

Compliance Documentation
Ulster County Housing Rehab Program Phase III
Grant # 1160HO45-13

DATA SOURCES AND DOCUMENTATION
(Numbers reference compliance under 58.5 documentation)

1. HISTORIC PRESERVATION

- Per phone call with Laura Mackey of NYS Office of Parks, Recreation and Historic Preservation on 6/27/2014, Ms. Mackey stated that RUPCO will be required to perform the applicable federal and state consultation process to determine impacts to historical resources in consultation with SHPO.

2. FLOODPLAIN MANAGEMENT (also 1 under 58.6)

- Floodplain maps at UCPD or available for download.
- Floodplain worksheet on file UCPD & RUPCO

3. WETLANDS PROTECTION

- State regulated wetlands on file UCPD
- Soil survey—delineates hydric soils, on file UCPD or available in digital format from USDA
- National wetlands as available for Ulster County downloadable from National Wetlands Inventory Web page.
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4. NOISE

- Existing noise thresholds established at Kingston Airport. Moderate rehabilitation (less than \$25,000 per unit) does not need to document compliance with 24 CFR Part 51 Subpart B. If a site is selected within the Normally Unacceptable or Unacceptable Zones and costs exceed \$25,000, noise attenuation will be included as part of the rehabilitation project and documented in the project file.

5. a) THERMAL AND EXPLOSIVE HAZARDS

- Program will not increase unit density for sites located near thermal or explosive hazards.

b) RUNWAY CLEAR ZONES

- Maps of runway clear zones Kingston, Wallkill, and Wawarsing Airports on file UCPD.

c) TOXIC SITES

- National Priorities List of CERCLIS sites on US EPA website. Landfill locations available at Ulster County Resource Recovery Agency.

6. AIR QUALITY

- Activities with the exception of RACM are identified as exempt by NYS DEC.
- Requirements for asbestos - contractor packets available at RUPCO.

7. WATER QUALITY (also 13)

- No primary or sole source aquifer identified within Ulster County by EPA
- Safe Drinking Water Act not applicable MOU between EPA and HUD
- Navigable Waters below threshold for minor rehabilitation
- Ulster County Sanitary Code and NYS DOH 10 NYCRR Part 75 available at Ulster County Health Dept.

8. COASTAL AREAS

- No coastal zone barriers exist in Ulster County
- Consistency determinations for projects within Coastal Management Zones. Plans and maps on file UCPD

9. ENDANGERED SPECIES

- Consultation with DEC and FWS if site work involved.

10. FARMLAND PROTECTION

- Program will be compatible with state and local efforts to preserve farmland.

11. WILD AND SCENIC RIVERS

- Not applicable for existing structures with rehabilitation and home purchases.
- No rivers designated Wild and Scenic by federal government.

12. ENVIRONMENTAL JUSTICE

- 24 CFR Part 25 HUD Lead -Based Paint Poisoning Prevention on file at UCPD & RUPCO.

13. WATER QUALITY

- No discharges to navigable waters will occur.

14. SOLID WASTE DISPOSAL

- Program will not require new solid waste facilities and Ulster County has in place a recycling program through the Ulster County Resource Recovery Agency.
- Disposal of construction and demolition debris through Ulster County Resource Recovery Agency. Requirements for hazardous substances available at UCRRA

15. FISH AND WILDLIFE

- Program will not involve alterations to streams or bodies of water for any purpose.

BUILDING PERMITS

- Obtained as needed for rehabilitation work. As of right permits.

ZONING STATUTES

- On file at UCPD.

ENVIRONMENTAL REVIEW RECORD

**ACHIEVING HOMEOWNERSHIP
IN ULSTER COUNTY
PROGRAM**

County of Ulster, New York

Community Development Block Grant
administered through
NYS Office of Community Renewal

Fiscal Year 2013

Grant# 1160HO45-13

Description and Location of Program

The County of Ulster, New York is the recipient of a \$500,000 Community Development Block Grant (CDBG) from the U.S. Department of Housing and Urban Development (HUD) funded through the New York State Office of Community Renewal (OCR). These funds will be used to provide funding to low and moderate-income residents for down payments and closing costs towards purchase of a home and for post-closing repairs.

Achieving Homeownership in Ulster County Program

The Ulster County Housing Rehabilitation and Disaster Relief Program is a scattered site program to assist low and moderate income residents repair. In addition to the \$500,000 in grant funds, it is anticipated that nearly \$150,000 in other monies will be provided through additional grant funds from NYSERDA Weatherization and DHCR HOME funds.

The program will utilize the existing effective service delivery infrastructure in Ulster County by contracting with Rural Ulster Preservation Company (RUPCO).

It is expected that the program will assist 15 households, approximately 60 persons. The program is in conformance with and will advance Ulster County's identified housing and community development objectives.

Program Activities

Following are the activities that UCHRDRP will undertake:

1. Provide grant funds for down payment and closing costs toward home purchases for eligible low and moderate income owner-occupied families;
2. Provide grant funds for housing rehabilitation assistance for eligible low and moderate income owner-occupied families;
3. Provide home owner education on topics such as home maintenance, financial budgeting and credit, anti-predatory lending and refinancing.
4. Secure compliance with the terms of the grant funding through appropriate documentation and annual follow-up, and using the annual follow-up process as a means to continue home owner education;
5. Program delivery and administration;
6. Inspections and testing of properties for hazards or defects;
7. Purchase of flood insurance, if necessary.

NEPA Review Format

The Ulster County Housing Rehabilitation and Disaster Relief Program will utilize a programmatic environmental review format, as specific sites have not yet been identified. Compliance requirements will be determined on a case-by-case basis as sites are identified and required procedures and documentation effected as needed.

NEPA Program Classification

The following list identifies each activity and its NEPA Environmental Classification.

Activity 1. Assist homebuyers in purchasing existing dwelling units or dwelling units under construction by providing funding for closing costs and down payment assistance. These activities are "**Categorically Excluded**" under 24 CFR 58.35 (b) as they are "Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction , including closing costs and down payment assistance, interest buydowns, and similar activities that result in the transfer of title. [(b)(4)]"

Activity 2. Provide grant funds for housing rehabilitation assistance for eligible low and moderate income owner-occupied families; This activity is "**Categorically Excluded**" under 24 CFR 58.35 (a) as it is "Rehabilitation of buildings and improvements 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 isn't increased in a floodplain or in a wetland. [(a)(3)(i)]"

Activity 3. Provide home owner education. This activity is classified as "**Exempt**" under 24 CFR 58.34 as it is a "Public service that will not have a physical impact or result in physical changes, such as services concerned with...education, counseling....[(a)(4)]".

Activity 4. Secure compliance with the terms of the grant funding through appropriate documentation and annual follow-up, and using the annual follow-up process as a means to continue home owner education. . This activity is classified as "**Exempt**" under 24 CFR 58.34 as it is a "Public service that will not have a physical impact or result in physical changes, such as services concerned with...education, counseling.... [(a)(4)]" and "administration and management activities. [(a)(3)]"

Activity 5. Program delivery and administration. This activity is classified as "**Exempt**" under 24 CFR 58.34 as it is "Administration and management activities. [(a)(3)]"

Activity 6. Inspection and testing of properties for hazards and defects. This activity is classified as "**Exempt**" under 24 CFR 58.34 as it is "Inspection and testing of properties for hazards and defects. [(a)(5)]".

Activity 7. Purchase of flood insurance. This activity is classified as "**Exempt**" under 24 CFR 58.34 as it is "Purchase of insurance[(a)(6)]".

Regulatory Compliance

Compliance with Related Laws at 24 CFR 58.6

The following three regulations must be reviewed for applicability, regardless of program classification:

1. Floodplain Management

Regulations at 24 CFR 58.6 prohibit use of HUD funds for purchase or rehabilitation assistance in FEMA designated Special Flood Hazard Areas (SFHAs) in communities which do not participate in the National Flood Insurance program (NFIP). These regulations also require that for any purchase assistance or rehabilitation in a SFHA, flood insurance must be obtained and maintained. However, 58.6(a)(3) excludes these requirements for "Federal formula grants made to a State". Therefore, under the NYS CDBG Program, there is no prohibition on use of CDBG funds in communities that do not participate in the NFIP and flood insurance is not required for Recipient purchase assistance or minor rehabilitation projects. Nonetheless, if proposed purchase or rehabilitation sites are located in a SFHA, OCR encouraged Recipients to consider other sites outside the 100-year floodplain, and if a site within the SFHA is chosen, to require flood insurance be purchased and maintained, where available, as a program requirement.

Achieving Homeownership in Ulster County Program (Activities 1 and 2)

A determination will be made on every project as to its location in a floodplain or floodway. A copy of the FIRM Map number and zone determination and other documentation will be included in every file. Properties in a regulatory floodway will not be funded. Properties located in a floodplain will be required to comply with the National Flood Insurance Program (NFIP). All municipalities in Ulster County participate in the National Flood Insurance Program. Activity 7 is the purchase of Flood Insurance, if necessary. For activities 3, 4, 5 and 6 this is not applicable.

2. Coastal Barriers

Coastal barriers are sensitive areas along the coasts of the Atlantic Ocean or Great Lakes which are subject to severe damage by extreme weather conditions. These areas have been mapped by the U.S. Dept. of the Interior. HUD assistance may not be used for most activities in the Coastal Barrier Resources system...

Achieving Homeownership in Ulster County Program (Activities 1 and 2)

The project area lies outside the Coastal Barrier Resource System. For activities 3, 4, 5, 6 and 7 this is not applicable.

3. Airport Clear Zones

HUD policy as described in 24 CFR 51, Subpart D, is that assistance for construction or major rehabilitation of any real property located on a clear zone site is prohibited for a project to be frequently used or occupied by people. For properties located within 2,500 feet of the end of a civil airport runway or 8,000 feet of the end of a military airfield runway, the airport operator should make a finding stating whether or not the property is located within a runway clear zone for civil airports or a clear zone or accident potential zone at a military airfield.

Definition: Rehabilitation (including conversion) is "major" or "substantial" when the estimated cost of the work is 75 percent or more of the property value after rehabilitation.... (24 CFR 51.302(b)(1), (2), and (3)).

Achieving Homeownership in Ulster County Program (Activities 1 and 2)

The location of projects for this program will be checked to insure that none fall within airport clear zones pursuant to the safety standards in 24 CFR 51.303. Projects in Airport Clear Zones meeting the definition of major rehabilitation will not be funded. For activities 3, 4, 5, 6 and 7 this is not applicable.

Regulatory Compliance

Compliance with Related Laws at 24 CFR 58.5 and HUD Environmental Procedures at 24CFR 50.4

In addition to compliance under 58.35(a) with regulatory requirements identified above, programs classified as "Categorically Excluded" and those requiring an environmental assessment must also consider the following related laws and authorities:

1. The National Historic Preservation Act of 1966, (16 USC 470 et seq.)

If a federally assisted project will effect properties included in or eligible for inclusion in the National Historic Places, the Advisory Council on Historic Preservation must first be consulted.

Preservation of Historical and Archaeological Data Act of 1974 (PL93-291)

If a project may cause irreparable loss or destruction of significant scientific, prehistorical, historical, or archaeological data, the Secretary of the Interior will be notified.

CFR 36 Part 800, Protection of Historic and Cultural Properties

In order to determine whether any historic or cultural properties are located within the area of an activity's potential environmental impacts, it is necessary to consult the State Historic Preservation office, published lists of National Register and eligible properties, public records, and other individuals or organizations with historical and cultural expertise. For any National Register or eligible property which is located in the area of an activity's potential environmental impact, the State Historic Preservation Officer must be consulted in order to apply the criteria of effect as listed in this Act.

Executive Order 11593, Protection and Enhancement of the Cultural Environment

If a property listed in the National Register of Historic Places is to be substantially altered or demolished, records of the property must be made, including measured drawings, photographs, and maps.

Achieving Homeownership in Ulster County Program (Activities 1 and 2)

A policy to review individual projects has been established and accepted by the New York State Office of Parks, Recreation and Historic Preservation. Homes that involve purchase without rehabilitation are categorically excluded from SHPO review. Homes involving rehabilitation that are more than 50 years old will be submitted to SHPO for the necessary eligibility assessment. For activities 3, 4, 5, 6 and 7 this is not applicable.

**2. Floodplain Management, Executive Order 11988, 24 CFR Part 55
5/77, Amended by Executive Order 12148, 7/79**

Each agency will determine whether proposed actions will occur in a flood plain. If so the agency will consider alternatives to avoid adverse effects and incompatible uses in the floodplain. If the only practical alternative is to locate in the floodplain, the agency will modify its action in order to minimize potential harm, and will circulate a notice explaining why the action is to be located in the floodplain. If new construction is to be located in a floodplain, accepted flood proofing and other flood protection measures shall be applied, and where practical, structures will be elevated above the base flood level rather than filling in the land.

Flood Disaster Protection Act of 1973 (PL 93-234)

No agency will approve financial assistance for acquisition or construction purposes in any area that has been identified as having special flood hazards unless the community is participating in the National Flood Insurance Program.

**National Flood Insurance Program (Title 44, Code of Federal Regulations,
Housing and Urban Development, Part 59)**

This act provides previously unavailable flood insurance protection to property owners in flood prone areas. To qualify for this insurance a community must adopt floodplain management regulations satisfying a minimum the criteria set forth in this act.

**Water Resources Council Floodplain Management Guidelines, published
February 10, 1978 at 43 FR 6030**

These guidelines outline how to determine whether an action will be located in a floodplain and if so, what steps must then be taken in order to implement executive order 11988.

Achieving Homeownership in Ulster County Program (Activities 1, 2 and 7)

A determination will be made on every project as to its location in a floodplain or floodway. A copy of the FIRM Map number and zone determination and other documentation will be included in every file. Properties in a regulatory floodway will not be funded. Properties located in a floodplain will be required to comply with the National Flood Insurance Program (NFIP). All municipalities in Ulster County participate in the National Flood Insurance Program. Activity 7 is the purchase of Flood Insurance, if necessary. For activities 3, 4, 5 and 6 this is not applicable.

**3. Protection of Wetlands, Executive Order 11990, 6 NYCRR Part 663
Executive Order 11990, Protection of Wetlands, 5/77**

Each federal agency will avoid undertaking or providing assistance for new construction located in wetlands unless the head of the agency finds that there are no practical measures to minimize harm to the wetland.

Achieving Homeownership in Ulster County Program (Activities 1 and 2)

A determination on both Federal and NYS wetlands will be made for any rehabilitation outside the footprint of the existing structure or construction of a new home. U. S Fish and Wildlife (FWS) wetland maps will be reviewed with all necessary permits obtained. Smaller wetland areas not mapped by FWS or NYS DEC may require delineation and permitting by the US ACOE under Section 404 of the Clean Water Act. NYS DEC wetland maps will be checked and all necessary DEC permits will be obtained. For activities 3, 4, 5, 6 and 7 this is not applicable.

4. Noise Abatement and Control, 24 CFR Part 51 Subpart B

HUD support of modernization and rehabilitation. For modernization projects located in all noise exposed areas, HUD shall encourage noise attenuation features in alterations. For major or substantial rehabilitation projects in the Normally Unacceptable and Unacceptable noise zones, HUD actively shall seek to have project sponsors incorporate noise attenuation features, given the extent and nature of the rehabilitation being undertaken and the level or exterior noise exposure. In Unacceptable noise zones, HUD shall strongly encourage conversion of noise-exposed sites to land uses compatible with the high noise levels. Projects that include only moderate rehabilitation (under \$25,000 per unit) do not need to document compliance with 24 CFR Part 51.

Achieving Homeownership in Ulster County Program (Activities 1 and 2)

Two airports in Ulster County have an identified noise threshold. Both lie almost entirely within the airport grounds. The Achieving Homeownership Program will assist projects within this threshold only if noise reduction measures are implemented as part of remediation consistent with the policies expressed in 24CFR 51.101. Should any additional noise exposure areas be found, the program would utilize the policies above to meet the requirements of the Act. If Activity 2 does not exceed the \$25,000 threshold, 24CFR Part 51 Subpart B is not applicable. For activities 3, 4, 5, 6 and 7 this is not applicable.

5. Manmade Hazards

a. Thermal/Explosive Hazards - 24CFR Part 51 Subpart C

This act is concerned with a hazard that can result in significant risk to HUD-assisted or insured projects and their occupants. It involves sites located near operations handling conventional fuels or chemicals of an explosive or flammable

nature. This regulation is applicable to HUD assisted projects intended for residential, institutional...or rehabilitation, which increases the number of residential units.

Achieving Homeownership in Ulster County Program (Activities 1 and 2)

For Activity 1, CDBG funding is used for down payment and closing cost assistance. The “development, construction, rehabilitation, modernization or conversion” of a HUD-assisted project is precluded under 24 CFR Part 51.201. The purchase of existing homes will not increase the number of residential units. For Activity 2, the rehabilitation of existing residential units will not increase the number of residential units, either. Therefore this project is excluded from regulation at 24 CFR Part 51 Subpart C. For activities 3, 4, 5, 6 and 7 this is not applicable.

b. Runway Clear Zone (civil airports); Clear Zone or Accident Potential Zone (military) - 24 CFR Part 51 Subpart D

This act is concerned with a hazard that can result in significant risk to HUD-assisted or insured projects and their occupants. It involves sites located in Runway Clear Zones at civil airports and Clear Zones and Accident Potential Zones at military airfields.

Achieving Homeownership in Ulster County Program (Activities 1 and 2)

The location of projects for this program will be checked to insure that none fall within runway clear zones pursuant to the safety standards in 24 CFR 51.303. Any projects that fall within these boundaries will not be funded. For activities 3, 4, 5, 6 and 7 this is not applicable.

c. Toxic Sites - HUD Policy at 24 CFR 50.3(i) 1.

It is HUD policy that all property proposed for use in HUD program be free of hazardous materials, contamination, toxic chemicals and gasses, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.

Achieving Homeownership in Ulster County Program (Activities 1 and 2)

Project sites will be assessed for site history, surroundings, and evaluation of the likelihood of hazardous conditions existing nearby or on the property that could affect the health and safety of proposed occupants. These findings and observations will be recorded in the case file. Project sites on National Priorities List of CERCLIS will not be funded. Project sites within 3,000 ft. of toxic or solid waste landfills or sites that have an underground storage tank will be noted. For activities 3, 4, 5, 6 and 7 this is not applicable.

6. Clean Air Act (42USC 7401 et seq.)

This act requires each state to adopt a plan implementing primary ambient air quality standards, including emission limitations and timetables for compliance with such limitations. It will also include provisions for monitoring air quality and enforcing limitations. After June 30, 1979 no major stationary source will be constructed or modified in a non-attainment area if its emissions will cause or contribute to concentrations of any pollutant for which an air quality standard is exceeded in such area. A new or modified indirect source will not attract mobile sources of air pollution, the emissions from which could cause or contribute to air pollution concentrations exceeding any national standard for a mobile source related pollutant.

Achieving Homeownership in Ulster County Program (Activities 1 and 2)

The Achieving Homeownership Program has been determined to comply with the exception of RACM (Regulated asbestos-containing material). Ulster County currently meets air quality standards and the program will not attract a mobile source, which would cause or contribute to air pollution concentrations. With regard to RACM, any project which involves removal, encapsulation, enclosure or disturbance of RACM will be done by a contractor possessing a valid asbestos handling license and said contractor will perform all asbestos work in accordance with the provisions of Part 56. For activities 3, 4, 5, 6 and 7 this is not applicable.

**7. Water Quality - Sole Source Aquifers
Safe Drinking Water Act of 1974 (PL 93-523), and Amendments**

This act presents both primary and secondary drinking water regulations for public water systems, along with maximum containment levels and treatment techniques. For any project located in an area in which it has been determined by the EPA that any aquifer is the primary or sole drinking water source, and if there is any possibility that the project could have any effect on groundwater, it is necessary to obtain a determination from the EPA stating that the project will not contaminate the aquifer.

Achieving Homeownership in Ulster County Program (Activities 1 and 2)

Projects will be required to comply with all state and local pollution control discharge permits. It should be noted that EPA has not identified any primary or sole source aquifer in Ulster County. For activities 3, 4, 5, 6 and 7 this is not applicable.

8. Coastal Zone Management Act of 1972 (16 USC 1451 et seq.)

Any Federal agency, which undertakes a development project in the coastal zone of a state, will insure that the project is consistent with approved State management programs.

Achieving Homeownership in Ulster County Program (Activities 1 and 2)

Any project determined to be located within the coastal zone area of the county will be required to be consistent with state and local coastal management plans and a Consistency Review will be submitted to NYS DOS. For activities 3, 4, 5, 6 and 7 this is not applicable.

9. Endangered Species Act of 1973 (16USC 1531 et seq.)

Each Federal agency will insure that any action it funds is not likely to jeopardize the continued existence of any threatened or endangered species, or result in the destruction or adverse modification of habitat of such species.

Achieving Homeownership in Ulster County Program (Activities 1 and 2)

Prior to the commencement of any project where new ground disturbance will occur, FWS and DEC will be notified to determine the potential for impacts of the proposed action on any rare, threatened or endangered species. Documentation of the consultation will be maintained in the project file. For activities 3, 4, 5, 6 and 7 this is not applicable.

10. Farmland Protection Policy Act of 1987 (7 USC 4201 et seq.)

The purpose of this act is to minimize the extent to which Federal programs contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses and to assure the administration of Federal programs so that they are compatible with State and local efforts to preserve farmland.

Achieving Homeownership in Ulster County Program (Activities 1 and 2)

The Achieving Homeownership Program will not cause conversion of farmland to non-agricultural uses and will be consistent with state and local efforts to preserve farmland. For activities 3, 4, 5, 6 and 7 this is not applicable.

11. The Wild and Scenic Rivers Act of 1968 (16 USC 1271 et seq.)

The Wild Scenic and Recreational Rivers Act affect management, protection, enhancement and control, of land use and development on all designated river areas in New York State... Continuation, without change, of land uses that were lawfully existing on the date upon which these regulations first took effect in the river area where the project is located, do not require a permit for any of the classes of river. The acts of maintaining, rehabilitation, restoring replacing or reconstructing lawfully existing structures as above or their improvements provided the structures are not changed, require no permit for any of the classes of rivers.

Achieving Homeownership in Ulster County Program (Activities 2)

Rehabilitation does not require a permit in areas designated as within the Wild and Scenic Rivers boundaries. No river is designated under this Act in Ulster County.

The U.S. Department of Interior has a policy of purchasing single-family homes that existed or were under construction before the adoption of this Act that are located within Wild and Scenic Rivers boundaries. For activities 1, 3, 4, 5, 6 and 7 this is not applicable.

12. Environmental Justice, Executive Order 12898

Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, provides that each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations...[including] the prevention of childhood lead poisoning.

Achieving Homeownership in Ulster County Program (Activities 1 and 2)

The program will not result in disproportionately high and adverse human health or environmental effects on minority populations and low-income populations. The program will have positive human health and environmental effects on minority and/or low-income populations by improving the condition of housing occupied by stated populations. In order to address the prevention of childhood lead poisoning, Activities 1 and 2 will comply with 24 CFR Part 35 HUD Lead-Based Paint Poisoning Prevention. All properties built before 1978 will have a Lead –Risk Assessment performed. Only certified lead-based paint abatement contractors will be hired. For activities 3, 4, 5, 6 and 7 this is not applicable.

13. Water Quality - Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977

Any activity which may result in any discharge into navigable waters must receive certification that such discharge will comply with the applicable provisions as set forth in this act.

Achieving Homeownership in Ulster County Program (Activity 2)

The program will not involve any permits for discharge into navigable waters. For activities 1, 3, 4, 5, 6 and 7 this is not applicable.

14. Solid and Hazardous Waste - The Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 42 USC 6901 (et seq.)

This act prohibits the establishment of new open dumps and requires that all solid waste (except hazardous waste) will be either utilized for resource recovery, disposed of in a sanitary landfill, or disposed of in an environmentally sound manner.

Achieving Homeownership in Ulster County Program (Activity 2)

Ulster County has established a Resource Recovery Agency (UCRRA) that has recycling and disposal options that meet the requirements of the Act with regard for non-hazardous waste including C & D. The Achieving Homeownership Program will utilize disposal options that satisfy the Act including UCRRA. Materials determined to be hazardous will be handled, transported and disposed of according to RCRA requirements. For activities 1, 3, 4, 5, 6 and 7 this is not applicable.

15. The Fish and Wildlife Coordination Act (16 USC 661 et seq.)

Whenever a stream or body of water is to be impounded, diverted, deepened, or controlled/modified for any purpose, including drainage, the agency must consult the U.S. Fish and Wildlife Service and the appropriate State agency in order to prevent loss and damage to wildlife, and to provide for their development and improvement.

Housing Rehabilitation and Disaster Relief Program (Activity 2)

The Achieving Homeownership Program will not involve alterations to streams or bodies of water for any purpose including drainage. For activities 1, 3, 4, 5, 6 and 7 this is not applicable.

FINDINGS STATEMENT

The Project, which is a recipient of a U. S. Department of Housing and Urban Development Community Development Block Grant administered through the New York State Office of Community Renewal, is known as the Achieving Homeownership in Ulster County Program.

An Environmental Review Record (ERR) for program activities has been completed. The ERR is on file with the Clerk of the Legislature and at the County Planning Dept. and is available for public inspection. After careful review of these records and the compliance measures contained therein, it has been determined that no significant adverse impacts on the quality of the human environment are expected as a result of program implementation. Accordingly a Finding of No Significant Impact (FONSI) is made for the Program. Publication in accordance with 24 CFR 58.43 of this FONSI and a Notice of Intent to Request Release of Funds (NOIRROF) is authorized. After the necessary public comment period and pending review of these comments, a NOIRROF will be submitted to HUD.

Certifying Officer



Dennis Doyle
Ulster County Planning Director

Date 7/25/2014