

SUMMER PARK APARTMENTS REHABILITATION

ENVIRONMENTAL REVIEW RECORD

APRIL 2018



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April 4, 2018

Kevin Brown
Loan Administrator
California Housing Finance Agency - Multifamily Programs
P.O. Box 4034, MS 1420
Sacramento, CA 95812-4034

Subject: Categorical Exclusion - Summer Park Apartments in Fresno, CA.


Dear Mr. Brown:

The enclosed Categorical Exclusion Statutory Checklist serves as the National Environmental Policy Act (NEPA) documentation for the above referenced project.

The environmental review procedures for the Department of Housing and Urban Development (HUD) are outlined in 24 CFR Part 58. Section 58.35(a) of Part 58 describes activities that are categorically excluded from NEPA review, provided that they are reviewed for compliance with items on the Statutory Checklist in 24 CFR 58.5.

As indicated on the attached checklists, with implementation of required consultation and mitigation, the proposed action would be consistent with applicable plans and standards listed in Section 58.5. Therefore, the proposed project is exempt from NEPA. Further environmental review is not required. If you have any questions about this determination, please contact me.

Sincerely,
RINCON CONSULTANTS, INC.



Joe Power, AICP CEP
Principal



Determination of Categorical Exclusion (subject to 58.5)

Determination of activities per 24 CFR 58.35(a)
 May be subject to provisions of Sec 58.6, as applicable

Project Name: Summer Park Apartments
Project Description: The proposed activity involves the rehabilitation of an existing multiple family housing complex located at 1275 S. Winery Avenue, Fresno, CA 93727. The property consists of 17 two-story residential buildings, as well as a leasing office and four support buildings. The complex was built in 1977 and contains a total of 248 units as well as a pool, two sports courts, and a barbeque/grill area. There are currently 396 existing on-site parking spaces (304 covered stalls and 92 uncovered spaces). Proposed rehabilitation activities would include:

- Construction of a new community building with a fitness room, computer room, space for after school programs, meeting space and management offices
- New roofing, siding, windows, site lighting, and paint
- New appliances, cabinets, countertops, HVAC systems, water heaters, plumbing features, and lighting in individual units
- Modification of 25 units to be ADA compliant
- New trash enclosures
- New landscaping, curbs, and ramps
- Addition of 17 on-site uncovered parking spaces

The funding source would be U.S. Department of Housing and Urban Development (HUD) YHF-542(c) Housing Finance Agency (HFA) Risk Sharing Program – Federal Financing Bank (FFB) Existing. The total amount of HUD-insured funds would be \$3,026,000.

Address: 1275 S. Winery Avenue, Fresno, CA 93727
Funding Source: 542(c) HFA Risk Sharing
Funding Amount: Total HUD-insured amount: \$3,026,000

I hereby certify that the abovementioned project has been reviewed and determined to be a Categorical Excluded activity (subject to 58.5) per 24 CFR 58.35(a) as follows:

	1. Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets);
	2. Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons;
X	3. Rehabilitation of buildings and improvements when the following conditions are met: <ul style="list-style-type: none"> i. In the case of a building for residential use (with one to four units), the density is not increased beyond four units, the land use is not changed, and the footprint of the building is not increased in a floodplain or in a wetland; or, ii. In the case of multifamily residential buildings: <ul style="list-style-type: none"> A. Unit density is not changed more than 20 percent; B. The project does not involve changes in land use from residential to non-residential; and C. The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation; or, iii. In the case of non-residential structures, including commercial, industrial, and public buildings: <ul style="list-style-type: none"> A. The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; and B. The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.
	4. <ul style="list-style-type: none"> i. An individual action on up to four dwelling units where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between; or, ii. An individual action on a project of five or more housing units developed on scattered sites when the sites are more than



	1. Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets);
	2,000 feet apart and there are not more than four housing units on any one site; or,
	iii. Paragraphs (a)(4)(i) and (ii) of this section do not apply to rehabilitation of a building for residential use (with one to four units) (see paragraph (a)(3)(i) of this section).
	5. Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.
	6. Combinations of the above activities.

The responsible entity must also complete and attach a **Statutory Worksheet**. By signing below the Responsible Entity certifies in writing that each activity or project is Categorically Excluded (subject to 58.5) and meets the conditions specified for such exemption under section 24 CFR 58.35(a). Please keep a copy of this determination in your project files.

_____ Responsible Entity Certifying Official Name & Title (please print)

_____ Responsible Entity Certifying Official Signature

_____ Date

STATUTORY WORKSHEET

(Revised 2011)

Use this worksheet only for projects which are Categorically Excluded per 24 CFR Section 58.35(a)

24 CFR §58.5 STATUTES, EXECUTIVE ORDERS & REGULATIONS

PROJECT NAME and DESCRIPTION –

Summer Park Apartments at 1275 S. Winery Avenue in Fresno, CA

The proposed activity involves the rehabilitation of an existing multiple family housing complex located at 1275 S. Winery Avenue, Fresno, CA 93727. The property consists of 17 two-story residential buildings, as well as a leasing office and four support buildings. The complex was built in 1977 and contains a total of 248 units as well as a pool, two sports courts, and a barbeque/grill area. There are currently 396 existing on-site parking spaces (304 covered stalls and 92 uncovered spaces). Proposed rehabilitation activities would include:

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The funding source would be the U.S. Department of Housing and Urban Development (HUD) YHF-542(c) Housing Finance Agency (HFA) Risk Sharing Program – Federal Financing Bank (FFB) Existing. The total amount of HUD-insured funds would be \$3,026,000.

The project is determined to be categorically excluded according to 24 CFR 58.35(a)(1).

DIRECTIONS - Write “A” in the Status Column when the proposal, by its scope and nature, requires no mitigation or formal consultation in order to be in compliance with the related laws and regulations; OR write “B” if the project triggers formal compliance consultation procedures with the oversight agency, or requires mitigation. Regardless of whether “A” or “B” is noted, the compliance determination must be recorded and credible, traceable and supportive source documentation must be supplied.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR§58.5	Status A/B	Compliance Documentation
Historic Preservation (36 CFR Part 800)	A	<p>The project involves the rehabilitation of an existing multiple family housing complex built in 1977. The complex is less than 50 years old and lacks architectural or other features that make it “exceptional.” Consequently, the property is not a historic resource pursuant to Section 106 of the National Historic Preservation Act.</p> <p>Archaeological resources would not be encountered because the site has previously been disturbed and the proposed rehabilitation activities would not involve grading or excavation. Ground disturbance would be limited to asphalt and concrete repairs landscaping, and accessibility improvements, including ramps and additional parking spaces.</p>
Floodplain Management (24 CFR 55, Executive Order 11988)	A	The project site is in Flood Zone X (unshaded), an area outside of both the 100-year and 500-year floodplains (FEMA Flood Map Service Center, 2018, accessed 3/26/18). The project site is not located in a Special Flood Hazard zone; therefore, the proposed rehabilitation project would not affect floodplain management.
Wetland Protection 42 FR 26951	A	The project site is in a developed area that lacks native biological habitats. No wetlands are located on-site or in the site vicinity (U.S. Fish and Wildlife Service National Wetlands Inventory, 2018, http://www.fws.gov/wetlands/Data/Mapper.html , accessed 3/26/18).
Coastal Zone Management Act (Sections 306(c)(d))	A	The project site is located over 100 miles east from the Pacific Ocean. The project site is not located in a coastal zone and the proposed rehabilitation activities would not affect coastal zone management.
Sole Source Aquifers (40 CFR 149)	A	The project site is located in the Fresno County Aquifer - Sole Source Aquifer (SSA) (Designated Sole Source Aquifers in EPA Region 9, U.S. EPA Website, https://www.epa.gov/dwssa , accessed 3/26/18). As an acquisition and rehabilitation project, the project would not increase the existing size and capacity of the existing multi-family residential complex and would therefore not affect the quality of the Fresno County SSA. As such, the proposed rehabilitation activities would not conflict with applicable local and state groundwater regulations.
Endangered Species Act (50 CFR 402)	A	The proposed activity involves rehabilitation of an existing apartment complex in an urbanized area that lacks native biological habitats. The proposed project would not adversely affect threatened or endangered species.
Wild and Scenic Rivers Act (Sections 7(b) and (c))	A	There are no designated wild or scenic rivers in the vicinity of the project site (National Wild and Scenic Rivers System Website, https://www.rivers.gov/california.php , accessed 3/26/18). The proposed rehabilitation activities would not affect any designated wild or scenic rivers.
Clean Air Act (Sections 176(c), (d) and 40 CFR 6, 51, 93)	A	The project site is in a "non-attainment" area for 8-hour ozone and particulate matter (PM _{2.5}) (California Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants, https://www3.epa.gov/airquality/greenbook/anayo_ca.html , February 28, 2018, accessed 3/26/18). However, the proposed rehabilitation of an existing apartment complex would have no long-term effect on local or regional air quality, nor would it hinder attainment of state or federal air quality standards.
Farmland Protection Policy Act (7 CFR 658)	A	The proposed project involves rehabilitation of an existing multiple family housing complex in a developed, urbanized area in the City of Fresno. The project would not affect farmland and would not conflict with the Farmland Protection Policy Act.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR§58.5	Status A/B	Compliance Documentation
Environmental Justice (Executive Order 12898)	A	The proposed project involves rehabilitation of an existing multiple family housing complex in a developed area in the City of Fresno. The proposed project would improve the physical conditions of rental housing for low-income families. The proposed project would not expose minority or low-income populations to environmental hazards and would include improvements related to ADA compliance, such as access ramps.
HUD ENVIRONMENTAL STANDARDS Noise Abatement and Control (24 CFR 51B)	A	The proposed rehabilitation activities would create construction noise; however, construction noise would be temporary and would not affect long-term noise levels. The proposed rehabilitation activities would have no long-term impact to ambient noise levels and would not expose sensitive receivers to excessive noise. The proposed rehabilitation activities would not increase the number of residents exposed to existing noise conditions since there would be no change in land use or the number of residential units (248 units).
Explosive and Flammable Operations (24 CFR 51C)	A	No flammable materials storage or aboveground storage tanks are located in the project site vicinity. The nearest underground storage tank (UST) is over 1,000 feet west of the project site at the Chevron Gas Station on the corner of East Butler Avenue and South Chestnut Avenue and was classified as case closed in 1992 (State Water Resources Control Board, Geotracker Database - http://geotracker.waterboards.ca.gov/ , accessed 3/26/18). Sites that are “closed” indicate that all appropriate corrective action requirements have occurred. These properties can then be released for reuse with restrictions to prevent inappropriate land uses. While the project would involve the use of potentially flammable paint and sealants during construction, these substances would be used during the rehabilitation activities and would not be stored on-site in substantial quantities following the rehabilitation activities. Therefore, the proposed rehabilitation activities would not expose residents to explosive or flammable operations.
Hazardous, Toxic or Radioactive Materials & Substances [24 CFR 58.5(i)(2)]	B	The proposed activity would involve rehabilitation of an existing multiple family residential complex in a developed area of the City of Fresno. Rehabilitation would not involve the release of or exposure to toxic chemicals or radioactive materials. While paint and sealants that would be used during the rehabilitation activities may be classified as hazardous or toxic materials, those substances would be handled, transported, and disposed of in accordance with OSHA regulations and would not be stored on-site in substantial quantities following completion of the rehabilitation activities. The apartment complex was built in 1977 and contains traces of Asbestos Containing Materials (ACMs). An asbestos survey conducted in August of 2016 identified asbestos in heat shields, sheet flooring and mastic, floor tile mastic, and roof mastic. The asbestos survey reported approximately 7,190 square feet of materials containing at least trace amounts of asbestos (Krazan and Associates, Asbestos Survey, August 2016). The proposed rehabilitation activities would remove all identified ACMs from the project site. The applicant or construction contractor must follow the notification requirements and procedures for asbestos emission control detailed in 40 CFR Section 61.145. The project site does not contain any lead-based paint (Krazan and Associates, Lead-based Paint Survey, August 2016).

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR§58.5	Status A/B	Compliance Documentation
Airport Clear Zones and Accident Potential Zones (24 CFR 51D)	A	The airport nearest to the project site is the Fresno Yosemite International Airport, which is located over two miles to the north. The project site is not located in any safety compatibility zones (includes runway protection zone), and is not located inside the Airport Influence Area (Fresno Yosemite International Airport Land Use Compatibility Plan, November 2018, https://www.fresno.gov/darm/wp-content/uploads/sites/10/2016/11/Fresno-Yosemite-International-Airport-Land-Use-Compatibility-Plan.pdf , accessed 3/26/18).

DETERMINATION:

- () This project converts to EXEMPT, per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license (Status "A" has been determined in the status column for all authorities); Funds may be committed and drawn down for this (now) EXEMPT project; OR
- (X) This project cannot convert to Exempt status because one or more statutes or authorities require formal consultation or mitigation. Complete consultation/mitigation protocol requirements, publish NOI/RROF and obtain Authority to Use Grant Funds (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down funds; OR
- () The unusual circumstances of this project may result in a significant environmental impact. This project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

PREPARER SIGNATURE:  DATE: April 4, 2018

PREPARER NAME: Joe Power, AICP CEP, Principal, Rincon Consultants, Inc.

RESPONSIBLE ENTITY OFFICIAL/SIGNATURE: 

NAME, TITLE: Tia Boatman Patterson, Executive Director DATE: 4/5/2018