



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

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

Project Information

Project Name: Riverwatch II Project Based Vouchers

Responsible Entity: Howard County, Maryland

Grant Recipient (if different than Responsible Entity): Howard County Housing Commission

State/Local Identifier: 52-6000965

Preparer: Elizabeth Meadows, Chief of Community Planning and Grants

Certifying Officer Name and Title: Calvin B. Ball, County Executive

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable): **Phase I prepared by: GEO-TECHNOLOGY ASSOCIATES, INC.**

Geotechnical and Environmental Consultants

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GTA Project No: 190018

Direct Comments to: Elizabeth Meadow, Chief of Community Planning and Grants
Howard County Department of Housing and Community Development

Project Location: Riverwatch II Multifamily Construction / PBV Project
5635 Furnace Avenue, Elkridge, MD 21075

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

The subject property consists of approximately 3.11 acres located adjacently northeast of Furnace Avenue and approximately 800 feet south of Interstate 895 in the Elkridge area of Howard County, Maryland. The subject property currently consists of a warehouse style structure used as an athletic facility (the “Volleyball House”), parking lots, and vegetated areas.

According to the records of the Maryland Department of Assessments and Taxation (MDAT), the subject property comprises two parcels on Tax Map 38, Parcel 782.

The MDAT property information is summarized in the following table:

Property Summary Information			
Owner	Address	Year Structure Built	Land Area (Acres)
VBH LLC	5635 Furnace Ave.	1920	0.96
VBH LLC	5659 Furnace Ave.	No structure	2.15
Total Acreage			3.11

The prior owners of these parcels include Arthur W. Gessert, Sr. and Reme Hirschman. The MDAT records indicate that the land use for these parcels is commercial.

GTA was provided with AutoCAD engineering plans and proposed development plans for the subject property, prepared by Robert H. Vogel Engineering, Inc. These plans indicate that the subject property encompasses approximately 3.1 acres of land, with one structure on the central portion of the site, corresponding to the current site Volleyball House building. No other structures are depicted on the subject property. Parking areas surround the building, and the Patapsco River is located adjacently northeast of the subject property.

The site is planned to be redeveloped with a 58-unit townhouse apartment community, occupying essentially the same footprint as the existing improvements.

The federal funding in this project will be Project-Based Vouchers (PBVs). Since 2016, six Baltimore-area public housing agencies, or PHA’s, have been working with the Baltimore Metropolitan Council and Baltimore Regional Housing Partnership (BRHP) to pilot a new regional PBV program. A seed grant from the U.S. Department of Housing and Urban Development to the Howard County Housing Commission has made this new initiative possible.

Project-Based Vouchers (PBVs) are vouchers awarded to a property owner or developer rather than to a tenant. The voucher stays with the unit as each tenant moves in and out. Tenants for the PBV units in this program will come from a regional waiting list that BRHP will administer.

The Baltimore Regional PBV program has combined 100 housing vouchers from participating area housing agencies to create project-based vouchers to encourage affordable housing development in areas of opportunity in the Baltimore region. So far the program has awarded 70 vouchers. This project will use 15 vouchers awarded in 2017.

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

The intent of the Baltimore Regional Project Voucher Program is to support the development of new Multifamily projects in Opportunity Areas through DHCD financing programs.

The Baltimore Housing Mobility Program, operated by the Baltimore Regional Housing Partnership (BRHP,) combines federal housing vouchers with mobility counseling to assist families from Baltimore City who are interested in moving to communities of opportunity throughout Central Maryland make a successful move. BRHP assists qualified families move from areas of concentrated poverty and obtain high quality and affordable housing in communities with strong schools, low crime, and ample job opportunities and to overcome barriers that have traditionally excluded voucher families from these neighborhoods.

BRHP's housing vouchers can be used regionally - in high opportunity areas in Anne Arundel, Baltimore, Carroll, Harford, and Howard Counties, in addition to Baltimore City. These Opportunity Areas are built upon and expand the number of DHCD defined opportunity areas and meet the DHCD criteria for "Communities of Opportunity" in the Multifamily Rental Program Financing Guide. Any family project developed in one of the Opportunity Areas will qualify for State designated 30% Basis Boost for Low Income Housing Tax Credits (LIHTC) and Rental Housing Funds.

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

The property is located in an area of mixed residential and commercial uses. Based on data provided by NEPAassist, the subject property is located within an area that contains an estimated 28% minority population. In addition, less than 50% of the surrounding population is considered to be low income. As a result, the project has been determined not to have adverse environmental impacts on low-income and/or minority communities.

Funding Information

Grant Number	HUD Program	Funding Amount
	Housing Choice Voucher	

Estimated Total HUD Funded Amount: \$

\$5,542,800.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:

\$20,911,919.00

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

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	A preliminary screening was done and the project property is 4 miles from BWI. The property is not within 2500 feet of a civilian airport or 25,000 feet of a military airport.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Project is not in the CBRS Unit: FEMA Coastal Barrier Resource System: Maryland
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to the FEMA Flood Insurance Rate Map (FIRM) #24027C-0180D, dated November 6, 2013, the northeastern portion of the site is located within the 100-year floodplain (Zone AE). According to the National Flood Insurance Program (NFIP) Community Status Book, Howard County is participating in the NFIP. Only a stormwater outfall will affect the floodplain. With no structures in a Special Flood Hazard Area, no mitigation is necessary.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project will not exceed de minimis or threshold emissions levels or screening levels. This project is in compliance

<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Per the U.S. Fish and Wildlife Service Coastal Barrier Resources System Mapper, this project is not located in a CBRS mapping unit.</p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>A recent Phase I ESA prepared by GTA identified the following RECs:</p> <ul style="list-style-type: none"> • The historical industrial and dry cleaning use of the subject property have resulted in soil, groundwater, and soil vapor impacts. • A reported dry cleaning facility is located adjacently northwest of the subject property. Soil vapor impacts were identified in a sample collected in the vicinity of this adjacent property. <p>Based on the environmental impacts, the subject property was submitted for participation in the MDE CHS Enforcement Program, as a mechanism for environmental regulatory review, oversight, and eventual closure. Subsequently, GTA prepared an EMP, which was approved on June 12, 2019 by the MDE CHS. The EMP is planned to be implemented during construction, and a No Further Action Letter will then be requested from MDE.</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to the by U.S. Fish and Wildlife Service (USFWS), there are no federally-listed threatened or endangered species in the project area. Additionally, according to the USFWS, the project is not located within a designated critical habitat area.</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>An approximately 275-gallon residential heating oil above-ground storage tank (AST) is located adjacent to a residence located about 85 feet to the southwest of the subject property. Due to the relatively small capacity of this AST, the contents being used to heat a single-family residence, and the position of the residence blocking the majority of the AST exposure, this AST is not considered to represent an explosive or flammable threat to the subject property, and ASD calculations are not considered to be necessary.</p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project does not contain agricultural land. The project currently contains a warehouse style structure used as an athletic facility. Furthermore, the site is currently zoned industrial (CAC-CLI).</p>

1504(b) and 1541; 7 CFR Part 658		
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	According to the FEMA Flood Insurance Rate Map (FIRM) #24027C-0180D, dated November 6, 2013, the northeastern portion of the site is located within the 100-year floodplain (Zone AE). The proposed project is currently expected to disturb approximately 1,010 square feet of the floodplain. As a result, the 8-step process was required and has been completed, concluding that the project's impacts are acceptable.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	A response from the Maryland Historical Trust (MHT), dated November 9, 2018, indicated that the project will have no adverse effect on historic properties.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	A railroad (CSX), two major roads (Washington Boulevard and Interstate 895), and the Baltimore/Washington International (BWI) Thurgood Marshall Airport are located within the threshold distances. Road traffic data was obtained from the Maryland State Highway Administration GIS Traffic Count Data. BWI noise data was obtained from a copy of Forecast Condition (2019) Noise Exposure Map, provided by the BWI airport. The noise exposure map indicates that the site is unaffected by airport activity. Data for the CSX railroad in this calculation is based on data previously obtained by GTA for different CSX railroads, which operate similarly. The Noise Assessment Location (NAL) for residential was the proposed northwestern residential unit. The NAL for outdoor recreational was the proposed playground. Based on the data obtained by GTA, the noise levels are below 65 dBA for both residential and recreational areas; therefore, no mitigation is required.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Per the EPA's NEPAAssist tool, the proposed project is not located on a sole source aquifer. Furthermore, according to NEPAAssist, the closest sole source aquifer is located approximately 21 miles west of the project.
Wetlands Protection	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Per the <i>Plan of Environmental Disturbance</i> , prepared by Robert H. Vogel Engineering, Inc, and dated March 4, 2019, the proposed

<p>Executive Order 11990, particularly sections 2 and 5</p>		<p>development will create approximately 707 square-feet of disturbance to the wetland buffer on the northwestern portion of the subject property.</p> <p>Following a field review with the Maryland Department of the Environment (MDE) on April 24, 2019, the MDE has indicated that they will not take jurisdiction over the wetlands that were previously delineated on the floodplain terrace. Therefore, the wetland portion of this 8-step process is no longer necessary.</p>
<p>Wild and Scenic Rivers</p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to the National Wild and Scenic Rivers System, there are no designated wild and scenic rivers in the state of Maryland.</p> <p>The Nationwide Rivers Inventory (NRI) lists the Patapsco River, between its confluence with South Branch Patapsco River to above Daniels, as potentially qualifying as a national wild, scenic, or recreational river area. The project is located approximately nine miles away from the listed segment of the Patapsco River.</p>
<p>ENVIRONMENTAL JUSTICE</p>		
<p>Environmental Justice</p> <p>Executive Order 12898</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>A 100-year floodplain will receive approximately 1,010 square feet of disturbance, and a wetland buffer will receive 707 square feet of disturbance. The disturbances to the floodplain and the wetland buffer will not affect any of the neighboring properties or community. The 8-Step Process has been completed to address the floodplain impacts.</p> <p>Based on data provided by NEPAassist, the subject property is located within an area that contains an estimated 28% minority population. In addition, less than 50% of the surrounding population is considered to be low income. As a result, the project has been determined not to have adverse environmental impacts on low-income and/or minority communities.</p>

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in

proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list 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
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The subject property is currently zoned CAC-CLI. The proposed development is compliant with this zoning and is compatible with the land use in the vicinity.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	Please refer to the Geotechnical Engineering Study by Hillis-Carnes Engineering Associates, dated June 5, 2017. Applicable sediment control, stormwater, and best management practices will be adhered to during construction.
Hazards and Nuisances including Site Safety and Noise	2	No hazards or nuisances were observed during the site reconnaissance. The proposed development is not expected to increase day-to-day noise levels within the community after completion, and applicable health and safety standard practices will be implemented during the construction process.
Energy Consumption	2	Municipal utilities are already available to the subject property, and it is not expected to require additional public infrastructure.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	The proposed development is anticipated to provide additional employment opportunities in the area. The proposed development is not expected to impact employment and income patterns.

Demographic Character Changes, Displacement	2	The subject property is located in an area with residential development. No demographic character changes or displacement are expected from the proposed development.
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Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	The subject property is located in an area with sufficient educational and cultural services. The proposed development is not expected to impact those facilities.
Commercial Facilities	1	The proposed residential development is likely to stimulate commercial facilities in the vicinity.
Health Care and Social Services	2	The subject property is located in an area with sufficient health care and social services. The proposed development is not expected to impact those services.
Solid Waste Disposal / Recycling	2	The maximum number of potential residents is unlikely to impact waste disposal services.
Waste Water / Sanitary Sewers	2	Municipal utilities are already available to the subject property, and the existing system is expected to provide adequate capacity. All appropriate permits and approval will be obtained during the development process.
Water Supply	2	Municipal utilities are already available to the subject property, and the existing system is expected to provide adequate capacity. All appropriate permits and approval will be obtained during the development process.
Public Safety - Police, Fire and Emergency Medical	2	The subject property is located in an area with sufficient police, fire, and emergency medical services. The proposed development is not expected to impact those services.
Parks, Open Space and Recreation	2	The subject property is located in an area with sufficient parks, open space, and recreational spaces. The proposed development is not expected to impact those areas.
Transportation and Accessibility	2	Access to public transportation and major roadways are available in the vicinity of the subject property.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	3	The proposed development is expected to minimally impact the 100-year floodplain and the wetland buffer along the Patapsco River. The 8-Step Process was used to address the impacts, concluding that the impacts are acceptable.
Vegetation, Wildlife	1	The proposed development will occur on an area that is currently entirely impervious. The proposed development

		will result in a decrease of impervious surface by approximately 25,000 square feet. The northern portion of the subject property is planned to remain mostly wooded.
Other Factors	N/A	No other factors have been identified

Additional Studies Performed:

Field Inspection (Date and completed by):

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

<https://www.hudexchange.info/environmental-review/air-quality>
<http://www.epa.gov/oaqps001/greenbk/>
<https://www.hudexchange.info/environmental-review/airport-hazards>
<https://www.hudexchange.info/environmental-review/coastal-barrier-resources>
<https://www.onecpd.info/environmental-review/coastal-zone-management>
<https://www.hudexchange.info/environmental-review/endangered-species>
<https://www.hudexchange.info/environmental-review/environmental-justice>
<https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities>
<https://www.hudexchange.info/environmental-review/farmlands-protection>
<http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>
<http://offices.sc.egov.usda.gov/locator/app?agency=nrcs>
 FEMA Map Service Center
<https://www.hudexchange.info/environmental-review/floodplain-management>
 Maryland State Clearinghouse
<https://www.hudexchange.info/programs/environmental-review/noise-abatement-andcontrol>
<https://www.hudexchange.info/environmental-review/sole-source-aquifers>
<https://www.hudexchange.info/environmental-review/wetlands-protection>
<https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers>

List of Permits Obtained:

Public Outreach [24 CFR 50.23 & 58.43]:

Cumulative Impact Analysis [24 CFR 58.32]:

The site is planned to be redeveloped with a 58-unit townhouse apartment community, occupying essentially the same footprint as the existing improvements. The Baltimore Regional PBV program has combined 100 housing vouchers from participating area housing agencies to create project-based vouchers to encourage affordable housing development in areas of opportunity in the Baltimore region. This project will use 15 vouchers awarded in 2017.

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

No alternative was sought

No Action Alternative [24 CFR 58.40(e)]:

Foregoing redevelopment of the project site would cause the existing buildings to further deteriorate and detract from the community around it. The buildings and structures have reached their useful life and will continue to degrade the area.

Summary of Findings and Conclusions:

Finding of No Significant Impact on the human environment. This project will not have any adverse effects on the environment, nor will the environment adversely affect the end users of the project.

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

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

The following table summarizes GTA's findings relative to the U.S. Housing and Urban Development (HUD) Environmental Review. Supporting documentation and worksheets are provided in the appendices.

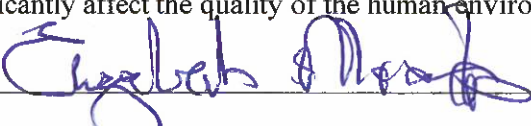
STATUTES, EXECUTIVE ORDER, AND REGULATIONS	ARE FORMAL COMPLIANCE STEPS OR MITIGATION REQUIRED?	COMPLIANCE/MITIGATION STEPS	APPENDIX REFERENCE
Air Quality	No	None	A
Airport Hazards	No	None	B
Coastal Barrier Resources	No	None	C
Coastal Zone Management	No	None	D
Endangered Species	No	None	E
Environmental Justice	No	None	F
Explosives and Flammable Hazards	No	None	G
Farmlands Protection	No	None	H
Flood Insurance	No	None	I

Flood Plain Management	Yes	Floodplain Management Yes Due to the planned construction of a stormwater outfall in the floodplain, the 8-Step Process was required and has been completed, concluding that the project's impacts are acceptable.	J, Q
Historic Preservation	No	None	K
Noise Abatement and Control	No	None	L
Site Contamination	Yes	Review and oversight by the MDE CHS are underway, via an Environmental Management Plan to be implemented during construction. This regulatory process should be completed. A No Further Action Letter should be requested from the MDE following completion.	M
Sole Source Aquifer	No	None	N
Wetlands Protection	No	None	O
Wild and Scenic Rivers	No	None	P

Determination:

Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature:  Date: 7/25/19

Name/Title/Organization: Elizabeth Meadows, Chief of Community Planning and Grants

Certifying Officer Signature:  Date: 8-6-19

Name/Title: Calvin B. Ball, Howard County Executive

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