

COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT, INTENT TO REQUEST RELEASE OF FUNDS, AND SECTION 106 NATIONAL HISTORIC PRESERVATION ACT DETERMINATION

October 7, 2024

New York State Homes & Community Renewal
New York State Housing Trust Fund Corporation
38-40 State Street
Albany, New York 12207
(518) 473-6843
M-F 7:30 AM – 3:30 PM

This Notice shall satisfy the above-cited separate but related procedural notification requirements.

REQUEST FOR RELEASE OF FUNDS

On or about October 23, 2024, the New York State Homes & Community Renewal, through the New York State Housing Trust Fund Corporation (HTFC), will submit a request to the U. S. Department of Housing and Urban Development (HUD) for the release of \$ 2,748,557 in HOME-ARP funds under Section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2) (“ARP”) for the HOME Investment Partnerships Program (HOME), in accordance with section 288 (42 U.S.C. 12838), to authorize Allegany County Community Opportunities and Rural Development, Inc. (ACCORD) to undertake a project known as ACCORD-Wellsville, for purposes of new construction of a six (6) 2-story attached townhouses for families with a total of six (6) residential units, on a 0.45-acre site at Parcel ID: 225.20-1-60 in the Village of Wellsville, Allegany County with an estimated total project cost of \$ 2,856,791.

FINDING OF NO SIGNIFICANT IMPACT

HCR has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) which can be obtained by emailing environmental.comments@hcr.ny.gov or at: <https://hcr.ny.gov/hcr-environmental-review>

SECTION 106 NATIONAL HISTORIC PRESERVATION ACT DETERMINATION

As a part of its responsibilities under 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act of 1966 (Section 106), as amended, HCR, in consultation with the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP), acting as the State Historic Preservation Office (SHPO), and other consulting parties that indicated an interest in consultation, including Tribal Historic Preservation Offices (THPO), has determined that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking. This information is available for public review in the ERR, as described above.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to Carlos Barbosa, either by mail to Environmental Analysis Unit, NYS Housing Trust Fund Corporation, 38-40 State Street, Albany, New York, 12207 or by email to environmental.comments@hcr.ny.gov. All comments received by October 22, 2024, will be considered by HCR prior to authorizing submission of a request for release of funds. Comments should specify which part of this Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

HCR certifies to HUD that Carlos Barbosa in their 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. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows ACCORD to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will consider objections to its release of funds and HCR's certification received by November 7, 2024, 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 HCR; (b) HCR 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, incurred costs, or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be sent via email to: CPDRROFNYC@hud.gov

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

Carlos Barbosa
Certifying Officer
October 7, 2024

**Environmental Assessment
Determinations and Compliance Findings
for HUD-assisted Projects
24 CFR Part 58**

Project Information

Project Name: ACCORD-Wellsville

HEROS Number: 900000010416775

Responsible Entity (RE): NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY
RENEWAL, HAMPTON PLAZA ALBANY NY, 12207

RE Preparer: Carlos Barbosa

State / Local Identifier:

Certifying Officer: Carlos Barbosa

Grant Recipient (if different than Responsible Entity): Allegany County Community Opps
and Rural Development

Point of Contact: Jeff Stager

Consultant (if applicable): NA

Point of Contact:

Project Location: Coats Street, Wellsville, NY 14895

Additional Location Information:

Parcel # 225.20-1-60

Direct Comments to: environmental.comments@hcr.ny.gov

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

Allegany County Community Opportunities and Rural Development, Inc. (ACCORD) proposes new construction of (3) 1-story and (3) 2-story attached townhouses for families with a total of six (6) residential units, on a 0.45-acre site at Parcel ID: 225.20-1-60 in the Town of Wellsville, Allegany County. The building will be all electric. Public water and sewer are available at the site. Site work will include clearing, grading and excavation, construction of driveways, parking areas and sidewalks, finish grading and landscaping.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

Per the Comprehensive Plan (Plan Wellsville A Comprehensive Plan For The Future Village And Town Of Wellsville, NY (2017)), the majority (+70%) of the housing stock was constructed circa 1960 with 40% being built circa 1939. The plan identified a large portion of federal grant request related to request for handicapped and elderly accessibility related work. The plan identifies affordable housing, senior housing, lead hazard reduction as short term and immediate goals. The construction of the proposed 6 units will address these goals by providing updated, affordable, safe housing for families and disabled populations. The project will also provide supportive services to residences.

Existing Conditions and Trends [24 CFR 58.40(a)]:

The site is currently a vacant undeveloped site. the immediately surrounding area is mainly single-family homes. Further out there are a daycare, restaurant, supermarket, golf course and manufacturing facility (Dresser Rand) with additional residential properties interspersed. The project is not likely to spur additional new construction as the comprehensive plans' goals are to rehab and update existing occupied and vacant structures. Absent the proposed project the municipality would likely continue to address existing units.

Maps, photographs, and other documentation of project location and description:

- [ACCORD Wellsville Site Plan.pdf](#)
- [ACCORD Wellsville Phase I ESA PHOTOS.pdf](#)

Determination:

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

Approval Documents:

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
HOME ARP	Community Planning and Development (CPD)	HOME American Rescue Plan (HOME-ARP)	\$2,748,557.00

Estimated Total HUD Funded, Assisted or Insured Amount: \$2,748,557.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$2,856,791.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood

		insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Vapor Encroachment Screening. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. Radon analysis indicated elevated levels of radon or consideration of radon will occur following construction. Adverse radon impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project has been determined to have No Effect on listed species. This project is in compliance with the Endangered Species Act without mitigation.
Explosive and Flammable Hazards Above-Ground Tanks [24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	There is a current or planned stationary aboveground storage container of concern within 1 mile of the project site. The Separation Distance from the project is acceptable. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project includes activities that could potentially convert agricultural

1981, particularly sections 1504(b) and 1541; 7 CFR Part 658		land to a non-agricultural use, but an exemption applies. The project is in compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A Noise Assessment was conducted. The noise level was acceptable: 58.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is in proximity of a NWSRS river, but it is not a Water Resources project. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Adverse environmental impacts are not disproportionately high for low-income and/or minority communities. The project is in compliance with Executive Order 12898.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Impact Codes: An impact code from the following list has been used to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation

(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The project is in conformance with the local comprehensive plan. The local planning board issued a letter stating the project was not subject to site plan approval but would appreciate incorporating the boards comments into the project. The project has incorporated the boards comments into its design and layout.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	The project will conduct geotechnical analysis prior to the start of construction. the foundation will be built according to the soil bearing capacities as outlined in local, state and national building codes. The project will enact standard operating procedures for construction site runoff. The site will include a retention basin to deal with stormwater.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	Noise will be generated during construction activities. Local ordinances will control noise generation and limit it to standard construction hours.	
SOCIOECONOMIC			
Employment and Income Patterns	1	Employment and income may temporarily be boosted during construction activities. Long term the project is not likely to affect employment or income beyond the occasional need for maintenance work utilizing local labor specialist.	
Demographic Character Changes / Displacement	2	Residents who occupy the units will likely come from the immediate and surrounding areas and will not likely change the character or demographics of the area.	
Environmental Justice EA Factor	2	The project does not disproportionately affect vulnerable populations. Radon is a naturally occurring compound found throughout New York State. The potential presence of Radon is not disproportionate to any group. Allegany County average radon data over 10 years indicate high	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		radon levels. a radon system will be required to be installed during construction. Radon sampling will be required pre-occupancy.	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	The Wellsville Central School District issued a letter dated June 25, 2024, stating the creation of 6 residential units can be adequately served by the school district. The creation of 6 units is not likely to overload cultural facilities in the area. The project will not negatively affect access and capacity to educational and cultural facilities.	
Commercial Facilities (Access and Proximity)	1	The creation of 6 units is not likely to negatively affect access and capacity to commercial facilities. The additional residents will possibly expand the customer base of available commercial facilities.	
Health Care / Social Services (Access and Capacity)	2	The Jones Memorial Hospital issued a letter dated June 26, 2024, stating the creation of 6 residential units can be adequately served by the Hospital. The creation of 6 units is not likely to overload health care or social service facilities in the area. The project will not negatively affect access and capacity to health care or social service facilities.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	A waste carting company, Casella issued a letter dated June 24, 2024, stating the creation of 6 residential units can be adequately served by the company both during construction activities and during normal residential operation. The creation of 6 units is not likely to overload waste or recycling capacities in the area. The project will not negatively affect access and capacity to waste and recycling capacity.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The creation of 6 units is not likely to overload Waste Water and Sanitary Sewers capacities in the area. The project will not negatively affect access and capacity to Waste Water and Sanitary Sewers.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Water Supply (Feasibility and Capacity)	2	The creation of 6 units is not likely to overload Water Supply capacities in the area. The project will not negatively affect capacity of Water Supply.	
Public Safety - Police, Fire and Emergency Medical	2	The creation of 6 units is not likely to overload Police, Fire and Emergency Medical capacities in the area. The project will not negatively affect capacity of Police, Fire and Emergency Medical services.	
Parks, Open Space and Recreation (Access and Capacity)	2	The creation of 6 units is not likely to overload Parks, Open Space and Recreation capacities in the area. The project will not negatively affect capacity of Parks, Open Space and Recreation.	
Transportation and Accessibility (Access and Capacity)	2	The creation of 6 units is not likely to overload Transportation and Accessibility capacities in the area. The project will not negatively affect capacity of Transportation and Accessibility.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	No Unique Natural Features or Water Resources are in the vicinity of the site.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	A habitat assessment was conducted and found three cherry trees that have the potential to provide habitat for the Northern Long-eared Bat. The project will limit tree clearing to the NOV-MAR clearing dates provided by USFWS	
Other Factors 1	2	NA	
Other Factors 2	2	NA	
CLIMATE AND ENERGY			
Climate Change	2	The project will be all electric. This will help to mitigate the projects impact on the environment via emissions that contribute to climate change.	
Energy Efficiency	2	The project will be all electric. This will help to mitigate the projects impact on the environment via emissions that contribute to climate change.	

Supporting documentation

[31 ACCORD Wellsville Public Safety Services - Wellsville Fire Department.pdf](#)

- [30 ACCORD Wellsville Solid Waste Disposal - Dumpster Letter.pdf](#)
- [29 ACCORD Wellsville Public Safety Services - Wellsville Volunteer Ambulance Corps.pdf](#)
- [28 ACCORD Wellsville Public Safety Services - Jones Memorial Hospital LOS.pdf](#)
- [27 ACCORD Wellsville Educational Facilities - School District Letter.pdf](#)

Additional Studies Performed:

Phase I ESA, HUD Noise Assessment, Thermal Explosive Hazards Report, Habitat Assessment,

Field Inspection [Optional]: Date and completed

by:

Annik Smith

5/9/2024 12:00:00 AM

[ACCORD Wellsville Phase I ESA PHOTOS.pdf](#)

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

NYSDEC EAF Mapping Tool, NYSDEC Environmental Resource Mapper, NYSPRHP Cultural Resource Mapper, FEMA FIRM, NYSDOS Coastal Boundary Mapper, USFWS Information for Planning and Consultation Tool, USFWS National Wetland Mapper, USEPA Sole Source Aquifer Mapper, NYSDOT Traffic Data Viewer, USDOT FRA Safety Map

List of Permits Obtained:

NA

Public Outreach [24 CFR 58.43]:

Publishing of combined FONSI and NOIRROF SEQR Negative Declaration

- [ACCORD Wellsville FONSI NOIRROF 106 HOME ARP.pdf](#)
- [ACCORD Wellsville NOTICE DISTRIBUTION LIST ALL.doc](#)

Cumulative Impact Analysis [24 CFR 58.32]:

The proposed project is the new construction of 6 residential units in the Town of Wellsville. The project is designed to be all electric to lessen the demand on fossil fuels. The project scale being 6 units is not likely to negatively impact the local area or the surrounding areas. Area services are expected to be able to absorb the creation of 6 units. The project meets several goals of the Wellsville Comprehensive Plan including affordable housing and lead hazard reduction,

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

The only alternative would be the no action alternative, in which the Town of Wellsville would lose out on the chance to produce much needed, safe, quality, affordable housing.

No Action Alternative [24 CFR 58.40(e)]

The no action alternative would result in the Town of Wellsville losing out on the chance to produce much needed, safe, quality, affordable housing. Without the proposed project it is likely the parcel would remain a wooded lot for the time being or the parcel could potentially be developed as market rate housing.

Summary of Findings and Conclusions:

The project consists of new construction of 6 units in an area that is in need of quality, affordable, and safe housing. The project will update the existing units and create 6 new units that will provide quality, affordable housing. The scope of work will provide energy efficient units that will reduce the impact of emission and climate change.

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

Summarized below are 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 or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Contamination and Toxic Substances	Allegany County average radon data over 10 years indicate high radon levels. a radon system will be required to be installed during construction. Radon sampling will be required pre-occupancy.	N/A	A radon system is going to be incorporated into the building design. Radon testing will be completed prior to occupancy.	

Project Mitigation Plan

A radon system is going to be incorporated into the building design. Radon testing will be completed prior to occupancy. Radon results will be required to be submitted to HCR prior to occupancy.

[9 ACCORD Wellsville Engineer Radon Letter\(1\).pdf](#)

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

General policy	Legislation	Regulation
It is HUD’s policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site’s proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[ACCORD Wellsville Airport Distance Map.PNG](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Compliance Determination

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[4 ACCORD Wellsville CBRS.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

No. This project does not require flood insurance or is excepted from flood insurance.

Yes

2. Upload a FEMA/FIRM map showing the site here:

[5 ACCORD Wellsville FIRM Panel 3600360001B July 17 1978.pdf](#)

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). 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. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

No

Based on the response, the review is in compliance with this section.

Yes

4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?

Yes

✓ No

Screen Summary

Compliance Determination

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

Yes

No

Air Quality Attainment Status of Project’s County or Air Quality Management District

2. Is your project’s air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

No, project’s county or air quality management district is in attainment status for all criteria pollutants.

Yes, project’s management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

Screen Summary

Compliance Determination

The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.

Supporting documentation

[6 ACCORD Wellsville USEPA Greenbook NOT LISTED.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

Yes

No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

[7 ACCORD Wellsville Coastal Zone.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Contamination and Toxic Substances

General Requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)
Reference		
https://www.onecpd.info/environmental-review/site-contamination		

1. How was site contamination evaluated?* Select all that apply.

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

None of the above

* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site.

For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD’s toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

2. Were any on-site or nearby toxic, hazardous, or radioactive substances* (excluding radon) found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)

Provide a map or other documentation of absence or presence of contamination** and explain evaluation of site contamination in the Screen Summary at the bottom of this screen.

✓ No

Explain:

Phase I ESA did not identify any VEC or REC. Phase I ESA dated June 7, 2024, performed by LaBella

Yes

* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.

** Utilize EPA’s Enviromapper, NEPAssist, or state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

3. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions* from having to consider radon in the contamination analysis listed in CPD Notice [CPD-23-103](#)?

Yes

Explain:

✓ No

* Notes:

- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.
- Buildings tested within five years of the submission of application for HUD assistance: test results document indoor radon levels are below current the EPA’s recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

4. Is the proposed project new construction or substantial rehabilitation where testing will be conducted but cannot yet occur because building construction has not been completed?

✓ Yes

Compliance with this section is conditioned on post-construction testing being conducted, followed by mitigation, if needed. Radon test results, along with any needed mitigation plan, must be uploaded to the mitigation section within this screen.

No

8. Mitigation

Document the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental impacts cannot be mitigated, then HUD assistance may not be used for the project at this site.

For instances where radon mitigation is required (i.e. where test results demonstrated radon levels at 4.0 pCi/L and above), then you must include a radon mitigation plan*.

Can all adverse environmental impacts be mitigated?

No, all adverse environmental impacts cannot feasibly be mitigated.
Project cannot proceed at this location.

✓ Yes, all adverse environmental impacts can be eliminated through mitigation, and/or consideration of radon and radon mitigation, if needed, will occur following construction.
Provide all mitigation requirements** and documents in the Screen Summary at the bottom of this screen.

* Refer to CPD Notice [CPD-23-103](#) for additional information on radon mitigation plans.

** Mitigation requirements include all clean-up requirements required by applicable federal, state, tribal, or local law. Additionally, please upload, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

9. Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls*, or use of institutional controls.**

Allegany County average radon data over 10 years indicate high radon levels. a radon system will be required to be installed during construction. Radon sampling will be required pre-occupancy.

If a remediation plan or clean-up program was necessary, which standard does it follow?

Complete removal

Risk-based corrective action (RBCA)

Other

* Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, caps, covers, dikes, trenches, leachate collection systems, radon mitigation systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, slurry walls and ground water pumping systems.

** Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Vapor Encroachment Screening. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. Radon analysis indicated elevated levels of radon or consideration of radon will occur following construction. Adverse radon impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements.

Supporting documentation

[9 ACCORD Wellsville Engineer Radon Letter.pdf](#)

[8 ACCORD Wellsville Phase I ESA.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402

1. Does the project involve any activities that have the potential to affect species or habitats?

No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

- ✓ Yes, the activities involved in the project have the potential to affect species and/or habitats.

2. Are federally listed species or designated critical habitats present in the action area?

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

- ✓ Yes, there are federally listed species or designated critical habitats present in the action area.

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

- ✓ No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat. in the action area.

Document and upload all documents used to make your determination below. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate

May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

6. 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. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.

Mitigation as follows will be implemented:

- ✓ No mitigation is necessary.

Explain why mitigation will not be made here:

A habitat assessment identified only 3 trees suitable as potential habitat for Northern Long-eared bats. Tree clearing work will coincide with USFWS designated window of Nov 1 through Mar 31.

Screen Summary
Compliance Determination

This project has been determined to have No Effect on listed species. This project is in compliance with the Endangered Species Act without mitigation.

Supporting documentation

[24 ACCORD Wellsville Habitat Assessment Report.pdf](#)

[25 ACCORD Wellsville Confirmation of Compliance with Habitat Recommendations.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

No

Yes

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No

Yes

3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR
- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.

If all containers within the search area fit the above criteria, answer “No.” For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer “Yes.”

No

Yes

4. Based on the analysis, is the proposed HUD-assisted project located at or beyond the required separation distance from all covered tanks?

Yes

Based on the response, the review is in compliance with this section.

No

Screen Summary

Compliance Determination

There is a current or planned stationary aboveground storage container of concern within 1 mile of the project site. The Separation Distance from the project is acceptable. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

[26 ACCORD Wellsville Thermal Explosive Hazard Report.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

Yes

No

2. Does your project meet one of the following exemptions?

- Construction limited to on-farm structures needed for farm operations.
- Construction limited to new minor secondary (accessory) structures such as a garage or storage shed
- Project on land already in or committed to urban development or used for water storage. (7 CFR 658.2(a))

Yes

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

No

Screen Summary

Compliance Determination

This project includes activities that could potentially convert agricultural land to a non-agricultural use, but an exemption applies. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[11 ACCORD Wellsville Urban Area.pdf](#)

[10 ACCORD Wellsville ALL PRIME FARMLAND.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Floodplain Management

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 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

1. Does this project meet an exemption at 24 CFR 55.12 from compliance with HUD’s floodplain management regulations in Part 55?

Yes

(a) HUD-assisted activities described in 24 CFR 58.34 and 58.35(b).

(b) HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19.

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is place on the property’s continued use for flood control, wetland projection, open space, or park land, but only if:

(1) The property is cleared of all existing buildings and walled structures; and

(2) The property is cleared of related improvements except those which:

(i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);

(ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and

(iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.

(d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance,

or other HUD assistance.

(e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.

(f) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland.

(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

No

2. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.

Yes

Describe:

No

3. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information¹ to determine flood elevation. Include documentation and an explanation of why this is the best available information² for the site. Note that newly constructed and substantially improved³ structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

CISA for non-critical actions. If using a local tool, data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

- ✓ 0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

¹ Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood 'experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

² If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary. Contact your [local environmental officer](#) with additional compliance questions.

³ Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units. The full definition can be found at [24 CFR 55.2\(b\)\(12\)](#).

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

Screen Summary

Compliance Determination

This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690.

Supporting documentation

[12 ACCORD Wellsville FFRMS NO DATA.pdf](#)

[5 ACCORD Wellsville FIRM Panel 3600360001B July 17 1978\(1\).pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 “Protection of Historic Properties” https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Threshold

Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)
 No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation

Select all consulting parties below (check all that apply):

- ✓ State Historic Preservation Offer (SHPO) Completed

- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)
 - ✓ Seneca Nation of Indians Completed
 - ✓ Seneca-Cayuga Nation Response Period Elapsed

✓ Tonawanda Band of Seneca

Response Period Elapsed

Other Consulting Parties

Describe the process of selecting consulting parties and initiating consultation here:

SHPO required per Section 106, Tribes chosen using HUD TDAT

Document and upload all correspondence, notices and notes (including comments and objections received below).

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

Yes
No

Step 2 – Identify and Evaluate Historic Properties

- 1. Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**
the APE is the site itself on Coats Street in the Village of Wellsville.

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
-------------------------------	--------------------------	------------------	-----------------------

Additional Notes:

- 2. Was a survey of historic buildings and/or archeological sites done as part of the project?**

Yes

✓ No

Step 3 –Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as per guidance on direct and indirect effects.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

✓ No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Document reason for finding:

✓ No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

Supporting documentation

- [17 ACCORD Wellsville SHPO 106 No Effect.pdf](#)
- [16 ACCORD Wellsville Seneca Nation of Indians Response.pdf](#)
- [15 Section 106 Consultation Request Tonawanda Band of Seneca.pdf](#)
- [14 Section 106 Consultation Request Seneca Cayuga Nation.pdf](#)
- [13 Section 106 Consultation Request Seneca Nation of Indians.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Noise Abatement and Control

General requirements	Legislation	Regulation
HUD’s noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: “Compatible Land Uses at Federal Airfields”	Title 24 CFR 51 Subpart B

1. What activities does your project involve? Check all that apply:

- New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster
None of the above

4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000’ from a major road, 3000’ from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

There are no noise generators found within the threshold distances above.

- ✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

- ✓ Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here: 58

Based on the response, the review is in compliance with this section. Document and upload noise analysis, including noise level and data used to complete the analysis below.

Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Unacceptable: (Above 75 decibels)

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels.

Check here to affirm that you have considered converting this property to a non-residential use compatible with high noise levels.

Indicate noise level here: 58

Document and upload noise analysis, including noise level and data used to complete the analysis below.

Screen Summary

Compliance Determination

A Noise Assessment was conducted. The noise level was acceptable: 58.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation.

Supporting documentation

[18 ACCORD Wellsville HUD NOISE DNL 58.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Sole Source Aquifers

General requirements	Legislation	Regulation
<p>The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.</p>	<p>Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)</p>	<p>40 CFR Part 149</p>

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

- Yes
- No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

- No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

Screen Summary

Compliance Determination

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

[19 ACCORD Wellsville SSA.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service’s National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building’s footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

No

Yes

2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."

No, a wetland will not be impacted in terms of E.O. 11990’s definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990’s definition of new construction.

**Screen Summary
Compliance Determination**

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.

Supporting documentation

[21 ACCORD Wellsville NYSDEC ERM.pdf](#)

[20 ACCORD Wellsville USFWS NWI.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

1. Is your project within proximity of a NWSRS river?

No

- ✓ Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.
- Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

2. Is your project a Water Resources project?

- ✓ No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary

Compliance Determination

This project is in proximity of a NWSRS river, but it is not a Water Resources project.

The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[22 ACCORD Wellsville WSR NRI Genesee River.pdf](#)

[23 Nationwide Rivers Inventory Consultation Request.pdf](#)

Are formal compliance steps or mitigation required?

Yes

- ✓ No

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project’s total environmental review?

Yes

No

2. Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?

Yes

No

Explain:

Radon was identified as an adverse effect. Radon is a naturally occurring compound found in all areas of NY and the US. As such radon is not a disproportionately adverse effect on low-income or minority communities. The project is incorporating a radon system and will conduct radon sampling when construction is complete but prior to occupancy.

Based on the response, the review is in compliance with this section. Document and upload any supporting documentation below.

**Screen Summary
Compliance Determination**

Adverse environmental impacts are not disproportionately high for low-income and/or minority communities. The project is in compliance with Executive Order 12898.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No



U.S. Department of Housing and Urban
Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name: ACCORD-Wellsville

HEROS Number: 900000010416775

Project Location: Coats Street, Wellsville, NY 14895

Additional Location Information:

Parcel # 225.20-1-60

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

Allegany County Community Opportunities and Rural Development, Inc. (ACCORD) proposes new construction of (3) 1-story and (3) 2-story attached townhouses for families with a total of six (6) residential units, on a 0.45-acre site at Parcel ID: 225.20-1-60 in the Town of Wellsville, Allegany County. The building will be all electric. Public water and sewer are available at the site. Site work will include clearing, grading and excavation, construction of driveways, parking areas and sidewalks, finish grading and landscaping.

Funding Information

Grant Number	HUD Program	Program Name	
HOME ARP	Community Planning and Development (CPD)	HOME American Rescue Plan (HOME-ARP)	\$2,748,557.00

Estimated Total HUD Funded Amount: \$2,748,557.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$2,856,791.00

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

Summarized below are 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 or Condition
Contamination and Toxic Substances	Allegany County average radon data over 10 years indicate high radon levels. a radon system will be required to be installed during construction. Radon sampling will be required pre-occupancy.
Permits, reviews, and approvals	NA

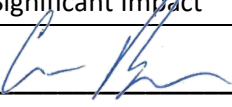
Project Mitigation Plan

A radon system is going to be incorporated into the building design. Radon testing will be completed prior to occupancy. Radon results will be required to be submitted to HCR prior to occupancy.

[9 ACCORD Wellsville Engineer Radon Letter\(1\).pdf](#)

Determination:

<input checked="" type="checkbox"/>	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
<input type="checkbox"/>	Finding of Significant Impact

Preparer Signature:  _____ **Date:** October 7, 2024

Name/Title/Organization: Carlos Barbosa/Environmental Analyst/NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL

Certifying Officer Signature:  _____ **Date:** October 7, 2024

Name/ Title: Carlos Barbosa/Environmental Analyst

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

ACCORD-Wellsville

**Parcel ID: 225.20-1-60 Coats Street, Village of
Wellsville, Allegany County**

NEPA Environmental Review Record

**Appendices and Supporting Documents are available
by emailing environmental.comments@hcr.ny.gov**