

David A. Paterson
Governor



Deborah VanAmerongen
Chairperson

New York State Division of Housing and Community Renewal

Hampton Plaza
38-40 State Street
Albany, NY 12207

December 11, 2009

SENT VIA ELECTRONIC AND U.S. MAIL

Mr. Nick Bouquet, Development Associate
Evergreen Partners LLC
707 Sable Oaks Dr.
South Portland, ME 04106

Re: SHARS Number: 20096054
Hudson Terrace
Evergreen Partners, LLC
City of Hudson, Columbia County

Dear Mr. Bouquet:

On April 9 and 12, 2009, the New York State Division of Housing and Community Renewal (DHCR), published a "Combined Notice of Finding of No Significant Impact and Intent to Request Release of Funds". DHCR is the designated tax credit agency for the disbursement of funds in connection with the federal Tax Credit Assistance Program authorized under the "American Recovery and Reinvestment Act". DHCR prepared the combined FONSI after compiling its "TCAP Programmatic Environmental Review Record" dated April 9, 2009. On June 17, 2009, DHCR received a notice of Authority to Use Grant Funds, which certifies that the requirements under 24 CFR Part 58 of HUD environmental review regulations had been satisfied.

DHCR has determined that the Environmental Review Record, dated December 11, 2009, for the above referenced project complies with the requirements of 24 CFR Part 58 of HUD Environmental Review regulations. This letter constitutes clearance of the environmental review of this project and removal of the limitation on commitment of HUD TCAP assistance per [24 CFR 58.22(b)].

DHCR, in compliance the New York State Environmental Quality Review Act (SEQRA), accepts the Type II determination of The New York State Housing Trust Fund Corporation (HTFC), dated December 11, 2009.

If you have any questions or concerns regarding this environmental clearance letter, please contact me at (518) 402-3392 or bwigzell@nysdhcr.gov.

Sincerely,

Barbara H. Wigzell, R.A.
Certifying Officer
SEQR Officer

Cc: Cathy Frangella, TCAP Program Manager
Christine Newell, HTFC Project Manager
Wayne Petterson, DHCR Program Management

Environmental Assessment
Site Specific Review

Responsible Entity: NYS Division of Housing and Community Renewal (DHCR)

Certifying Officer: Barbara H. Wigzell, RA, DHCR

Program Name: The Tax Credit Assistance Program (TCAP)
American Recovery and Reinvestment Act (ARRA) of 2009

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

Project #: 20096054

Project Sponsor: **Evergreen Partners, LLC**

Project Name: **Hudson Terrace**

Project Site Address: 15 North Front Street
City of Hudson

Project County: Columbia County

Estimated project costs: \$17,946,329

Total TCAP Award: \$ 2,250,000

Project Sponsor Address: Evergreen Partners LLC
707 Sable Oaks Dr.
South Portland, ME 04106

Primary Contact's Name: Mr. Nick Bouquet

E-Mail address: nbouquet@evergreenpartnershousing.com

Telephone Number: 207-774-6989

Program Classification: 58.36 - Environmental Assessment

ENVIRONMENTAL FINDING: [58.40(g)]

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

The undersigned hereby certifies that DHCR has conducted an environmental review of the project identified above and prepared the attached environmental review record in compliance with all applicable provisions of the National Environmental Policy Act of 1969, as amended, (42 USC sec. 4321 et seq.) and its implementing regulations at 24 CFR Part 58.

Preparer Signature:

NAME: Mary Binder
Title/Agency: Environmental Analyst 2

Date: December 11, 2009

Project Name: Hudson Terrace
Project #: 20096054

Environmental Assessment Site Specific Review

Project Description:

Evergreen Partners, LLC. proposes substantial rehabilitation of existing, 3-story buildings (13 buildings total) for families with 167 residential units, on a 5.8 acre site at 15 North Front Street, City of Hudson, Columbia County. The project was constructed in 1973. The property over looks the Hudson River at the top of a bluff. The property is separated into two sections by Promenade Hill Park. Four buildings contain laundry facilities. Interior improvements will be replacement of kitchens, bathrooms, flooring and doors. Each apartment will be painted and wired for smoke detectors. New gas fired heating systems will replace the existing electric heat and provide central air conditioning. Exterior improvements include replacement of roofs, windows and siding. Building insulation will be improved. The renovation will follow the DHCR green building design criteria. Tenants will be relocated in phases during rehabilitation. Minor site disturbance will occur in the form of underground installation of downspout extensions, regrading at base of buildings to provide positive drainage, sidewalk replacement and parking lot repair. Public water and sewer are available at the site.

Summary of Findings and Conclusions

Alternatives and Project Modifications Considered [24 CFR 58.40(e), Ref. 40 CFR 1508.9]

No Action: If no action were taken, the existing buildings would remain in need of rehabilitation and the benefits to low and moderate income households who need safe and decent affordable housing, would be lost. Through inaction, New York State will lose an opportunity to preserve an affordable housing project and provide construction and related jobs in a time of economic uncertainty.

Action: Refer to project description above.

The rehabilitation of this project will not cause any significant, adverse environmental impacts.

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

NOISE ABATEMENT AND CONTROL

The proposed rehabilitation is considered substantial since the construction costs are greater than 50% of the current market value of the property. The building 9, which is closest to the noise source (Amtrak railroad) has a DNL of 74 dB, which is normally unacceptable. A letter from Acentech dated December 1, 2009 documents that the building materials selected for the rehabilitation will maintain the interior noise level at 45 dB within building 9. Central air conditioning will allow tenants to keep windows closed thereby maintaining the acceptable interior noise level. It is logically assumed that the remainder of the buildings farther away from the tracks will also benefit from the sound reduction. No mitigation is required.

Environmental Assessment

Site Specific Review

Page 2 of 2

TOXIC OR HAZARDOUS SUBSTANCES

A Limited Asbestos Containing Materials (ACM) survey was performed by Envoy Environmental on January 9, 2009. The survey company was not provided a complete scope of work, however the survey confirmed ACM located in the following areas: gray floor tile and associated mastic, white wall spackle and brown carpet mastic. Spectrum Environmental Associates, conducted another survey on November 30, 2009 and provided sampling in all areas where disturbance will occur, given the scope of work for the project. This report concluded ACM was present in the following areas: the undercoating of all kitchen sinks in building 4, the joint compound on the sheetrock in all units of building 7. The Spectrum report relies on the Envoy report assuming ACM to be located in all buildings in the areas listed above. An ACM removal and disposal plan for all areas where ACM is present in the areas to be rehabilitated must be found acceptable by HTFC prior to any site disturbance. The plan must conform to NYS Department of Labor regulations at 12 NYCRR Part 56, as amended January 11, 2006. If any ACM is to be encapsulated and left in place, an acceptable Operations and Maintenance Plan must be submitted prior to moving tenants back into the newly rehabilitated building.

The project site is located in an area with a high potential for radon levels to exceed the U.S. Environmental Protection Agency action level. Long term radon testing conducted in one unit was 3.7 pCi/L; below the EPA action level. A "passive" soil depressurization system must be incorporated into each building design in accordance with EPA "Model Standards and Techniques for Control of Radon in New Residential Buildings", EPA 402-R-94-009, March 1994. Conduct radon testing when the buildings are complete, prior to occupancy, with test results forwarded to my attention. A third-party air-monitoring contractor must complete the final testing/clearance with certified results by an authorized testing laboratory. The third party must submit a report summarizing the final testing/clearance for the entire project. If radon testing indicates that the radon level (in any buildings) exceeds the EPA action level of 4 pCi/L, an active fan, complete with alarm system, will be installed and re-tested (in the building) prior to occupancy to determine that radon levels are being maintained below recommended limits..

THE FOLLOWING DOCUMENTS ARE AVAILABLE FOR REVIEW BY REQUEST TO THE DHCR CERTIFYING OFFICER at bwigzell@nysdhcr.gov or (518) 402-3392.

List of Additional Studies Performed, Attachments, Sources, Agencies and Persons Consulted [40 CFR 1508.9(b):

EPA Map of Radon Zones for New York State
NYS Office of Parks, Recreation and Historic Preservation
NYS DEC Coastal Erosion Hazard Map
USFWS Coastal Barrier Resources System
Flood Insurance Rate Map Panel Number 360760 0001B dated August 3, 1981
A Phase I Environmental Site Assessment prepared by Jacques Whitford, December 28, 2009
Lead-Based Paint (LBP) free housing certificate issued by Law Engineering on May 14, 2001.
Radon testing by Stantec dated May 27, 2009
Limited ACM survey prepared by Envoy Environmental, Inc on January 9, 2009
ACM survey by Spectrum Environmental Associates on November 30, 2009

APPENDIX A
Statutory Checklist

Site Specific
[24CFR §58.5 and 58.6]

Project #: **20096054**
 Project Name: **Hudson Terrace**
 Project Address: 15 North Front Street
 City of Hudson
 Columbia County
 Date: 12 /09/09

For each listed statute, executive order or regulation, record the determinations made. Note reviews, consultations or mitigation measures required:

A - Not Applicable to this project OR **B** - Consultation, Permit and/or Mitigation Required

Then, make a determination of compliance or consistency in the Section provided.

Factors	A	B	Determinations and Compliance Documentation
Historic Preservation [36 CFR 800]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project has been reviewed in accordance with Section 106 of the National Historic Preservation Act of 1966. A letter from the NYS Office of Parks, Recreation and Historic Preservation, dated January 5, 2009 indicates that the proposed construction will have "No Effect" on historic resources. A THPO project review was not required since there is no tribe in Columbia County.
Floodplain Management [24 CFR 55, Executive Order 11988]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project site is not in a Special Flood Hazard Area, according to the FIRM Map Panel Number 361512 0001C dated September 29, 1989.
Wetlands Protection [Executive Order 11990]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site disturbance proposed for the project is regrading around building foundations to provide for positive drainage, installation of subsurface roof drains, sidewalk replacements and parting lot repairs, all of which were prior disturbed. There are no concerns for wetlands on the site.
Coastal Zone Management Act [Sections 307(c),(d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	According to the New York State Coastal Atlas, the site is not located in a coastal zone.
Sole Source Aquifers [40 CFR 149]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The site is not located in a SSA Area.
Endangered Species Act [50 CFR 402]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site disturbance proposed for the project is regrading around building foundations to provide for positive drainage, installation of subsurface roof drains, sidewalk replacements and parting lot repairs, all of which were prior disturbed. There are no concerns for wetlands on the site. There are no concerns for endangered species on the site.
Wild and Scenic Rivers Act [Sections 7 (b), (c)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project is not located near a WSRR.
Air Quality [Clean Air Act, Sections 176 (c) and (d), and 40 CFR 6, 51, 93]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project is in Columbia County, which is not in a nonattainment area. The proposed project is a residential use and unlikely to significantly impact air quality.
Farmland Protection Policy Act [7 CFR 658]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The site is zoned for the intended use and therefore not subject to the Farmland Protection Policy Act. The project area does not lie in or within 500 feet of a NYS Agricultural District certified pursuant to Agriculture and Markets Law, Article 25-AA, Sections 303 and 304.
Environmental Justice [Executive Order 12898]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project will facilitate the preservation of affordable housing units. It is not located in a predominantly minority and low-income

			neighborhood. Neither the site nor the neighborhood will suffer from disproportionately adverse environmental effects on minority and low-income populations relative to the community-at-large
Noise Abatement and Control [24 CFR 51 B]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposed rehabilitation is considered substantial since the construction costs are greater than 50% of the current market value of the property. The building 9, which is closest to the noise source (Amtrak railroad) has a DNL of 74 dB, which is normally unacceptable. A letter from Acentech dated December 1, 2009 documents that the building materials selected for the rehabilitation will maintain the interior noise level at 45 dB within building 9. Central air conditioning will allow tenants to keep windows closed thereby maintaining the acceptable interior noise level. It is logically assumed that the remainder of the buildings farther away from the tracks will also benefit from the sound reduction. No mitigation is required.
Toxic or Hazardous Substances and Radioactive Materials [HUD Notice 79-33]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>A Phase I Environmental Site Assessment prepared by Jacques Whitford on December 28, 2009 revealed that there are no recognized environmental conditions associated with the site.</p> <p>A Lead-Based Paint (LBP) free housing certificate was issued by Law Engineering for Hudson Terrace on May 14, 2001.</p> <p>A Limited Asbestos Containing Materials (ACM) survey was performed by Envoy Environmental on January 9, 2009. The survey company was not provided a complete scope of work, however the survey confirmed ACM located in the following areas: gray floor tile and associated mastic, white wall spackle and brown carpet mastic. Spectrum Environmental Associates, conducted another survey on November 30, 2009 and provided sampling in all areas where disturbance will occur, given the scope of work for the project. This report concluded ACM was present in the following areas: the undercoating of all kitchen sinks in building 4, the joint compound on the sheetrock in all units of building 7. The Spectrum report relies on the Envoy report assuming ACM to be located in all buildings in the areas listed above. An ACM removal and disposal plan for all areas where ACM is present in the areas to be rehabilitated must be found acceptable by HTFC prior to any site disturbance. The plan must conform to NYS Department of Labor regulations at 12 NYCRR Part 56, as amended January 11, 2006. If any ACM is to be encapsulated and left in place, an acceptable Operations and Maintenance Plan must be submitted prior to moving tenants back into the newly rehabilitated building.</p> <p>The project site is located in an area with a high potential for radon levels to exceed the U.S. Environmental Protection Agency action level. Long term radon testing conducted in one unit was 3.7 pCi/L; below the EPA action level. A "passive" soil depressurization system must be incorporated into each building design in accordance with EPA "Model Standards and Techniques for Control of Radon in New Residential Buildings", EPA 402-R-94-009, March 1994. Conduct radon testing when the buildings are complete, prior to occupancy, with test results forwarded to my attention. A third-party air-monitoring contractor must complete the final testing/clearance with certified results by an authorized testing laboratory. The third party must submit a report summarizing the final testing/clearance for the entire project. If radon testing indicates that the radon level (in any buildings) exceeds the EPA action level of 4 pCi/L, an active fan, complete with alarm system, will be installed and re-tested (in the building) prior to occupancy to determine that radon levels are being maintained below recommended limits.</p>
Siting of HUD-Assisted Projects near Hazardous Operations [24	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The scope of the project is rehabilitation of an existing structure with no increase in the number of units therefore exempting it from Part 51.

CFR 51 C]			
Airport Clear Zones and Accident Potential Zones [24 CFR 51 D]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The site is not located within 2500 feet of any designated commercial service airports or within 15,000 feet of any military airfields.

NOTES:

Mary Binder _____
Preparer

December 11, 2009 _____
Date

APPENDIX B
Environmental Assessment Checklist
Site Specific

SHARS #: **20096054**
 Project Name: **Hudson Terrace**
 Project Address: 15 North Front Street
 City of Hudson
 Columbia County
 Date: December 11, 2009

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

Evaluate the significance of the effects of the proposal on the character, features and resources of the project area.

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

Land Development	Code	Source or Documentation
Conformance with Comprehensive Plans and Zoning	1	The project is a rehabilitation of existing structures and the property does not have any zoning encumbrances.
Compatibility and Urban Impact	2	No effects related to urban design or compatibility are anticipated and this project includes the rehabilitation of an existing building s. The redevelopment of this site could potentially provide an urban design benefit to the surrounding neighborhood.
Slope	1	This previously developed urban site contains relatively flat slopes.
Erosion	1	Compliance with the SPDES General Stormwater Permit for Construction Activities is not required because the project proposes minimal ground disturbance.
Soil Suitability	1	The project proposes minimal ground disturbance, therefore soil types are not a concern.
Hazards and Nuisances including Site Safety	4	A Phase I Environmental Site Assessment prepared by Jacques Whitford on December 28, 2009 revealed that there are no recognized environmental conditions associated with the site. A Lead-Based Paint (LBP) free housing certificate was issued by Law Engineering for Hudson Terrace on May 14, 2001. A Limited Asbestos Containing Materials (ACM) survey was performed by Envoy Environmental on January 9, 2009. The survey company was not provided a complete scope of work, however the survey confirmed ACM located in the following areas:

		<p>gray floor tile and associated mastic, white wall spackle and brown carpet mastic. Spectrum Environmental Associates, conducted another survey on November 30, 2009 and provided sampling in all areas where disturbance will occur, given the scope of work for the project. This report concluded ACM was present in the following areas: the undercoating of all kitchen sinks in building 4, the joint compound on the sheetrock in all units of building 7. The Spectrum report relies on the Envoy report assuming ACM to be located in all buildings in the areas listed above. An ACM removal and disposal plan for all areas where ACM is present in the areas to be rehabilitated must be found acceptable by HTFC prior to any site disturbance. The plan must conform to NYS Department of Labor regulations at 12 NYCRR Part 56, as amended January 11, 2006. If any ACM is to be encapsulated and left in place, an acceptable Operations and Maintenance Plan must be submitted prior to moving tenants back into the newly rehabilitated building.</p> <p>The project site is located in an area with a high potential for radon levels to exceed the U.S. Environmental Protection Agency action level. Long term radon testing conducted in one unit was 3.7 piC/L; below the EPA action level. A "passive" soil depressurization system must be incorporated into each building design in accordance with EPA "Model Standards and Techniques for Control of Radon in New Residential Buildings", EPA 402-R-94-009, March 1994. Conduct radon testing when the buildings are complete, prior to occupancy, with test results forwarded to my attention. A third-party air-monitoring contractor must complete the final testing/clearance with certified results by an authorized testing laboratory. The third party must submit a report summarizing the final testing/clearance for the entire project. If radon testing indicates that the radon level (in any buildings) exceeds the EPA action level of 4 pCi/L, an active fan, complete with alarm system, will be installed and re-tested (in the building) prior to occupancy to determine that radon levels are being maintained below recommended limits.</p>
Energy Consumption	2	The project will replace electric heat with a more energy efficient gas fired system. All windows will be replaced with energy efficient windows and a new roof and siding will be installed.
Neighborhood Impacts		
Noise - Contribution to Community Noise Levels	1	The proposed rehabilitation is considered substantial since the construction costs are greater than 50% of the current market value of the property. The building 9, which is closest to the noise source (Amtrak railroad) has a DNL of 74 dB, which is normally unacceptable. A letter from Acentech dated December 1, 2009 documents that the building materials selected for the rehabilitation will maintain the interior noise level at 45 dB within building 9. Central air conditioning will allow tenants to keep windows closed thereby maintaining the acceptable interior noise level. It is logically assumed that the remainder of the buildings farther away from the tracks will also benefit from the sound reduction. No mitigation is required.

Air Quality - Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	1	The project is in Columbia County, which is not in a nonattainment area. The proposed project is a residential use and unlikely to significantly impact air quality.
Environmental Design Visual Quality - Coherence, Diversity, Compatible Use and Scale	1	No effects related to visual quality or compatibility are anticipated and this project includes the rehabilitation of the existing buildings.
Socioeconomic		
Demographic Character Changes	1	The project will not alter the demographic character of the area and is consistent with zoning. The location is in the center of the population in need of such housing and will make access to services and job opportunities convenient.
Displacement	1	Work will be conducted building by building and tenants will be relocated to another building on-site during rehabilitation.
Employment and Income Patterns	1	The project will not alter the employment and income patterns in the area. The location is in the center of the population in need of such housing and will make access to services and job opportunities convenient.
Community Facilities and Services		
Educational Facilities	1	The project will rehabilitate existing housing and will not place any additional demand on educational facilities.
Commercial Facilities	2	There are adequate facilities and the increased consumers will have a positive benefit for business.
Health Care	2	The project is located in an area where tenants have access to health care.
Social Services	2	The project will not alter the employment and income patterns in the area. The location is in the center of the population in need of such housing and will make access to services and job opportunities convenient.
Solid Waste	1	There will be no increase in population and the project will not affect disposal facilities.
Waste Water	1	Public sewer is available at the site and is of sufficient capacity to handle the slight increase in discharge.
Storm Water	1	Compliance with the SPDES General Stormwater Permit for Construction Activities is not required because the project proposes minimal ground disturbance.
Water Supply	1	Public water is available at the site and is of sufficient capacity to handle the slight increase in discharge.
Public Safety - Police	1	There will be no increase in population therefore the existing

		capacity is sufficient.
- Fire	1	There will be no increase in population therefore the existing capacity is sufficient.
- Emergency Medical	1	There will be no increase in population therefore the existing capacity is sufficient
- Open Space	1	There will be no increase in population therefore the existing capacity is sufficient
- Recreation	1	There will be no increase in population therefore the existing capacity is sufficient.
- Cultural Facilities	1	There will be no increase in population therefore there will be no increase demand on cultural facilities.
- Transportation	1	The development of the project should have no affect on the adjacent traffic and no off-site traffic mitigation measures will be necessary.
Natural Features		
Water Resources	1	The proposed project will have no effect on water resources, including groundwater and surface water.
Surface Water	1	The project would not affect surface waters.
Unique Natural Features and Agricultural Lands	1	The rehabilitation project will not affect unique natural features or agricultural lands.
Vegetation and Wildlife	1	Site disturbance proposed for the project is regrading around building foundations to provide for positive drainage, installation of subsurface roof drains, sidewalk replacements and parting lot repairs, all of which were prior disturbed. There are no concerns for wetlands on the site. There are no concerns for endangered species on the site. .
Flood Disaster Protection Act [Flood Insurance]	1	The project site is not in a Special Flood Hazard Area, according to the FIRM Map Panel Number 361512 0001C dated September 29, 1989.
Coastal Barrier Resources Act/ Coastal Barrier Improvement Act [§58.6(c)]	1	The site is not located in a Coastal Barrier according to FEMA mapping.
Airport Runway Clear Zone or Clear Zone Disclosure [§58.6(d)]	1	The site is not located within 2500 feet of any designated commercial service airports or within 15,000 feet of any military airfields.

Other Factors		
Other Factors		

Comments:

Mary Binder
Preparer

December 11, 2009
Date

END OF ENVIRONMENTAL ASSESSMENT CHECKLIST