

Tier 1: Broad Environmental Review Record (ERR)

One A Lot, Build A Home

St. Thomas, US Virgin Islands

The Virgin Islands Housing Finance Authority

Community Development Block Grant—Disaster Recovery Program



Originally Published:

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Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5

Pursuant to 24 CFR 58.35(a)

Project Information

Project Name: Own A Lot, Build A Home

Responsible Entity: Virgin Islands Housing Finance Authority

State/Local Identifier: United States Virgin Islands

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Certifying Officer Name and Title: Ms. Dayna Clendinen, Interim Executive Director/Chief
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Appendices

Appendix A: Airport Hazards Supporting Documentation

Appendix B: Coastal Barrier Resources Supporting Documentation

Appendix C: Clean Air Supporting Documentation

Appendix D: Coastal Zone Management and Wetland Protection Supporting Documentation

Appendix E: Contamination and Toxic Substances Supporting Documentation

Appendix F: Endangered Species Supporting Documentation

Appendix G: Floodplain Management Supporting Documentation

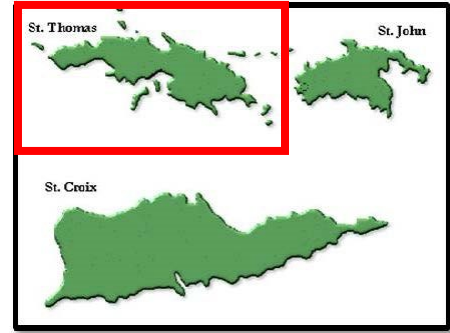
Appendix H: Historic Preservation Supporting Documentation

Appendix I: Sole Source Aquifers Supporting Documentation

Appendix J: Wild and Scenic Rivers Supporting Documentation

Project Location:

The US Virgin Islands (USVI) is located in the Caribbean. The arc of the Caribbean islands begins off the coast of Florida and extends all the way to South America. The region includes hundreds of islands and cays. They are grouped by location into the Greater Antilles which includes the larger islands in the northwestern area (Cuba, Jamaica, Cayman Islands, Haiti/Dominican Republic, and Puerto Rico); and the Lesser Antilles which includes all of the other islands from the Virgin Islands in the northerly Leeward Islands, to the southeastern Windward Islands and the islands just north of Venezuela. The USV is approximately 40-50 miles east of Puerto Rico; and about 1,109 miles southwest of Miami, Florida.



The USVI is composed of three major islands, St. Croix, **St. Thomas**, and St. John, and approximately 50 smaller islands. The total land area of the territory is approximately 134 square miles.

The geographic scope of the **VIHFA CDBG-DR Own A Lot, Build A Home Program** described herein is the island of St. Thomas. Located on the island is the territorial capital and port of Charlotte Amalie. St. Thomas is known for having a long ridge of hills running east and west through the center of the island with smaller ridges branching off from the center. St. Thomas, thirteen miles long by four miles wide, encompasses a little over 31 square miles. The highest point is Crown Mountain at 1,556 feet. St. Thomas has a beautiful natural harbor and many protected bays. Relatively speaking, there are no flat areas on St. Thomas.

As of the 2020 census, the population of St. Thomas was 42,261, about 48.5% of the US Virgin Islands total population.

St. Thomas is divided into the following Subdistricts (*with population totals per the 2020 US Census*).

1. Charlotte Amalie (pop. 14,477)
2. East End (pop. 7,502)
3. Northside (pop. 8,889)
4. Southside (pop. 4,112)
5. Tutu (pop. 5,129)
6. Water Island (pop. 164)
7. West End (pop. 1,988)



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

The Virgin Islands Housing Finance Authority (VIHFA) will administer Community Development Block Grant—Disaster Recovery (CDBG-DR) funding to support first-time homebuyers with the purchase of a newly constructed property through the New Construction for First-Time Homebuyers Program. This program focuses on promoting homeownership while also improving the long-term viability and sustainability of the communities across the Territory.

The Own a Lot, Build a Home Program will provide assistance limited to the amount necessary to achieve homeownership. VIHFA will utilize CDBG-DR funds to install infrastructure (roads, lighting, etc.), grading, installation of utilities, land preparation, and the construction of homes in mixed-income communities throughout the Territory.

These new homes will be developed on land owned by the potential homeowner. To be qualified, applicants must be mortgage-ready and have incomes at or below 120% AMI. Homebuyers' assistance for a down payment and closing cost will be based on the Lender's underwriting standards.

The awards for homebuyer assistance will not exceed the total of the down payment and closing cost necessary to make the home affordable, based on underwriting standards.

VIHFA will administer and oversee all activities and expenditures in connection with the Virgin Islands CDBG-DR funds. VIHFA employees, along with contractors procured to aid VIHFA staff, will ensure that the activities are undertaken to meet all program requirements, including the disaster threshold, eligibility, national objective, compliance, fair housing, labor standards, nondiscrimination, environmental regulations, and procurement regulations.

The total HUD allocation for this program is \$14.375M and the program cap is \$250,000. The program anticipates assisting approximately 200 applicants.

Tiered Environmental Review Process:

For the purpose of the Own a Lot, Build a Home Program, the Environmental Review will be completed as a Tiered Environmental Review. The Tier 1 Environmental Review will address and analyze environmental impacts related to the proposed activities that might occur on a typical site within the geographic area. All environmental compliance requirements satisfactorily resolved in the first level of review meaning there are findings of no significant impact or impacts requiring mitigation and are excluded from any additional examination or consideration once the Tier I Environmental Review is completed. However, the Tier I Environmental Review also identifies the compliance requirements that cannot be resolved in a Tier I Environmental Review. These factors will be addressed within the Tier II Environmental Review.

A Tier II Environmental Review will be completed once sites are identified for project activities. Activities not covered under the project description outlined within this Tier I Environmental Review will require the completion of a separate Environmental Review.

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a)(4)(ii), and subject to laws and authorities at §58.5: An individual action on a project.

Funding Information:

Grant Number	HUD Program	Funding Amount
P-17-VI-78-HIM1	CDBG-DR	\$14,375,000.

Estimated Total HUD Funding Amount:

\$14,375,000.

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

The Program estimates approximately \$12,000,000 in mortgage loans with the local banks.

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

Recorded below are the compliance and/or conformance determinations for each statute, executive order, or regulation. This section also identifies compliance factors requiring further investigation at the Tier II Environmental Review level. Additional supporting documentation is referenced within each compliance determination and are attached in the Appendix.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Tier II Site- Specific Review required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6		

<p>Airport Hazards</p> <p>24 CFR Part 51 Subpart D</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>All proposed project sites will be mapped during the Tier II Site-Specific Review to determine if the proposed project site is located in the Accident Potential Zone (APZ) or Runway Potential Zone/Clear Zone (RPZ/CZ). Proposed projects sites located within the APZ, or RPZ/CZ will be deemed ineligible for the program. There are no military airports within the US Virgin Islands.</p> <p>No construction activities will be allowed for projects located within the APZ or RPZ/CZ.</p> <p>Project eligibility will be determined during the Tier II Site-Specific Review</p> <p>See Appendix A for the following compliance documentation related to this section.</p> <p>1. Cyril E. King Airport Clear Zone Map</p> <p>Refer to the Tier II Site Specific Checklist for site-specific compliance documentation and property location.</p>
<p>Coastal Barrier Resources</p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>There are 10 Coastal Barrier Resource System (CBRS) Units located on St. Thomas. All proposed project sites will be mapped during the Tier II Site-Specific Review to determine the location within any of the US Virgin Islands’ Coastal Barrier Resource Systems. Proposed project activities requested within a Coastal Barrier Resource System (CBRS) Unit trigger an extraordinary circumstance and will be deemed ineligible for the Own a Lot, Build a Home Program.</p> <p>Number of CBRS Units in the USVI: 37</p> <p>St. Croix CBRS Units: 13</p> <p>St. Thomas CBRS Units: 10</p> <p>St. John CBRS Units: 14</p>

		<p>No HUD Funding will be used on proposed projects located within a CBRS Unit. Project eligibility will be determined during the Tier II Site-Specific Review.</p> <p>See Appendix B for the following compliance documentation related to this section.</p> <p>1. USVI CBRS Map</p> <p>Refer to the Tier II Site Specific Checklist for site-specific compliance documentation and property location.</p>
<p>Flood Insurance</p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>All proposed project sites will be mapped during the Tier II Site-Specific Review to determine if the structure, part of the structure, or insurable property is located in a FEMA-designated Special Flood Hazard Area (SFHA). If the site is located in the SFHA, as determined by the FEMA Flood Insurance Rate Map (FIRM), the applicant will be required to purchase and maintain flood insurance as required by the National Flood Insurance Program (NFIP).</p> <p>For applicants requiring flood insurance, the following compliance measures will be added to the Tier II Site-Specific Review, and all contracts and agreements, <i>For loans, loan insurance or loan guarantees, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. A copy of the Flood Insurance Policy will need to be added to the applicant file prior to Close-Out.</i></p> <p>Proof of flood insurance will be obtained by the Program Staff and provided to the</p>

		<p>Environmental Team to include as part of the Environmental Close-Out package. Proof of flood insurance will also be monitored during the Primary Residency Period by the Program Staff.</p> <p>Required mitigation measures will be identified during the Tier II Site-Specific Review and documented on the Tier II Site-Specific Checklist, and all contracts and agreements.</p> <p>Source: FEMA, Map Service Center</p> <p>https://fema.maps.arcgis.com/apps/MapSeries/index.html?appid=0adafb2f25944c3dbed2ee8dc09d3e46</p> <p>Refer to the Tier II Site Specific Checklist for site-specific compliance documentation and property location.</p>
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STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5

<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The USVI Department of Planning and Natural Resources (DPNR), Division of Environmental Protection (DEP), was contacted on September 19, 2022, via email for a concurrence on VIHFA’s compliance determination for the Own a Lot, Build a Home Program. A response was received on December 29, 2022, from Director Austin Callwood concurring with the below compliance determination without further action.</p> <p>The US Virgin Islands is not in nonattainment or maintenance status for any criteria pollutants. Also, the proposed project complies with the US Virgin Islands Monitoring Network Plan 2022, as the proposed activities would not present a significant source of sulfur dioxide or pollutants which contribute to ozone depletion and based on the population size</p>
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		<p>and pollution sources, 40 CFR Part 58 does not require monitoring in the US Virgin Islands for CO, O3, NO2, PM10, PM2.5, SO2, and Pb.</p> <p>Before any construction activities or operation of an air pollution source can take place, an Authority to Construct Permit and a Permit to Operate will be obtained, by the contractor and/or homeowner, from the Department of Planning and Natural Resources - Division of Environmental Protection (DEP) Air Pollution Control Program. These permits will be added as Standard Mitigation Measures to the Tier II Site-Specific Review and proof of compliance will be required prior to a Notice to Proceed.</p> <p>See Appendix C for the following compliance documentation related to this section.</p> <ol style="list-style-type: none"> 1. DPNR-DEP Clean Air Act Concurrence Response 2. US Virgin Islands Monitoring Network Plan 2022 3. DPNR - Authority to Construct Permit 4. DPNR - Permit to Operate <p>Topic is in compliance, but further compliance documentation will be required prior to a Notice to Proceed.</p>
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>All proposed project sites will be mapped to determine if they are located within the Coastal Zone Management Tier 1 Boundary (CZM Tier 1). As documented within the New Housing and Infrastructure Construction Program Policies and Procedures, proposed project activities within CZM Tier 1 are costly and will be deemed ineligible for the Own a Lot, Build a Home Program.</p>

		<p>In the event that an exception is granted by the Program Manager, a Minor Coastal Zone Permit will be obtained by the contractor and/or homeowner from the Department of Planning and Natural Resources – Division of Coastal Zone Management (DPNR-CZM). Proof of compliance will be required prior to a Notice to Proceed.</p> <p>Project eligibility will be determined during the Tier II Site-Specific Review. If an exception is granted, mitigation measures will be identified during the Tier II Site-Specific Review and documented on all contracts and agreements.</p> <p>See Appendix D for the following compliance documentation related to this section.</p> <ol style="list-style-type: none"> 1. New Housing and Infrastructure Construction Program Policies and Procedures 2. Minor Land Development Permit Application <p>Refer to the Tier II Site Specific Checklist for site-specific compliance documentation and property location.</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>Recognized Environmental Concerns (RECs): All proposed project sites will be evaluated, through an Environmental Field Inspection, during the Tier II Site-Specific Review, to identify any on-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants.</p> <p>EPA Facilities: All proposed project sites will also be mapped, during the Tier II Site-Specific Review, to identify the presence of EPA Facilities (toxic releases, Brownfields Sites, water discharges, air pollution, hazardous waste, and Toxic Substances</p>

Control Act facilities), as identified using the ArcGIS map service titled *Sites Reporting to EPA* by EPA OEI Contractor, within a 0.5-mile radius of the site. Investigation will be conducted into EPA Facilities, within the 0.5-mile radius, to identify the presence of any current violations and determine the need for further testing and/or consultation with the Department of Planning and Natural Resources – Division of Environmental Protection.

Superfund Sites: There is one (1) active Superfund Site within the Virgin Islands, located on St. Thomas. The Tutu Wellfield Superfund site is in east-central St. Thomas, US Virgin Islands and consists of contaminated groundwater plumes. Contamination was first detected in 1987 after reports of a strong petroleum odor from the Tillet Well. EPA’s investigation revealed that volatile organic compounds (VOCs) were contaminating institutional commercial, communal, and private wells. DPNR closed the Tillet Well and other commercial and private wells in 1987 after finding groundwater contamination. DPNR provided residences with an alternate water supply while EPA monitored the remaining wells. These residences are now connected to the public water supply system and no longer need to be separately supplied with potable water.

A discussion was held on with the project staff of the US Environmental Protection Agency (EPA) Region 2, Superfund and Emergency Management Division, to discuss the Superfund Site’s potential to impact, in the form of vapor intrusion, the proposed program. EPA was able to provide information regarding the plume site and location. Through review of the provided map, it was found that there is limited land zoned for residential development within the potential impact area.

		<p>Although impact from the Superfund Site in not anticipated, proposed project sites will be mapped during the Tier II Site-Specific Review to determine if further discussion is required with EPA. Proposed project sites located within 100ft of the plume, as identified using the map provided by EPA, will be discussed with EPA to determine the potential for impact and to identify measures to mitigate the potential impact.</p> <p>Required mitigation measures will be identified during the Tier II Site-Specific Review and documented on the Tier II Site-Specific Checklist, and all contracts and agreements.</p> <p>See Appendix E for the following compliance documentation related to this section.</p> <ol style="list-style-type: none"> 1. Own a Lot, Build a Home Field Inspection Environmental Checklist 2. Superfund Site Consultation Documents <p>Refer to the Tier II Site Specific Checklist for site-specific compliance documentation and property location.</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 checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The United States Department of the Interior - Fish and Wildlife Services (USFWS) was contacted on September 29, 2022, for concurrence on the Own a Lot, Build a Home Program compliance determination. A response was received on November 1, 2022, from Edwin Muñiz, Field Supervisor. USFWS acknowledges receipt of VIHFA’s “no effect” (NE) determination for the Trichachus manatus, Sterna dougallii, dougallii, and the ameiva polops. USFWS reviewed the information provided within the letter and concurred with the “may affect but is not likely to adversely affect” (NLAA) determination on the Hawksbill Sea Turtle, Leatherback Sea Turtle, Virgin Islands Tree</p>

Boa, Agave eggertiana, Calyptanthus thomasi, Catesbaea melanocarpa, Marron Bacora (Solanum conocarpum), St. Thomas Prickly-ash (Zanthoxylum thomasi), and Vahl's Boxwood (*Buxus vahlii*) and the proposed measures required to remain in compliance with the Endangered Species Act. It is also noted that obligations under Section 7 of the Act must be reconsidered if: (1) new information reveals impacts of the identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a manner not previously considered in this assessment; or (3) a new species is listed, or critical habitat determined that may be affected by the identified action.

All proposed project sites will be mapped, during the Tier II Site-Specific Review, utilizing the USFWS Information for Planning and Consultation (IPAC) map to determine if any of the following species are potentially affected by activities within the proposed project site.

1. Hawksbill Sea Turtle
2. Leatherback Sea Turtle
3. Virgin Islands Tree Boa
4. Agave eggertiana
5. Calyptanthus thomasi
6. Catesbaea melanocarpa
7. Marron Bacora (Solanum conocarpum)
8. St. Thomas Prickly-ash (Zanthoxylum thomasi)
9. Vahl's Boxwood (*Buxus vahlii*).

Hawksbill Sea Turtle and Leatherback Sea Turtle Requirements:

The following compliance measures will be added to the Tier II Site-Specific Checklist and, all contracts and agreements: *Lighting associated with construction activities will not be visible directly or indirectly from the*

beach. There are to be no activities occurring on the beaches.

Virgin Islands Tree Boa Requirements:

A site visit will be conducted to determine if the site is overgrown and whether further consultation is required with DPNR to identify potential tree boa impacts. If DPNR determines that the project site is a potential tree boa habitat, mitigation measures identified within the USVI Boa Conservation Measures booklet will be incorporated in the proposed project scope. All site clearing will follow the DPNR VI Tree Boa: Site Clearance Protocol.

Agave eggersiana, Calyptanthes thomasiana, Catesbaea melanocarpa, Marron Bacora (Solanum conocarpum), St. Thomas Prickly-ash (Zanthoxylum thomasianum), and Vahl’s Boxwood (Buxus vahlii) Requirements:

A survey for listed plants will be conducted prior to any work in areas within the range of the species and where suitable habitats are present. If listed species are found within the proposed project site, the USFWS will be contacted, and measures to avoid or minimize impact to those species will be developed for the USFWS evaluation and approval. If no listed plants are found during the survey no further action will be required.

Required mitigation measures will be identified during the Tier II Site-Specific Review and documented on the Tier II Site-Specific Checklist, and all contracts and agreements.

See **Appendix F** for the following compliance documentation related to this section.

		<ol style="list-style-type: none"> 1. USFWS US Virgin Islands, Own a Lot, Build a Home Concurrence Response 2. U.S. VI boa Conservation Measures – Virgin Islands Tree Boa <p>Refer to the Tier II Site Specific Checklist for site-specific compliance documentation and property location.</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>All proposed project sites will be mapped, during the Tier II Site-Specific Review, to identify any aboveground storage containers of more than 100-gallon capacity, containing common liquid industrial fuels OR of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels, within a 1-mile radius of the project site. The Acceptable Separation Distance (ASD) will be identified for all proposed projects with aboveground storage tanks within a 1-mile radius. If required, mitigation measures will be identified during the Tier II Site-Specific Review to ensure that the project is completed in compliance with 24 CFR Part 51 Subpart C.</p> <p>Required mitigation measures will be identified during the Tier II Site-Specific Review and documented on the Tier II Site-Specific Checklist, and all contracts and agreements.</p> <p>If the identified mitigation measures cannot be incorporated into the proposed scope of work, HUD funds will not be utilized for the proposed project, and the proposed project will be deemed ineligible.</p> <p>Refer to the Tier II Site Specific Checklist for site-specific compliance documentation and property location.</p>

<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>All proposed project sites are required to be zoned for residential development. Zoning verification will be conducted during Program Eligibility by the Program Staff. Therefore, no important farmland, including prime farmland, unique farmland, or farmland of local importance regulated under the Farmland Protection Policy Act will be impacted by proposed project activities.</p> <p>Topic is in compliance and does not require further investigation during the Tier II Site-Specific Review.</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The Floodplain 8-Step Decision-Making Process was conducted for the purpose of the Own a Lot, Build a Home Program. The Early Floodplain Notice was published on September 23, 2022, and the comment period concluded on October 8, 2022. No comments were received. The Final Floodplain Notice was published on November 23, 2022, and the comment period concluded on December 8, 2022. No comments were received.</p> <p>To comply with 24 CFR Part 55, the Program will identify applicants located in the 100-year floodplain as determined by the 2018 Advisory Base Flood Elevation Map. All proposed structures located within the 100-year floodplain will be elevated 2-feet above the base flood elevation level (BFE). The VIHFA Staff Engineer will also conduct a review of the proposed project to identify the feasibility of additional measures, in accordance with the International Residential Code and the Territory’s Floodplain Management Regulations, and to determine the ideal location for construction, on the proposed project site, to limit the potential impact to the 100-year floodplain.</p>

		<p>Required mitigation measures will be identified during the Tier II Site-Specific Review and documented on the Tier II Site-Specific Checklist, and all contracts and agreements.</p> <p>See Appendix G for the following compliance documentation related to this section.</p> <ol style="list-style-type: none"> 1. Early Floodplain Notice 2. Floodplain 8-Step Decision Making Process Documentation 3. Final Floodplain Notice <p>Refer to the Tier II Site Specific Checklist for site-specific compliance documentation and property location.</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The Virgin Islands State Historic Preservation Office (VISHPO) was contacted on August 22, 2022, to identify a process which the projects can be reviewed by VISHPO. Director & Deputy Sean L. Krigger responded on August 25, 2022, with the following process:</p> <p>All proposed project sites will be provided to VISHPO with the full property address, maps, and site photos. This information will be reviewed by VISHPO to identify historic and archaeological resources that may be of concern. VISHPO will advise VIHFA of which projects require an Archaeological Phase I A and B Survey and/or review by one of the Historic Preservation Commission's Historic Preservation Committees, if located in the Charlotte Amalie, Christiansted, Frederiksted, or Cruz Bay Historic Districts.</p> <p>Required mitigation measures will be identified during the Tier II Site-Specific Review and documented on the Tier II Site-Specific Checklist, and all contracts and agreements.</p>

		<p>See Appendix H for the following compliance documentation related to this section.</p> <p>1. DPNR-VISHPO Consultation Process Response</p> <p>Refer to the Tier II Site Specific Checklist for site-specific compliance documentation and property location.</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The Own a Lot, Build a Home Program will result in temporary increases in noise levels. The increase in noise levels will be mitigated by complying with local noise ordinances.</p> <p>All proposed project sites will be mapped to conduct a Preliminary Screening to identify potential noise generators in the vicinity (1000ft from a major road, or 15 miles from an airport). If noise generators are identified within the vicinity of the proposed project site, a Noise Assessment will be completed to quantify the noise exposure.</p> <p>If the proposed project site is found to have Normally Unacceptable (Above 65 decibels but not exceeding 75 decibels) noise levels and is not located in a largely developed area, the proposed project will be required to undergo an Environmental Assessment pursuant to 51.104(b)(1)(i). If the proposed project is found to have Normally Unacceptable noise levels and is located in a largely developed area, the proposed project will be required to undergo an Environmental Impact Statement pursuant to 51.104(b)(1)(i).</p> <p>If required, mitigation measures will be identified during the Environmental Assessment or Environmental Impact Statement review to ensure that the project is completed in compliance with the Noise Control Act of 1972.</p>

		<p>VIHFA is currently undergoing further investigation into the Territory’s noise levels. Once the investigation is finalized, this Tier I Environmental Review may require a re-evaluation to update the information within this section and the process to documenting compliance.</p> <p>Required mitigation measures will be documented in the applicant’s Environmental Assessment or Environmental Impact Statement and, on all contracts and agreements.</p> <p>Refer to the Tier II Site Specific Checklist, Environmental Assessment, or Environmental Impact Statement for site-specific compliance documentation and property location.</p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There are no sole source aquifers located within the US Virgin Islands.</p> <p>Source:</p> <p>https://www.epa.gov/dwssa/map-sole-source-aquifer-locations</p> <p>See Appendix I for the following compliance documentation related to this section.</p> <p>1. USVI Sole Source Aquifers Map</p> <p>Topic is in compliance and does not require further review during the Tier II Site-Specific Review.</p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>All proposed project sites will be mapped during the Tier II Site-Specific Review for the presence of wetlands, using the National Wetland Inventory map. Projects located within or near a wetland will undergo consultation with DPNR to determine the</p>

		<p>proposed project’s potential to impact the wetland. As documented within the New Housing and Infrastructure Construction Policies and Procedures, proposed projects with the potential to impact a wetland will be deemed ineligible for the Own a Lot, Build a Home Program.</p> <p>In the event that an exception is granted by the Program, the Wetland 8-Step Decision-Making Process will be required to determine whether practicable alternatives exist. For the proposed project to comply with Executive Order 11990, all adverse impacts must be mitigated. If not, the proposed project is ineligible for HUD funding.</p> <p>Project eligibility will be determined during the Tier II Site-Specific Review. If an exception is granted, mitigation measures will be identified during the Tier II Site-Specific Review and documented on all contracts and agreements.</p> <p>See Appendix D for the following compliance documentation related to this section.</p> <ol style="list-style-type: none"> 1. New Housing and Infrastructure Construction Program Policies and Procedures <p>Refer to the Tier II Site-Specific Checklist for site-specific compliance documentation and property location.</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>There are no wild and scenic rivers located within the US Virgin Islands.</p> <p>Source:</p> <p>https://www.rivers.gov/map.php</p> <p>See Appendix J for the following compliance documentation related to this section.</p>

		<p>1. USVI Wild and Scenic Rivers Area Map</p> <p>Topic is in compliance and does not require further review during the Tier II Site-Specific Review.</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>The Program will provide funding to first-time homeowners to assist with the construction of their first home. Disproportionately high adverse environmental impacts were not identified as part of the Tier I Broad-level Environmental Review. The Own a Lot, Build a Home Program will ensure the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation and enforcement of environmental laws, regulations, and policies.</p> <p>Topic is in compliance and does not require further review during the Tier II Site-Specific Review.</p>

Field Inspection (Date and completed by):

Field Inspections will be completed during the Tier II Site-Specific Review. All properties will undergo an Environmental Site Inspection for Recognized Environmental Concerns (RECs). Based on site maps and information obtained during the Initial Desk Review, additional Site Inspection Documentation may be added to the Field Inspection to address specific concerns.

Summary of Findings and Conclusions:

Through the completion of the Tier I Environmental Review, compliance was documented for the following regulations:

1. Clean Air, with the inclusion of mitigation measures prior to the issuance of a Notice to Proceed.

2. Farmland Protection
3. Sole Source Aquifers
4. Wild and Scenic Rivers
5. Environmental Justice.

The following regulations will be reviewed during the Tier II Site-Specific Review for compliance, using the process outlined within this Tier I Environmental Review:

1. Airport Hazards
2. Coastal Barrier Resources
3. Flood Insurance
4. Coastal Zone Management
5. Contamination and Toxic Substances
6. Endangered Species
7. Explosive and Flammable Hazards
8. Floodplain Management
9. Historic Preservation
10. Noise Abatement and Control
11. Wetlands Protection

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

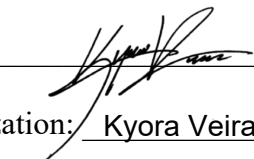
Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development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

Law, Authority, or Factor	Mitigation Measure
General	<p>This review does not address all federal, state, and local requirements. Acceptance of federal funding requires that all permits, approvals, etc. be acquired prior to construction activities.</p> <p>Any changes to the approved scope of work will require a review, by the CDBG-DR Environmental Department, to determine if a re-evaluation for compliance with NEPA and other Laws and Executive Orders is required.</p>
Clean Air	<p>Before any construction activities or operation of an air pollution source can take place, an Authority to Construct Permit and a Permit to Operate will be obtained, by the contractor and/or homeowner, from the Department of Planning and Natural Resources – Division of Environmental Protection Air Pollution</p>


	Control Program. Proof of compliance will be required prior to a Notice to Proceed.
Historic Preservation	All ground disturbance activities occurring during construction will be monitored. If any potential archaeological resources are discovered, construction will cease immediately in the area and the CDBG-DR Environmental Department will be notified.

Determination:

- This categorically excluded activity/project converts to Exempt, per 58.34(a)(12) because there are no circumstances which require compliance with any of the federal laws and authorities cited at §58.5. **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR
- This categorically excluded activity/project cannot convert to Exempt because there are circumstances which require compliance with one or more federal laws and authorities cited at §58.5. 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 any funds; OR
- This project is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature:  Date: 03/24/2023

Name/Title/Organization: Kyora Veira, Senior Environmental Manager, VIHFA

Responsible Entity Agency Official Signature:  Date: 3/25/2023

Name/Title: Dayna Clendinen, Interim Executive Director/Chief Disaster Recovery Officer

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).