

# **Tier 1: Broad Environmental Review Record (ERR)**

## **Neighborhood Revitalization**

*St. John, US Virgin Islands*

### **The Virgin Islands Housing Finance Authority**

Community Development Block Grant—Disaster Recovery Program



# **VIHFA**

VIRGIN ISLANDS  
Housing Finance Authority

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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:** Neighborhood Revitalization Program

**Responsible Entity:** Virgin Islands Housing Finance Authority

**State/Local Identifier:** United States Virgin Islands

**Preparer:** Kyora Veira, Senior Environmental Manager

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

#### **Direct Comments to:**

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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 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

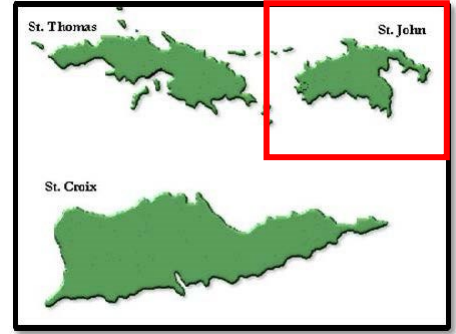
**Appendix I:** Sole Source Aquifers Supporting Documentation

**Appendix J:** Wild and Scenic Rivers Supporting Documentation

**Appendix K:** Tier II Site-Specific Checklist

## 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, Hispaniola, 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 southeaster Windward Islands and the islands just north of Venezuela. The USVI is approximately 40-50 miles east of Puerto Rico; and 1,109 miles southeast 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 for the **VIHFA CDBG-DR Neighborhood Revitalization Program** described herein is the island of St. John. St. John is 30 miles long, the smallest of the three main USVI islands and located approximately 4 miles east of St. Thomas. The highest point is Bordeaux Mountain at 1,277 feet. A natural harbor is found in Coral Bay; however, Cruz Bay is the main town and ‘harbor’. Since 1956, approximately 60% of the island is protected as a Virgin Islands National Park, administered by the United States National Park Service. The economy is based predominantly on tourism and related trade.

The total population of St. John in the 2020 Census was 3,881.

1. Central (pop. 470)
2. Coral Bay (pop. 724)
3. Cruz Bay (pop. 2,652)
4. East End (pop. 35)



### **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 activities such as aesthetic and functional enhancements, preservation of historic sites, increased security, better services for residents and tourists, and promotion of private investment. Program options include (1) the Building Façade and Streetscape Enhancement Program and (2) the Small business Entrepreneurship Grant and Technical Assistance Program. The goal of the Building Façade and Streetscape Enhancement Program is to increase investment and improve the aesthetic of local communities. At the same time, the Small Business Entrepreneurship Grant and Technical Assistance Program will fund recovery grants to small businesses and microenterprises which suffered physical and/or financial losses due to the 2017 hurricanes.

The Building Façade and Streetscape Enhancement Program will provide funding to eligible business buildings, commercial or mixed-use, to repair visible exterior damage and enhance downtown areas, high-traffic areas, historic districts, etc. Applicants for this program option may use funds for exterior scraping/paint, roof spouting, brick repair, repair/replace exterior windows and doors, safety improvements, signage on the building, improving the curb appeal of back and side entrances, physical improvements to prominent courtyards (including planters, eating areas, lighting, landscaping, and signage), and installation of directional signage to landmarks/places of interest.

The Small Business Entrepreneurship Grant and Technical Assistance Program (SBETA) is comprised of two components: (1) the Small Business Grant Program and (2) the Technical Assistance Program. Applicants for the business grant option may use funds for advertising, license fees, and accounting expenses. The technical assistance component is designed to support entrepreneurs and existing small businesses to build economic resilience and lessen commerce disruptions due to natural or manufactured disasters. Applicants for this program option may use funds for business plan development, financial management, marketing, inventory, and skilled workforce development.

### **Tiered Environmental Review Process:**

For the purpose of the Neighborhood Revitalization 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:**

The proposed projects submitted under the Small Business Entrepreneurship Grant and Technical Assistance option are exempt under 24 CFR 58.34 or categorically excluded and not subject to the Federal Laws and Authorities cited in 24 CFR 58.5.

Proposed projects submitted under the Building Façade and Streetscape Enhancement option are categorically excluded subject to the Federal Laws and Authorities cited in 24 CFR 58.5 per 24 CFR 58.35(a)(1).

**Funding Information:**

<b>Grant Number</b>	<b>HUD Program</b>	<b>Funding Amount</b>
P-17-VI-78-HIM1	CDBG-DR	\$14,032,915.00

**Estimated Total HUD Funding Amount:**

\$14,032,915.00

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

\$14,032,915.00

**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.

<b>Compliance Factors:</b> 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 & 58.6**

<p><b>Airport Hazards</b>  24 CFR Part 51 Subpart D</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>There are no civilian nor military airports located on the island of St. John. Further investigation is not required during the Tier II Site-Specific Review for proposed project activities located on St. John.</p> <p>See <b>Appendix A</b> for the following compliance documentation related to this section.</p> <p>1. St. John Airport Map</p> <p><b>Refer to the Tier II Site Specific Checklist for site-specific compliance documentation and property location.</b></p>
<p><b>Coastal Barrier Resources</b> Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>There are fourteen (14) Coastal Barrier Resource System (CBRS) Units located on St. John. All proposed project sites will be mapped during the Tier II Site-Specific Review to determine if the proposed project is located within any of the US Virgin Islands' Coastal Barrier Resource Systems (CBRS). The use of federal funds is prohibited in a CBRS unit. Therefore, proposed project activities requested within a CBRS unit will be deemed ineligible for the Neighborhood Revitalization Program. Project eligibility will be determined during the Tier II Site-Specific Review.</p> <p>Number of CBRS Units in the USVI: 37 St. Croix CBRS Units: 13 St. Thomas CBRS Units: 10 St. John CBRS Units: 14</p> <p>See <b>Appendix B</b> for the following compliance documentation related to this section.</p> <p>1. USVI CBRS Map</p> <p><b>Refer to the Tier II Site-Specific Checklist for site-specific compliance documentation and project location.</b></p>
<p><b>Flood Insurance</b></p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>All proposed project sites will be mapped during the Tier II Site-Specific Review to</p>

Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]

determine if the structure, part of the structure, or insurable property is located within the 100-year floodplain. If the site is located in the 100-year floodplain, as determined by the FEMA Flood Insurance Rate Map (FIRM), and the total project cost is greater than or equal to \$10,000, the applicant will be required to purchase and maintain flood insurance as required by the National Flood Insurance Program (NFIP).

For applicants requiring flood insurance, the following compliance measures will be added to the Tier II Site-Specific Review: *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.*

Proof of flood insurance will be obtained by the Program Staff and provided to the Environmental Team to include as part of the Environmental Close-Out package. Proof of flood insurance will also be monitored during the program identified monitoring period set within the Program Guidelines.

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.

**Source:** FEMA, Map Service Center  
<https://fema.maps.arcgis.com/apps/MapSeries/index.html?appid=0adafb2f25944c3dbed2ee8dc09d3e46>

**Refer to the Tier II Site-Specific Checklist for site-specific compliance documentation and property location.**

**STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5**

<p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>The USVI Department of Planning and Natural Resources (DPNR), Division of Environmental Protection (DEP), was contacted on April 26, 2023, via email for a concurrence on VIHFA’s compliance determination for the Neighborhood Revitalization Program. A response was received on July 5, 2023, from Director Austin Callwood, concurring with the 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 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>If a proposed project includes construction activities or operation of an air pollution source, an Authority to Construct Permit and a Permit to Operate will be obtained, by the contractor and/or applicant, from the Department of Planning and Natural Resources - Division of Environmental Protection (DEP) Air Pollution Control Program.</p> <p>Permit requirements will be identified during the Tier II Site-Specific Review and documented on the Tier II Site-Specific Checklist, and all contracts and agreements. Proof of compliance will be required prior to a Notice to Proceed.</p> <p>See <b>Appendix C</b> for the following compliance documentation related to this section.</p>
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<p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>The USVI Department of Planning and Natural Resources (DPNR), Division of Coastal Zone Management (CZM) was contacted on May 4, 2023, via email, to discuss the process which applicants located within the coastal zone will follow during the Tier II Site-Specific Review.</p> <p>All proposed project sites will be mapped during the Tier II Site-Specific Review to determine if the proposed project activities are located within the coastal zone. Pursuant to 12 VIC § 910(b)(1) of the VI Coastal Zone Management Act, VIHFA will submit the Request for Repair and/or Maintenance Waiver, to DPNR-CZM, for activities related to the repair or maintenance of an object or facility located in the coastal zone, where such activities shall not result in an addition to, or enlargement or expansion of such object or facility. All other activities located within the coastal zone will undergo consultation with DPNR-CZM to determine the necessary permit requirements and identify mitigation measures to be added during the Tier II Site-Specific Review.</p> <p>See <b>Appendix D</b> for the following compliance documentation related to this section.</p> <ol style="list-style-type: none"> <li>1. DPNR-CZM Neighborhood Revitalization Concurrence Email</li> <li>2. Request for Repair and/or Maintenance Waiver</li> </ol> <p><b>Refer to the Tier II Site-Specific Checklist for site-specific compliance documentation and property location.</b></p>

**Contamination and Toxic Substances**

24 CFR Part 50.3(i) & 58.5(i)(2)

Yes No

**Potential Recognized Environmental Concerns:** During the Tier II Site-Specific Review, all proposed project sites will be evaluated, through an Environmental Field Inspection, for any on-site or nearby toxic, hazardous, or radioactive substances that could conflict with the intended use of the property or affect the health and safety of the project’s end user(s). If necessary, a Phase I Environmental Site Assessment (ESA) will be conducted on proposed project sites with identified Potential Recognized Environmental Concerns.

If Recognized Environmental Concerns are identified during the Phase I ESA, a Phase II ESA will be conducted to determine if there is a presence or absence of hazardous substances and/or petroleum products on the proposed project site. When necessary, a Phase III ESA will be prepared to develop a plan for remediation. This plan will be approved by DPNR prior to implementation. All remediation efforts will be added as mitigation measures during the Tier II Site-Specific Review.

**EPA Facilities:** All proposed project site will be mapped to identify the presence of EPA Facilities (toxic releases, Brownfields Sites, water discharges, air pollution, hazardous waste, and Toxic Substances 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 during the Tier II Site-Specific Review. Investigation will be conducted into the identified EPA Facilities to identify the presence of any concerns and to determine the need to further consultation with DPNR, testing, and/or investigation.

**Lead-Based Paint:** 24 CFR 35.940 Special Requirements for Insular Areas states, “If a dwelling unit receiving Federal assistance under a program covered by this subpart is located in an insular area, the requirements of this section shall apply and the requirements

of § 35.930 shall not apply. All other sections of this subpart J shall apply. The insular area shall conduct the following activities for the dwelling unit, common areas servicing the dwelling unit, and the exterior surfaces of the building in which the dwelling unit is located:

(a) Residential property receiving an average of up to and including \$5,000 per unit in Federal rehabilitation assistance.

(1) Implement safe work practices during rehabilitation work in accordance with § 35.1350 and repair paint that is disturbed by rehabilitation.

(2) After completion of any rehabilitation disturbing painted surfaces, perform a clearance examination of the worksite(s) in accordance with § 35.1340. Clearance shall be achieved before residents are allowed to occupy the worksite(s). Clearance is not required if rehabilitation did not disturb painted surfaces of a total area more than that set forth in §35.1350(b)

(b) Residential property receiving an average of more than \$5,000 per unit is Federal rehabilitation assistance.

(1) Before beginning rehabilitation, perform a visual assessment of all painted surfaces in order to identify deteriorated paint.

(2) Perform paint stabilization of each deteriorated paint surface and each painted surface being disturbed by rehabilitation, in accordance with 24 CFR 35.1330 (a) and (b)

(3) After completion of all paint stabilization, perform a clearance examination of the affected dwelling units and

		<p>common area in accordance with 24 CFR 35.1340. Clearance shall be achieved before residents are allowed to occupy rooms or spaces in which paint stabilization has been performed.</p> <p>While the USVI is considered an Insular Area, through discussion with HUD Healthy Homes, it was agreed that the VIHFA CDBG-DR Program will conduct a Pre-Construction Lead-Based Paint (LBP) Inspection of all painted surfaces in project activities involving mixed-use properties constructed before 1978, to identify residential properties that may require the addition of mitigation measures. Mitigation measures identifying positive components and requiring paint stabilization of these painted surfaces, being disturbed by rehabilitation activities, in accordance with 24 CFR 35.1330 (a) and (b) will be added to the Tier II Site-Specific Checklist. Clearance testing will be conducted on all project sites requiring paint stabilization prior to Close-Out and before occupancy.</p> <p><b>Asbestos:</b> Pre-Construction Asbestos Containing Materials (ACM) Inspection will be conducted on proposed project activities involving the rehabilitation of properties constructed before 1980, to identify those which may require mitigation. Mitigation measures identifying positive components requiring abatement or remediation efforts on positive surfaces being disturbed by rehabilitation activities will be added to the Tier II Site-Specific Checklist. Clearance of abated/remediated project sites will be conducted by a third-party testing company and will occur before Close-Out.</p> <p><b>Mold:</b> Proposed project activities involving rehabilitation will be inspected by CDBG-DR Environmental/NEPA Specialist to identify the presence of mold. General Contractors working on proposed projects where mold is identified will be required to complete the</p>
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		<p>EPA Mold Training Course. Upon successful completion, contractors will receive a Certification of Completion prepared by the CDBG-DR Environmental Department. Mitigation measures will be added during the Tier II Site-Specific Review requiring these contractors to clean all mold during the construction phase of the proposed project and document the cleanup process utilizing the Mold Cleanup Form. A CDBG-DR Environmental/NEPA Specialist will conduct a final inspection to ensure all mold has been cleaned prior to Close-Out.</p> <p><b>Superfund Sites:</b> Based on the ArcGIS map service titled <i>Sites Reporting to EPA</i> by EPA OEI Contractor, there is one Superfund Site located on the island of St. Thomas, Tutu Wellfield. Therefore, no further investigation for Superfunds Sites is required for proposed project activities located on St. John.</p> <p>See <b>Appendix E</b> for the following compliance documentation related to this section.</p> <ol style="list-style-type: none"> <li>1. Neighborhood Revitalization Environmental Field Inspection Checklist</li> <li>2. VIHFA-DPNR EPA Facilities Assessment (For Tier II Site-Specific Review Consultation)</li> <li>3. Mold Inspection Document (contractor use)</li> <li>4. Environmental Mold Checklist (internal use)</li> <li>5. Superfund Sites Map</li> </ol> <p><b>Refer to the Tier II Site Specific Checklist for site-specific compliance documentation and property location.</b></p>
<p><b>Endangered Species</b></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 May 26, 2023, for concurrence on the Neighborhood Revitalization compliance determination. A response was received on June 9, 2023, from Edwin Muñiz, Field Supervisor.</p>

Based on the nature of the project and the information provided, VIHFA has determined that the Neighborhood Revitalization Program would have *no effect* (NE) on the listed *Trichechus manatus*, *Sterna dougallii dougallii*, *Catesbaea melanocarpa*, Vahl's Boxwood and St. Thomas prickly-ash. Also, adverse impacts to designated critical habitat are anticipated.

*A may affect but is not likely to adversely affect* (NLAA) determinations was made for the below species. During the Tier II Site-Specific Review, the IPAC will be used to determine the presence of the below listed species. The following mitigation measures will be implemented during the Tier II Site-Specific Review for each specific species as identified:

**West Indian Manatee (*Trichachus manatus*) – if work in water**

1. If work is to be conducted in water's where the West Indian Manatee may be found, the applicant and all personnel associated with construction will be informed of the presences of manatees and the need to avoid collision with manatees for in-water projects (including dredging). All construction personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing manatees, which are protected under the Endangered Species Act of 1973 and the Marine Mammal Protection Act of 1972.
2. The project work area shall be visually inspected for the presence of manatees at least one hour before any construction starts and prior to the installation of any silt fencing. If manatees are found before any in-water project activity starts, the contractor shall wait for the manatee(s) to leave the area without provocation and be at least 100 feet

		<p>from the project in-water area. Manatees must not be herded or harassed into leaving the area. If manatees are seen within 100 yards (300 feet) of the in-water work area, all equipment must be operated in such a manner that moving it does not come any closer than 100 feet of any manatee.</p> <ol style="list-style-type: none"> <li>3. Siltation barriers will be made of material which manatee cannot become entangled, are properly secured, and are regularly monitored to avoid manatee entrapment. Barriers must not block manatee entry to or exit from essential habitat. In-water barriers must comply with USACE permit conditions when required.</li> <li>4. All vessels associated with the project construction will operate at “no wake/idle” speed at all times while in water within manatee areas and vessels will follow routes of deep water whenever possible.</li> <li>5. The applicant is required to maintain a log detailing sightings, collisions, or injury to manatees which have occurred during the contract period. Following project completion, a report summarizing the above incidents and sightings will be submitted to the Deputy Field Supervisor at the U.S. Fish and Wildlife Service, Caribbean Ecological Services Field Office, P.O. Box 491, Boquerón, Puerto Rico 00622. Any collision with and/or injury to a manatee shall be reported immediately to the Puerto Rico DNER and the USFWS Caribbean Ecological Services Field Office (787-851-7297; <a href="mailto:marelisa_rivera@fws.gov">marelisa_rivera@fws.gov</a>).</li> <li>6. The permit holder and/or contractor shall install and maintain temporary and permanent manatee signs as</li> </ol>
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recommended by USFWS. Signs must be placed in a prominent location for maximum visibility. Areas that are recommended include: dock walkways, dock master offices, near restrooms or other high patron foot traffic areas. Signs must be replaced when faded, damaged, or outdated. These signs must not face the water, must never be attached to piling or navigational markers in the water. Some exceptions to signs facing the water exist for temporary signs during in-water work.

- a. For durability, all signs should be fiberglass, PVC, or metal with rounded corners (hand-sanded to remove all sharp edges and burrs), constructed of 0.08 Gauge 5052-H38 Aluminum with an Alodine 1200 conversion coating and Engineer Grade Type I reflective sheeting. Signs constructed to other specifications may not provide durability acceptable to the consumer. Applicants/permit holders may create their own signs, but the signs require approval by USFWS.

**Green Sea Turtle (*Chelonia mydas*), Hawksbill Sea Turtle (*Eretmochelys imbricata*), Leatherback Sea Turtle (*Dermochelys coriacea*), Loggerhead Sea Turtle (*Caretta caretta*), Olive Ridley Sea Turtle (*Lepidochelys olivacea*)**

1. During nesting season (March 1 – November 30) a qualified sea turtle monitor shall survey each beach work area for possible sea turtle nests during the morning. Any nests found within the area will be marked or flagged in place. Outside of peak nesting season, beaches where work will occur shall be surveyed at least

		<p>twice a week. If required, construction activities involving debris removal on beaches shall be initiated only after the sea turtle monitor has completed surveys that morning and nests are clearly marked.</p> <ol style="list-style-type: none"> <li data-bbox="1015 415 1450 1251">a. Surveys must be conducted by sea turtle permit holders or trained personnel following DPNR protocols. Nests laid adjacent to the work area shall be marked by flagging with a 10-foot square roped off buffer and an unobstructed path ward from the nest to the water. Surveys will start 45 minutes prior to any construction activity. Sea turtle monitoring groups shall have site specific information for nests in their areas and inform work crews of areas to avoid. This measure will be conducted in accordance with USFWS/DPNR-approved SOP for employee sea turtle awareness training, project site preparation, and nest season monitoring.</li> <li data-bbox="917 1262 1450 1577">2. During the sea turtle nesting season, repair or replacement of structures shall occur in the same location or footprint of the previous permitted structure. If the current project footprint does not stay within previously permitted structure footprint, then the applicant must consult with USFWS.</li> <li data-bbox="917 1587 1450 1692">3. Relocation of sea turtle nests to accommodate construction is not authorized.</li> <li data-bbox="917 1703 1450 1875">4. All project activities shall be confined to daylight hours and shall not occur prior to 0800 AST or following the completion of all necessary marine turtle surveys and conservation</li> </ol>
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		<p>activities. The sea turtle monitor shall be available via phone after the initial inspection for any coordination throughout the workday. This measure will be conducted in accordance with USFWS/DPNR-approved SOP for employee sea turtle awareness training, project site preparation, and nesting season monitoring.</p> <p>5. Only native plant species are authorized to be planted. Existing native dune vegetation shall be disturbed to the minimum extent necessary. For information on appropriate coastal plants see Fish and Wildlife Service BMP document, <i>Sea Turtle Friendly Vegetation</i>.</p> <p>a. Removal of standing and live coastal vegetation (e.g., sea grapes, mangroves) that are not a hazard is unauthorized. No sea grass, sea weeds, algae nor beach sand shall be removed during beach debris removal efforts. Any vegetation planting shall be installed by hand labor and tools. Irrigation systems shall not be installed within nesting habitat. Applicants will submit vegetation plan that confirms compliance with these requirements and submit to USFWS at: <a href="mailto:caribbean_es@fws.gov">caribbean_es@fws.gov</a>.</p> <p>b. If a sea turtle nest is disturbed or uncovered during vegetation planting activity or project excavation, all work shall cease, and the sea turtle monitor shall immediately be contacted. If a nest(s) cannot be safely avoided during construction, all activity within the affected project</p>
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		<p>area shall be delayed until complete hatching and emergence of the nest. This measure will be conducted in accordance with USFWS/DPNR-approved SOP for employee sea turtle awareness training, project site preparation, and nest season monitoring.</p> <p>6. Placement of fill shall not occur within 10 feet of or in any area seaward of a marked sea turtle nest. Nests shall be marked in place with a roped-off 10-foot buffer. Dependent upon the fill volume and slope, distance offset from marked turtle nests may be required to be larger to avoid indirect impacts (e.g., fill slumping) to the nest. If the turtle nest cannot be avoided by this distance due to the scope of the project, all work near the nest must be postponed until completion of the sea turtle nesting season (November 30). These measures will be conducted in accordance with USFWS/DPNR-approved SOP for employee sea turtle awareness training, project site preparation, and nest season monitoring.</p> <p>7. All excavations and temporary alteration of beach topography shall be contoured or leveled to the natural beach profile prior to dusk each day. This includes raking tire ruts, filling pits or holes where debris was removed from the beach by the end of each day. Fill must be placed as landward as practicable to establish or repair dune features. The existing or pre-disaster beach and dune profile must be considered when determining the appropriate sitting of fill to provide reasonable longevity of the project. This measure will be</p>
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		<p>conducted in accordance with USFWS/DPNR-approved SOP for employee sea turtle awareness training, project site preparation, and nest season monitoring.</p> <p>8. No vehicle, equipment, staging or debris should be used, parked, or stored landward of the primary dune or in vegetated areas.</p> <p>a. Staging/parking/storage areas shall be located on paved surfaces as much as possible and outside of vegetated areas. Lightweight, all-terrain style vehicles, with tire pressures of 10 psi or less can operate on the beach and are the preferred transportation method. However, use of heavy equipment on the beach can be allowed provided it is taken off the beach by 1600 AST local time every night using an approved and designated beach access. All driving on the beach shall be between the high-water mark and the water's edge. These measures will be conducted in accordance with USFWS/DPNR-approved SOP for employee sea turtle awareness training, project site preparation, and nest season monitoring.</p> <p>9. Removal of vegetation, fence installation, construction activities, and light installation shall be limited to 50 meters from the high tide line. This measure will be conducted in accordance with USFWS/DPNR-approved SOP for employee sea turtle awareness training, project site preparation, and nest season monitoring.</p>
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		<p>10. No construction involving lights shall be used during the nesting season.</p> <p>a. A lighting plan utilizing sea turtle friendly light for coastal areas is required where lights will be repaired or newly installed. Lighting plans shall be sent to USFWS at: <a href="mailto:caribbean_ex@fws.gov">caribbean_ex@fws.gov</a>. Once the plan is fully implemented, a lighting inspection shall be conducted by the VIHFA Environmental Department to identify and correct any remaining problematic lights.</p> <p>11. If an unmarked sea turtle crawl is encountered during or prior to project activity, the work crew shall not disturb the integrity of the crawl. Project personnel shall follow the crawl up the beach or into the dune and contact the qualified sea turtle monitor to inform them of the location of the crawl. Care shall be taken to avoid walking or driving equipment over or near a crawl so that a potential nest is not damaged. This measure will be conducted in accordance with USFWS/DPNR-approved SOP for employee sea turtle awareness training, project site preparation, and nest season monitoring.</p> <p>12. Any collision(s) with and/or injury to any sea turtle in water, occurring during the construction of a project, shall be reported immediately to DPNR and NMFS's Protected Resources Division (PRD) at (1-727-824-5312) or by email to <a href="mailto:takereport.nmfsser@noaa.gov">takereport.nmfsser@noaa.gov</a> and <a href="mailto:SAJ-RD-enforcement@usace.army.mil">SAJ-RD-enforcement@usace.army.mil</a>. This measure will be conducted in accordance with USFWS/DPNR-approved SOP for employee sea turtle awareness training, project site</p>
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		<p>preparation, and nest season monitoring.</p> <p>13. All sea turtle sightings and incidents involving nesting sea turtle or hatchlings shall be reported to DPNR and the USFWS: Caribbean Ecological Services Field Office, P.O. Box 491, Boquerón, PR, Marelisa Rivera – Deputy Field Supervisor, 787-851-7297 extension 2016, 787-510-5207, <a href="mailto:marelisa_rivera@fws.gov">marelisa_rivera@fws.gov</a>. This measure will be conducted in accordance with USFWS/DPNR-approved SOP for employee sea turtle awareness training, project site preparation, and nest season monitoring.</p> <p><b>St. Croix Ground Lizard (<i>Ameiva polops</i>)</b>  The ground lizard is found on four offshore cays in St. Croix, USVI: Protestant Cay, private island (developed), Green Cay National Wildlife Refuge (federal land, undeveloped), Buck Island National Monument (NPS, federal lands undeveloped) and Ruth Cay (Territorial lands, undeveloped) Because of the restricted range, all proposed project activities on these cays will require consultation with USFWS.</p> <p><b>Virgin Islands Tree Boa (<i>Chilabothrus granti</i>)</b></p> <ol style="list-style-type: none"> <li>1. Contact Government of the Virgin Islands, Department of Planning and Natural Resources, Division of Fish and Wildlife (DFW) at (340)775-6762, for consultation.</li> <li>2. DFW will come out for an on-site discussion. They will need a copy of your building plans or a narrative of your intended project. DFW will coordinate via email so that all developers, owners, contractors, and other agencies, can follow along and provide input.</li> <li>3. DFW will conduct a short VI boa training session for all individuals conducting hand clearing. This will</li> </ol>
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		<p>involve discussion on what to do if a boa is encountered as well as boa identification. This can be done any time prior to hand clearing but is often performed on the first day on-site. Photographs of the VI boa are to be prominently displayed at the site.</p> <ol style="list-style-type: none"> <li>4. At least 5 days prior to the use of heavy equipment on the site, the site vegetation may be cut by hand. Any stone walls or naturally occurring rock piles must be carefully dismantled by hand as these are refuges for the snake. This will allow any boas present to vacate the site without injury.</li> <li>5. Only hand clearing of vegetation is to be performed. This allows the use of chainsaws cutting vegetation down to less than 36 inches off the ground.</li> <li>6. If a VI boa is found within any of the working or construction areas, activities should stop at the area where the VI boa is found. If boas need to be captured immediately to continue work and avoid harming the boa during the project activities, designated personnel shall immediately contact DFW for safe capture and relocation.</li> <li>7. DFW should be notified of any snakes observed.</li> <li>8. Another site visit will be performed by DFW to confirm that hand clearing has been completed to our standards. The waiting period clock starts after inspection.</li> <li>9. The site is to be left undisturbed for 5 days prior to the use of heavy machinery. However manual work may continue to be performed during this time and any vegetation may be moved by hand.</li> <li>10. Use of heavy equipment is only permitted to start after the agreed upon date.</li> </ol>
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		<p><b>Agave eggersiana</b>  A survey for listed plants will be conducted prior to any work in areas within the range of the species and where suitable habitat is present. If listed species are found within the project site, the USFWS will be contacted, and measures to avoid or minimize impacts 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.</p> <p><b>Calypttranthes thomasiana and Marron Bacora (<i>Solanum conocarpum</i>) (roadway and pedestrian walkway projects)</b>  For proposed project activities involving roadways or pedestrian walkways, a survey for listed plants will be conducted prior to any work in areas within the range of the species and where suitable habitat is present. If listed species are found within the project site, the USFWS will be contacted, and measures to avoid or minimize impacts 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.</p> <p>See <b>Appendix F</b> for the following compliance documentation related to this section.</p> <ol style="list-style-type: none"> <li>U.S. Virgin Islands, Neighborhood Revitalization – USFWS Consultation Response</li> </ol> <p><b>Refer to the Tier II Site-Specific Checklist for site-specific compliance documentation and property location.</b></p>
<p><b>Explosive and Flammable Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The Neighborhood Revitalization Program does not allow development, construction, rehabilitation that will increase residential densities, or conversion of land. Therefore, further review under Explosive and Flammable Hazards is not required. <b>Topic is in compliance and does not require further investigation during the Tier II Site-Specific Review.</b></p>

<p><b>Farmlands Protection</b></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>The Neighborhood Revitalization Program does not allow new construction; therefore, all proposed project activities will occur within areas already under Urban Use. Further review under Farmland Protection is not required.</p> <p><b>Topic is in compliance and does not require further investigation during the Tier II Site-Specific Review.</b></p>
<p><b>Floodplain Management</b></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>A 5-Step Floodplain Decision-Making Process was conducted for the purpose of the Neighborhood Revitalization Program. No public notices were completed as part of the 5-Step Process.</p> <p>Based on the program description and eligible activities, all repairs will be minor and there will be no new construction or placement of fill within the floodplain. Improvements located within the floodplain must already exist and require repair. Also, substantial improvement projects are not eligible for the program and the program will not allow any expansion within the floodplain.</p> <p>In order to preserve property, structures, with a total project cost of \$10,000 or more, located within the 100-year floodplain will require flood insurance to mitigate possible flood damage.</p> <p>Flood insurance requirements will be included in all agreements with participating parties, where applicable. The Department of Planning and Natural Resources will randomly enforce that no unnecessary impacts to the floodplain occur, nor unnecessary risks are taken during the construction activities. VIHFA will also play an active role in monitoring the construction activities to ensure that there are no deviations from the approved scope of work. The flood insurance requirement will be documented during the Environmental Close-Out Process.</p> <p>VIHFA will also include provisions within the grant agreement requiring applicants to</p>

		<p>maintain flood insurance in perpetuity. This requirement is to be passed along with the property and, if the property is transferred to a new owner, the transferring owner must notify the transferee of the flood insurance requirements. Applicants will be required to submit proof of flood insurance during the Program Monitoring Period.</p> <p>See <b>Appendix G</b> for the following compliance documentation related to this section.</p> <ol style="list-style-type: none"> <li>1. Neighborhood Revitalization 5-Step Floodplain Decision-Making Process</li> </ol> <p><b>Refer to the Tier II Site Specific Checklist for site-specific compliance documentation and property location.</b></p>
<p><b>Historic Preservation</b></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 US Department of Housing and Urban Development Addendum to The Programmatic Agreement Among the Federal Emergency Management Agency, the Virgin Islands State Historic Preservation Officer, the Virgin Islands Territorial Emergency Management Agency, and the Virgin Islands Housing Finance Authority will be utilized to determine compliance with the National Historic Preservation Act of 1966.</p> <p>The proposed scope of work will be used to determine if allowances apply to each applicant. The allowances consist of two tiers – First Tier and Second Tier. Staff may apply First Tier Allowances whether or not they meet professional historic preservation qualification standards, while only staff meeting the applicable SOI Professional Qualifications Standards in accordance with Stipulation I.B(1)(1) of the Programmatic Agreement may apply Second Tier Allowances.</p> <p>If the proposed project activities do not fall under either of the two tiers, or if there is no SOI Qualified Professional to apply the Second Tier Allowances, the activities will be reviewed by the Virgin Islands State Historic Preservation Office to determine if the</p>

		<p>Section 106 Process or further investigation is required.</p> <p>The VIHFA CDBG-DR Program anticipates most of the applicants within the Building Façade and Streetscape Enhancement Program will be located in the Territory’s Historic Districts. Projects located within the Historic District will also be reviewed by the Historic Preservation Commission to determine if additional mitigation measures are necessary.</p> <p>See <b>Appendix H</b> for the following compliance documentation related to this section.</p> <ol style="list-style-type: none"> <li>1. Historic Preservation – HUD Addendum to the FEMA Programmatic Agreement</li> <li>2. VIHFA-DPNR Historic Preservation Assessment (For Tier II Site-Specific Review Consultation)</li> </ol> <p><b>Refer to the Tier II Site Specific Checklist for site-specific compliance documentation and property location.</b></p>
<p><b>Noise Abatement and Control</b></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 type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The Neighborhood Revitalization Program does not allow new construction activities or major rehabilitation and will not result in an increase in density. Therefore, no further investigation is required for Noise Abatement and Control.</p> <p>Also, all proposed construction activities must take place during business hours to avoid noise during rest hours.</p> <p><b>Topic is in compliance and does not require further investigation during the Tier II Site-Specific Review.</b></p>
<p><b>Sole Source Aquifers</b></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><a href="https://www.epa.gov/dwssa/map-sole-source-aquifer-locations">https://www.epa.gov/dwssa/map-sole-source-aquifer-locations</a></p> <p>See <b>Appendix I</b> for the following compliance documentation related to this section.</p>

		<p>1. USVI Sole Source Aquifers Map</p> <p><b>Topic is in compliance and does not require further review during the Tier II Site-Specific Review.</b></p>
<p><b>Wetlands Protection</b></p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Neighborhood Revitalization Program will not provide funding for activities involving new construction or ground disturbance. This Program is designed to support activities such as aesthetic and functional enhancements, preservation of historic sites, increased security, better services for tourists and residents alike, and promotion of private investment. No wetlands will be impacted as a result of this program as there will be no major ground disturbance activities.</p> <p><b>Topic is in compliance and does not require further review during the Tier II Site-Specific Review.</b></p>
<p><b>Wild and Scenic Rivers</b></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:  <a href="https://www.rivers.gov/map.php">https://www.rivers.gov/map.php</a></p> <p>See <b>Appendix J</b> for the following compliance documentation related to this section.</p> <p>1. USVI Wild and Scenic Rivers Area Map</p> <p><b>Topic is in compliance and does not require further review during the Tier II Site-Specific Review.</b></p>
<b>ENVIRONMENTAL JUSTICE</b>		
<p><b>Environmental Justice</b></p> <p>Executive Order 12898</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Neighborhood Revitalization Program will support activities such as aesthetic and functional enhancements, preservation of historic sites, increased security, better services for tourists and residents alike, and promotion of private investment. The goal of the Building Façade and Streetscape Enhancement Program is to increase investment and improve the aesthetic of local communities. While the Small Business Entrepreneurship Grant and Technical</p>

		<p>Assistance Program will fund recovery grants to small business and microenterprises which suffered physical and/or financial losses due to the 2017 hurricanes.</p> <p>This program will not create an adverse environmental impact on low-income or minority communities.</p> <p><b>Topic is in compliance and does not require further investigation during the Tier II Site-Specific Review.</b></p>
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**Field Inspection (Date and completed by):**

Field Inspection will be completed during the Tier II Site-Specific Review. All proposed 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. Explosive and Flammable Hazards
2. Farmlands Protection
3. Noise Abatement and Control
4. Sole Source Aquifers
5. Wetlands Protection
6. Wild and Scenic Rivers
7. 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. Clean Air
5. Coastal Zone Management
6. Contamination and Toxic Substances
7. Endangered Species
8. Floodplain Management
9. Historic Preservation

**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>
Historic Preservation	<p>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.</p>

**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: 08/21/2023

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

Responsible Entity Agency Official Signature:  Date: 8/21/2023

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

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).