

## EXHIBIT IV-D

### Environmental Assessment for Projects/Activities Subject to 24 C.F.R. Part 58.5 and Other Requirements found at 24 C.F.R. Part 58.6

#### 1 Project/Activity Information, Executive Summary, Determinations, and Certification:

Project Name: Welby Station Apartments

Project/Contract #: 11-332

Grantee/Jurisdiction/Agency: Adams County Housing Authority

Grantee/Jurisdiction/Agency Address: 7190 Colorado Blvd., Commerce City, CO 80022

Project Representative: Artie Lehl

Project Representative's Telephone Number: 303-525-1448

Responsible Entity (RE): State of Colorado Department of Local Affairs  
[24 C.F.R. Part 58.2(a)(7)]

Certifying Official: Tamra Hooper  
[24 C.F.R. Part 58.2(a)(2)]

**Adams County Housing Authority is applying for funding from the Colorado Division of Housing under the third round of funding of the Neighborhood Stabilization Program (NSP3) to construct a 119 unit affordable rental apartment complex in Thornton, Colorado. See the attached map of location in Appendix A.**

#### Statement of Purpose and Need for the Proposed Action:

[40 C.F.R. Part 1508.9(b)]

The market study for this project, conducted by Prior & Associates, indicates a substantial need for more multi-family housing in this sub-market, particularly for families at the lowest income levels. According to the report this is due in part to the redevelopment and expansion of the Mapleton School District and the nearby Sky View High School. These needs are echoed in the City of Thornton's Housing Master Plan.

This project is consistent with the City's 2010-2015 Consolidated Plan and the City's Comprehensive Plan as well as City Council's vision for the area. It will provide additional housing options for low- and moderate- income residents, as well as enhance the livability of the area through planned upgrades. The project will serve as a catalyst for further developments which will be welcome additions to this struggling area of the city.

#### Description of the Proposed Action:

(Include all contemplated actions which logically are either geographically or functionally a composite part of the project, regardless of the source of funding. [24 C.F.R. Part 58.32, 40 C.F.R. Part 1508.25])

RTD's FasTracks project has identified a light rail line which will be developed into the northern suburbs of Denver. This plan includes a stop in Thornton near 88th Avenue and Welby Road known as the Welby Station. City of Thornton Council and Staff have indicated that the development of the area surrounding this station should be a top priority, as it may be the only station RTD ever builds in the City.

The land adjacent to the proposed light rail station is a large in-fill parcel of 53 acres. It is currently owned by Welby Station LLC, and entity controlled by Gene Myers (of New Town Builders) and Michael Richardson. This infill parcel has sat dormant while the land surrounding it was developed throughout the 1960's, 70's and 80's.

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The Adams County Housing Authority has entered into a purchase agreement with Welby Station, LLC to acquire 7.85 partially developed acres from this larger parcel of land. ACHA intends on developing approximately 200 units of apartments on this site.

The Welby Station project is designed as a two phase multi-family project. The buildings will be high efficiency three story walk ups with garages. The first phase of the project will consist of 119 units of housing, two playgrounds, and a clubhouse with leasing office and a community pool. The second phase will consist of approximately 75 units of housing.

ACHA has been awarded \$2.5 million in grant funds from the Colorado Division of Housing (CDOH) for the acquisition and pre-development of the site. The funds are from the federally funded Neighborhood Stabilization Program (NSP). ACHA also will be applying for \$1 million in HOME funds from CDOH to support the construction of the project. Adams County is in the process of committing \$750,000 in NSP funds for construction as well. Currently ACHA is awaiting a decision from the Colorado Housing Finance Authority on an award of Low Income Housing Tax Credits which will have an estimated value of \$10.75 million in equity to the project. ACHA plans to invest up to \$500,000 in affordable housing funds which were derived from the proceeds from sales of some of ACHA's public housing.

ACHA has proposed a mixed income project serving families ranging from 30% AMI up to market rate. Approximately 29% of the project will serve households 30% and 40% AMI levels. Forty two percent of the total project will serve households at or below 50% AMI. About 8% of the project will serve households at 60% AMI with the balance of units (approximately 21%) rented at market in order to create a truly mixed income community. This unit mix is based on the demands identified in the market study.

### **Existing Conditions and Trends:**

(Describe the existing conditions of the project area and its surroundings, and trends likely to continue in the absence of the project. [24 C.F.R. Part 58.40(a)])

Currently the area in question is undeveloped land. In the absence of this project this parcel will remain undeveloped.

### **Alternatives to the Proposed Action**

Alternatives and Project Modifications Considered  
[24 C.F.R. Part 58.40(e), 40 C.F.R. Part 1508.9]

(Identify and discuss all reasonable alternative courses of action that were considered and were not selected, such as alternative sites, designs, or other uses of the subject site(s). Describe the benefits and adverse impacts to the human environment of each alternative, in terms of environmental, economic, and design contexts, and the reasons for rejecting each alternative. Also, finally discuss the merits of the alternative selected.)

Other options for development of this site included commercial uses including, retail, or a community recreation center and community park. Each of these alternatives has a similar if not equal impact to the area. No other options were considered to the proposed action based on current zoning and comprehensive planning related to Transit Oriented Development at this location.

No Action Alternative  
[24 C.F.R. Part 58.40(e)]

(Discuss the benefits and adverse impacts to the human environment of not implementing the no action alternative.)

There are no benefits to the human environment for not implementing this project. Conversely this project will provide development of a vacant site which, in its current state contributes to periodic flooding in the surrounding neighborhoods.

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### **Summary of Findings & Conclusions**

(Briefly summarize all important findings and conclusions, discussing direct impacts, indirect impacts, and cumulative impacts.)

The impact of this project will create new affordable rental housing in an area that needs it. The development will have little to no impact on the existing habitat beyond an improvement. The area currently creates negative drainage and flooding issues for the surrounding neighborhoods. This project will mitigate this problem.

### **Summary of Recommended Mitigation Measures**

[24 C.F.R. Part 58.40(d), 40 C.F.R. Part 1508.20]

(Summarize the proposed mitigation measures identified and intended for implementation to eliminate or minimize adverse environmental impacts.)

Standard best practices for storm water quality management and air quality management are recommended during construction. These measures are required by the Colorado Department of Health and Environment (CDPHE) and will be regulated and enforced by both CDPHE and the City of Thornton.

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**Conditions for Approval**

(List all mitigation measures adopted by the responsible entity to eliminate or minimize adverse environmental impacts. These conditions must be included in project contracts or other relevant documents as requirements. [24 C.F.R. Part 58.40(d), 40 C.F.R. Part 1505.2(c)])

**Additional Studies Performed**

(Summarize and attach all special studies performed to support the environmental assessment analysis.)

**Finding:**

[24 CFR Part 58.40(g)]

- Finding of No Significant Impact**  
(The project will not result in a significant impact on the quality of the human environment)  
Proceed with the publication of the Combined Notice of Finding of No Significant Impact and Request for Release of Funds (**FONSIRROF - Exhibit IV-D.2**) and the submittal of the RROF and Certification form (**Exhibit IV-D.3**) to DOLA/OEDIT as appropriate following the 15-day comment period.
  
- Finding of Significant Impact**  
(The project may significantly affect the quality of the human environment)

**Environmental Review Preparer's Information -printed or typed:**

Name: Arthur Ray Lehl Jr. Title: Manager of Special Projects Phone: 303-525-1448

Environmental Preparer's organization: Adams County Housing Authority

Environmental Preparer's signature: 

Date: 9/13/2011

**Responsible Entity, Representative's Information/Certification (Certifying Officer) - printed or typed:**

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Representative's organization: \_\_\_\_\_

Representative's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please forward questions and route completed forms to the appropriate contact person below:	
DOLA/DOH GRANTEES	OEDIT GRANTEES
Tamra Hooper, Environmental Compliance Officer Department of Local Affairs 1313 Sherman Street, Room 521 Denver, CO 80203 303-866-6398 tamra.hooper@state.co.us	Bob Todd, CDBG Manager Business Programs Office of Economic Development & International Trade 1625 Broadway 2700 Denver, CO 80202 303-892-3840 robert.todd@state.co.us

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**2 Statutory Checklist (ref.: 24 C.F.R. Part 58.5 – Related Federal laws and authorities)**

**DIRECTIONS:** Write “A” in the Status Column when the project, by its nature, does not affect the resources under consideration, OR write “B” if the project triggers formal compliance consultation procedures with the oversight agency, or requires mitigation (see the attached “Statutory Checklist Instructions”). Compliance documentation must contain verifiable source documents and relevant base data. Attach reviews, consultations, and special studies as needed.

<b>Compliance Factors</b> (Statutes, Executive Orders, and regulations listed at <b>24 C.F.R. Part 58.5</b> )	<b>Status</b>  (A or B)	<b>Compliance Finding and Documentation</b> <b>DO NOT LEAVE ANY SECTIONS BLANK.</b> <b>Document how you arrived at the “A” or “B” status for each factor.</b>
<b>Historic Properties</b> <ul style="list-style-type: none"> <li>▪ 36 CFR Part 800 regulations</li> <li>▪ National Historic Preservation Act of 1966</li> <li>▪ Executive Order 11593, Protection and Enhancement of the Cultural Environment</li> </ul>	A	Property has two irrigation canals which will not be impacted by the development. No other structures or features. See SHPO clearance.
<b>Floodplain Management</b> <ul style="list-style-type: none"> <li>▪ Executive Order 11988</li> <li>▪ 24 CFR Part 55 regulations</li> </ul>	A	This property is not located in the 100 year Flood Plain – Please see attached FEMA Map
<b>Wetland Protection</b> <ul style="list-style-type: none"> <li>▪ Executive Order 11990</li> </ul>	A	Project is not located in or adjacent to a Wetland. See attached map from US Department of Fish and Wildlife
<b>Coastal Zone Management</b> <ul style="list-style-type: none"> <li>▪ Coastal Zone Management Act of 1972</li> </ul>	A	Pre-determined by HUD - Not applicable for the States of CO, MT, ND, NE, SD, UT, & WY
<b>Sole Source Aquifers</b> <ul style="list-style-type: none"> <li>▪ Safe Drinking Water Act of 1974</li> <li>▪ 40 CFR Part 149 regulations</li> </ul>	A	Pre-determined by HUD - There are currently NO sole source aquifers designated in Colorado
<b>Endangered Species</b> <ul style="list-style-type: none"> <li>▪ Endangered Species Act of 1973</li> </ul>	A	This project will not impact or modify existing habitats or have an adverse effect on endangered species. See Phase I study
<b>Wild and Scenic Rivers</b> <ul style="list-style-type: none"> <li>▪ Wild and Scenic Rivers Act of 1968</li> </ul>	A	This project is not located near any wild and scenic rivers. The only river, listed on the National Register, is the Cache la Poudre River in Northern Colorado.
<b>Air Quality</b> <ul style="list-style-type: none"> <li>▪ Clean Air Act of 1970</li> <li>▪ 40 CFR Parts 6, 51, &amp; 93 regulations</li> </ul>	A	This project will not impact the Clean Air Act
<b>Farmland Protection Policy Act</b> <ul style="list-style-type: none"> <li>▪ Farmland Protection Policy act of 1981</li> <li>▪ 7 CFR Part 658 regulations</li> </ul>	A	This project site does not include prime or unique farmland, or other farmland of statewide or local importance. This property is zoned for residential or commercial use only.
<b>Environmental Justice</b> <ul style="list-style-type: none"> <li>▪ Executive Order 12898</li> </ul>	A	The proposed site is suitable for its proposed use

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<b>Compliance Factors</b> (Statutes, Executive Orders, and regulations listed at <b>24 C.F.R. Part 58.5)</b>	<b>Status</b>  (A or B)	<b>Compliance Finding and Documentation</b> <b>DO NOT LEAVE ANY SECTIONS BLANK.</b> <b>Document how you arrived at the</b> <b>“A” or “B” status for each factor.</b>
		and will <b>NOT</b> be adversely impacted by adverse environmental conditions.
<b>HUD ENVIRONMENTAL STANDARDS</b> <b>Noise Abatement and Control</b> ▪ 24 CFR Part 51B regulations	A	There is one major railroad which will also serve as within 3,000 feet of the property, please see map. This railroad does not produce enough noise so as to require abatement. See attached railroad assessment.
<b>Explosive and Flammable Operations</b> ▪ 24 CFR Part 51B regulations	A	Project will expose neither people nor buildings to such hazards. There are no above ground storage tanks located on the property per site inspection on 3/05/2011
<b>Toxic Chemicals / Gases, Hazardous Materials, Contamination, and Radioactive Substances</b> ▪ 24 CFR Part 58.5(i)(2)(i) regulation	A	The subject property is free of hazardous materials, contamination, toxic chemicals, gasses and radioactive substances, which could affect the health or safety of occupants or conflict with the intended use of the property. This is a residential property.
<b>Airport Clear Zones and Accident Potential Zones</b> ▪ 24 CFR Part 51B regulations	A	There are no airports located within 20 miles of the property.

**3 Environmental Assessment Checklist (ref.: Environmental Review Guide HUD CPD 782, 24 C.F.R. Part 58.40, 40 C.F.R. Parts 1508.8 & 1508.27)**

(Evaluate the significance of the effects of the proposal on the character, features, and resources of the project area. Enter relevant base data and verifiable source documentation to support the finding. Then note the appropriate impact code from the following list to make a finding of impact. **Impact Codes:**

- No impact anticipated; - Potentially beneficial; - Potentially adverse;
- Requires mitigation; - Requires project modification.

Note names, dates of contact, telephone numbers, and page references. Attach additional materials as needed.)

<b>IMPACT CATEGORIES</b>	<b>No Impact Anticipated</b>	<b>Potentially Beneficial</b>	<b>Potentially Adverse</b>	<b>Requires Mitigation</b>	<b>Requires Project Modification</b>	<b>SOURCE OF DOCUMENTATION</b> (Note date of contact or page reference). Additional material may be attached.

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<b>IMPACT CATEGORIES</b>	<b>No Impact Anticipated</b>	<b>Potentially Beneficial</b>	<b>Potentially Adverse</b>	<b>Requires Mitigation</b>	<b>Requires Project Modification</b>	<b>SOURCE OF DOCUMENTATION (Note date of contact or page reference). Additional material may be attached.</b>
Conformance with Comprehensive Plans & Zoning		X				City of Thornton Consistency with Con Plan
Compatibility & Urban Impact		X				City of Thornton Planning Letter
Slope	X					Civil Survey
Soil Suitability		X				Soils Report
Hazards & Nuisances, Including Site Safety	X					N/A
Energy Consumption	X					Xcel Energy – Will Serve
Effects of Ambient Noise on Project & Contribution to Community Noise Levels	X					Phase I
Effects of Ambient Air Quality on Project & Contribution to Community Pollution	X					Phase I
Visual Quality-Coherence, Diversity, Compatible Use, & Scale		X				Zoning
Historical, Cultural, & Archaeological Resources	X					Phase I; SHPO
<b>Socioeconomic</b>						
Demographic / Character Changes	X					Market Study
Displacement	X					N/A
<i>Employment &amp; Income Patterns</i>	X					N/A
<b>Community Facilities &amp; Services</b>						
Educational Facilities	X					School District Letter of Support

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<b>IMPACT CATEGORIES</b>	<b>No Impact Anticipated</b>	<b>Potentially Beneficial</b>	<b>Potentially Adverse</b>	<b>Requires Mitigation</b>	<b>Requires Project Modification</b>	<b>SOURCE OF DOCUMENTATION (Note date of contact or page reference). Additional material may be attached.</b>
Commercial Facilities	X					N/A
Health Care	X					N/A
Social Services	X					N/A
Solid Waste	X					City of Thornton Water – Will Serve
Waste Water	X					City of Thornton Water – Will Serve
Storm Water		X				Civil Survey
Water Supply	X					City of Thornton Water – Will Serve
Water Resources	X					City of Thornton Water – Will Serve
Surface Water		X				Civil Survey
Public Safety - Emergency Medical	X					Phase I
Open Space	X					Phase I
Recreation		X				Zoning
Cultural Facilities	X					N/A
Transportation	X					N/A
Unique Natural Features & Agricultural Lands	X					N/A
Vegetation & Wildlife	X					Phase I
Other Factors	X					N/A

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(Note: The Responsible entity must additionally document compliance with 24 C.F.R. Part 58.6, under #4. "Regulatory Checklist" on the following page, in the Environmental Review Record, particularly with the Flood Insurance requirements of the Flood Disaster Protection Act and the Buyer Disclosure requirement of the HUD Airport Runway Clear Zone/Accident Potential Zone regulation @ 24 C.F.R. Part 51, Subpart D.)

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**4 Regulatory Checklist (ref.: 24 C.F.R. Part 58.6 – Other requirements):**

X **24 C.F.R. Part 58.6(a): Flood Disaster Protection Act of 1973, as amended:**

*(NOTE: Applicable only when project/activity site is located in a community participating in the National Flood Insurance Program, administered by the Federal Emergency Management Agency.)*

Is the project/activity located within a Special Flood Hazard Area (SFHA) as mapped by the Federal Emergency Management Agency (FEMA)?

\_\_\_\_\_ Yes    X No            FEMA Map Number: 08001C0602H

If the answer to this question is yes, the project/activity cannot proceed unless flood insurance is obtained through the National Flood Insurance Program.

Insurance Policy Number: \_\_\_\_\_

N/A **24 C.F.R. Part 58.6(b): National Flood Insurance Reform Act of 1994, Section 582, (42 U.S.C. 5154a):**

*(NOTE: Applicable only when the project site is located in an area where HUD disaster assistance is being made available.)*

Is the project located within a Special Flood Hazard Area (SFHA) as mapped by the Federal Emergency Management Agency (FEMA)?

\_\_\_\_\_ Yes    \_\_\_\_\_ No            FEMA Map Number: \_\_\_\_\_

If "Yes", would the HUD disaster assistance be made to a person who had previously received Federal flood disaster assistance conditioned on obtaining and maintaining flood insurance and that person failed to obtain and maintain the flood insurance?

\_\_\_\_\_ Yes    \_\_\_\_\_ No

If "Yes", the HUD disaster assistance cannot be made to that person in the Special Flood Hazard Area to make a payment (including any loan assistance payment) for repair, replacement, or restoration for flood damage to any personal, residential, or commercial property.

Insurance Policy Number: \_\_\_\_\_

N/A **24 C.F.R. Part 58.6(c): Coastal Barrier Improvement Act of 1990, as amended:**

*(NOTE: Not applicable in the HUD Region VIII area. There are no coastal barriers identified in HUD Region VIII and in HUD Office of Native Americans, Northern Plains, States of CO, MT, NE, ND, SD, UT, and WY.)*

N/A **24 C.F.R. Part 58.6(d): Civilian and/or Military Airport Runway Clear Zone:**

*(NOTE: Applicable only if the project/activity involves HUD assistance, subsidy, or insurance for the purchase or sale of an existing property in a Runway Clear Zone or Clear Zone pursuant to 24 CFR Part 51, Subpart D.)*

Does the project involve HUD assistance, subsidy, or insurance for the purchase or sale of an existing property in a Runway Clear Zone or Clear Zone pursuant to 24 CFR Part 51, Subpart D?

\_\_\_\_\_ Yes    \_\_\_\_\_ No            Source documentation: \_\_\_\_\_

If yes, the responsible entity must advise the buyer that the property is in a runway clear zone or clear zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information.

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### **5 Attachments:**

#### **List of Sources, Agencies, and Persons Consulted**

[40 C.F.R. Part 1508.9(b)]

(List and attach all evidence of inquiries and responses received at all stages of consultation and analysis.)

State of Colorado Water Board

State of Colorado Office of Archaeological and Historical Preservation

Phase I Study conducted by ERO

HUD.gov

FEMA.gov

Various Maps

#### **Appendices**

(As required.)