



**U.S. Department of Housing and Urban
Development**

451 Seventh Street, SW
Washington, DC 20410
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Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name: 24N R ST JAMES HOME ARP

Responsible Entity: Thomas Jefferson Planning District Commission

Grant Recipient: City of Charlottesville / Thomas Jefferson HOME Consortium

State/Local Identifier:

Preparer: dpSTUDIO, LLC

Certifying Officer Name and Title: Christina Jacobs, Executive Director, Thomas Jefferson Planning District Commission

Grant Recipient:

Consultant: dpSTUDIO, LLC

Direct Comments to:

Nelson County Community Development Foundation
c/o Rose Valentino, Home Rehab Project Manager
NCCDF
PO Box 57
Lovingson, VA 22949
rosevalentino@nccdf.org
(434) 263-8074 x102

Project Location:

Nelson County Lot # 64 10 6 37° 43' 46.6608" N 79° 0' 43.884" W

ND St. James Church Road is located approximately 4.8 miles west of Colleen in Nelson County. According to Nelson County Property Records, this property is located on a 5.06-acre lot and is identified as Lot No. 6 of the St. James Place Subdivision.

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

The proposed project will provide 6 rental units for low-income Nelson County residents. The project is located on a 5.06-acre site and will consist of three two-bedroom units, paired as duplexes.

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

There is a significant lack of affordable housing in Nelson County. Much of the existing housing stock is aging and in need of major repairs. There are few rental opportunities in the county, and even fewer that are affordable to low-income families. The purpose of the proposed project is to provide several rental units for low-income Nelson County families to help offset the dire need for such housing in this area.

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

The property is a vacant, partially cleared parcel accessed from St. James Church Road and is bordered by adjacent home and land parcels on all sides.

Funding Information

| <u>Grant Number</u> | <u>HUD Program</u> | <u>Funding Amount</u> |
|----------------------------|---------------------------|------------------------------|
| M-21-DB-51-0209 | HOME ARP | \$347,404.92 |
| Additional Grant | TJP Grant | \$220,000.00 |
| Other Grants | Private | \$139,402.00 |

Estimated Total HUD Funded Amount: \$347,404.92

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$706,806.92

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

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

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6 | Are formal compliance steps or mitigation required? | Compliance determinations |
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| STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6 | | |
| Airport Hazards 24 CFR Part 51 Subpart D | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. According to NEPAassist, the closest airport is located in Waynesboro, approximately 31.94 miles from the project site. The project is in compliance with Airport Hazards requirements. See Appendix B |
| Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | According to a review of the U.S. Fish & Wildlife Service Coastal Barrier Resources System Mapper, the project site is not located in a CBRS Unit. Therefore, the project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. See Appendix C |
| Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | Based on the project description the project includes no activities that would require further evaluation under this section. Based on a review of FEMA National Flood Hazard Layer (FIRM) 51125C0310B, dated June 18, 2010, the subject property is located in Zone X, an area of minimal flood hazard. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance |

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| | | <p>under the National Flood Insurance Program (NFIP). Nelson County participates in the NFIP, CID #510102#. The project is in compliance with Flood Insurance requirements.</p> <p>See Appendix D</p> |
| <p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5</p> | | |
| <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>Nelson County air quality is in attainment status for all six (6) criteria pollutants. The project is in compliance with the Clean Air Act.</p> <p>See Appendix E</p> |
| <p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>According to the National Oceanic and Atmospheric Administration (NOAA), Virginia's coastal zone includes the state's 29 coastal counties, 17 cities, and 42 incorporated towns. The subject property is located in Nelson County, which is not within the coastal zone. In addition, the proposed activity is not subject to a Federal Consistency Review under the Virginia Coastal Program. Therefore, the project will not affect the coastal zone and is in compliance with the Coastal Zone Management Act.</p> <p>See Appendix C</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 type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>Based on a review of the regulatory database report and results of the on-site reconnaissance included with dpSTUDIO's Phase I ESA dated November 8, 2024, the Phase I ESA did not identify any RECs within the report. The Environmental Site Assessment has revealed an observed condition associated with the subject property that is not considered a recognized environmental condition for the property but may have business environmental risk or some material effect on environmental conditions depending on future usage of the property. Historical information shows the property and/or adjacent properties were formerly associated with agricultural and</p> |

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| | | <p>farming uses. Agricultural properties often had historic application of pesticides (HAP) that may have impacted soils, shallow ground water and/or surface water on the subject property. The potential impacts do not represent an obvious risk with respect to the current uses of the property, but may be considered a REC if soils, shallow groundwater, and/or surface water are used for other purposes. Light dumping was observed on the northern border consisting of rubbish, bottles and tires. In addition, one (1) 1,000-gallon empty tank was observed on the northwestern portion of the property. The tank appeared to have been dumped on the property as scrap metal and was empty at the time of the site reconnaissance. No odors or stained soil was observed. The project is in compliance with contamination and toxic substances requirements.</p> <p>See Appendix F</p> |
| <p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>Based on the proposed project description submitted to IPaC and analysis completed by the U.S. Fish & Wildlife Service (Service) dated August 12, 2024, and then renewed on October 28, 2024 as documented by project code 2024-0129019, there are no critical habitats within the project area. The Monarch Butterfly, <i>Danaus Plexippus</i>, has a Candidate status and is not currently protected by the take prohibitions of section 9 of the Endangered Species Act (ESA). The other listed species in the proposed project area is the Green Floater Clam, <i>Lasmigona subviridis</i>, status of Proposed Threatened by the Service. This freshwater mussel can be found in small streams and large rivers in the eastern U.S. As there are no streams on the proposed project site, no construction action will jeopardize the continued existence of the proposed threatened species and therefore the proposed action is in compliance with Section 7(a)(4) of the Endangered Species Act. See Appendix G</p> |

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| <p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>Based on a review of the regulatory database report and results of the on-site reconnaissance included with dpSTUDIO's Phase I ESA, dated November 8, 2024, the subject property is not located within the immediate vicinity of hazardous industrial operations, handling fuel or chemicals of an explosive or flammable nature. The subject property has no current volatile organic sources within the property. According to database details, one Registered Underground Storage Tank (UST) facility was located within a one-half mile radius of the subject property and is hydrogeologically downgradient. The facility, H& H of Roseland, Inc., located at 4823 Patrick Henry Highway, formerly operated five (5) USTs. The USTs are listed as removed from the ground and closed in 1991 with a No Further Action (NFA) declaration by the Virginia DEQ. No releases are reported for the UST facility. Based on the closed current regulatory status and absence of releases, it appears that additional records review pertaining to the facility is not warranted per ASTM 1527-21, as the current information obtained is sufficient to conclude that the facility is not suspected to present significant environmental concerns to the subject property. The Phase I ESA revealed no evidence of recognized environmental conditions for the subject property and based on the project description, the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.</p> <p>See Appendix F</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>According to EPA NEPAassist, the subject property is not located within an urbanized area, and review of the USDA Web Soil Survey indicates the subject property is located predominantly within areas of not prime farmland - 70%, and farmland of</p> |

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| | | <p>statewide importance - 30%. After review of Form AD-1006 with the Louise Jacques from the office of the State Soil Scientist for Virginia dated October 25, 2024, the subject property received a project score of 41 points, significantly less than the allowable maximum of 160 points. The project is in compliance with the Farmland Protection Policy Act, and no alternative sites need to be considered.</p> <p>See Appendix H</p> |
| <p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>Based on the project description the project includes no activities that would require further evaluation under this section. Based on a review of FEMA National Flood Hazard Layer (FIRM) 51125C0310B, dated June 18, 2010, the subject property is located in Zone X, an area of minimal flood hazard. The project location is not within the 100-year or 500-year floodplain and is therefore in compliance with Executive Order 11988.</p> <p>See Appendix D</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 type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>Review of the US EPA NEPAassist and the Virginia Department of Historic Resources (DHR)'s Cultural Resource Information System (V-CRIS) maps did not identify National Register of Historic Places (NRHP)-listed or eligible sites or historic districts on or in the immediate vicinity of the subject property. A Phase I Cultural Resources survey was completed on the subject property dated February 12, 2025 and has been submitted to VDHR for review – DHR File No. 2024-5123. Based on a letter from VDHR of the same File No. dated March 18, 2025, a finding of <i>No Historic Properties Affected</i>, with a condition, has been filed with the agency and fulfills the Federal agency’s responsibilities under Section 106 of the National Historic Preservation Act. This project is in compliance with Section 106.</p> <p>See Appendix I</p> |

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| <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 type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>Based on review of available maps, the subject property is greater than 1,000 feet from major/busy roads, greater than 3,000 feet from a railway, and also greater than 5 miles from a civilian airport or 15 miles from a military airfield. The property is in compliance with HUD's Noise regulation.</p> <p>See Appendix J</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>The subject property is not located on nor does it affect a sole source aquifer. The project is in compliance with Sole Source Aquifer requirement of the Safe Drinking Water Act.</p> <p>See Appendix K</p> |
| <p>Wetlands Protection</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>Based on a review of the U.S. Fish & Wildlife Service National Wetlands Inventory (NWI) map, the proposed project site includes no wetland designated areas on the property or in the general vicinity, and no activities that would require further evaluation under this section are anticipated. The project is in compliance with Executive Order 11990.</p> <p>See Appendix L</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>This project is not within proximity of a NWSRS river. See attached national listing of Wild & Scenic rivers where Virginia is not included. The project is in compliance with the Wild and Scenic Rivers Act.</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>According to the EPA EJScreen of Environmental and Socioeconomic Indicators Data as well as a Market Analysis completed for Nelson County, VA, 11% of the subject property and surrounding 1-mile radius population are designated as Low Income as compared to the 25% State Average. The Subject property and surrounding area are comprised of 49% People of Color as compared to the state average of 38%. The unemployment rate of the subject property is 2% and is less than</p> |

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| | | <p>the 5% reported as the state average. Based on the information gathered from the regulatory database report, the EPA EJScreen, Supplemental Index, and other information sources reviewed during the course of dpSTUDIO's Phase I ESA, the subject property is not directly affected by any nearby hazardous sites. According to EPA's EJScreen, 11 of the 13 Environmental Burden Indicators have a lower value for the subject property and nearby surroundings as compared to the Virginia State values. The first exception to this relates to Superfund Proximity. The value for the proposed project site is 0.42 site count/km distance as compared to the state average of 0.26 site count/km distance. According to the database search on the subject property, there are no Superfund sites within the ASTM standard 1.0-mile search radius. The other exception is for Lead Paint. The proposed project site has a score of 0.3(5 Pre-1960 Housing) as compared to a state average value of 0.22. This underscores the need for the newer homes that this proposed project hopes to provide. Based on the information gathered from the regulatory database report, the EPA EJScreen, Supplemental Index, and other information sources reviewed during the course of dpSTUDIO's Phase I ESA, the subject property is not directly affected by any nearby hazardous sites. Therefore, the subject property and its proposed residents do not suffer from disproportionately adverse environmental effects relative to the community-at-large. There are no adverse environmental impacts from the proposed project, therefore E.O. 12898 does not apply to the project.</p> <p>See Appendix N</p> |
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Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|--|-------------|--|
| LAND DEVELOPMENT | | |
| Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design | 2 | |
| Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff | 2 | Best management practices will be used in order to prevent adverse impacts from erosion, drainage, and storm water runoff. |
| Hazards and Nuisances including Site Safety and Noise | 2 | Site generated noise will be temporary and restricted to just the time the project will be under construction. Site safety best practices will be strictly enforced. |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|---------------------------------|-------------|---|
| SOCIOECONOMIC | | |
| Employment and Income Patterns | 1 | The proposed project will provide new construction affordable rental housing to 6 low-income households This project will serve households earning at or below 80% of the Area Median Income (AMI) for the region. See Appendix A for Nelson County 2024 AMI Chart |

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| Demographic Character Changes, Displacement | 1 | <p>The proposed project will provide new construction affordable rental housing to 6 low-income households. This project will serve households earning at or below 80% of the Area Median Income (AMI) for the region. Currently, the proposed site is a vacant and partially cleared site. No demographic character changes are anticipated. As the proposed project is for new construction housing, no displacements of families or residents will occur.</p> <p>See Appendix A for Nelson County 2024 AMI Chart</p> |
| Environmental Justice | 1 | <p>The proposed project site is not within 3,000 feet of any know regulated environmental site or contaminated facilities. Based on the information gathered from the regulatory database report, the EPA EJScreen, Supplemental Index, and other information sources reviewed during the course of dpSTUDIO's Phase I ESA, the subject property is not directly affected by any nearby hazardous sites. Therefore, the subject property and its proposed residents do not suffer from disproportionately adverse environmental effects relative to the community-at-large. Currently, there is a significant lack of affordable housing in Nelson County. Based on a 2019 Comprehensive Regional Housing Study and Needs Assessment completed for the Thomas Jefferson Planning District Commission (TJPDC) by Partners for Economic Solutions (PES), Thirteen percent (13%) of households in Nelson County are below the poverty line and twenty percent (20%), have an annual income of \$25,000 or less. 170 renter households are severely cost burdened, spending more than 50% of their incomes on housing as are 470 additional owner households. This means that over 500 households need affordable housing in Nelson County not including the unhoused, the unstably housed, and those living in sub-standard units. Much of the existing housing stock is aging and in need of major repairs. There are few rental opportunities at all, and even fewer that are affordable to low-income families.</p> <p>See Appendix A for Market Analysis for Nelson County</p> |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
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| COMMUNITY FACILITIES AND SERVICES – See Appendix O | | |
| Educational and Cultural Facilities | 2 | <p>The project is located in Roseland within Nelson County and is located within 8.5 miles to the county public schools, including Temperance and Tye River elementary schools and Nelson middle and high schools. The project site is</p> |

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| | | located within 30 minutes to cultural facilities in the towns of Lovingston, Amherst, and Lynchburg. |
| Commercial Facilities | 2 | The project site is located within 5 miles of several shopping facilities. |
| Health Care and Social Services | 2 | The project site is located approximately 6.0 miles from the Blue Ridge Medical Center, approximately 15.7 miles from UVA Health Family Medicine, Stoney Creek and 30.5 miles to Centra Lynchburg Community Hospital. The project site is located approximately 10 miles from the Nelson County Social Services |
| Solid Waste Disposal / Recycling | 2 | The project site will be serviced by the municipality at collection sites located throughout the county. Individuals are responsible to get their solid wastes to one of these locations or a private hauler may be engaged for pick-up service. The project site is located within 15 miles of several solid waste disposal and recycling sites. |
| Waste Water / Sanitary Sewers | 2 | The project site will have waste water / sanitary sewer needs provided by Nelson County Service Authority. |
| Water Supply | 2 | The project site does not have access to a public/municipal water supply system. Water will be provided by onsite wells. |
| Public Safety - Police, Fire and Emergency Medical | 2 | The project site is located approximately 10.5 miles from the Nelson County Sheriff's Office and Emergency Services, and approximately 1.6 miles from the Piney River Volunteer Fire Department. |
| Parks, Open Space and Recreation | 2 | The project site is located approximately 4.2 miles from Tye River Park, 3.8 miles from Fleetwood Community Center, and approximately 9.6 miles from Nelson County Parks & Recreation. |
| Transportation and Accessibility | 2 | The project site is located in a rural setting with limited transportation options. However, JAUNT, a regional transportation system, provides some public transportation options in the area. RideShare offers free carpool and SchoolPool matching, vanpool coordination, and operates a Guaranteed Ride Home program to provide free rides home in an emergency. Also, Lovingston Connect offers weekday commuter service transporting riders from the Lovingston area along Rt. 29 to UVA, Downtown Charlottesville, and Belmont. |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
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| NATURAL FEATURES | | |
| Unique Natural Features, Water Resources | 2 | The proposed project site is a vacant, partially wooded parcel that was formerly used as farmland and tree harvesting. No unique natural features or water resources will be disturbed. |
| Vegetation, Wildlife | 2 | Through consultation with the U.S. Fish & Wildlife Service, it was determined that no threatened or endangered species and no critical habitats were identified in the proposed project site. Loss of vegetation and wildlife habitat, and noise and light disturbances to wildlife during construction and occupancy are likely to result in short and long-term minor adverse impacts to vegetation and wildlife habitat, but surrounding properties will remain rural in nature. |
| Other Factors | | |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
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| CLIMATE AND ENERGY | | |
| Climate Change Impacts | 2 | <p>A Climate Risk Assessment Report was completed by ERIS dated October 31, 2024. The CRAR reflects hazard risk at a property relative to the rest of the data coverage area. The ratings are based on historical risk and projected 2050 risk. Each factor is based on a scale of 1-100 where 1 represents the least risk. The report gave an 10-93 comprehensive risk rating based on the following factors: precipitation, heat, flood, wind, drought, and fire. The highest risk factors were for precipitation, heat, and wind.</p> <p>During construction, the cut and fill of soils on the site will be balanced to the greatest extent possible. Energy efficient building materials will be used to the greatest extent feasible.</p> <p>See Appendix P for Climate Risk Assessment Report</p> |
| Energy Efficiency | 2 | Energy efficient building materials will be used to the greatest extent feasible. |

Additional Studies Performed:

Phase I Cultural Resources Survey completed and submitted to Virginia Department of Historic Resources on February 12, 2025 by Darby O’Donnell, LLC.

Field Inspection (Date and completed by):

Field inspection of the St. James Church Road proposed project site completed on Thursday, September 12, 2024 by Dennis Papa and Lori Papa.

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

| Agency | Contact Person | Date Sent | Response |
|--------------------------------------|--|--|---|
| US Fish & Wildlife Service | Virginia Ecological Field Office Gloucester, VA IPaC / DKey Jackie Luu Fish and Wildlife Biologist – Endangered Species Program Jackie_luu@fws.gov | August 12, 2024 – Updated October 28, 2024. Final determination confirmation email – November 4, 2024 | Official species list with determination for Project Review Certification Email confirmation with Ms. Luu on final determination. Letter and Self - Certification in Appendix G |
| Virginia Dept. of Historic Resources | Virginia Department of Historic Resources Chelsea Jeffries, AICP Architectural Historian Department of Historic Resources Archives Kathleen O’Shea Archives Assistant Kathleen.Oshea@dhr.virginia.gov | October 8, 2024 October 18, 2024 | DHR File No. 2024-5123 Consultation with Ms. Jeffries on proposed project Final consultation on APE with a determination of no cultural resources found. |
| | Phase I Cultural Resource Survey Darby O’Donnell, M.A. RPA Principal Investigator | February 12, 2025 | Results of the Phase I cultural resource survey submitted to VDHR for review with a finding of the subject property not being recommended as potentially eligible for listing on the National Register of Historic Places based |

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| | Chelsea Jeffries, AICP Architectural Historian Review and Compliance Division VA DHR | March 18, 2025 | on Criterial A-D. Report in Appendix I E-Mail #04508 March 18, 2025 opinion that no historic properties will be affected by the proposed action. Letter in Appendix I |
| Delaware Nation, OK | Katelyn Lucas, THPO Director of Cultural Resources & Section 106 klucas@delawarenation-nsn.gov | Letter sent via email, October 7, 2024 | The projects impacts are anticipated to be minimal. No formal response given. |
| Monacan Indian Nation | Chief Diane Sheilds Monacan Indian Nation TribalOffice@MonacanNation.com | Letter sent via email October 7, 2024 | The projects impacts are anticipated to be minimal. No formal response given. |
| US Department of Agriculture, NRCS VA | Louise Jacques USDA-NRCS VA Resource Soil Scientist Louise.jacques@usda.gov | October 28, 2024 | Farmland Conversion Impact Rating Form AD-1006 |

List of Permits Obtained:

No permits have been obtained at this time.

Public Outreach [24 CFR 50.23 & 58.43]: See Appendix P

Cumulative Impact Analysis [24 CFR 58.32]:

The NEPA process requires an assessment of the cumulative impacts of a federal action. Cumulative impacts result from the incremental impact of an action when added to other past, present, or foreseeable future actions, regardless of what agency may implement such actions. For the purposes of this EA, assumptions are made as to what a reasonable buffer would be around the proposed project site. Since construction of the proposed 6 rental units will be constructed on a previously vacant and partially cleared 5.06-acre parcel, the action will be somewhat buffered from the surrounding lots by the remaining tree cover both on the property and the vegetation on the existing home lots. This physical separation, as well as the location of the project within an existing rural area, has been considered in the analysis of cumulative impacts.

Past Actions – Past actions that may contribute to cumulative impacts in one or more of the analyzed areas include previous development, land clearing as well as the construction of surrounding housing units that would include roads and utilities.

Present Actions - Present actions that may contribute to cumulative impacts in one or more of the analyzed areas include increased traffic on nearby roadways and any activities associated with the adjacent properties and general population growth for Nelson County. No other known developments are proposed near the project site or immediately adjacent to the St. James Church Place project site as of this time.

Foreseeable Future Actions – It is anticipated that future actions around the project site may include other residential or single-family developments. Nelson County, with its central location and close proximity to both Charlottesville and Lynchburg, has become a popular urban sprawl destination. NEPA reviews would need to be conducted for any federally-funded action, however County review processes are more likely anticipated for future development to determine direct, indirect, and cumulative impacts on the selected project site, in terms of the existing transportation network, water and wastewater utility infrastructure, and other municipal services.

Summary of Cumulative Effects – The majority of the proposed 5.06-acre project site will be developed into housing, the change from an A-1 General Agricultural Zoning District to a Rural Cluster Major Subdivision was unanimously accepted by the Nelson County Planning Commission and is in conformance with the County’s Comprehensive Plan. This project will complement future plans and have no adverse cumulative impacts on the rural aesthetic of the County. The proposed action will result in ground disturbing activities and minor changes in the viewshed; however, the proposed development will be set back from the main roads and existing tree cover will remain on the surrounding properties.

The Virginia DHR concurred with the determination that there would be no effects on historic properties in the area with a condition that there be a 50’ buffer on the northern boundary of the family cemetery that is located on the property. DHR requests a construction drawing showing the avoidance of the cemetery. Through consultation with the U.S. Fish & Wildlife Service, it was determined that no designated critical habitats will be affected by the proposed project. The action is considered complete and no further action is necessary unless new information reveals effects to the property in a new or more extensive fashion than previously documented. Loss of vegetation and wildlife habitat, and noise and light disturbances to wildlife during construction and occupancy are likely to result in short and long-term minor adverse impacts to vegetation and wildlife habitat, but surrounding properties will remain rural in nature and long-term negative impacts are not expected to be significant.

Implementation of storm water management BMPs that are planned during construction will be designed to eliminate adverse impacts on offsite water quality and quantity from storm water runoff. The proposed action will have no direct or indirect impacts to wetlands or floodplains; thus, no cumulative impacts are expected.

During construction, the proposed action would make a slight contribution to the local economy through the potential use of local construction labor, possible use of local materials and supplies, and general support of retail and commercial businesses in the area. Creation of these much-needed rental units for residents who wish to remain in the community will result in direct benefits to local businesses and will likely result in small but measurable beneficial cumulative impacts to the local economy. The increase in air pollutants expected from the proposed action

both pre and post construction would be negligible and is not expected to result in significant air quality or climate change impacts. The proposed project will have noise impacts to the immediate surrounding area both during and post construction. The natural buffer provided by the setback from the main road and the surrounding natural vegetation will help to preserve the peaceful nature of the rural setting. Over the long term, the activities of the proposed project would not add significant cumulative impacts from noise.

Site access and traffic would likely be affected during construction of the proposed project, however mitigation measures such as signage and safety measures for construction vehicles and workers will allow these minor short-term impacts to be managed effectively. Vehicle traffic post construction is not expected to increase significantly. Utility infrastructure maintained by Nelson County and other private companies is expected to keep pace with any increased demands created by the proposed project.

As previously stated in the environmental justice section, there currently is a significant lack of sufficient affordable housing in Nelson County. Much of the existing housing stock is aging and in need of major repairs. There are few rental opportunities at all, and even fewer that are affordable to low-income residents. Senior citizens, in particular, are having a difficult time finding safe, affordable housing in the community where their support systems and families are located. The purpose of the St. James Church Road project is to provide rental units reserved for low-income Nelson County families to help offset the dire need for such housing in this area, in this way, supporting environmental justice policies.

Finally, the proposed project will not result in significant long-term generation of wastes, with the exception of tree cutting and vegetative debris during construction. Solid waste will be reduced at the source through recycling and pollution prevention and no environmentally dangerous products or by-products will be produced. Therefore, the proposed project is not likely to add cumulative effects on human health and safety.

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

No alternative locations have been explored for this housing development.

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

The no action alternative would deny six low-income Nelson County residents the opportunity to stay in their community of choice. As previously stated, there is a significant lack of affordable housing in Nelson County. Much of the existing housing stock is aging and in need of major repairs. There are few rental opportunities at all, and even fewer that are affordable to low-income families. Senior citizens, in particular, are having a difficult time finding safe, affordable housing in the community where their support systems are located and where their families have been located for several generations. The purpose of the St. James Church Road project is to provide rental units reserved for low-income Nelson County residents to help offset the dire need for such housing in this area.

Summary of Findings and Conclusions:

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 |
|---|--|
| Housing Requirements | New Construction. 1. Radon resistant construction is required for all radon zones. 2. Radon Zone 1 a. Construction Requirements. All new construction in Radon Zone 1 must meet all of the requirements of ASTM E 1465-08a (or most recent edition) for installation of passive systems. b. Post-construction testing is required prior to Final Endorsement, except as provided at IV.A.3. If testing results are at or above the threshold, conversion from a passive system to a fan-powered system pursuant to ASTM E 1465-08a (or most recent edition) is required. |
| Coastal Zone Consistency Determination | A soil and sediment control plan must be approved and implemented. |
| Historic Preservation Section 106 & Tribal Consultation | In a letter dated March 18, 2025, Virginia DHR provided a recommendation that the proposed project will result in No Historic Properties Affected, with a condition - DHR recommends a 50' buffer on the northern boundary of the family cemetery that is located on the property. A construction drawing depicting the avoidance of the cemetery has been requested by DHR. If during ground disturbance, historic or cultural resources, native American (Indian) artifacts or human remains are inadvertently discovered, all work must immediately stop and HUD must be notified so that the historic and tribal consultation process can resume. |
| Wildlife | While a finding of no Critical Habitats within the project area was reported via an IPaC search through FWS, there are likely bald eagles in the project area. To minimize potential impacts to the species, there is a |

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|------------------------|---|
| | higher probability of presence in late January through February and again in the first two weeks of September and December. |
| Climate Change Impacts | <p>According to the Climate Risk Assessment Report generated for the subject property, the highest projected risk factors for the subject property were for extreme precipitation, extreme heat, and wind. Mitigation strategies to minimize potential adverse increased effects from these risk factors could include any of the following:</p> <ul style="list-style-type: none"> • Incorporate energy efficient and heat-resistant building materials with higher grade insulation into the new construction buildings. • Incorporating resilient infrastructure or green infrastructure to manage stormwater runoff. • Increase vegetation to allow for shading and evapotranspiration from plants to lower temperatures of walls and paths. • Incorporate high efficiency appliances into the buildings. |

Determination:

Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature: Lori M. Papa Date: 3/27/25

Name/Title/Organization: Lori M. Papa, President
dp STUDIO, LLC

Certifying Officer Signature: Christine Jacobs Date: Apr 7, 2025

Name/Title: Christine Jacobs, Executive Director, Thomas Jefferson Planning District Commission

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).








Roseland Environmental Assessment_FINAL 3

Final Audit Report

2025-04-07

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| Created: | 2025-03-27 |
| By: | Laurie Jean Talun (ljtalun@tjpd.org) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAA5Yasn4pY0bjY8nRZwCF2QptRZkXi-9jm |

"Roseland Environmental Assessment_FINAL 3" History

-  Document created by Laurie Jean Talun (ljtalun@tjpd.org)
2025-03-27 - 8:09:50 PM GMT
-  Document emailed to Christine Jacobs (cjacobs@tjpd.org) for signature
2025-03-27 - 8:10:09 PM GMT
-  Email viewed by Christine Jacobs (cjacobs@tjpd.org)
2025-03-27 - 9:28:33 PM GMT
-  New document URL requested by Christine Jacobs (cjacobs@tjpd.org)
2025-04-07 - 3:36:40 PM GMT
-  Email viewed by Christine Jacobs (cjacobs@tjpd.org)
2025-04-07 - 3:36:57 PM GMT
-  Document e-signed by Christine Jacobs (cjacobs@tjpd.org)
Signature Date: 2025-04-07 - 3:37:13 PM GMT - Time Source: server
-  Agreement completed.
2025-04-07 - 3:37:13 PM GMT