program Sponsor: City of Rensselaer

Primary Contact: Ketura Vics
(Name and Title) Director of Planning and Development

Address: City Hall
62 Washington Street
Rensselaer, NY 12144

Telephone: (518) 465-1693

Email: ketura.vics@rensselaerny.gov

Responsible Entity (RE): City of Rensselaer

Certifying Officer: Michael Stammel, Mayor

Project Location: City of Rensselaer, Rensselaer County, NY

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

The City of Rensselaer will use \$420,000 of HOME Investment Partnerships Program funding to rehabilitate 14 to 15 single-family homes occupied by lower income households and located within the City. HOME assistance will be combined with state Weatherization funding and local revolving loan funds supporting historic preservation work, where feasible, to target more financial and technical resources towards the repair and replacement of substandard and serious housing conditions.

The objective of this Program is to eliminate dangerous and unhealthy housing conditions within single-family (one unit) residential properties owned and occupied by low-income households. It is important to note that neither the City, nor the Program itself, is performing any actual repair

work at any property. Each home owner will enter into a legal contract for that work with a qualified contractor, with the City providing HOME financial assistance as a deferred payment loan for a five-year period of affordability (POA) after each rehabilitation project is completed.

Approximate size of the project area

Within the existing boundaries of the City of Rensselaer

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

14 to 15 single-family owner-occupied residential homes (15 total housing units)

Number of dwelling units addressed by this tiered review:

15 dwelling units

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR Part 58.35(a)(3)(i), and subject to laws and authorities at Parts §58.5(a) and 58.6.

Funding Information

Estimated Total HUD Funded Amount: \$420,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$480,200

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities and Written Strategies

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6	Was compliance achieved at the broad (Tier 1) level of review?	If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	No designated primary, commercial or military service airports exist within or near the target area, which is the entire City of Rensselaer.

		No Tier 2 review required. See attached Map.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	No Coastal Barrier Resource Areas exist in the City of Rensselaer. No Tier 2 review required. See attached NYS Coastal Map.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The City will review all sites for their location on FIRM maps at: https://msc.fema.gov/portal AND No buildings within a floodway will be chosen as HOME project sites. AND Any HOME-funded building within a 100-year flood-zone will be required to maintain flood insurance.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	The Program is for moderate housing rehabilitation, a categorically excluded activity. 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). No Tier 2 review required.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The City of Rensselaer contains NYS Coastal Zones according to the NYS Coastal Zone Atlas, and the City also includes an adopted Local Waterfront Revitalization Program (LWRP). The City will check each project site for its location with regard to a Coastal Zone. If a site is within a Coastal Zone, the City must contact EAU and EAU will need to coordinate a submission of the project to the New York State Department of State (DOS)

		<p>prior to completion of the Tier 2 Checklist for that site.</p> <p>The City has determined that the housing rehabilitation program is consistent with the revitalization principles of the adopted LWRP in accordance with guidance from the NYS Department of State.</p> <p>See the attached Coastal Zone map and DOS Correspondence.</p>
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Each site will be reviewed by an environmental professional, including a site visit, to determine that the site is not located on or near any hazardous materials or contamination and that the site complies with HUD environmental standards as specified at 24 CFR 58.5(i). The site visit report will include a signed certification statement, that: "I, (Name, Title), certify that I am a qualified environmental professional as per ASTM 1527."
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The Program is housing rehabilitation only and does not allow for ground disturbance or tree cutting. Therefore, there will be "No Effect" on endangered or threatened species.</p> <p>No Tier 2 review required.</p>
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The Program will not allow for installation of any new outdoor above ground storage tanks (ASTs) on the project site or new construction and/or rehab to increase the number of units, conversion of non-residential buildings to residential, placement in a new footprint, or increase in the size of a mobile home unit by 122%.</p> <p>No Tier 2 review required.</p>
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The Program is for rehabilitation of single-family homes only. It will not convert farmland to nonagricultural use.</p> <p>No Tier 2 review required.</p>

<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>All sites will be reviewed by the City for their location on FIRM maps at: https://msc.fema.gov/portal.</p> <p>No project sites within a floodway will be chosen for HOME assistance.</p> <p>If a site is located outside of the 100-year-floodplain, <u>no further action is required</u>.</p> <p>If a site, or a portion of the site, even if the building is not on that portion, is within the 100-year-floodplain, the HTFC Floodplain Management Worksheet will be completed.</p> <p>If the project does not constitute "substantial improvement," no further action is needed.</p> <p>If the project does constitute "substantial improvement," the City must contact the EAU for further instruction. A project that constitutes "substantial improvement" will undergo the mandatory 24 CFR Part 55 5-step or 8-step process along with additional notice procedures and required elevation data of the structure.</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>For all projects that involve site disturbance or demolition or rehabilitation of buildings 50 years old or older, the City of Rensselaer must submit the project for review by the State Historic Preservation Office (SHPO) through the Cultural Resource Information System (CRIS) site found here: https://cris.parks.ny.gov for an effect determination.</p> <p>AND</p> <p>This Program does not allow for ground disturbance, and therefore no THPO site-specific reviews will be required.</p> <p>Rehabilitation projects cannot proceed unless they receive a finding of "no historic properties affected," "No Adverse Effect" or</p>

		“Adverse Effect” with further compliance with Section 106, including a Memorandum of Agreement.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	24 CFR Part 51 requires that noise criteria and standards be taken into consideration in the environmental review process and that ameliorative actions be considered for HUD-funded development in noise exposed areas. For all proposed HOME sites, each site must be reviewed by the City to determine if it is located within 1,000 feet of a roadway carrying more than 10,000 vehicles per day, or 3,000 feet of an active railroad. There are no possible HOME project sites within 15 miles of a commercial airport on the FAA’s 139 list or a military airport within the City of Rensselaer. AND For any rehabilitation projects located within critical distances of noise sources, noise attenuation features will be encouraged by the City to be included in the rehabilitation scope of work. The Tier 2 Checklist for those properties will describe the mitigation features included in the project or justify why such features are not included.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	The City of Rensselaer (which constitutes the target area) does not contain any SSAs (https://www.epa.gov/dwssa). AND The program consists solely of rehabilitation of existing buildings and is exempt from review under the MOU between HUD and EPA. No Tier 2 review required. See attached Map.

Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	The Program does not allow for ground disturbance. No Tier 2 review required.
Wild and Scenic Rivers (WSRs) Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	The City of Rensselaer does not contain any federally designated Wild and Scenic Rivers, Study Rivers (Congressionally-authorized Study Rivers and Agency-authorized study rivers), or National Rivers Inventory (NRI) Rivers. No Tier 2 review required. See DEC Lists.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to NYSDEC mapping at http://www.dec.ny.gov/public/911.html and/or HUDuser , the City of Rensselaer does include a potential environmental justice area, located in the south and central portion of the downtown (see Map(s) attached), and Census Tract 515 within the City is a Qualified Census Tract per HUD. The Proud Neighborhoods Initiative is intended to serve an existing need for affordable housing and is not expected to facilitate development which would result in disproportionate adverse environmental justice impacts. Noise mitigation will be encouraged in all projects. If applicable, there will not be unmitigated thermal explosive hazards in close proximity to the sites. Each site will be reviewed to determine if the site is within either a NYSDEC potential environmental justice area OR a HUD designated 60% AMI qualified census tract. If a site is within either designated area, compliance with HUD Environmental Standards will be determined. There will be no adverse environmental impacts that disproportionately affect low-income or minority populations.

STATE OR LOCAL STATUTES		
Agricultural Districts	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	The program does not include new construction. AND The City of Rensselaer does not include any New York State Agricultural Districts. No Tier 2 review required.
Wild, Scenic and Recreational Rivers (WSRRs) NYSDEC Part 666	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	The City of Rensselaer does not include any New York State Wild, Scenic or Recreational Rivers (listed on the NYSDEC website: http://www.dec.ny.gov/permits/32739.html or found on the Full Environmental Assessment Form mapper). http://www.dec.ny.gov/eafmapper/ No Tier 2 review required.

Attach supporting documentation as necessary, including a template site-specific checklist.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

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

Law, Authority, or Factor	Mitigation Measure
Environmental Justice Executive Order 12898	As applicable to each rehabilitation project selected for HOME assistance, mitigation procedures will be considered for both asbestos containing materials and lead based paint, which will improve the conditions in the homes by removing hazardous substances and comply with state and federal regulations to be protective of the residences and surrounding areas.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of	No properties located in a floodway will be assisted with HOME funding;

1994 Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Project sites within the 100-year flood-zone may be required to undergo the 5-step or 8-step notification process (for substantial rehabilitation) and the home owner(s) will be required to obtain flood insurance.
Coastal Zone Management Coastal Zone Management Act, Sections 307(c) & (d)	Properties within the NYS Coastal Zone must undergo a Consistency Review initiated by the EAU prior to receiving HOME funding.
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	HOME funding will not be provided to any site that does not comply with applicable HUD Environmental Standards.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Properties older than 50 years will be sent to SHPO for consultation via CRIS. Any properties considered historic or significant by the SHPO must undergo further consultation regarding the proposed rehab work scope before HOME funding is committed to those projects.
Noise Abatement and Control Noise Control Act of 1972	Noise attenuation measures will be considered (and documented) for rehabilitation work scopes for any property located within regulated distances of major sources of noise within the City.

Determination:

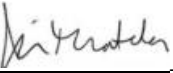
- ☐ Extraordinary circumstances exist and this project may result in significant environmental impact. This project requires preparation of an Environmental Assessment (EA); OR
- ☒ There are no extraordinary circumstances which would require completion of an EA, and this project may remain CEST.

I am the authorized signatory for the HTFC HOME LPA award to the entity named below. I have read the Programmatic Environmental Review Record and Statutory Checklist and by signing these documents agree with the statements made therein and agree that all site-specific reviews will be conducted in conformance with the described procedures.

I agree to abide by the special conditions, procedures and requirements of the environmental review and to advise HTFC of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Program Sponsor Signature: _____ Date: _____

Name/Title/Organization: Not Applicable

Preparer Signature:  Date: _____

Name/Title/Organization: Jim Thatcher, C.T. Male Associates, D.P.C.

Consultant (if any) Signature:

Not Applicable Date: _____

Name/Title: _____

Responsible Entity Agency Official Signature:

_____ Date: _____

Name/Title/Organization: Ketura Vics, Director of Planning and Development, City of Rensselaer

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

This document represents the Tier 1 or Broad-Level review *only*. As individual sites are selected, this review must be supplemented by individual Tier 2 or Site-Specific reviews for each site, conducted by the City of Rensselaer. All laws and authorities requiring site-specific analysis will be addressed in these individual reviews.

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HOME LPA PROGRAM
Tier 2 Site Specific Statutory Checklist
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APPROVED FOR:

**Template to be used for each specific
property selected for HOME assistance.**

SHARS No: 20193083
LPA Name: City of Rensselaer
Program Name: Proud Neighborhoods Initiative
Program Activities: Moderate rehabilitation of residential single-family owner-occupied homes
Target Area: City of Rensselaer, within Rensselaer County, NY

TIER 2 SITE SPECIFIC INFORMATION: (to be filled in by LPA upon choosing site)

1. Site address (including county): _____ [Street/Ave.], Rensselaer, NY 12144
2. Number of units: One (1)
3. Project description (this project description must fit within the “Program Activities” described above):

Tier 2 examples:

Rehabilitation:

The City of Rensselaer proposes moderate rehabilitation of existing building and mechanical components, structure, and finishes for the single-family residence located at the address above. Exterior work generally includes _____, and interior work includes _____.

Public water and sewer are available at the site. There will be no ground disturbance or tree cutting involved with this project.

4. Ground disturbance and/or tree cutting – *NONE*
5. If project involves rehabilitation, has work or site altering activities begun on the site (if yes, stop and contact EAU and Program, this site may not be eligible for funding):

NO

6. If project involves acquisition, has acquisition already occurred for the site (if yes, stop and contact EAU and Program, this site may not be eligible for funding):

Not Applicable to this Program

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Directions: Use this form to create a template Tier 2 Site Specific Checklist. It should include the instructions that were developed during the Tier 1 review and language options for the Tier 2 review. For each Tier 2 site specific review, choose the most appropriate language option.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6	Provide description of compliance for all issues not resolved at the Tier 1 programmatic level Additional supporting material must be attached.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6	
Airport Hazards 24 CFR Part 51 Subpart D	Resolved during Tier 1 review.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Resolved during Tier 1 review.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<p>According to <u>FIRM No. 361032 0001B</u>, dated March 18, 1980 (attached), this site is NOT located in a floodway or a 100-year flood-zone.</p> <p>OR</p> <p>According to <u>FIRM No. 361032 0001B</u>, dated March 18, 1980 (attached), a portion of the site, but not the building, is located in the Special Flood Hazard Area. No flood insurance is required.</p> <p>OR</p> <p>According to <u>FIRM No. 361032 0001B</u>, dated March 18, 1980 (attached), this site is not located in a floodway <u>but IS located in a 100-year flood-zone</u>. Flood insurance will be purchased and maintained for this site, in compliance with the HOME Award Agreement with the City.</p>

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STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.5	
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Resolved during Tier 1 review.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	The project site is not located within a NYS Coastal Zone according to the Coastal Zone Atlas (attached). OR The project site is located within a NYS Coastal Zone according to the Coastal Zone Atlas (attached). On ____, a Coastal Assessment Form (CAF) was sent by the EAU to the NYS DOS. On ____, DOS responded ____ (see attached).
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	The site was visited by ____ on (DATE) and is determined to be free from any hazardous materials or contamination (see attached report). OR The site was visited by ____ on (DATE) and determined to have the following contamination concerns: ____ [describe findings and resolution]. AND Regarding asbestos containing materials (ACM), all project work will comply with NYS Department of Labor Part 56 requirements including the need for surveys and clearance reports, as required. A contractor will be involved in the project construction and will be instructed regarding the need for compliance with Part 56. Regarding lead-based paint (LBP), in homes constructed prior to 1978, all work will be conducted according to the HUD “Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing” and the EPA Renovation, Repair and Painting Rule (RRP rule).

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	<p>All ACM and LBP must be properly disposed of at a properly licensed facility.</p> <p>The City of Rensselaer will maintain all compliance documentation for potential audit by OCR.</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Resolved during Tier 1 review.</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>The project will not allow for installation of any new outdoor above ground storage tanks (ASTs) on the project site. It does not involve new construction, conversion of non-residential to residential use, an increase in unit density, a new footprint, or an increase in the size of a mobile home by 122% or more, so a thermal explosive survey is not required.</p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Resolved during Tier 1 review.</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>According to <u>FIRM No. 361032 0001B</u>, dated March 18, 1980 (attached), this site is not located in a floodway or a 100-year flood-zone. No further action is needed.</p> <p>OR <i>[for 1-4 unit moderate rehab only]</i></p> <p>According to <u>FIRM No. 361032 0001B</u>, dated March 18, 1980 (attached), the project building is not located in a floodway <u>but is located in a 100-year flood-zone</u>. The Part 55 Worksheet has been completed (attached), and this project does not constitute "substantial improvement," <u>no further action is needed</u>. The decision-making process in 24 CFR 55.20 does not apply to this action in accordance with 55.12(b)(2).</p> <p>OR <i>[for 1-4 unit moderate rehab]</i></p>

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	<p>According to <u>FIRM No. 361032 0001B</u>, dated March 18, 1980 (attached), a portion of the site, but not the building, is located in the Special Flood Hazard Area. The Part 55 Worksheet has been completed (attached), and this project does not constitute "substantial improvement". The decision-making process in 55.20 is not applicable to this project per 24 CFR 55.12. No elevation is required as the building is not located in the floodplain and the project work is not substantial improvement.</p> <p>OR <i>[for 1-4 unit substantial rehab]</i></p> <p>According to <u>FIRM No. 361032 0001B</u>, dated March 18, 1980 (attached), this site is not located in a floodway, but it is located in a 100-year flood-zone. The Part 55 Worksheet has been completed (attached), and this project DOES constitute "substantial improvement,"</p> <p>This project will comply with the procedures specified in 24 CFR Part 55. The EAU was contacted and _____ [insert language after Part 55 review complete].</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>According to a letter from OPRHP dated _____, there are no historic properties affected by this undertaking.</p> <p>OR</p> <p>The structure is not more than 50 years old (attach proof demonstrating age of house) and no ground disturbance will be conducted so OPRHP was not contacted.</p> <p>AND</p> <p>THPO was not contacted because NO ground disturbance will be conducted.</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>The project is not within 1,000 feet of a roadway carrying more than 10,000 vehicles per day, 3,000 feet of a railroad or 15 miles of a commercial airport listed on the FAA's 139 list or a military airport.</p>

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	<p>OR</p> <p>The project is within 1,000 feet of a roadway carrying more than 10,000 vehicles per day [insert name of roadway] [and/or], 3,000 feet of a [insert name of railroad], but the project is rehabilitation.</p> <p>The City understands that noise mitigation is strongly encouraged.</p> <p>[INSERT Either of the Statements below:</p> <p>1) Description of any work that will mitigate noise that is currently contemplated, including new windows, doors, insulation, etc. OR</p> <p>2) “The Program will not divert funds to noise attenuation since that might jeopardize the viability of the intended project scope of work.”]</p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Resolved during Tier 1 review.</p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Resolved during Tier 1 review.</p>
<p>Wild and Scenic Rivers (WSRs)</p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Resolved during Tier 1 review.</p>
ENVIRONMENTAL JUSTICE	
<p>Environmental Justice</p> <p>Executive Order 12898</p>	<p>The proposed project site is not located in an Environmental Justice Area according to NYSDEC mapping or a HUD designated 60% AMI qualified census tract according to the HUDuser map.</p> <p>OR</p>

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	<p>The proposed project site <u>is located</u> in an Environmental Justice Area or a HUD designated 60% AMI qualified census tract according to NYSDEC and HUD mapping.</p> <p>The project is intended to serve an existing need for affordable housing and is not expected to facilitate development which would result in disproportionate adverse environmental impacts on low income or minority populations. It will improve the living conditions of the residents of the home by providing needed upgrades and repairs. There are adequate services in the area for the residents.</p>
STATE OR LOCAL STATUTES	
Agricultural Districts	Resolved during Tier 1 review.
Wild, Scenic and Recreational Rivers (WSRRs) NYSDEC Part 666	Resolved during Tier 1 review.

“I am the authorized signatory for the HTFC HOME LPA award to the entity named below. I have read this Tier 2 Site Specific Statutory Checklist and by signing this document agree with the statements made herein and agree that this Tier 2 site specific review was conducted in conformance with the Tier 1 programmatic review procedures.”

Prepared by: City of Rensselaer Department of Planning and Development

By: _____

Date:

Title:

Email Address:

Preparer's Signature:

Phone Number: 518-465-1693

Floodplain Management (CEST and EA)

City of Rensselaer
SHARS 20193083

Site Address:

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55
Reference		
https://www.hudexchange.info/environmental-review/floodplain-management		

1. Does [24 CFR 55.12\(c\)](#) exempt this project from compliance with HUD's floodplain management regulations in Part 55?

☐ Yes

Provide the applicable citation at 24 CFR 55.12(c) here. If project is exempt under 55.12(c)(7) or (8), provide supporting documentation.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

☒ No → Continue to Question 2.

2. Provide a FEMA/FIRM or ABFE map showing the site.

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

Does your project occur in a floodplain?

☐ No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

☒ Yes

Select the applicable floodplain using the FEMA map or the best available information:

- ☐ Floodway → *Continue to Question 3, Floodways*
- ☐ Coastal High Hazard Area (V Zone) → *Continue to Question 4, Coastal High Hazard Areas*
- ☐ 500-year floodplain (B Zone or shaded X Zone) → *Continue to Question 5, 500-year Floodplains*
- ☐ 100-year floodplain (A Zone) → *The 8-Step Process is required. Continue to Question 6, 8-Step Process*

3. **Floodways**

Is this a functionally dependent use?

☐ Yes

The 8-Step Process is required. Work with your HUD FEO to determine a way to satisfactorily continue with this project. Provide a completed 8-Step Process, including the early public notice and the final notice.

→ *Continue to Question 6, 8-Step Process*

☐ No

Federal assistance may not be used at this location unless a 55.12(c) exception applies. You must either choose an alternate site or cancel the project at this location.

4. **Coastal High Hazard Area**

Is this a critical action?

☐ Yes

Critical actions are prohibited in coastal high hazard areas. Federal assistance may not be used at this location. Unless the action is excepted at 24 CFR 55.12(c), you must either choose an alternate site or cancel the project.

☐ No

Does this action include construction that is not a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster?

☐ Yes, there is new construction.

New construction is prohibited in V Zones ((24 CFR 55.1(c)(3)).

- ☐ No, this action concerns only a functionally dependent use, existing construction(including improvements), or reconstruction following destruction caused by a disaster.

This construction must have met FEMA elevation and construction standards for a coastal high hazard area or other standards applicable at the time of construction.

→ *Continue to Question 6, 8-Step Process*

5. 500-year Floodplain

Is this a critical action?

- ☒ **No** → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

- ☐ Yes → *Continue to Question 6, 8-Step Process*

6. 8-Step Process.

Does the 8-Step Process apply? Select one of the following options:

- ☐ 8-Step Process applies.

Provide a completed 8-Step Process, including the early public notice and the final notice.

→ *Continue to Question 7, Mitigation*

- ☐ 5-Step Process is applicable per 55.12(a)(1-3).

Provide documentation of 5-Step Process.

Select the applicable citation:

- ☐ *55.12(a)(1)* HUD actions involving the disposition of HUD-acquired multifamily housing projects or “bulk sales” of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).

- ☐ *55.12(a)(2)* HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.

- ☐ *55.12(a)(3)* HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not

involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.

- ☐ 55.12(a)(4) HUD’s (or the recipient’s) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10) and that the footprint of the structure and paved areas is not significantly increased.

→ Continue to Question 7, Mitigation

- ☒ 8-Step Process is inapplicable per 55.12(b)(1-4).

Select the applicable citation:

- ☐ 55.12(b)(1) HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging or refinancing of existing one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway or coastal high hazard area.
- ☒ 55.12(b)(2) Financial assistance for minor repairs or improvements on one- to four-family properties that do not meet the thresholds for “substantial improvement” under § 55.2(b)(10)
- ☐ 55.12(b)(3) HUD actions involving the disposition of individual HUD-acquired, one- to four-family properties.
- ☐ 55.12(b)(4) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573) of loans that refinance existing loans and mortgages, where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance.
- ☐ 55.12(b)(5) The approval of financial assistance to lease an existing structure located within the floodplain, but only if—
 - (i) The structure is located outside the floodway or Coastal High Hazard Area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24);
 - (ii) The project is not a critical action; and
 - (iii) The entire structure is or will be fully insured or insured to the maximum under the NFIP for at least the term of the lease.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

7. Mitigation

For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Not applicable to this moderate housing rehabilitation project.

Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.

- ☐ Permeable surfaces
- ☐ Natural landscape enhancements that maintain or restore natural hydrology
- ☐ Planting or restoring native plant species
- ☐ Bioswales
- ☐ Evapotranspiration
- ☐ Stormwater capture and reuse
- ☐ Green or vegetative roofs with drainage provisions
- ☐ Natural Resources Conservation Service conservation easements or similar easements
- ☐ Floodproofing of structures
- ☐ Elevating structures including freeboarding above the required base flood elevations
- ☐ Other

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates

- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project at _____ Street is moderate rehabilitation of an existing single-family residential dwelling. There is no ground disturbance or alteration of the existing building footprint, and the project therefore will not have adverse impacts on the floodplain or flood-zone in this part of the City. The home owner will be required to obtain adequate flood insurance prior to the City's commitment of HOME rehabilitation funding.

Are formal compliance steps or mitigation required?

- ☐ Yes
☒ No

NOTES:

24 CFR Part 55.2(b)(10)

Substantial improvement means either:

(A) Any repair, reconstruction, modernization or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

(1) Before the improvement or repair is started; or

(2) If the structure has been damaged, and is being restored, before the damage occurred; or

(B) Any repair, reconstruction, modernization or improvement of a structure that results in an increase of more than twenty percent in the number of dwelling units in a residential project or in the average peak number of customers and employees likely to be on-site at any one time for a commercial or industrial project.

Market Value of 123 SAMPLE STREET: \$ _____

Estimated Rehabilitation Cost (hard construction): \$ _____

Statutory Checklist Narrative

The following notations generally support the findings made on the Tier 1 Programmatic Statutory Checklist and Tier 2 Site Specific Checklist Template found on the preceding pages. These Checklists were completed using the following resources: New York State HOME Program Environmental Review Procedures for Local Program Administrator (LPA) Programs (January 2016 and updated periodically).

Flood Insurance and Floodplain Management

Certain residential areas of the City of Rensselaer are located within a Federal Emergency Management Agency-designated flood plain. All projects that are located within a flood plain will be reviewed by the City's Building Inspector to ensure compliance with local National Flood Insurance Program regulations, including the 5- or 8-step notification process and relevant public notices or hearings, if applicable. In addition, owners of properties located within the floodplain may be required by the City to obtain flood insurance as a condition of receiving HOME assistance. A sampling of Flood Insurance Rate Maps is included in Attachment 2.

Air Quality

Permits for air pollution control are not required for the moderate rehabilitation of existing residential dwellings. The most recent DEC Air Quality Report for Region 4 that includes the City of Rensselaer is in Attachment 2 for informational purposes.

If any rehabilitation project receiving HOME assistance involves work that will disturb or remove Regulated Asbestos Containing Materials (RACM), a licensed asbestos contractor will be required to perform that work related to the RACM, in accordance with federal Clean Air Act standards and NYS Department of Labor regulations at 12 NYCRR Part 56.

Coastal Zone Management - Coastal Areas / Coastal Barrier Resources

According to the Coastal Zone Management Program of the NYS Department of State (DOS), there are no state coastal barrier resources within the City of Rensselaer.

The City's Hudson River waterfront is part of the State's Coastal Zone, extending north along the River to the Federal Dam in Troy and including parts of Broadway in the center of the community. A large part of the City is also part of a Local Waterfront Revitalization Plan (LWRP) adopted by the City and approved by the State.

The City has submitted a Federal Consistency Assessment Form to the NYS Department of State (DOS) regarding the general consistency of this new housing rehabilitation program related to existing state coastal management policies and the principles of the LWRP. The City will consult with the DOS with respect to their Consistency Review process prior to any final work scope being released for bidding for specific residential properties that could impact the Coastal Zone. See the correspondence to the DOS in Attachment 2.

Contamination and Toxic Substances

According to the NYS DEC Environmental Site Remediation Database (Website search, May 2020), there are several inactive hazardous waste sites located within the City of Rensselaer.

The Proud Neighborhoods Initiative will not change the use of any existing facility that could be impacted by previously contaminated sites. For all selected rehab sites, the City will conduct an environmental site evaluation including a walk-through, focusing on any easily identified environmental concerns, as required by the HOME Program (but not constituting a full Phase I Environmental Site Assessment). The City will utilize current techniques by qualified professionals to undertake site investigations, if determined necessary, and the City will also utilize guidance from the HUD publication *“Choosing an Environmentally ‘Safe’ Site.”*

Historic Preservation

The Program could involve properties listed or eligible for inclusion on the State and National Registers of Historic Places. Photographs of each property targeted for assistance will be uploaded to the NYS Historic Preservation Office (SHPO) using the CRIS system for an initial review of architectural, cultural, or historic significance, prior to the commitment of HOME funds. If a property that the SHPO determines to be significant will be rehabilitated under this Program, the Work Scope and any applicable project documentation will be sent to the SHPO for further review and/or consultation before any rehabilitation work can begin.

The City’s local Program Guidelines will specify that all work performed on significant historic properties must conform to the most recent version of “The Secretary of the Interior’s Standards for Rehabilitation” (U.S. Department of the Interior).

Tribal Historic Preservation

The City does not expect to conduct any ground disturbance because of renovations to eligible owner-occupied housing units selected for HOME assistance. The City has contacted the applicable Tribal Historic Preservation Officer (THPO) regarding this Program, and it will consult with the THPO regarding any concerns over specific residential properties or renovation work items that require ground disturbance or if such concerns are raised directly by the THPO for any approved rehabilitation projects.

Noise Abatement and Control

For all selected project sites, distances to major noise sources must be determined. Each site must be reviewed by the City to determine if it is located within 1,000 feet of a roadway carrying more than 10,000 vehicles per day, or 3,000 feet of an active railroad. There are no project sites within 15 miles of a commercial airport on the FAA’s 139 list or a military airport within the City of Rensselaer. For any projects located within critical distances of noise sources, the City will utilize the Noise Assessment Worksheet in accordance with HUD-953-CPD, and noise attenuation measures may be considered as appropriate if existing ambient noise levels exceed

65db. The Tier 2 Checklist prepared for selected properties must also describe the noise mitigation features included in those projects or justify why such features are not included.

Environmental Justice

The Proud Neighborhoods Initiative is designed to improve the safety and long-term living conditions for lower income residents of the City of Rensselaer. Program guidelines for providing HOME assistance will be consistent, to the extent practicable, with the Environmental Justice principles outlined in Executive Order 12898 and any other related HUD or DEC initiatives, regardless of whether an assisted property is located within a potential Environmental Justice area or not. See the EJ Map for Rensselaer County in Attachment 2.

Solid Waste Disposal

Rehabilitation projects may involve the removal of asbestos or the disposal of C&D debris or potentially hazardous waste from the removal of asbestos or lead-based paint, or other building material sources. The Construction Contract between the property owner and the contractor hired by the home owner will include language requiring the contractor to dispose of any C&D waste or hazardous materials in a manner that complies with the Resource Conservation and Recovery Act (RCRA) and all applicable state and local disposal regulations, including 6 NYCRR Part 360 (solid waste management facilities).

For all projects receiving HOME assistance, the City of Rensselaer will implement a local Lead-Based Paint Plan to provide for the identification and assessment of any lead-based paint hazards and the design of appropriate treatment methods (interim controls, standard treatments) as part of the Work Scope for each property in accordance with the federal “Lead-Based Paint Poisoning Prevention in Certain Residential Structures” final rule, published in the *Federal Register* on September 15, 1999 and located at 24 CFR Part 35. Contractors working under this program must also be certified to use “safe work practices” for repair work that involves surfaces known to contain lead-based paint, and all contracting firms must be certified by the EPA and in good standing under its Renovate, Repair, and Painting (RRP) regulations.

Environmental Determination

I, Michael Stammel, acting in my official capacity as Certifying Officer and Mayor of the City of Rensselaer, do hereby certify that the **Proud Neighborhoods Initiative**, located at scattered residential properties within the City of Rensselaer, and funded under the 2019 NYS HOME Program (SHARS #20193083), consists of activities that are classified as categorically excluded under the federal National Environmental Policy Act (NEPA), and Type II actions under the State Environmental Quality Review Act (SEQRA). Therefore, this 2019 HOME Program award is not subject to further environmental review requirements.

Michael Stammel, Mayor
and Certifying Officer

May 28, 2020

Attachment 2 - Compliance Materials

Tribal Historic Preservation Officer (THPO) Correspondence

Flood Insurance Rate Maps - (Sample)

DEC Correspondence

National Wetland Inventory (NWI) Map

NYS Coastal Atlas

Federal Consistency Assessment Form - (Coastal Zone)

EPA Sole Source Aquifer Map

DEC Inactive Hazardous Waste Site Information

Environmental Justice Area/Qualified Census Tract Map(s) for Rensselaer County

DEC Air Quality Report - (Region 4)

Thatcher, Jim

From: Thatcher, Jim
Sent: Monday, May 11, 2020 2:07 PM
To: nathan.allison@mohican-nsn.gov
Cc: amy.lolik
Subject: City of Rensselaer (Rensselaer County, NY) - NYS HOME Program Grant Award
Attachments: City of Rensselaer 2019 HOME Award - Correspondence to THPO.pdf

Mr. Allison,

See the attached Letter and related information for a new NYS HOME Program award from the Housing Trust Fund Corporation to the **City of Rensselaer** to enable the City to implement a scattered-site housing rehabilitation program for low and moderate income home owners. There is no ground-disturbance expected with this new housing grant program, as the City intends to assist existing home owners with repairs and upgrades to their already-constructed single-family residences.

If you need any additional information with respect to the NEPA review for this NYS HOME award, please contact me directly on behalf of the City, by Email or Cell Phone (below).

Thank you for your assistance.

Jim Thatcher

Manager, Community Development

C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.

50 Century Hill Drive, Latham, NY 12110

518.786.7400 | Cell: 518.390.0944

www.ctmale.com

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50 Century Hill Drive, Latham, NY 12110
518.786.7400 FAX 518.786.7299 www.ctmale.com



May 8, 2020

Nathan Allison
Tribal Historic Preservation Officer – *Stockbridge Munsee Community*
65 1st Street
Troy, New York 12180

Subject: ***City of Rensselaer, Rensselaer County, NY***
Project Impact - 2019 HOME Investment Partnerships Program
Proud Neighborhoods Initiative - (City-wide Housing Rehabilitation)

Dear Mr. Allison:

The City of Rensselaer has been awarded \$420,000 in FY 2019 federal HOME Investment Partnerships (HOME) Program funding, administered by the NYS Housing Trust Fund Corporation. The award will provide financial assistance to help 14 to 15 low-and-moderate income home owners with needed repairs and upgrades to their existing owner occupied homes located throughout the City. The enclosed project summary provides additional information about this latest HOME funding award.

We are assisting the City with the preparation of the “programmatic” Environmental Review Record (ERR) required under NEPA and SEQRA for this award. As part of the review, we must consider the presence of cultural or historic resources or properties that would warrant additional consultation and/or any design mitigation measures through the New York State Historic Preservation Office (SHPO). There is no ground disturbance proposed for any of the individual housing rehabilitation projects expected to be assisted through this scattered-site grant program. In addition, after selection of individual residential properties for HOME rehabilitation assistance, the City will submit photos and other applicable project information to the SHPO through its CRIS database to fulfill the review requirements under Section 106.

Please provide any information or concerns regarding tribal or other affected cultural resources that may be relevant to this scattered site housing program, so that they may be appropriately addressed in the ERR and during the individual property selection process.

If you require any additional information about this program, please feel free to call me at (518) 786-7652 or by email at j.thatcher@ctmale.com. Thank you for your assistance.

Sincerely,

C.T. MALE ASSOCIATES

Jim Thatcher
Manager, Community Development

City of Rensselaer

Proud Neighborhoods Initiative

2019 NYS HOME Program Owner Occupied Rehabilitation

Program Summary

The City of Rensselaer will use \$420,000 in HOME funding and additional leveraged funds to provide rehabilitation assistance for 14 single-family owner-occupied housing units within dense high-poverty neighborhoods targeted for additional infrastructure and housing revitalization. HOME funding will be in the form of deferred payment loans up to a maximum of \$30,000 per unit to help eliminate serious health and safety hazards and improve severely substandard homes.

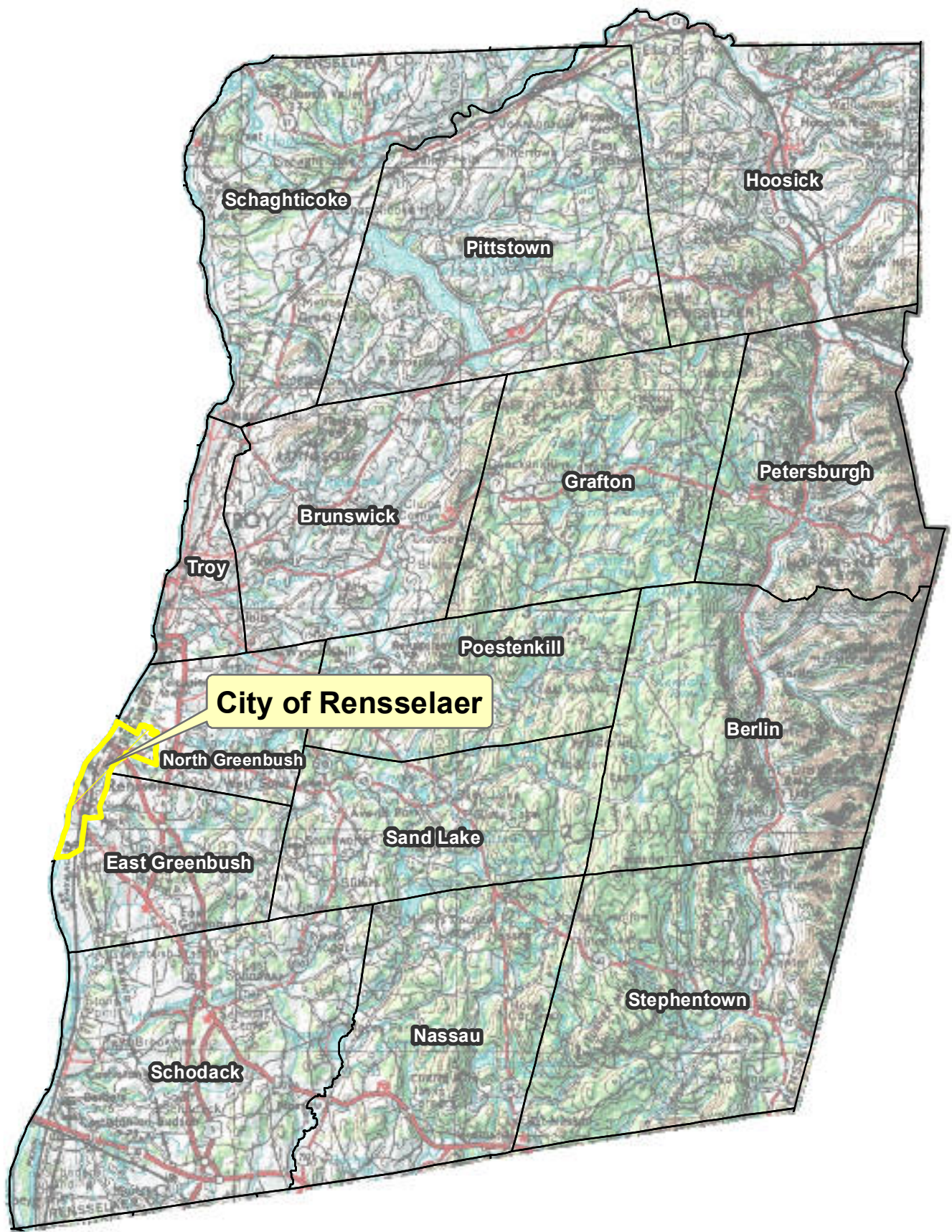
The City will finance 100% of the necessary repair costs, but it will encourage owners to seek USDA grants and loans, Weatherization Assistance Program (WAP) funding through the County's WAP provider, and bank equity to the extent feasible to make additional improvements and help stretch the HOME resources. Owners with income below 60% of the Area Median will be eligible for assistance, and assisted home owners will be subject to residency and sale restrictions for five (5) years after project completion. No rental or vacant units will be assisted with HOME funds.

In addition, the City will target a minimum of 5 units (35% of the 14 proposed units) to frail elderly households and persons with physical disabilities who may also receive services from the Rensselaer County Office for the Aging, the Rensselaer Senior Center, and/or the county Department of Social Services (see Attachment 7). Each agency will continue to provide the services they offer while we focus on more critical structural and mechanical repairs and/or accessibility improvements in those homes.

The City will partner with the above County agencies and local service organizations (such as the Boys & Girls Club, local food pantries) to refer elderly, frail elderly, disabled, and lower income families with children to the City. We will also work with the Commission on Economic Opportunity (CEO, Inc.) to conduct Energy Audits and coordinate up to five (5) HOME Projects with \$6,500 per unit of their own WAP funds, where feasible.

The new program will only assist existing owner-occupied single-family homes located within the City. Vacant homes will not be considered, and funding will not be provided for any land or home acquisition or new home construction or additions to existing homes. The City does not expect any ground-disturbance or tree-cutting activities as all project work will be focused on each home's existing footprint and the repair or replacement of existing building components, mechanical and electrical systems, and related materials.

The City's Department of Planning and Development (DPD) will be responsible for implementing the Proud Neighborhoods Initiative and coordinating day-to-day activities that comply with applicable federal and state regulations. Project Delivery will be completed by the City's Grant Administrator and part-time Rehabilitation Specialist, who are paid staff positions within the DPD. Those individuals have been working with home owners for several city-sponsored rehabilitation programs over the past seven years, and their desks are literally next to the City's two certified Building Inspectors. This allows rehabilitation projects to be closely coordinated in terms of Codes inspections, Building Permits, and Certificates of Occupancy when projects are completed.



0 1 2 3 4 Miles

Legend

- City of Rensselaer
- Town Boundaries

Project Number: 15.5400
 Data Source: NYSGIS Clearinghouse, USGS topo
 Projection: NY State Plane East NAD 83 (ft.)
 Date: July 29, 2015
 File: CityLocationMap.mxd
 GIS: CHay

City Location Map CITY OF RENNELAER

City of Rensselaer

Rensselaer County, New York



C.T. MALE ASSOCIATES
 ENGINEERING, SURVEYING, ARCHITECTURE & LANDSCAPE ARCHITECTURE, P.C.
 50 CENTURY HILL DRIVE, LATHAM, NEW YORK 12110
 (518) 786-7400 • FAX (518) 786-7299 • WWW.CTMALE.COM
 FOUNDED IN 1910



APPROXIMATE SCALE

400 0 400 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM FLOOD INSURANCE RATE MAP

CITY OF
RENSSELAER,
NEW YORK
RENSSELAER COUNTY

PANEL 1 OF 2

(SEE MAP INDEX FOR PANELS NOT PRINTED)

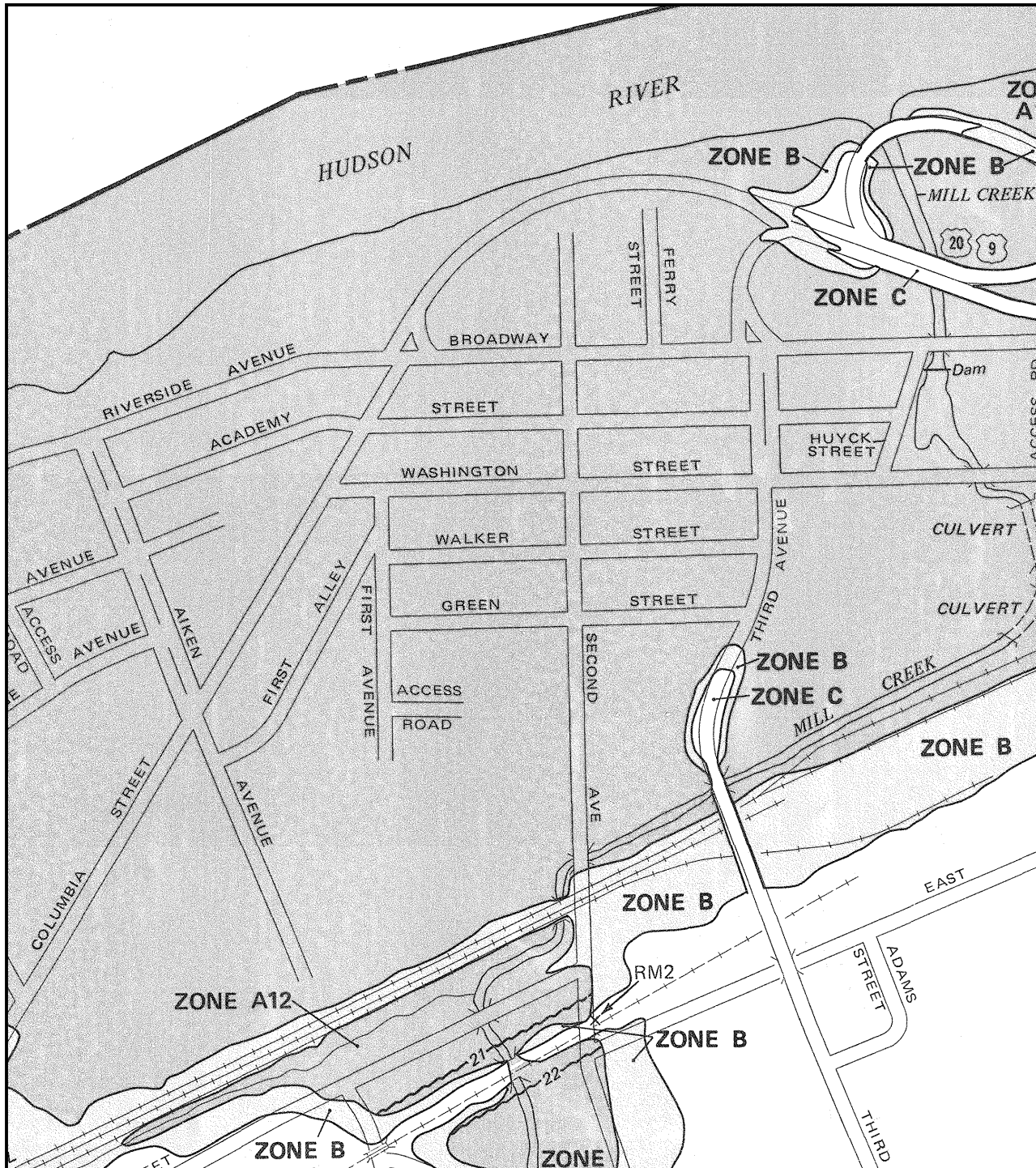
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EFFECTIVE DATE:
MARCH 18, 1980



U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT
FEDERAL INSURANCE ADMINISTRATION

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



APPROXIMATE SCALE

400 0 400 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM FLOOD INSURANCE RATE MAP

CITY OF
RENSSELAER,
NEW YORK
RENSSELAER COUNTY

PANEL 1 OF 2

(SEE MAP INDEX FOR PANELS NOT PRINTED)

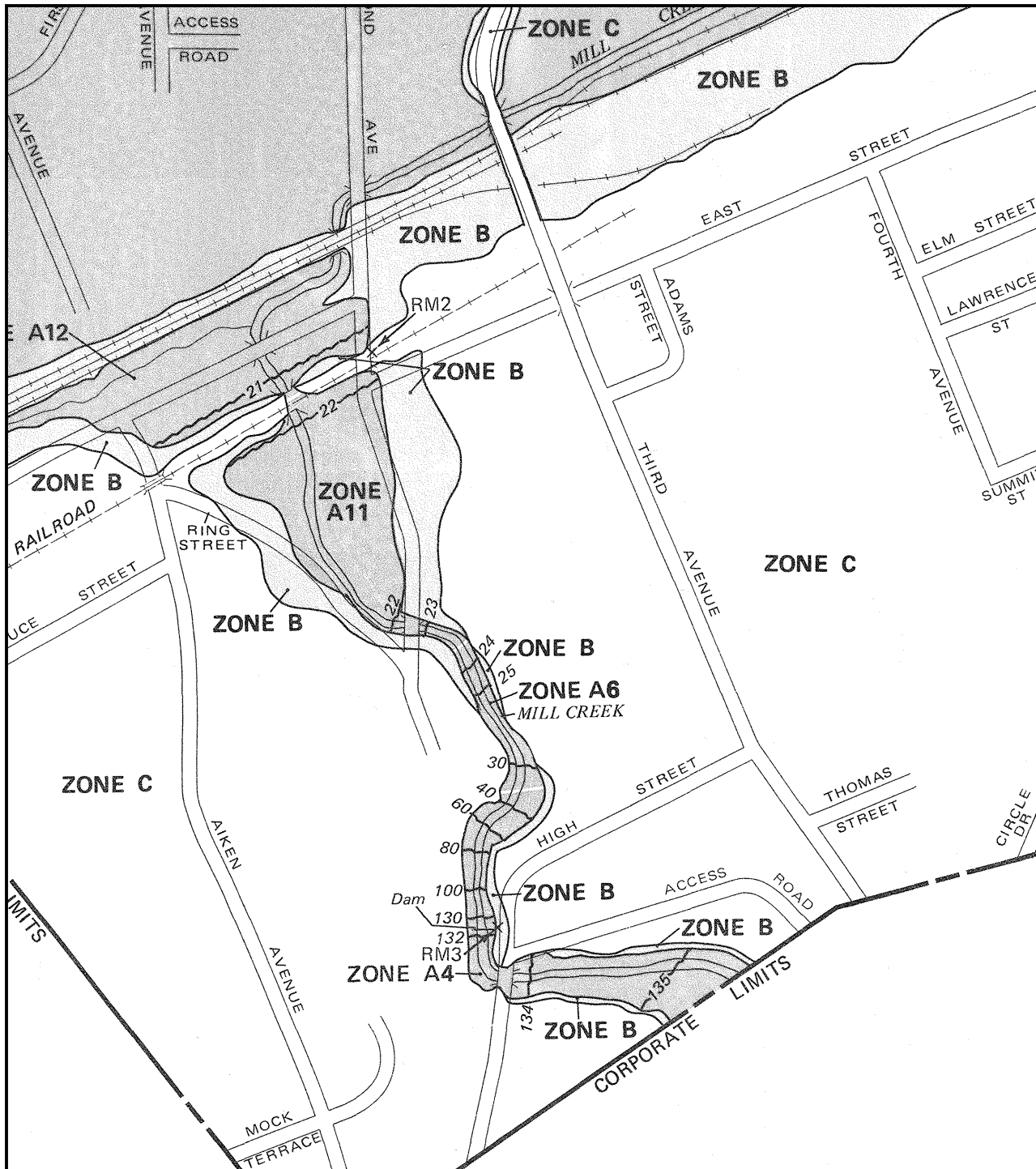
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APPROXIMATE SCALE

400 0 400 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM FLOOD INSURANCE RATE MAP

CITY OF
RENSSELAER,
NEW YORK
RENSSELAER COUNTY

PANEL 1 OF 2

(SEE MAP INDEX FOR PANELS NOT PRINTED)

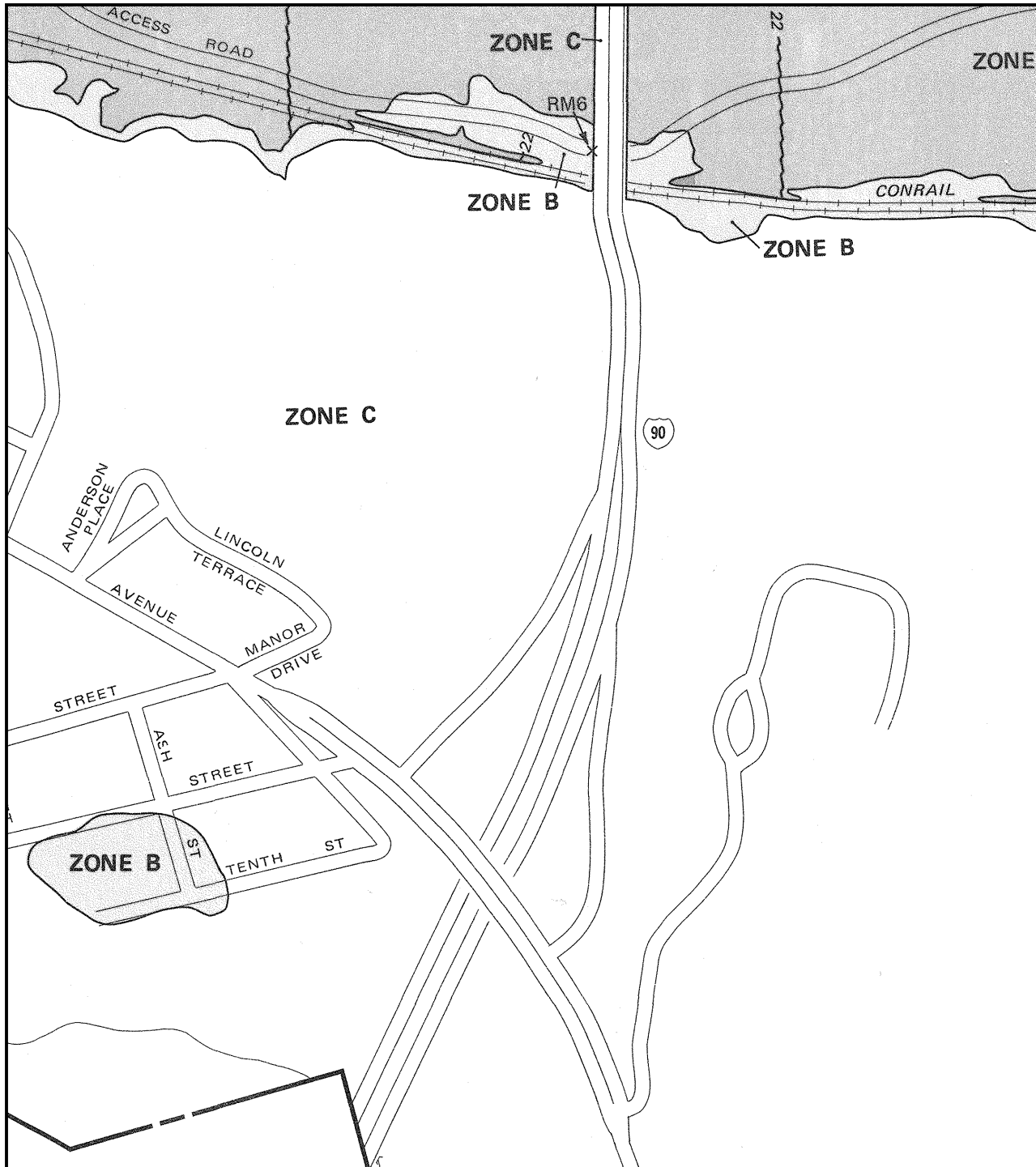
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APPROXIMATE SCALE

400 0 400 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
RENSSELAER,
NEW YORK
RENSSELAER COUNTY

PANEL 2 OF 2
(SEE MAP INDEX FOR PANELS NOT PRINTED)

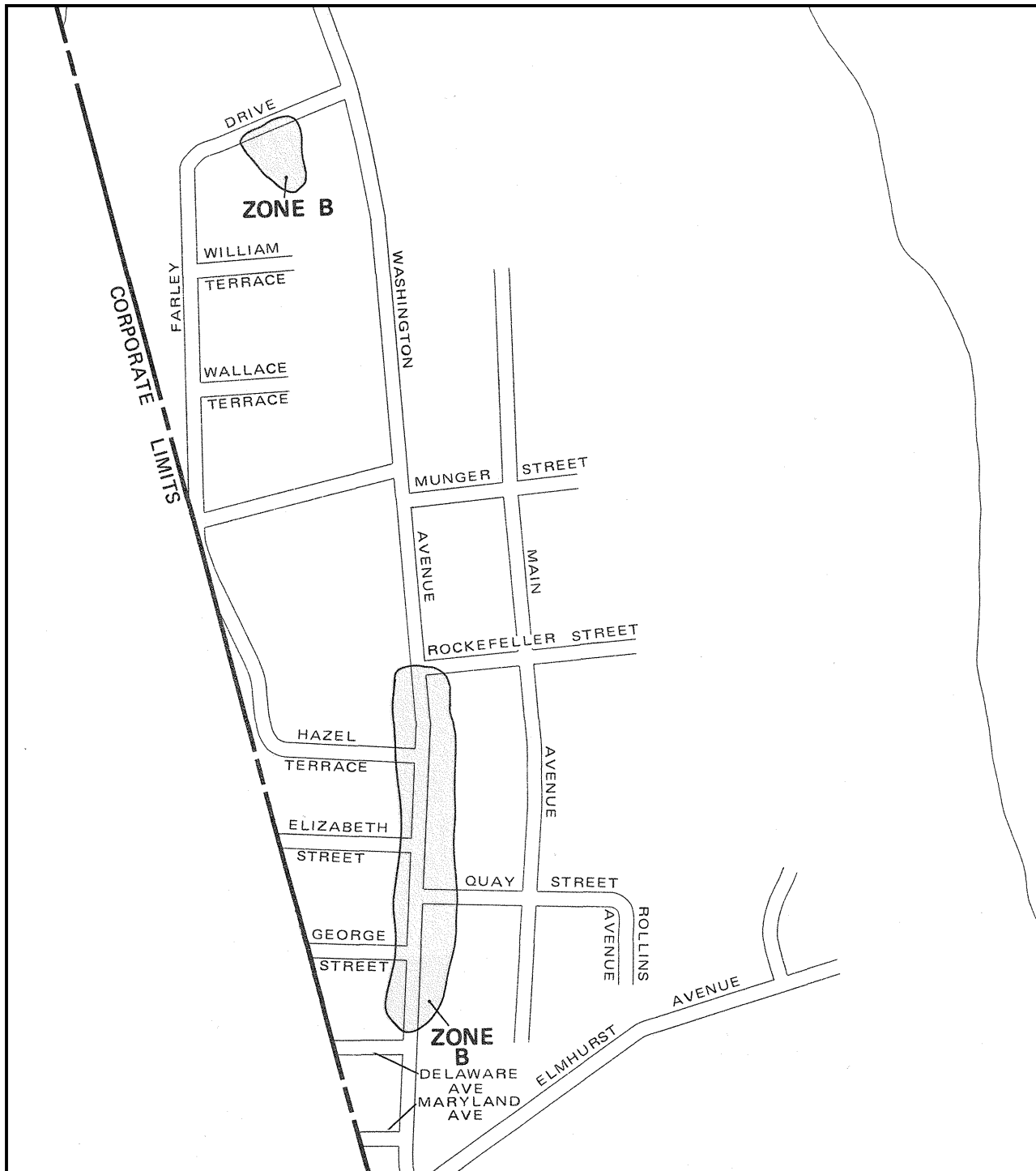
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EFFECTIVE DATE:
MARCH 18, 1980



U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT
FEDERAL INSURANCE ADMINISTRATION

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APPROXIMATE SCALE

400 0 400 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
RENSSELAER,
NEW YORK
RENSSELAER COUNTY

PANEL 2 OF 2
(SEE MAP INDEX FOR PANELS NOT PRINTED)

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361032 0002 B

EFFECTIVE DATE:
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U.S. DEPARTMENT OF HOUSING
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518.786.7400 FAX 518.786.7299 www.ctmale.com



May 12, 2020

NYS Department of Environmental Conservation
Division of Environmental Permits, Region 4
1130 North Westcott Road
Schenectady, New York 12306-2014
Via EMAIL: dep.r4@dec.ny.gov

Attn: Nancy Baker, Regional Permit Administrator

Subject: **City of Rensselaer**
Project Impacts - 2019 HOME Investment Partnerships Program
Proud Neighborhoods Initiative - (City-wide Housing Rehabilitation)

Dear Ms. Baker:

The City of Rensselaer has been awarded \$420,000 in FY 2019 federal HOME Investment Partnerships Program funding, administered by the NYS Housing Trust Fund Corporation. The award will provide financial assistance to help approximately 14 to 15 low-and-moderate income home owners with needed repairs and upgrades to their existing owner occupied homes located throughout the City. The attached program summary provides additional information.

We are assisting the City with the preparation of the “programmatic” Environmental Review Record required under NEPA and SEQRA for the HOME award. As part of the review, we must consider the presence of state or federal regulated wetlands, flood hazard areas, inactive hazardous waste sites, and designated wild, scenic, or recreational rivers within the City of Rensselaer, that could be impacted by individual housing repair projects to be selected for grant assistance under this Program. Please provide us with any information regarding environmental concerns that may be relevant to this housing rehabilitation program so that they may be appropriately addressed in the ERR.

If you require any additional information about this new housing rehabilitation program, please feel free to call me at (518) 786-7652. Thank you for your assistance.

Sincerely,

C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture & Landscape Architecture, D.P.C.

Jim Thatcher

Manager, Community Development

j.thatcher@ctmale.com

City of Rensselaer

Proud Neighborhoods Initiative

2019 NYS HOME Program Owner Occupied Rehabilitation

Program Summary

The City of Rensselaer will use \$420,000 in HOME funding and additional leveraged funds to provide rehabilitation assistance for 14 single-family owner-occupied housing units within dense high-poverty neighborhoods targeted for additional infrastructure and housing revitalization. HOME funding will be in the form of deferred payment loans up to a maximum of \$30,000 per unit to help eliminate serious health and safety hazards and improve severely substandard homes.

The City will finance 100% of the necessary repair costs, but it will encourage owners to seek USDA grants and loans, Weatherization Assistance Program (WAP) funding through the County's WAP provider, and bank equity to the extent feasible to make additional improvements and help stretch the HOME resources. Owners with income below 60% of the Area Median will be eligible for assistance, and assisted home owners will be subject to residency and sale restrictions for five (5) years after project completion. No rental or vacant units will be assisted with HOME funds.

In addition, the City will target a minimum of 5 units (35% of the 14 proposed units) to frail elderly households and persons with physical disabilities who may also receive services from the Rensselaer County Office for the Aging, the Rensselaer Senior Center, and/or the county Department of Social Services (see Attachment 7). Each agency will continue to provide the services they offer while we focus on more critical structural and mechanical repairs and/or accessibility improvements in those homes.

The City will partner with the above County agencies and local service organizations (such as the Boys & Girls Club, local food pantries) to refer elderly, frail elderly, disabled, and lower income families with children to the City. We will also work with the Commission on Economic Opportunity (CEO, Inc.) to conduct Energy Audits and coordinate up to five (5) HOME Projects with \$6,500 per unit of their own WAP funds, where feasible.

The new program will only assist existing owner-occupied single-family homes located within the City. Vacant homes will not be considered, and funding will not be provided for any land or home acquisition or new home construction or additions to existing homes. The City does not expect any ground-disturbance or tree-cutting activities as all project work will be focused on each home's existing footprint and the repair or replacement of existing building components, mechanical and electrical systems, and related materials.

The City's Department of Planning and Development (DPD) will be responsible for implementing the Proud Neighborhoods Initiative and coordinating day-to-day activities that comply with applicable federal and state regulations. Project Delivery will be completed by the City's Grant Administrator and part-time Rehabilitation Specialist, who are paid staff positions within the DPD. Those individuals have been working with home owners for several city-sponsored rehabilitation programs over the past seven years, and their desks are literally next to the City's two certified Building Inspectors. This allows rehabilitation projects to be closely coordinated in terms of Codes inspections, Building Permits, and Certificates of Occupancy when projects are completed.



U.S. Fish and Wildlife Service

National Wetlands Inventory

City of Rensselaer - SOUTH



May 8, 2020

Wetlands

Estuarine and Marine Deepwater	Freshwater Emergent Wetland	Lake
Estuarine and Marine Wetland	Freshwater Forested/Shrub Wetland	Other
Freshwater Pond		Riverine

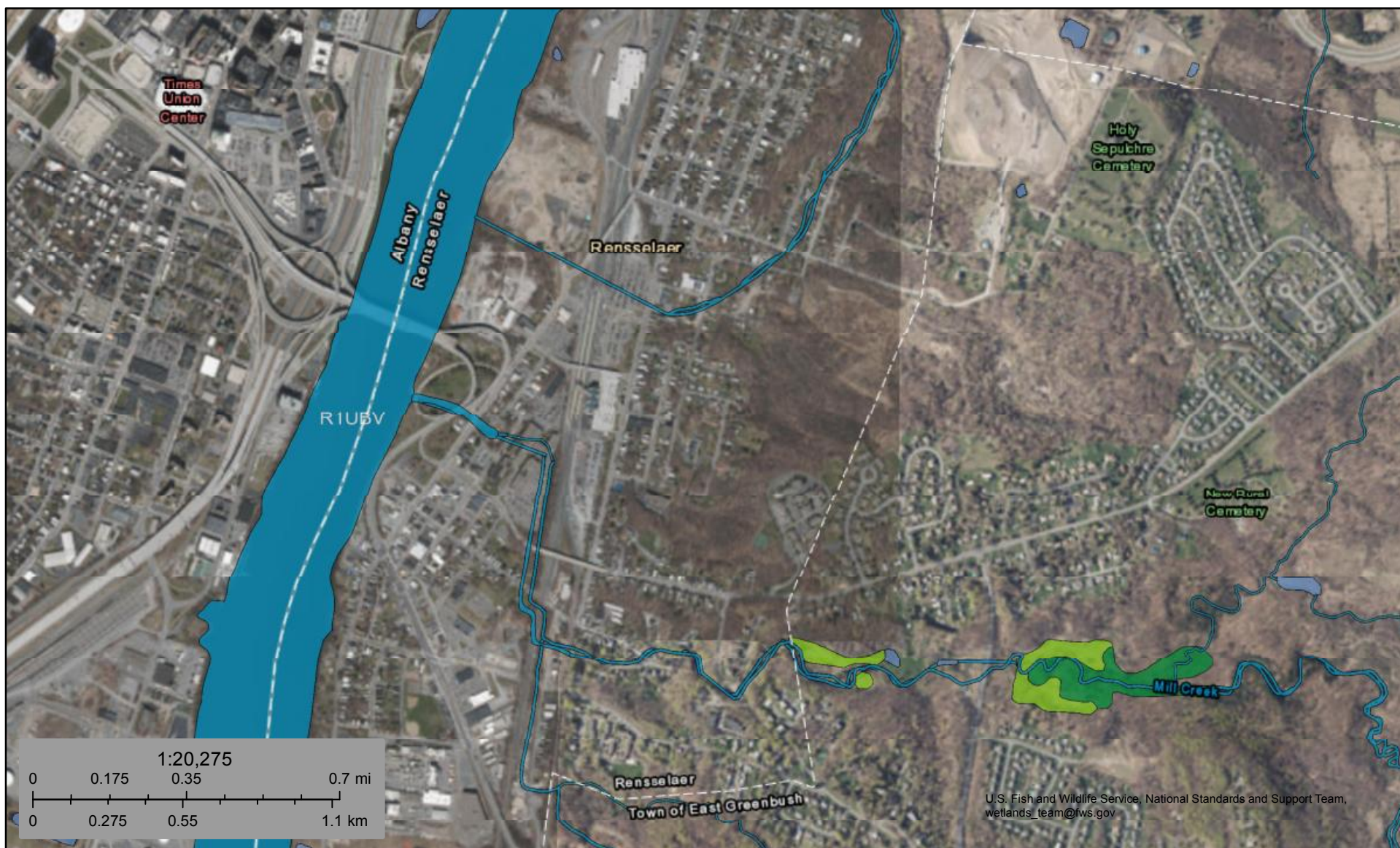
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



U.S. Fish and Wildlife Service

National Wetlands Inventory

City of Rensselaer - CENTRAL



May 8, 2020

Wetlands

 Estuarine and Marine Deepwater	 Freshwater Emergent Wetland	 Lake
 Estuarine and Marine Wetland	 Freshwater Forested/Shrub Wetland	 Other
	 Freshwater Pond	 Riverine

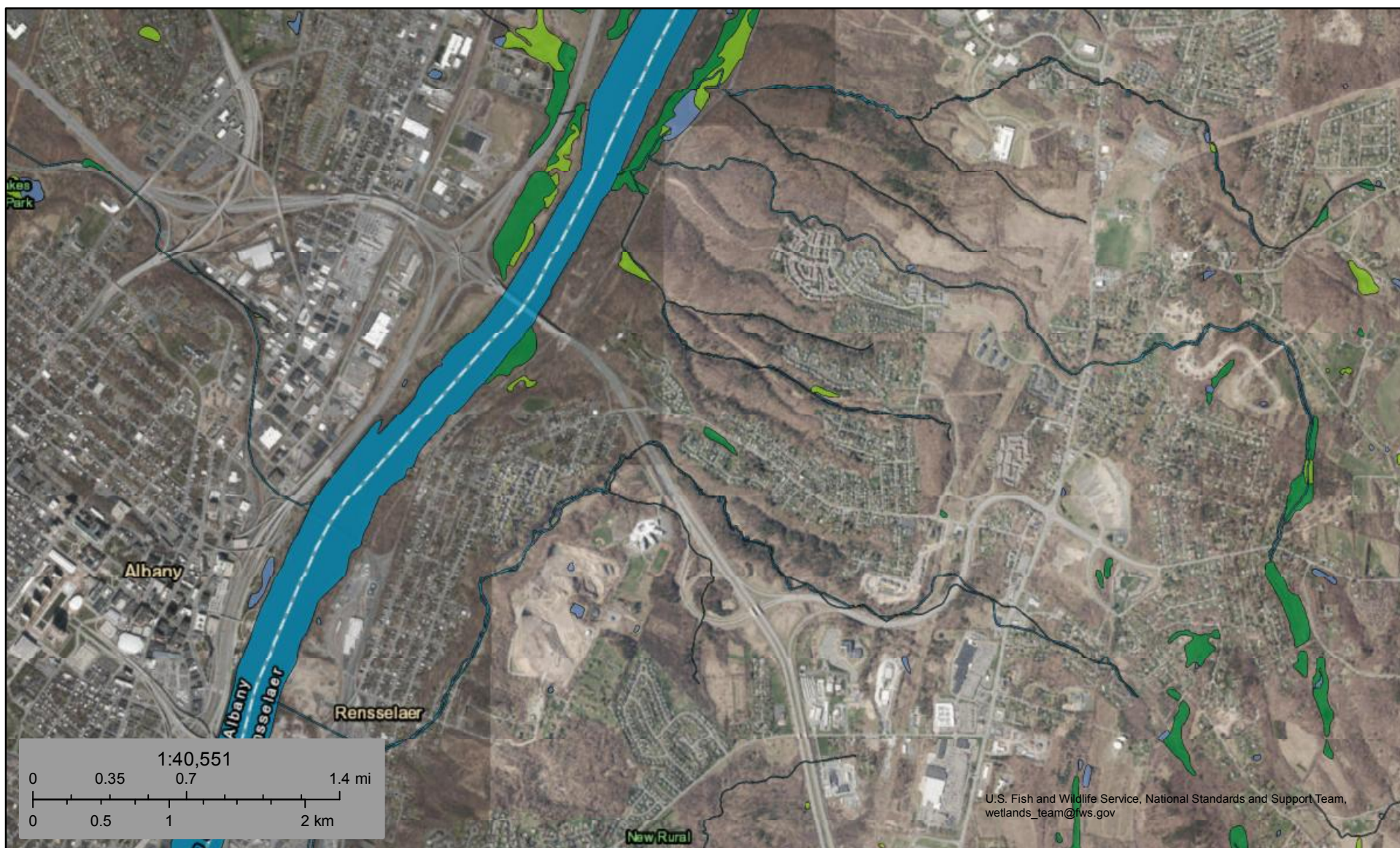
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U.S. Fish and Wildlife Service

National Wetlands Inventory

City of Rensselaer - NORTH



May 8, 2020

Wetlands

 Estuarine and Marine Deepwater	 Freshwater Emergent Wetland	 Lake
 Estuarine and Marine Wetland	 Freshwater Forested/Shrub Wetland	 Other
	 Freshwater Pond	 Riverine

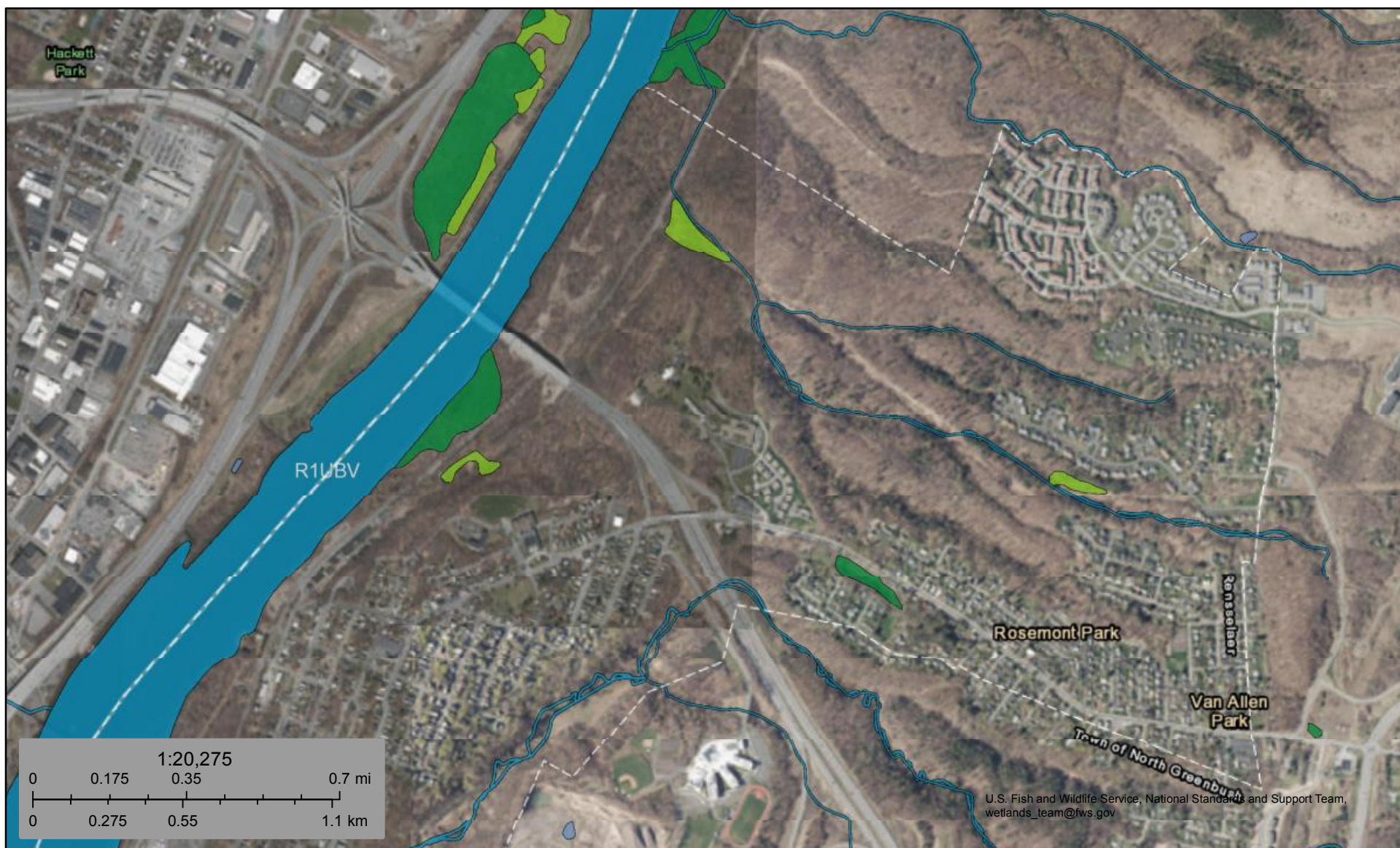
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U.S. Fish and Wildlife Service

National Wetlands Inventory

City of Rensselaer NORTH Closeup



May 8, 2020

Wetlands

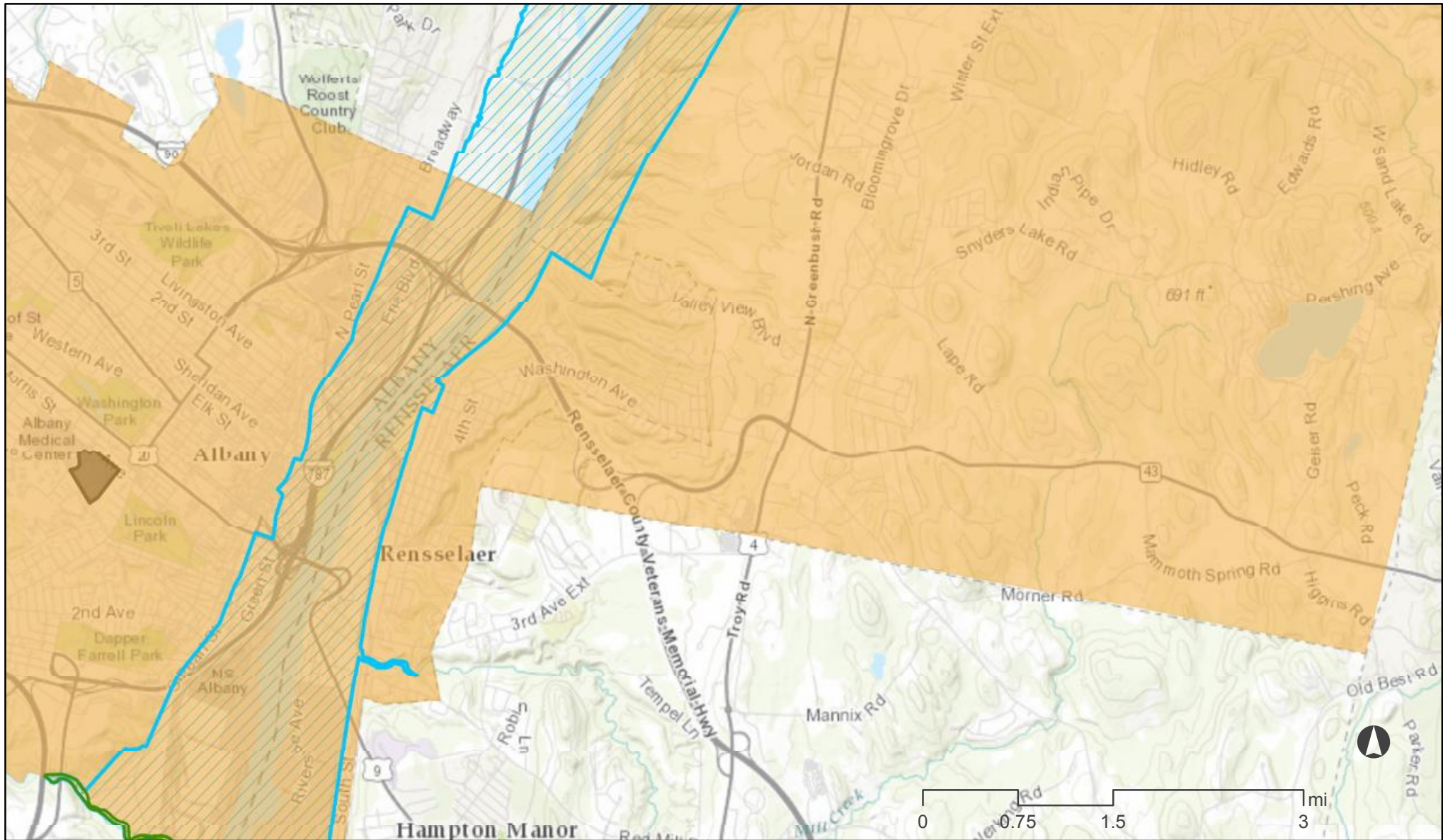
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine

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City of Rensselaer



Significant coastal fish & wildlife habitats - NYS Dept of State



Coastal_Boundary_Polyline_update



SASS



Local Waterfront Revitalization Program [LWRP] Community Boundaries, Approved



Long Island Sound Program



Native American Lands



Federal Lands_NY



CoastalBoundary_Polygon_March2017



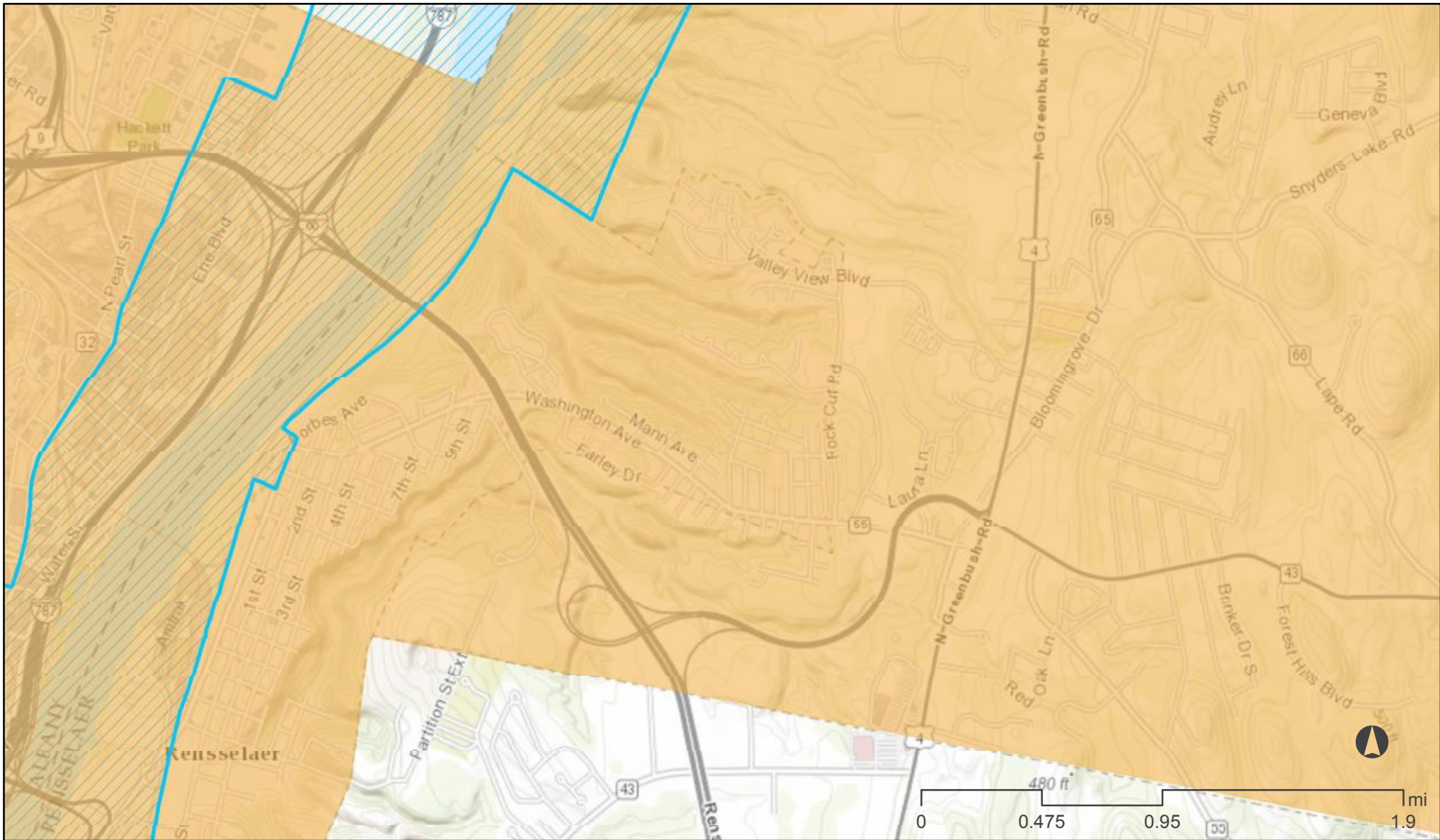
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**Department
of State**

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City of Rensselaer - Central and North



Significant coastal fish & wildlife habitats - NYS Dept of State



Coastal_Boundary_Polyline_update



SASS



Local Waterfront Revitalization Program [LWRP] Community Boundaries, Approved



Long_Island_Sound_Program



NativeAmericanLands



FederalLands_NY



CoastalBoundary_Polygon_March2017



DOS_identified_artificial_canals



**Department
of State**

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C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.

50 Century Hill Drive, Latham, NY 12110
518.786.7400 FAX 518.786.7299 www.ctmale.com



May 12, 2020

NYS Department of State
Office of Coastal, Local Government and Community Sustainability
1 Commerce Plaza
99 Washington Avenue
Suite 1010
Albany, New York 12231

Attn: Consistency Review Unit

Subject: **City of Rensselaer**
Project Impact - 2019 HOME Investment Partnerships Program
Proud Neighborhoods Initiative - (City-wide Housing Rehabilitation)

Greetings:

The City of Rensselaer has been awarded \$420,000 in FY 2019 federal HOME Investment Partnerships (HOME) Program funding, administered by the NYS Housing Trust Fund Corporation. The award will provide financial assistance to help 13 to 14 low-and-moderate income home owners with needed repairs and upgrades to existing single-family owner occupied homes located throughout the City. The enclosed project summary provides additional information about this HOME funding award.

We are assisting the City with the preparation of the "programmatic" Environmental Review Record (ERR) required under NEPA and SEQRA for this award. As part of the review, we must seek consistency with State Coastal Management Plan policies, as well as the program's conformity to the Local Waterfront Revitalization Program (LWRP) covering the City of Rensselaer. I have enclosed an updated Federal Consistency Assessment Form, prepared by the City. If there are any anticipated coastal impacts or issues we need to consider with respect to conducting housing rehabilitation (at existing occupied residential properties), please provide us with that information and any other environmental concerns that may be relevant to this grant program so that the City may address them as part of the NEPA process.

If you require any additional information about this new housing program, please feel free to email me at j.thatcher@ctmale.com. Thank you for your assistance.

Sincerely,

C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.

Jim Thatcher

Manager, Community Development

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Federal Consistency Assessment Form

An applicant, seeking a permit, license, waiver, certification or similar type of approval from a federal agency which is subject to the New York State Coastal Management Program (CMP), shall complete this assessment form for any proposed activity that will occur within and/or directly affect the State's Coastal Area. This form is intended to assist an applicant in certifying that the proposed activity is consistent with New York State's CMP as required by U.S. Department of Commerce regulations (15 CFR 930.57). It should be completed at the time when the federal application is prepared. The Department of State will use the completed form and accompanying information in its review of the applicant's certification of consistency.

A. APPLICANT (please print)

1. Name: City of Rensselaer
2. Address: 62 Washington Street, Rensselaer, NY 12144
3. Telephone: Area Code () 518-465-1693

B. PROPOSED ACTIVITY

1. Brief description of activity:

Renovations to existing owner occupied homes using federal fiscal year 2019 HOME Investment Partnerships Program funding provided through the City of Rensselaer. Repairs to include health and safety items, roofing, siding, structural and mechanical upgrades, electrical repairs, windows and doors, steps and porches, and various interior repairs to solve problems that threaten the health and safety of eligible home owners.

2. Purpose of activity:

Promote health and safety and structural and mechanical viability to allow lower income home owners to remain safe in their existing single-family properties within the City, and indirectly encourage other owners to improve their residential properties as well.

3. Location of activity:

<u>Rensselaer</u>	<u>City of Rensselaer</u>	<u>14 owner occupied homes to be selected by the City</u>
County	City, Town, or Village	Street or Site Description

4. Type of federal permit/license required: None; only Release of HOME Funds after the NEPA Review

5. Federal application number, if known: NYS HOME Program - SHARS 20193083

6. If a state permit/license was issued or is required for the proposed activity, identify the state agency and provide the application or permit number, if known:

None issued or known to be required.

C. COASTAL ASSESSMENT Check either "YES" or "NO" for each of these questions. The numbers following each question refer to the policies described in the CMP document (see footnote on page 2) which may be affected by the proposed activity.

1. Will the proposed activity result in any of the following: YES / NO

- | | | |
|--|-------------------------------------|-------------------------------------|
| a. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement? (11, 22, 25, 32, 37, 38, 41, 43) | | <input checked="" type="checkbox"/> |
| b. Physical alteration of more than two acres of land along the shoreline, land under water or coastal waters? (2, 11, 12, 20, 28, 35, 44) | | <input checked="" type="checkbox"/> |
| c. Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Reduction of existing or potential public access to or along coastal waters? (19, 20) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Adverse effect upon the commercial or recreational use of coastal fish resources? (9,10) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Siting of a facility essential to the exploration, development and production of energy resources in coastal waters or on the Outer Continental Shelf? (29) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Siting of a facility essential to the generation or transmission of energy? (27) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. Mining, excavation, or dredging activities, or the placement of dredged or fill material in coastal waters? (15, 35) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i. Discharge of toxics, hazardous substances or other pollutants into coastal waters? (8, 15, 35) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j. Draining of stormwater runoff or sewer overflows into coastal waters? (33) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| l. Adverse effect upon land or water uses within the State's small harbors? (4) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

2. Will the proposed activity affect or be located in, on, or adjacent to any of the following: YES / NO

- | | | |
|--|--------------------------|-------------------------------------|
| a. State designated freshwater or tidal wetland? (44) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17,) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. State designated significant fish and/or wildlife habitat? (7) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. State designated significant scenic resource or area? (24) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. State designated important agricultural lands? (26) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Beach, dune or barrier island? (12) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Major ports of Albany, Buffalo, Ogdensburg, Oswego or New York? (3) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. State, county, or local park? (19, 20) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i. Historic resource listed on the National or State Register of Historic Places? (23) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3. Will the proposed activity require any of the following: YES / NO

- | | | |
|--|--------------------------|-------------------------------------|
| a. Waterfront site? (2, 21, 22) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (5) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Construction or reconstruction of a flood or erosion control structure? (13, 14, 16) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. State water quality permit or certification? (30, 38, 40) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. State air quality permit or certification? (41, 43) | <input type="checkbox"/> | <input type="checkbox"/> |

4. Will the proposed activity occur within and/or affect an area covered by a State approved local waterfront revitalization program? (see policies in local program document) ☒ ☐

D. ADDITIONAL STEPS

1. If all of the questions in Section C are answered "NO", then the applicant or agency shall complete Section E and submit the documentation required by Section F.

2. If any of the questions in Section C are answered "YES", then the applicant or agent is advised to consult the CMP, or where appropriate, the local waterfront revitalization program document*. The proposed activity must be analyzed in more detail with respect to the applicable state or local coastal policies. On a separate page(s), the applicant or agent shall: (a) identify, by their policy numbers, which coastal policies are affected by the activity, (b) briefly assess the effects of the activity upon the policy; and, (c) state how the activity is consistent with each policy. Following the completion of this written assessment, the applicant or agency shall complete Section E and submit the documentation required by Section F.

E. CERTIFICATION


The applicant or agent must certify that the proposed activity is consistent with the State's CMP or the approved local waterfront revitalization program, as appropriate. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program, or with the applicable approved local waterfront revitalization program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: City of Rensselaer, c/o C.T. Male Associates, Housing Consultant

Address: 62 Washington Street, Rensselaer, NY 12144

Telephone: Area Code () 518-465-1693 / C.T. Male PHONE: (518) 786-7652

Applicant/Agent's Signature:  Date: 5/13/2020

F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the **New York State Department of State, Office of Coastal, Local Government and Community Sustainability, Attn: Consistency Review Unit, 1 Commerce Plaza, 99 Washington Avenue - Suite 1010, Albany, New York 12231.**

- a. Copy of original signed form.
- b. Copy of the completed federal agency application.
- c. Other available information which would support the certification of consistency.

2. The applicant or agent shall also submit a copy of this completed form along with his/her application to the federal agency.

3. If there are any questions regarding the submission of this form, contact the Department of State at (518) 474-6000.

*These state and local documents are available for inspection at the offices of many federal agencies, Department of environmental Conservation and Department of State regional offices, and the appropriate regional and county planning agencies. Local program documents are also available for inspection at the offices of the appropriate local government.

The City of Rensselaer is the primary sponsor of this local housing rehabilitation program. The City believes that making health and safety and related building renovations to privately-owned residential properties will improve the safety of housing conditions for residents, help revitalize older neighborhoods, and promote additional property investment within the City. These expected benefits are compliant with the goals and objectives of the existing LWRP that covers a portion of the City of Rensselaer.

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Federal Consistency Assessment Form

Additional Project Information

City of Rensselaer - Proud Neighborhoods Initiative
(HOME Grant #20193083)

C. COASTAL ASSESSMENT

1.k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials?

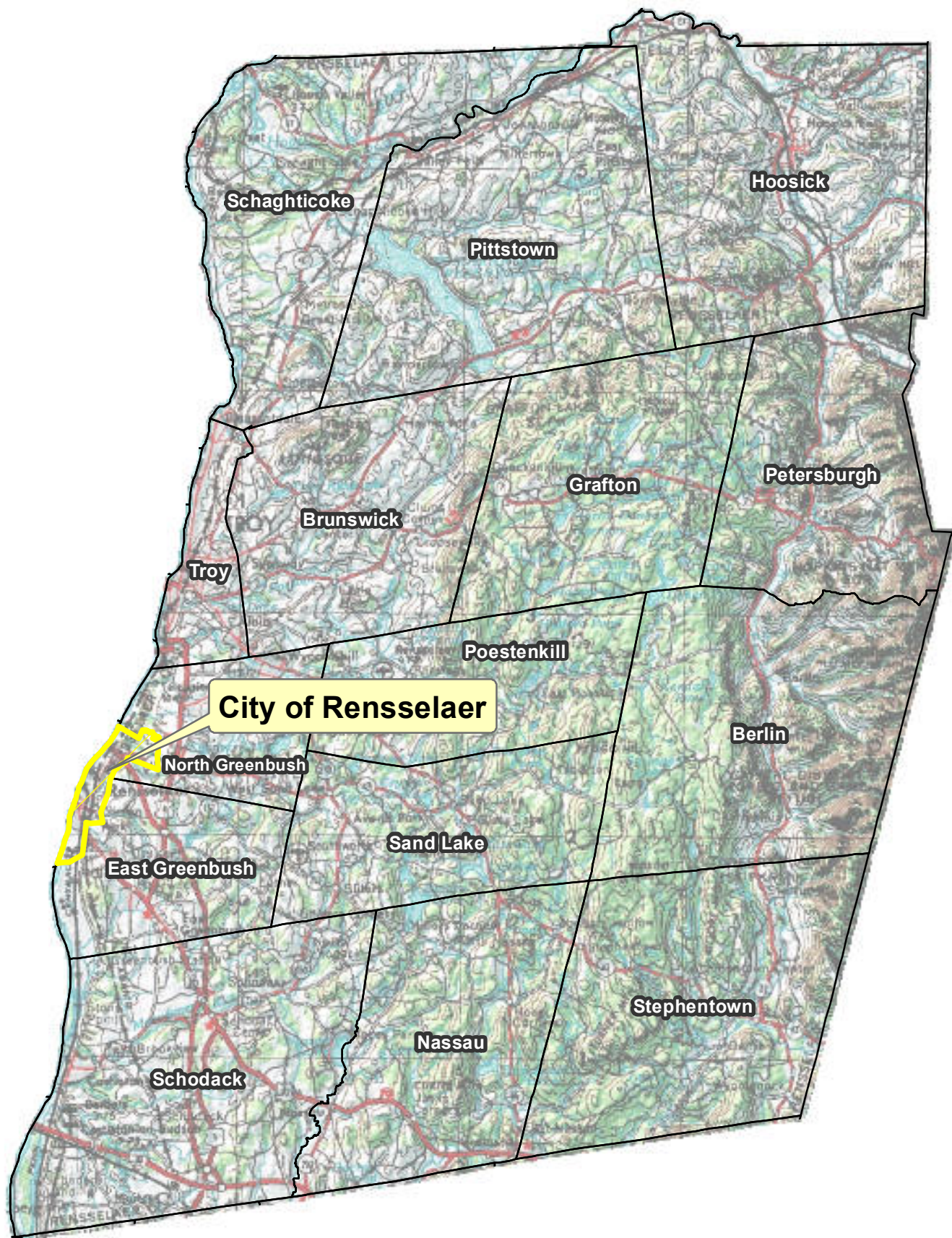
The renovations proposed for individual owner-occupied homes within the City of Rensselaer (14 to 15 houses) may produce various amounts of residential building material waste (roofing, plywood, sheet rock, lathe and plaster, wood and moldings, used plumbing fixtures, flooring, and packaging from new materials brought on site) that can be disposed in relatively normal fashion at acceptable waste disposal facilities. In addition, some rehabilitation projects could produce limited amounts of hazardous building materials in the form of Asbestos-Containing Materials (ACM - such as roofing membrane or furnace/boiler piping and duct insulation).

The bid specifications for rehabilitation projects that could involve ACM will describe the presence of such materials, to the extent they can be quantified before actual rehabilitation activities occur, and also required handling and disposal procedures to be followed by licensed contractors in accordance with NYS CRR Part 56 regulations. Those disposal procedures will also be incorporated within the Construction Contract documents executed between the General Contractor and each home owner, and with any applicable licensed subcontractors, if necessary.

4. Local Waterfront Revitalization Program

The City will provide HOME Program assistance for 14 to 15 housing units within existing residential properties located throughout the City of Rensselaer. Part of the City includes a large Local Waterfront Revitalization Area covering much of the City's Hudson River waterfront (eastern part of the City), the downtown business district, and the north riverfront areas that follow the Broadway corridor north of the downtown.

The City of Rensselaer is the primary sponsor of this local housing rehabilitation program. The City believes that making health and safety and related building renovations to privately-owned residential properties will improve the safety of housing conditions for residents, help revitalize older neighborhoods, and promote additional property investment within the City. These expected benefits are compliant with the goals and objectives of the existing LWRP that covers a portion of the City of Rensselaer.



0 1 2 3 4 Miles

Legend

- City of Rensselaer
- Town Boundaries

Project Number: 15.5400
 Data Source: NYSGIS Clearinghouse, USGS topo
 Projection: NY State Plane East NAD 83 (ft.)
 Date: July 29, 2015
 File: CityLocationMap.mxd
 GIS: CHay

City Location Map CITY OF RENNELAER

City of Rensselaer

Rensselaer County, New York



C.T. MALE ASSOCIATES
 ENGINEERING, SURVEYING, ARCHITECTURE & LANDSCAPE ARCHITECTURE, P.C.
 50 CENTURY HILL DRIVE, LATHAM, NEW YORK 12110
 (518) 786-7400 • FAX (518) 786-7299 • WWW.CTMALE.COM



Region 2 Water

Serving New Jersey, New York, Puerto Rico, US Virgin Islands and 8 Tribal Nations

[Contact Us](#) **Search:** [All EPA](#) [This Area](#)
You are here: [EPA Home](#) » [Region 2](#) » [Water](#) » [Aquifers](#)

Sole Source Aquifers

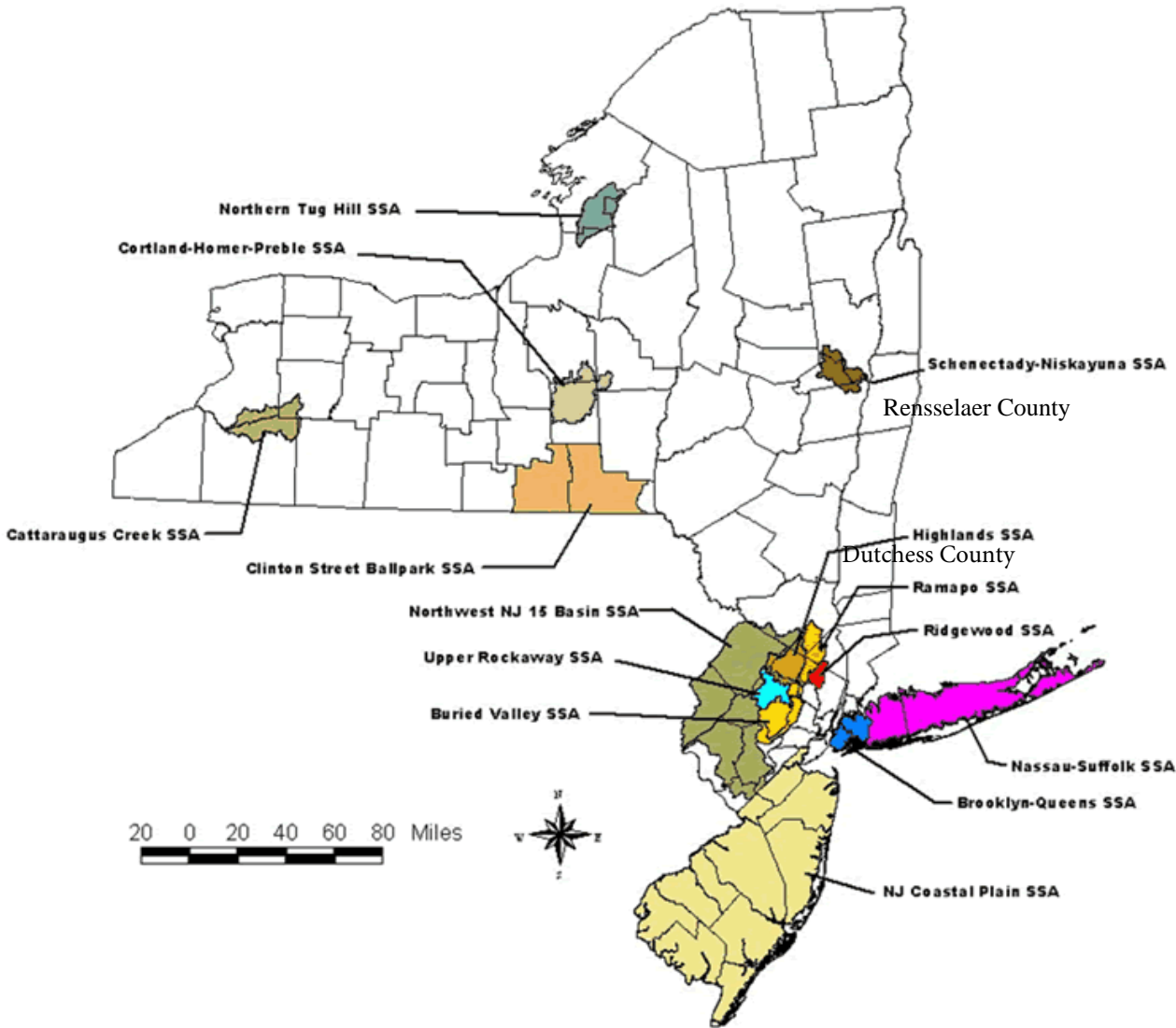
Sole Source Aquifer designation is one tool to protect drinking water supplies in areas with few or no alternative sources to the ground water resource, and where if contamination occurred, using an alternative source would be extremely expensive. The designation protects an area's ground water resource by requiring EPA to review all proposed projects within the designated area that will receive federal financial assistance. All proposed projects receiving federal funds are subject to review to ensure they do not endanger the ground water source.

Related Information

- Sole Source Aquifer Program
- Petitioner Guidance
- FAQs [PDF 14 KB, 2 pp]
- 40 CFR 149

EPA defines a sole or principal source aquifer as one which supplies at least fifty percent (50%) of the drinking water consumed in the area overlying the aquifer. These areas can have no alternative drinking water source(s) which could physically, legally, and economically supply all those who depend upon the aquifer for drinking water. For convenience, all designated sole or principal source aquifers are referred to as "sole source aquifers" (SSA).

If you are interested in petitioning the EPA to make a designation, please consult the [Sole Source Aquifer Program Petitioner's Guidance](#) or contact EPA for assistance.



DESIGNATED SOLE SOURCE AQUIFERS

State	Name	Federal Register	Date	GIS Map	Information
-------	------	------------------	------	---------	-------------

NJ	Buried Valley Aquifers, Central Basin, Essex and Morris Counties	45 FR 30537	05/08/80	Yes	Yes
NJ	Upper Rockaway River Basin	49 FR 2946	01/24/84	Yes	Yes
NJ	Ridgewood Area Aquifers	49 FR 2943	01/24/84	Yes	Yes
NJ/NY	Highlands Aquifer System Passaic, Morris & Essex Co's NJ; Orange Co. NY	52 FR 37213	10/05/87	Yes	Yes
NJ/DE/PA	New Jersey Coastal Plain Aquifer System	53 FR 23791	06/24/88	Yes	Yes
NJ/NY	New Jersey Fifteen Basin Aquifers	53 FR 23685	06/23/88	Yes	Yes
NJ/NY	Ramapo River Basin Aquifer Systems	57 FR 39201	08/28/92	Yes	Yes
NY	Nassau/Suffolk Co., Long Island	43 FR 26611	06/21/78	Yes	Yes
NY	Kings/Queens Counties	49 FR 2950	01/24/84	Yes	Yes
NY	Schenectady/Niskayuna	50 FR 2022	01/14/85	Yes	Yes
NY	Clinton Street-Ballpark Valley Aquifer System, Broome and Tioga Co's	50 FR 2025	01/14/85	Yes	Yes
NY	Cattaraugus Creek Basin Aquifer, WY & Allegany Cos.	52 FR 36100	09/25/87	Yes	Yes
NY	Cortland-Homer-Preble Aquifer System	53 FR 22045	06/13/88	Yes	Yes
NY	Northern Tug Hill Glacial Aquifer	71 FR 64524	11/02/06	Yes	Yes

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<http://www.epa.gov/region02/water/aquifer/>
[Print As-Is](#)

Last updated on 7/27/2014

City of Rensselaer, May 2020

NYS-DEC Environmental Site Remediation Database Website

Environmental Site Remediation Database Search Results

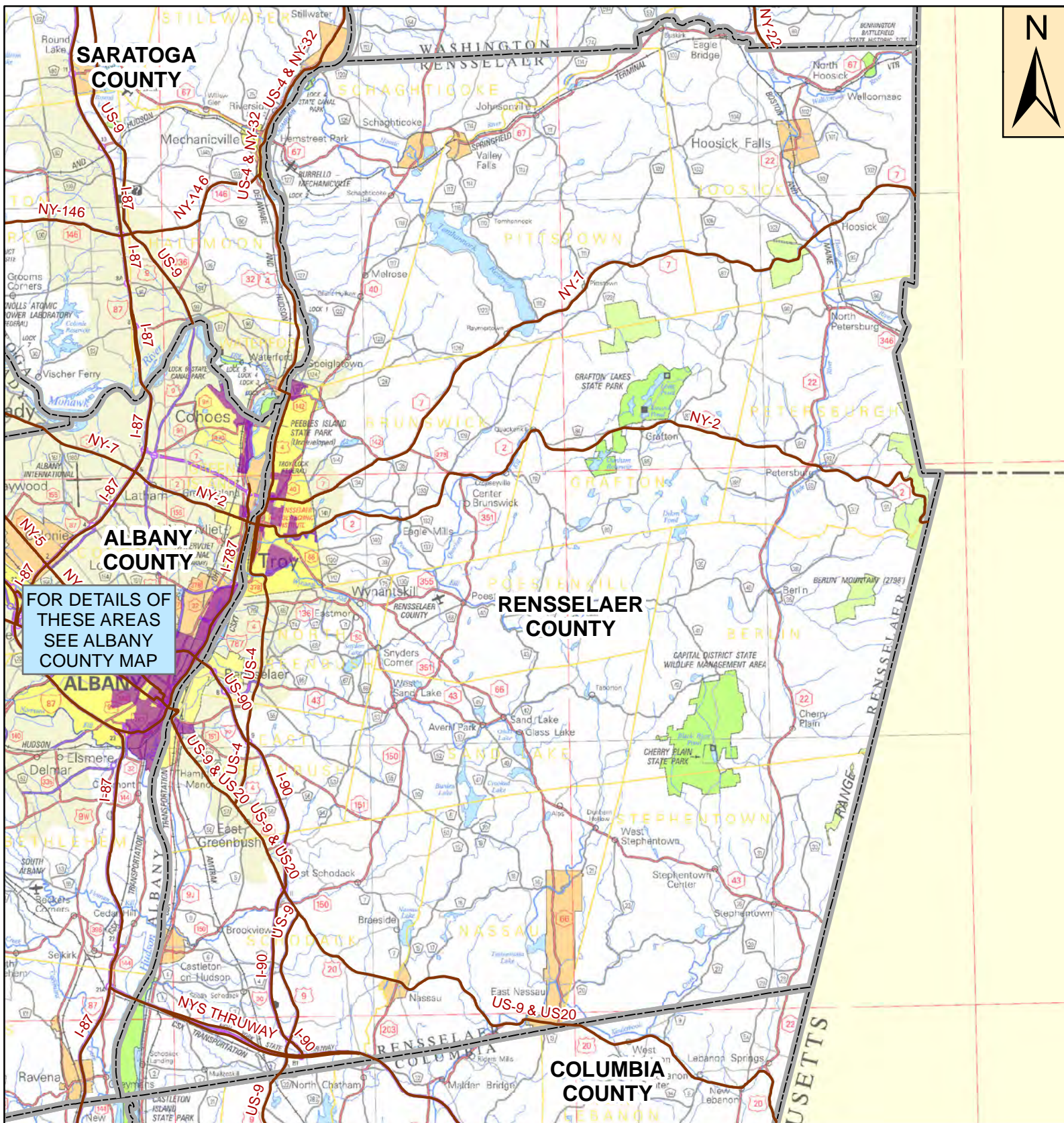
Record Count: 15 Rows: 1 to 15

[Export XLS](#) [Export CSV](#) [Export KML](#)

	Site Code	Site Name	Program	Site Class	County	City/town	Address
1	C442035	BASF Corporation "South 40"	BCP	C	Rensselaer	Rensselaer	36 Riverside Avenue
2	C442043	Tim Bayly Property	BCP	C	Rensselaer	Rensselaer	800 Broadway
3	C442043A	Tim Bayly Property - Off-Site	BCP	A	Rensselaer	Rensselaer	800 Broadway
4	B00056	Rensselaer Riverfront Site	ERP	N	Rensselaer	Rensselaer (c)	River Road
5	442003	Former City of Rensselaer Landfill	HW	C	Rensselaer	Rensselaer	Partition Street
6	442004	BASF	HW	04	Rensselaer	Rensselaer	36 Riverside Avenue
7	442009	Sterling Drug Site 1	HW	04	Rensselaer	RENSSELAER	33 RIVERSIDE AVENUE
8	442022	BASF Wyandotte Corporation	HW	04	Rensselaer	Rensselaer	36 Riverside Avenue
9	442027	BASF - Manufacturing Plant	HW	02	Rensselaer	Rensselaer	36 Riverside Avenue
10	442042	Rensselaer Wyck Target Range	HW	C	Rensselaer	Rensselaer	10th Street
11	442057	NM - Rensselaer MGP	HW	A	Rensselaer	Rensselaer	Washington St
12	442038	Ashland Distribution	RCRA	A	Rensselaer	Rensselaer	South Street
13	V00464	BASF Corporation South 40 Parcel	VCP	N	Rensselaer	Rensselaer	36 Riverside Avenue
14	V00488	NM - Rensselaer MGP	VCP	N	Rensselaer	Rensselaer	Washington St
15	V00521	BASF Corporation Closed Landfill	VCP	C	Rensselaer	Rensselaer	36 Riverside Avenue

Potential Environmental Justice Areas in Rensselaer County, New York

Click on any Potential EJ Area outlined in blue for a detailed map



This computer representation has been compiled from supplied data or information that has not been verified by EPA or NYSDEC. The data is offered here as a general representation only and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information.

Neither EPA nor NYSDEC guarantee the accuracy, completeness, or timeliness of the information shown and shall not be liable for any loss or injury resulting from reliance.

Data Source for Potential Environmental Justice Areas:
U.S. Census Bureau, 2000 U.S. Census

Legend

- Potential EJ Area
- County Boundary

0 2 4 6 8 10 Miles

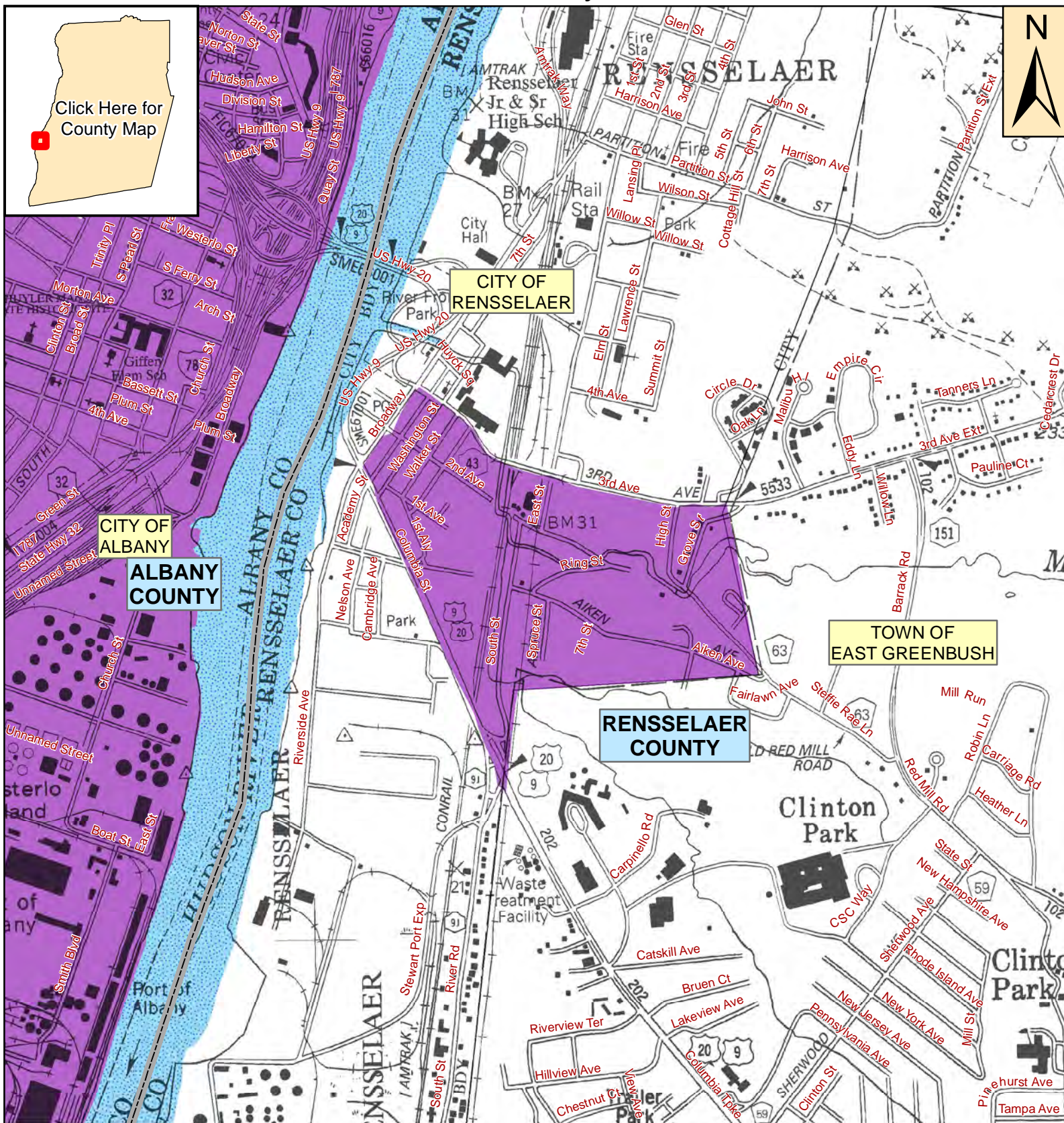
SCALE: 1:260,000

For questions about this map contact:
New York State Department of
Environmental Conservation
Office of Environmental Justice
625 Broadway, 14th Floor
Albany, New York 12233-1500
(518) 402-8556
ej@gw.dec.state.ny.us



Potential Environmental Justice Areas in the City of Rensselaer

Rensselaer County, New York



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Data Source for Potential Environmental Justice Areas:
 U.S. Census Bureau, 2000 U.S. Census



2019 and 2020 Small DDAs and QCTs

Enter an Address, city, state or tract Go Go

Map Options : [Clear](#) | [Reset](#) | [Full Screen](#)

QCT Legend: — Tract Outline ■ LIHTC Project ■ 2020 Qualified Census Tracts

SADDA Legend: — FMR Boundary — SADDA Boundary ■ 2020 Small DDA ■ Part DDA ■ Non Metro DDA

[Hide the overview](#)

The 2020 Qualified Census Tracts (QCTs) and Difficult Development Areas (DDAs) are effective January 1, 2020. The 2020 designations use data from the 2010 Decennial census and three releases of 5-year tabulations from the American Community Survey (ACS): 2010-2014; 2011-2015; and 2012-2016. The designation methodology is explained in the federal Register notice published September 25, 2019

Map Options

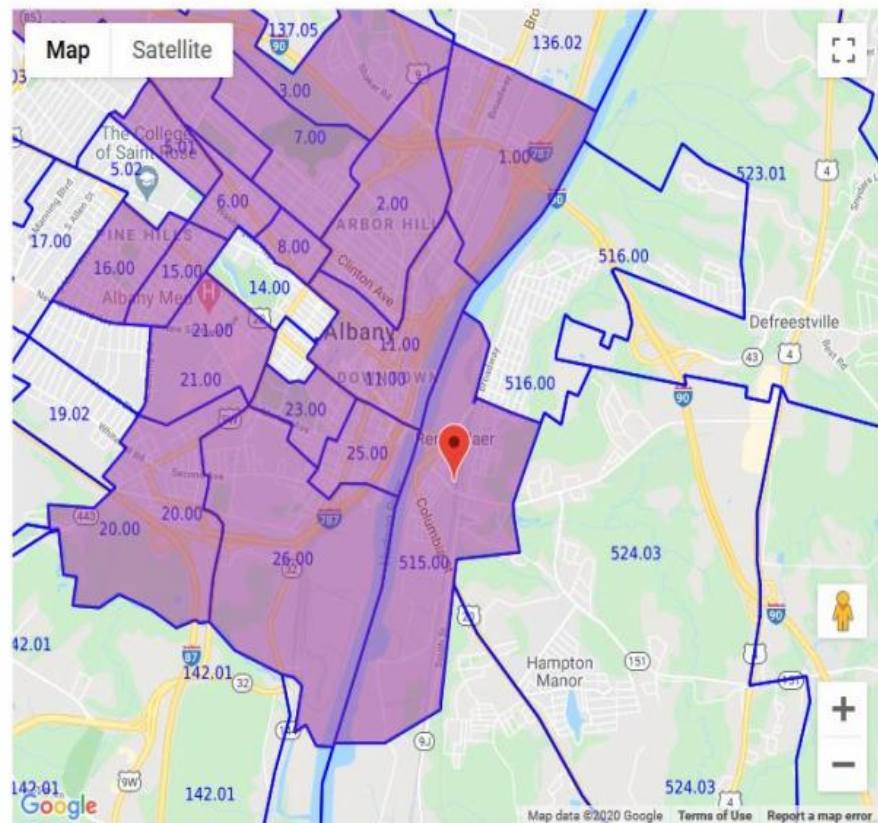
13 Current Zoom Level

- ☐ Show Difficult Development Areas (Zoom 7+)
- ☒ Color QCT Qualified Tracts (Zoom 7+)
- ☒ Show Tracts Outline (Zoom 11+)
- ☐ Show FMR Outlines (Zoom 4+)
- ☐ Show LIHTC Projects (Zoom 11+)

[Click here for full screen map](#)

Select Year

- ☒ 2020
- ☐ 2019



Note: Guidance documents, except when based on statutory or regulatory authority or law, do not have the force and effect of law and are not meant to bind the public in any way. Guidance documents are intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Census Tract 515 within the City of Rensselaer

Source: HUD User, May 2020



**Department of
Environmental
Conservation**

NEW YORK STATE AMBIENT AIR QUALITY REPORT FOR 2018

New York State Ambient Air Monitoring Program

**BUREAU OF AIR QUALITY SURVEILLANCE
DIVISION OF AIR RESOURCES
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

625 Broadway Albany, NY 12233-3256
P: (518) 402-8508 | DAR.web@dec.ny.gov

www.dec.ny.gov

Summary and background information

This technical document is designed to provide summary information about the ambient air quality in New York State as it relates to the EPA's National Ambient Air Quality Standards (NAAQS). The data here are provided in the same format as the EPA NAAQS, and as such may include information at air quality monitoring stations that have since been closed. In the footer of each page there is a key to assist in the interpretation of the data. Site numbers are the NYS internal site identifiers and are different from the AQS site numbers.

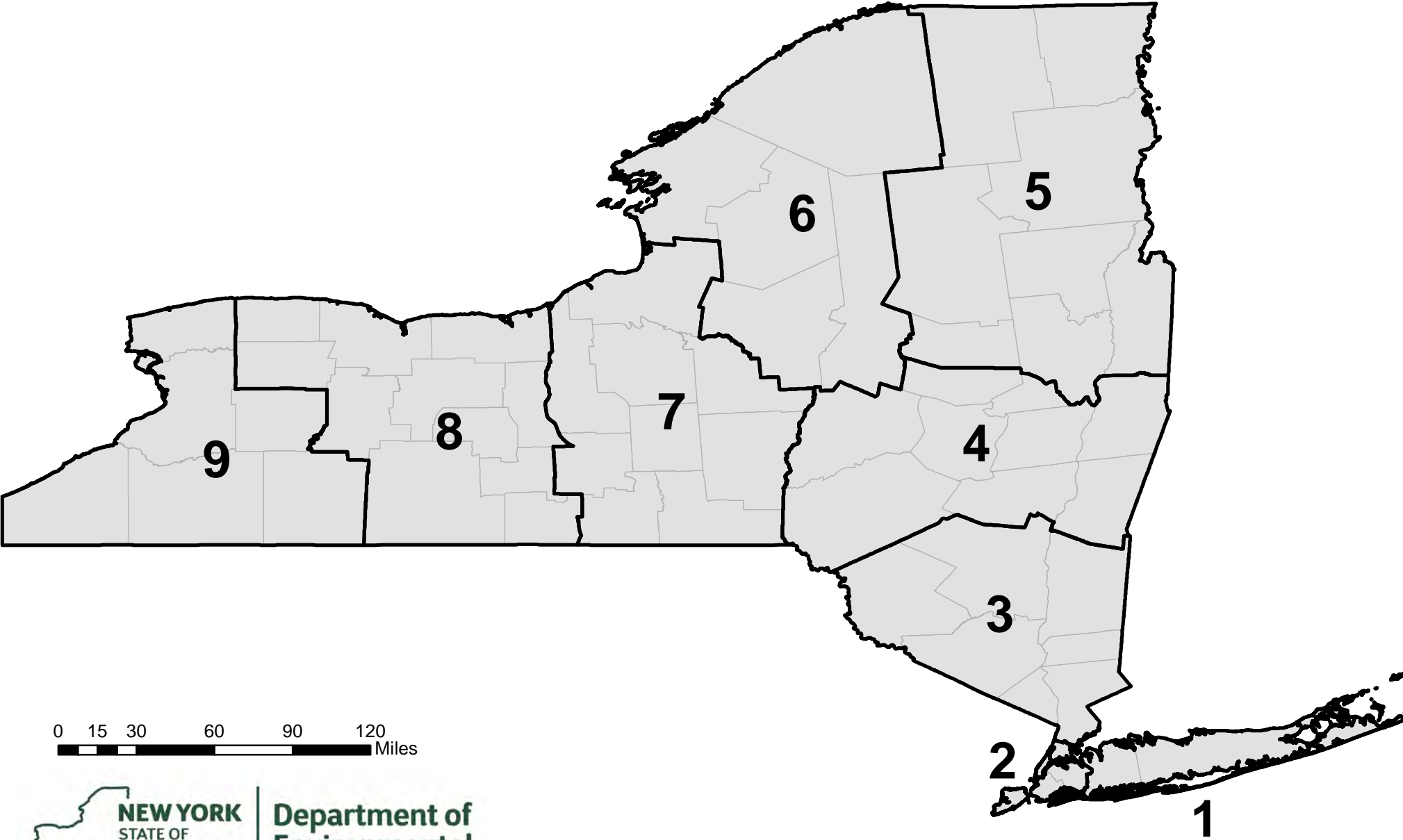
This document does not cover all pollutants measured, only those that have a NAAQS criteria. More information about the other programs for which the NYSDEC collects data, and more detailed information about the instrumentation currently available at individual site can be found in the [Monitoring Network Plan](#).

For more information about the current and historic NAAQS, standards for regulatory action, health effects of individual pollutants, and more please go to the [EPA's Criteria Air Pollutants webpage](#).

Full datasets are available for download and review from the [EPA Air Data webpage](#).

For current Air Quality Index (AQI) Forecast and Current Observations for New York State, please go to the [NYSDEC's AQI webpage](#).

New York State Department of Environmental Conservation
Administrative Regions



0 15 30 60 90 120 Miles



Department of
Environmental
Conservation

National Ambient Air Quality Standards

Pollutant		Primary/ Secondary	Averaging Time	Level	Form
Carbon Monoxide		primary	8-hour	9 ppm	Not to be exceeded more than once per year
			1-hour	35 ppm	
Lead		primary and secondary	Rolling 3-month average	0.15 µg/m ³ (1)	Not to be exceeded
Nitrogen Dioxide		primary	1-hour	100 ppb	98th percentile of 1-hour daily maximum concentrations, averaged over 3 years
		primary and secondary	Annual	53 ppb (2)	Annual Mean
Ozone		primary and secondary	8-hour	0.070 ppm (3)	Annual fourth-highest daily maximum 8-hr concentration, averaged over 3 years
Particle Pollution	PM _{2.5}	primary	Annual	12 µg/m ³	annual mean, averaged over 3 years
		secondary	Annual	15 µg/m ³	annual mean, averaged over 3 years
		primary and secondary	24-hour	35 µg/m ³	98th percentile, averaged over 3 years
	PM ₁₀	primary and secondary	24-hour	150 µg/m ³	Not to be exceeded more than once per year on average over 3 years
Sulfur Dioxide		primary	1-hour	75 ppb (4)	99th percentile of 1-hour daily maximum concentrations, averaged over 3 years
		secondary	3-hour	0.5 ppm	Not to be exceeded more than once per year

(Annual Means in parentheses are based on less than 75% available data)

*Federal Ambient Air Quality Standard

[Date of Occurrence, Hour]

+ Denotes a contravention of Federal AAQS

Footnotes

⁽¹⁾ Final rule signed October 15, 2008. The 1978 lead standard ($1.5 \mu\text{g}/\text{m}^3$ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 year, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

⁽²⁾ The official level of the annual NO_2 standard is 0.053 ppm, equal to 53 ppb, which is shown here for the purpose of clearer comparison to the 1-hour standard.

⁽³⁾ Final rule signed October 1, 2015, and effective December 28, 2015. The previous (2008) O_3 standards additionally remain in effect in some areas. Revocation of the previous (2008) O_3 standards and transitioning to the current (2015) standards will be addressed in the implementation rule for the current standards.

⁽⁴⁾ The previous SO_2 standards (0.14 ppm 24-hour and 0.03 ppm annual/ 30 ppb) will additionally remain in effect in certain areas: (1) any area for which it is not yet 1 year since the effective date of designation under the current (2010) standards, and (2) any area for which implementation plans providing for attainment of the current (2010) standard have not been submitted and approved and which is designated nonattainment under the previous SO_2 standards or is not meeting the requirements of a SIP call under the previous SO_2 standards (40 CFR 50.4(3)). A SIP call is an EPA action requiring a state to resubmit all or part of its State Implementation Plan to demonstrate attainment of the require NAAQS.

Region 4



Loudonville



Albany

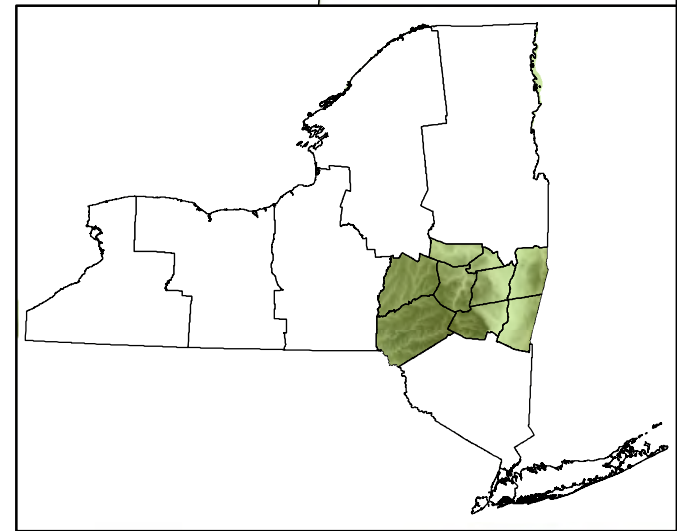


South Albany

0 5 10 20 30 40 Miles



Department of
Environmental
Conservation



SULFUR DIOXIDE - Continuous Pulsed Fluorescence

Annual Averages 2008 through 2018
Annual Arithmetic Mean (ppb) - Primary Standard
(12-month average not to exceed 30 PPB * ⁽⁴⁾)

Station	Site No.	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Whiteface Mtn. - Lodge	1567-04	0.82	0.64	0.72	0.73	0.61	0.36	0.38	0.47	0.26	0.18	0.18
Paul Smiths College	1655-01	0.75	0.6	0.57	0.67	0.5	-0.52	0.6	0.32	0.2	0.28	0.11
Piseco Lake	2050-01	0.56	0.44	0.34	0.32	0.14	0.17	0.21	0.16	0.05	0.03	0.03

Comparison Between NYS Ambient Air Quality and Ambient Air Quality Standards for Calendar Year 2018

		One Hour Averages average of 99 th percentile for last 3 years not to exceed 75 PPB *					
		Observations		99 th Percentile, PPB			
Station	Site No.	Total Obs.	% Avail	2018	2017	2016	3-yr Avg.
Whiteface Mtn. - Lodge	1567-04	8,090	98	1.0	1.5	3.1	1.87
Paul Smiths College	1655-01	8,090	92	1.1	1.2	1.9	1.40
Piseco Lake	2050-01	8,408	96	1.0	1.0	1.5	1.17

(Annual Means in parentheses are based on less than 75% available data)

*New York and Federal Ambient Air Quality Standard + Denotes a contravention of NYS/Federal AAQS

INHALABLE PARTICULATES (PM_{2.5})

Comparison Between NYS Ambient Air Quality and Ambient Air Quality Standards for Calendar Year 2018

(Average of last 3 years= annual means not to exceed 12 µg/m³ *;
and average of 98th percentile for last 3 years not to exceed 35 µg/m³ *, *changed* from 65 µg/m³ on 12/17/06)

Station	Site No.	Total Obs.	Maximum Values, µg/m ³			98th Percentile, µg/m ³				Quarterly Averages, 2018				Annual Mean, µg/m ³			
			1 st	2 nd	3 rd	2018	2017	2016	3-yr Avg.	1st	2nd	3rd	4th	2018	2017	2016	3-yr Avg.
Whiteface Base (F)	1567-04	59	12.6 6-Aug	12.5 4-Aug	10.5 31-Dec	12.5	11.7	10.0	11.4	3.4	3.6	5.1	1.6	3.4	3.7	3.5	3.6
Whiteface Base (C)	1567-04	321	15.8 24-Aug	12.0 28-Aug	11.1 17-Aug	10.3	9.9	9.85	10.0	3.7	3.8	4.5	2.4	3.6	3.6	3.9	3.7

(F) = Federal Reference Method

(C) = Continuous, used for AQI calculations. Values based on 24 hour averages of 1-hour values

(Annual Means in parentheses are based on less than 75% available data)

*New York and Federal Ambient Air Quality Standard + Denotes a contravention of NYS/Federal AAQS

OZONE - Continuous UV Light Absorption**Comparison Between NYS Ambient Air Quality and Ambient Air Quality Standards for Calendar Year 2018**

		8-hr Running Average Begin Hour							4th Highest Daily Maximum 8-Hour Average-			
		Observations			Daily Highest Values, PPM				Not to exceed an avg of 0.075 ppm during the last 3 years, <i>changed</i> to 0.070 ppm beginning 1/1/2016*			
Station	Site No.	Total Obs.	% Avail	Days >.070 PPM	1st	2nd	3rd	4th	2016	2017	2018	Avg.
Stillwater	4567-01	5,680	97	1	0.076 2-Jul	0.066 2-May	0.062 9-May	0.067 26-May	0.067 20-Jun	0.060 17-May	0.067 26-May	0.064
Whiteface Mtn. Summit	1567-03	5,022	97	2	0.073 25-May	0.072 9-Jul	0.070 26-May	0.069 1-May	0.067 23-May	0.066 12-Jun	0.066 1-May	0.066
Whiteface Mtn. Base	1567-04	5,702	85	1	0.072 9-Jul	0.070 25-May	0.069 1-May	0.066 2-May	0.068 19-Jun	0.060 15-Apr	0.066 2-May	0.064
Piseco Lake	2050-01	5,671	96	0	0.069 25-May	0.067 26-May	0.066 2-May	0.063 24-Apr	0.061 18-Apr	0.064 17-May	0.063 24-Apr	0.062
Mt. Ninham	3951-01	5,463	93	2	0.086 2-Jul	0.074 2-May	0.070 18-Jun	0.066 10-Jul	0.071 20-Jun	0.070 18-May	0.066 10-Jul	0.069

(Annual Means in parentheses are based on less than 75% available data)

*New York and Federal Ambient Air Quality Standard + Denotes a contravention of NYS/Federal AAQS

Attachment 3 - Public Notice

Notice of Intent to Request Release of Funds (NOIRROF)

Notice Distribution List

Distribution Letters

Cover Letter / Request for Release of Funds Form (RROF)

Affidavit of Publication - *(to be included when received after the publication date)*

Publish Date: **Thursday, May 28, 2020**

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOIRROF)

City of Rensselaer
62 Washington Street
Rensselaer, NY 12144

On or about **June 5, 2020**, the City of Rensselaer will submit a request to the New York State Housing Trust Fund Corporation (HTFC) for the release of \$420,000 of HOME funds under Title II of the Cranston-Gonzalez National Affordable Housing Act (NAHA) of 1990, in accordance with section 288 (42 U.S.C. 12838), to undertake the following project:

Tier 1 Broad Review Program Title: Proud Neighborhoods Initiative (SHARS 20193083).

Purpose: To provide moderate housing rehabilitation assistance to 14 lower income households living in substandard single-family homes.

Location: City of Rensselaer, Rensselaer County, NY. Specific project site addresses will be selected by the City during implementation of this Program.

Program Description: The City will use the HOME funds to rehabilitate approximately 14 single-family homes occupied by eligible lower income households and located throughout the City. HOME assistance will be combined with state and federal Weatherization funding and local revolving loan funds supporting historic preservation work, where feasible, to target more resources towards the repair and replacement of substandard housing conditions. Only owner occupied homes with documented code violations or other identified health, safety, structural, mechanical, and/or specific environmental hazards will be eligible for funding under this Program.

Tier 2 site specific reviews will be completed for those laws and authorities not addressed in the Tier 1 broad review for each address under this Program when addresses become known.

Level of Environmental Review Citation: The activities proposed are Categorically Excluded from National Environmental Policy Act requirements under HUD regulations at 24 CFR Part 58.35(a)(3)(i).

Tier 2 Site Specific Review: The site specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review: the Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]; Coastal Zone Management Act, Sections 307(c) & (d); Contamination and Toxic Substances at 24 CFR Part 50.3(i) & 58.5(i)(2); Floodplain Management cited by Executive Order 11988, particularly section 2(a) and 24 CFR Part 55; the National Historic

Preservation Act of 1966, particularly sections 106 and 110 and 36 CFR Part 800; and the Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978, including 24 CFR Part 51 Subpart B.

Mitigation Measures/Conditions/Permits (if any): Template Tier 2 forms are included in the ERR that is available for public inspection. The Templates include the mitigation measures, conditions and/or permits that will be complied with, if applicable, at each project site that is chosen.

This is the first tier of review in a 2-tiered process. The specific addresses of homes are not known at this time because the participating property owner identification process is ongoing. Therefore, under 24 CFR Part 58.15 (Tiering) and 24 CFR Part 58.32 (Project Aggregation), the City of Rensselaer will use a tiered approach and once specific sites are determined, each site will be reviewed in compliance with the instructions established in the Tier 1 Review. No physical work will begin on properties until all levels of environmental review are complete and found to be in compliance. Tier 1 review addresses specific environmental factors for which compliance has been documented, regardless of specific site locations. It prevents repeating the same compliance factors on a Tier 2 site-specific basis, once all participating homeowners are known.

An Environmental Review Record (ERR) that documents the environmental determinations for this Program will be made available to the public for review either electronically or by U.S. Mail. Please submit your request for a copy of the ERR by U.S. Mail to the City of Rensselaer, Attention Department of Planning and Development, Grants Coordinator, 62 Washington Street, Second Floor, Rensselaer, NY 12144 or by email to amy.lolik@rensselaerny.gov. The ERR can also be accessed online at the following Website: www.rensselaerny.gov.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the City of Rensselaer via U.S. Mail or Email, at the addresses listed above. All comments received on or about June 4, 2020 will be considered by the City of Rensselaer prior to authorizing submission of a request for release of funds. The City will utilize flexibility in submitting the request for release of funds after June 4, 2020 if an individual, group, or agency was unable to access the ERR document by U.S. Mail or through the City's Website in time to submit any comments to the City.

ENVIRONMENTAL CERTIFICATION

The City of Rensselaer certifies to HTFC that Michael Stammel, Mayor, in his capacity as Certifying Officer consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HTFC's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the City of Rensselaer to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HTFC will accept objections to its release of funds and the City of Rensselaer's certification received by **June 22, 2020** or for a period of fifteen days following its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Rensselaer; (b) the City of Rensselaer 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 or other participants in the project have committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HTFC; 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 via Email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Heather Spitzberg, Director of the Environmental Analysis Unit, NYS Housing Trust Fund Corporation, via Email at heather.spitzberg@nyshcr.org. Potential objectors should contact the HTFC via Email at OCRINFO@nyshcr.org to verify the actual last day of the objection period.

Michael Stammel
Mayor and Certifying Officer
May 28, 2020

Notice Distribution List

Rensselaer County Economic Development and Planning

NYS Department of Environmental Conservation

- Division of Environmental Permits - Albany
- Regional Permit Administrator - Region 4

U.S. Environmental Protection Agency

- Environmental Review Section – Region 2
- Strategic Planning and Multi-Media Programs

U.S. Department of Housing and Urban Development

- Office of Community Planning and Development – Region 2

New York State Housing Trust Fund Corporation

- Environmental Analysis Unit – (Main Office in Albany)

May 28, 2020

Rensselaer County Office of Economic Development and Planning
1600 7th Avenue
Troy, NY 12180

Attn: Mr. Robert Pasinella, Executive Director

Subject: **SHARS 20193083 – Proud Neighborhoods Initiative**
New York State HOME Program
Notice of Intent to Request a Release of Funds

Dear Robert:

The City published the enclosed Notice of Intent to Request a Release of Funds on May 28, 2020 in *The Record*, our official newspaper. The Notice requests public comment on the City's FY 2019 HOME Program Award, to be supported by the HOME Investment Partnerships Program funded by the U.S. Department of Housing & Urban Development (HUD) and administered by the NYS Housing Trust Fund Corporation (HTFC).

Following the required public comment period, the City expects to request the release of funds from the HTFC on or about June 5, 2020. Any questions or comments should be directed to this office by U.S. Mail or by Email to ketura.vics@rensselaerny.gov before that date if feasible, and any objections or comments may be directed to the Director, Environmental Analysis Unit, NYS Housing Trust Fund Corporation, Hampton Plaza, 38-40 State Street, Albany, New York 12207, through June 22, 2020.

Sincerely,

Ketura Vics
Director of Planning and Development

May 28, 2020

NYS Department of Environmental Conservation
Division of Environmental Permits
625 Broadway
Albany, NY 12223-1750

Subject: **SHARS 20193083 – Proud Neighborhoods Initiative**
New York State HOME Program
Notice of Intent to Request a Release of Funds

To whom it may concern:

The City published the enclosed Notice of Intent to Request a Release of Funds on May 28, 2020 in *The Record*, our official newspaper. The Notice requests public comment on the City's FY 2019 HOME Program Award, to be supported by the HOME Investment Partnerships Program funded by the U.S. Department of Housing & Urban Development (HUD) and administered by the NYS Housing Trust Fund Corporation (HTFC).

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Sincerely,

Ketura Vics
Director of Planning and Development

May 28, 2020

NYS Department of Environmental Conservation
Permit Administrator - Region 4
1130 North Westcott Road
Schenectady, New York 12306-2014

Subject: **SHARS 20193083 – Proud Neighborhoods Initiative**
New York State HOME Program
Notice of Intent to Request a Release of Funds

To whom it may concern:

The City published the enclosed Notice of Intent to Request a Release of Funds on May 28, 2020 in *The Record*, our official newspaper. The Notice requests public comment on the City's FY 2019 HOME Program Award, to be supported by the HOME Investment Partnerships Program funded by the U.S. Department of Housing & Urban Development (HUD) and administered by the NYS Housing Trust Fund Corporation (HTFC).

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Sincerely,

Ketura Vics
Director of Planning and Development

May 28, 2020

U.S. Environmental Protection Agency
Strategic Planning and Multi-Media Programs
EPA Region 2
290 Broadway, 25th Floor
New York, New York 10007-1866

Subject: **SHARS 20193083 – Proud Neighborhoods Initiative**
New York State HOME Program
Notice of Intent to Request a Release of Funds

To whom it may concern:

The City published the enclosed Notice of Intent to Request a Release of Funds on May 28, 2020 in *The Record*, our official newspaper. The Notice requests public comment on the City's FY 2019 HOME Program Award, to be supported by the HOME Investment Partnerships Program funded by the U.S. Department of Housing & Urban Development (HUD) and administered by the NYS Housing Trust Fund Corporation (HTFC).

Following the required public comment period, the City expects to request the release of funds from the HTFC on or about June 5, 2020. Any questions or comments should be directed to this office by U.S. Mail or by Email to ketura.vics@rensselaerny.gov before that date if feasible, and any objections or comments may be directed to the Director, Environmental Analysis Unit, NYS Housing Trust Fund Corporation, Hampton Plaza, 38-40 State Street, Albany, New York 12207, through June 22, 2020.

Sincerely,

Ketura Vics
Director of Planning and Development

May 28, 2020

U.S. Environmental Protection Agency
Environmental Review Section
U.S. EPA Region 2
290 Broadway, 25th Floor
New York, New York 10007-1866

Subject: **SHARS 20193083 – *Proud Neighborhoods Initiative***
New York State HOME Program
Notice of Intent to Request a Release of Funds

To whom it may concern:

The City published the enclosed Notice of Intent to Request a Release of Funds on May 28, 2020 in *The Record*, our official newspaper. The Notice requests public comment on the City's FY 2019 HOME Program Award, to be supported by the HOME Investment Partnerships Program funded by the U.S. Department of Housing & Urban Development (HUD) and administered by the NYS Housing Trust Fund Corporation (HTFC).

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Sincerely,

Ketura Vics
Director of Planning and Development

May 28, 2020

U.S. Department of Housing and Urban Development
Office of Community Planning and Development (CPD)
HUD Region 2
Room 3513
26 Federal Plaza
New York, New York 10278-0068

Subject: **SHARS 20193083 – Proud Neighborhoods Initiative**
New York State HOME Program
Notice of Intent to Request a Release of Funds

To whom it may concern:

The City published the enclosed Notice of Intent to Request a Release of Funds on May 28, 2020 in *The Record*, our official newspaper. The Notice requests public comment on the City's FY 2019 HOME Program Award, to be supported by the HOME Investment Partnerships Program funded by the U.S. Department of Housing & Urban Development (HUD) and administered by the NYS Housing Trust Fund Corporation (HTFC).

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Sincerely,

Ketura Vics
Director of Planning and Development

May 28, 2020

New York State Housing Trust Fund Corporation
Environmental Analysis Unit
Hampton Plaza, 4th Floor
38-40 State Street
Albany, New York 12207

Attn: Mr. Adam Higgins, Environmental Analyst

Subject: **SHARS 20193083 – Proud Neighborhoods Initiative**
New York State HOME Program
Notice of Intent to Request a Release of Funds

Dear Mr. Higgins:

The City published the enclosed Notice of Intent to Request a Release of Funds on May 28, 2020 in *The Record*, our official newspaper. The Notice requests public comment on the City's FY 2019 HOME Program Award, to be supported by the HOME Investment Partnerships Program funded by the U.S. Department of Housing & Urban Development (HUD) and administered by the NYS Housing Trust Fund Corporation (HTFC).

Following the required public comment period, the City expects to request the release of funds from the HTFC on or about June 5, 2020. Any questions or comments should be directed to this office by U.S. Mail or by Email to ketura.vics@rensselaerny.gov before that date if feasible, and any objections or comments may be directed to the Director, Environmental Analysis Unit, NYS Housing Trust Fund Corporation, Hampton Plaza, 38-40 State Street, Albany, New York 12207, through June 22, 2020.

Sincerely,

Ketura Vics
Director of Planning and Development

Cover Letter

Request for Release of Funds Form (RROF)

To be sent to Housing Trust Fund Corporation After *June 5, 2020*

June 8, 2020

Ms. Heather Spitzberg, Esq.
NYS Housing Trust Fund Corporation
Environmental Analysis Unit
Hampton Plaza - 4th Floor
38-40 State Street
Albany, New York 12207

Subject: **New York State HOME Program**
 SHARS Number 20193083

Request for Release of Funds

Dear Ms. Spitzberg:

Enclosed please find an executed **Request for Release of Funds** Form for the above referenced FY 2019 HOME grant award. We have completed the Tier 1 Programmatic Environmental Review Record and on May 28, 2020 published the Notice of Intent to Request a Release of Funds (NOIRROF) in our official newspaper, *The Record*. A copy of the Affidavit of Publication and the published Notice is enclosed for your reference. We anticipate that the funds can be released following the close of the required comment period(s) on or about June 22, 2020.

I believe that you will find these materials in order. If you have any questions about our new owner occupied housing rehabilitation program or require additional documentation for the ERR process, please do not hesitate to contact me at (518) 465-1693.

Thank you for your assistance.

Sincerely,

Ketura Vics
Director of Planning and Development

City of Rensselaer

NYS HOME Local Program / SHARS 20193083

ERR Notice Distribution List

Rensselaer County Office of Economic Development and Planning

NYS Department of Environmental Conservation

- Division of Environmental Permits - Albany
- Regional Permit Administrator - Region 4

U.S. Environmental Protection Agency

- Environmental Review Section – Region 2
- Strategic Planning and Multi-Media Programs

U.S. Department of Housing and Urban Development

- Office of Community Planning and Development – Region 2

New York State Housing Trust Fund Corporation

- Environmental Analysis Unit – (Main Office in Albany)

Request for Release of Funds and Certification

U.S. Department of Housing
and Urban Development
Office of Community Planning
and Development

OMB No. 2506-0087
(exp. 07/31/2017)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s)	2. HUD/State Identification Number	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s)	5. Name and address of responsible entity	
6. For information about this request, contact (name & phone number)		
8. HUD or State Agency and office unit to receive request	7. Name and address of recipient (if different than responsible entity)	

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s)	10. Location (Street address, city, county, State)
11. Program Activity/Project Description	

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did ☐ did not ☐ require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity	Title of Certifying Officer
X	Date signed

Address of Certifying Officer

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient	Title of Authorized Officer
X	Date signed

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Insert a COPY of the **Affidavit of Publication**
from the May 28, 2020 Notice with this ERR Booklet to keep with
the City's other 2019 HOME Program Files