



U.S. Department of Housing and Urban
Development
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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: Voluntary Home Buyout Program

Responsible Entity: City of Jacksonville

State/Local Identifier: Jacksonville, Florida

Preparer: Kenny Logsdon, AICP
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Certifying Officer Name and Title: Mayor Lenny Curry
Mayor's Office
City Hall at St. James Building
117 W. Duval Street, Suite 400
Jacksonville, FL 32202
904-630-1776

Direct Comments: Sarah Bohentin, Esq.
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Project Locations: Ken Knight Drive W., Ken Knight Drive N., Wrico Drive, Friden Drive, Ken Knight Drive E.
Jacksonville, FL 32209
RE# Numerous

Council District: 10 – Brenda Priestly-Jackson

Planning District: 5 - Northwest

Census Tract: 0013.00

Neighborhood Associations: Kinlock Civic Association
Ribault Manor HOA
Trout River Jax

Project Location: The primary project area consists of approximately 215 single-family residences and townhomes located in the Washington Heights Neighborhood adjacent to the Ribault River and within the FEMA designated Special Flood Hazard Area (SFHA). The Ribault River runs along the north and west sides of this development which then flows into the Trout River and eventually the St. Johns River.

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

The scope of work for this project is to acquire and demolish properties in the Washington Heights Neighborhood that are within the SFHA. Debris and slab removal will follow demolition. Environmental testing will be completed in accordance with requirements. Properties acquired would be converted to green space and deed-restricted in accordance with the requirements of the Program. The Program will comply with the Uniform Relocation Act for all individuals who are displaced.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]: The Voluntary Home Buyout Program provides an opportunity to remove structures which have been impacted by Hurricane Irma. It will allow for the permanent removal of high-risk homes located in the SFHA. By removing vulnerable structures, eliminating future losses to occupants of these homes, mitigating against potential losses to other structures in the area, and restoring components of the preconstruction natural floodplain, the City of Jacksonville intends to create a safer and more resilient living environment for all residents. Removing these homes from the floodplain will help prevent further environmental, economic, and social degradation of the community already significantly challenged by hurricanes and all other weather-related forces that result in flooding on a regular basis.

Existing Conditions and Trends [24 CFR 58.40(a)]: Most if not all the structures in this neighborhood were built in the mid-1960's to early 1970's. The area is a mix of single-family dwellings, duplexes, and townhomes. Structures located on Ken Knight Drive W. are either detached single-family homes or duplexes. Structures on Wrico Drive, Friden Drive, and Ken Knight Drive N. are single-family semi-attached, one-story homes; while Ken Knight Drive E. supports two-story, attached (townhome style) single-family dwellings. All the properties are located within the SFHA and a low-income Block Group.

When originally constructed, this development provided affordable home ownership to many in the community that did not qualify for home ownership loans. Over time, many of the properties were bought by business entities or other individuals that own the properties as rentals. Many of the properties require major renovations to be habitable, but due to the properties being in the SFHA, demolishing all structures is recommended and leaving the property dedicated to flood control, wetland protection, park land, and/or open space in perpetuity.

Funding Information

Grant Number	HUD Program	Funding Amount
B-17-DM-12-0001	CDBG-DR	\$5,000,000.00

Estimated Total HUD Funded Amount: \$5,000,000.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$5,000,000.00

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

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The properties are not cited near any airports, and as noted in § 51.303(a)(3), these policies do not apply to HUD programs where the action does not involve the purchase, sale, or rental of an existing property or properties without significantly prolonging the physical or economic life. (Attachment A - APZ)
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"/>	The project is NOT located in a CBRS (Coastal Barrier Resources System) Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. (Attachment B – CBRM)
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"/>	Project does not involve construction or rehabilitation and all insurable property will be removed from the site. The property will be dedicated to flood control, wetland protection, park land or open space in perpetuity. (Attachment C – Flood Zones - FM12031C0188J & FM12031C0189J)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project does not include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units. Jacksonville/Duval County is not listed by the EPA as non-attainment or maintenance area.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not located in nor affects a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. (Attachment D – Coastal Zone)

<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>The project will potentially remove residential structures and residential density that may be in proximity to sources of contamination. The project will not introduce any explosive, flammable, or toxic materials. This section applies to the health and safety of project occupants. Occupants will be removed from the property and remain vacant in perpetuity.</p> <p>According to Howard Conner, Remediation Program Coordinator with The City of Jacksonville, "The contractors have remediated numerous privately owned residential parcels along with City owned parcels along Ken Knight Drive and any redevelopment work where permits are required, and soil excavation is anticipated will require the work to be performed according to the Ash Management Plan. "</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>Since the project submitted is in a previously developed area, is razing the existing structures, and is not within any critical habitat or core foraging areas it will be unnecessary to do any surveys or use a consultant. This project involves activities that do not have the potential to affect species or habitats as per USFWS clearance letter for HUD assisted projects of October 25, 2016. This project is not near any Bald Eagle nesting sites; therefore, it is compliant with the Endangered Species Act. (Attachments F1 – F3 – Endangered Species)</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed project complies as Acceptable Separation Distance requirements do not apply. Explosives and Flammable Hazards under HUD assisted projects in 24 CFR Part 51.201 is predicated on whether the HUD project will increase the number of persons exposed to hazardous operations. The project does not include development, construction, or rehabilitation activities that will increase residential densities, or conversion. The proposed project would remove all structures from the property and protect the property from future development. Also, all five recognized tanks within one mile of this area are underground tanks or have been removed. (Attachments G1-G2 - Explosive and Flammable Hazards)</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>The project will not include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use.</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>Floodplain Management is exempt for VHBP projects under 24 CFR 55.12(c)(3). This part shall not apply to the following categories of proposed HUD actions:</p> <p>(3) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, but only if:</p> <p>(i) The property is cleared of all existing structures and related improvements;</p> <p>(ii) The property is dedicated for permanent use for flood control, wetland protection, park land, or open space; and</p> <p>(iii) A permanent covenant or comparable restriction is placed on the property's continued use to preserve the floodplain or wetland from future development.</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>If any prehistoric artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving the subsurface disturbance in the immediate vicinity of the discovery. Project activities shall not resume without verbal and/or written authorization from the Coushatta Tribe of Louisiana and Miccosukee Tribe of Indians. In the event unmarked human remains are encountered during the permitted activities, all work shall stop immediately, and proper authorities notified in accordance with Section 872.05, Florida Statutes.</p> <p>Prior to demolition, all properties 50 years or older will be individually reviewed by the State Historic Preservation Office and documented in the Florida Master Site Files. (Attachments H1-H3)</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The criterion does not apply to projects which do not result in new construction or reconstruction, flood insurance, interstate land sales registration, or any action or emergency assistance under disaster assistance provisions or appropriations</p>

		which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster. Voluntary Home Buyout projects remove residential structures and restore to natural habitat with no one residing on the property. Therefore, the noise criteria are not applicable to this type of project.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is not located on a sole source aquifer area. Also, VHB (acquisition) projects are authorized under an EPA Region 4 and HUD Memorandum of Agreement of July 13, 2019, Attachment B Paragraph 2 and 4. (Attachment I – Sole Source Aquifers)
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	24 CFR 55.12(c)(3). This part shall not apply to the following categories of proposed HUD actions: (3) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, but only if: (i) The property is cleared of all existing structures and related improvements. (ii) The property is dedicated for permanent use for flood control, wetland protection, park land, or open space; and (iii) A permanent covenant or comparable restriction is placed on the property's continued use to preserve the floodplain or wetland from future development. (Attachment J – Wetlands Map)
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Will not impact any wild or scenic river as project is not near any. (Attachments K1-K2 – Wild and Scenic Rivers & Nationwide Rivers Inventory)
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The proposed project is in compliance. Per Executive Order 12898 (EO 12898), Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, Section 1-101. In order for environmental justice to be a concern, the proposed project would need to have a "disproportionately high and adverse" effect on a minority or low-income population. - The Voluntary Home Buyout Program will assist low-income and moderate-income persons by purchasing their substantially damaged

		residences in flood and hazard risk areas so they can move to a safer location. (Attachment L)
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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	1	Current Zoning is RMD-D and Land Use is MDR Medium Density Residential See Attachment M
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	3	The proposed plan is to eliminate buildings within the flood plain and return the land to an undeveloped area for flood control, wetland protection, park land, or open space. "Per Howard Conner, Site Investigation and Remediation-Ash Office 255-6842 This site should be handled as all other ash sites whereby the Ash Management Plan is followed. Any disturbance of any soil there would mean that the Plan be adhered to as required by the EPA and this office. If we can answer any questions, please let us know. Thanks."
Hazards and Nuisances including Site Safety and Noise	2	Razing the existing structures will not incur any hazards, nuisances, or site safety and will reduce noise by the elimination of human habitation in the area.
Energy Consumption	1	The proposed use of the property will be open space.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	The razing and dedicating for permanent use for flood control, wetland protection, park land, or open space, will not influence employment or income patterns.
Demographic Character Changes, Displacement	3	Displacement is covered by the URA and there are funds available for it. There are replacement facilities or housing units available within the community. The effect of relocation will be that these individuals will not be subjected to regular flooding and housing damages/conditions caused by continuous flooding.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	The proposed plan is to eliminate buildings within the flood plain and return the land to an undeveloped area for flood control, wetland protection, park land, or open space.
Commercial Facilities	2	The proposed plan is to eliminate buildings within the flood plain and return the land to an undeveloped area for flood control, wetland protection, park land, or open space.
Health Care and Social Services	2	The proposed plan is to eliminate buildings within the flood plain and return the land to an undeveloped area for flood control, wetland protection, park land, or open space.
Solid Waste Disposal / Recycling	2	The proposed plan is to eliminate buildings within the flood plain and return the land to an undeveloped area for flood control, wetland protection, park land, or open space.
Wastewater / Sanitary Sewers / Water supply	3	There is city water and sewer in this area that will need to be addressed. (See Attachment N)
Public Safety - Police, Fire and Emergency Medical	2	The proposed plan is to eliminate buildings within the flood plain and return the land to an undeveloped area for flood control, wetland protection, park land, or open space.
Parks, Open Space and Recreation	1	This will make a major impact for the area. The proposed plan is to eliminate buildings within the flood plain and return the land to an undeveloped area for flood control, wetland protection, park land, or open space.
Transportation and Accessibility	2	The proposed plan is to eliminate buildings within the flood plain and return the land to an undeveloped area for flood control, wetland protection, park land, or open space.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	This will make a major impact for the area. The proposed plan is to eliminate buildings within the flood plain and return the land to an undeveloped area for flood control, wetland protection, park land, or open space.
Vegetation, Wildlife	2	This will make a major impact for the area. The proposed plan is to eliminate buildings within the flood plain and return the land to an undeveloped area for flood control, wetland protection, park land, or open space.
Other Factors	2	The proposed plan will be beneficial to the current residents, neighborhood, natural setting, flood plain, and park system.

Additional Studies Performed: None could be found

Field Inspection (Date and completed by): Numerous visits over the past years by project manager, case manager, and city planner.

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

Howard Conner, Remediation Program Coordinator - City of Jacksonville
 Susan Kelly, Historic Preservation - City of Jacksonville
 Corey Lentz, Florida State Historic Preservation Office
 Chris Stahl, Coordinator, Florida State Clearinghouse, Florida Department of Environmental Protection
 Anne Coglianese, Chief Resiliency Officer – City of Jacksonville

List of Permits Obtained: None yet.

Public Outreach [24 CFR 50.23 & 58.43]: Public Notice of the program/application was displayed in City Hall as well as in the City of Jacksonville's Ed Ball Building. A public meeting was held at the Legends Center on August 7, 2019. (See Attachment O)

Cumulative Impact Analysis [24 CFR 58.32]: The repetitive flooding, whether caused by a hurricane, a nor'easter, or even a typical heavy Florida storm, cause the residents great anxiety and fear of losing their homes and belongings. The water and surge also cause damage to the existing structures, eventually deeming them uninhabitable. This program could upset the residents' sense of community—their perceived relationship with their surroundings. It can be measured from resident attitudes, and the strength of organizational ties, both formal and informal. It should be observed, however, that change per se is not a negative or positive thing. In doing this assessment, it is important to be aware of the social networks and institutions which characterize a neighborhood. It is important that HUD activities not destroy the social networks and institutional ties in these areas but assist in the transition to a more resilient and reliable neighborhood.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]: The alternative to this action is to:

- 1) Require all homeowners within the area to carry flood insurance to cover any repairs needed after natural weather events.
- 2) Require all structures to be elevated to the base flood elevation.

No Action Alternative [24 CFR 58.40(e)]: Properties would remain in the SFHA and would inevitably sustain recurring damages from future flooding, threatening the personal safety and financial stability of the residents. The residents would experience continued distress and financial burdens caused by the necessity to repeatedly repair their homes after a flooding event. Costs associated with evacuation, rescue, emergency shelter, temporary housing, home repair, and debris removal services will increase over time and further financial burden will be placed on taxpayers and the community to subsidize repairs for these structures.

Summary of Findings and Conclusions: The Voluntary Home Buyout Program is the appropriate action that needs to be taken for this area. The area is consistently inundated with flood waters which negatively impacts the physical environment and mental well-being of the residents.

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

Determination:

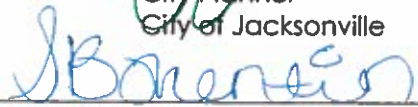
Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27]
 The project will not result in a significant impact on the quality of the human environment.

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: 

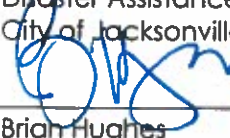
 Kenny Logsdon, AICP
 City Planner
 City of Jacksonville

Date: 11 OCT 2021

Reviewer: 

 Sarah Bohentin
 Disaster Assistance Program Manager
 City of Jacksonville

Date: 10/11/2021

Certifying Officer: 

 Brian Hughes
 CAO, City of Jacksonville
 Brian Hughes
 Chief Administrative Officer
 For: Mayor Lenny Curry
 Under Authority of:
 Executive Order No: 2019-02

Date: 10/18/2021

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).