



Fairview Community Council

c/o Fairview Community
Recreation Center
1121 E. 10th Avenue
Anchorage, AK 99501

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April 29, 2010

James Boehm
Department of Neighborhoods
Municipality of Anchorage
557 E. Fireweed Lane, Ste. D
Anchorage, AK 99519-6650

Dear Mr. Boehm:

The Fairview Community Council appreciates this opportunity to respond to the notice from the Department of Neighborhoods concerning Environmental Review under 24 CFR 50 for the Red Roof Inn (Karluk Manor) acquisition/rehabilitation.

It is the position of the Fairview Community Council that the proposed project does not meet the requirements to qualify for a Categorical Exclusion (CE) under 24 CFR Part 50 and should be required to conduct a full Environmental Assessment (EA) per subpart D of 24 CFR Part 50. We base this position on the fact that there are significant impacts on the environment, based on the following parts of the code:

24 CFR 50.19(b)(4): The removal of 800 square feet of asphalt and the construction of 150 feet of fencing is a physical impact or will result in physical changes to the property, and so cannot be excluded.

24 CFR 50.20(a)(2)(ii)(A){multifamily residential} - or 24CFR 50.20(a)(2)(iii)(A){commercial, industrial and public buildings}: removing half the beds in the facility will result in a change in the density or capacity by more than 20%, and so cannot be excluded.

24 CFR 50.20(a)(iii)(B): The development represents a change of land use, from commercial hotel to either multi-family residential or multi-unit institutional, and so cannot be excluded.

Under HUD form 4128, it is the position of the Fairview Community Council that the following questions must be answered as follows:

HUD 4128 Page 1, Question 10: a 6 foot high fence will not be in compliance with Local Zoning plans if the fence is along a roadway.

HUD 4128 (A) (19): Noise Abatement: the facility is within 3000' of a civil air strip, and in the middle of a 6-lane highway.

HUD 4128(A) (21): Airport Hazards: the facility is within 3000' of a civil air strip.

HUD 4128(A) (23) Hazardous Materials: The history of the facility is unknown, and it is adjacent to properties that have been contaminated

with asbestos, benzene and other hazardous materials. There is a reasonable expectation that there could be hazardous materials on this property as well.

HUD 4128(A) (24) Environmental Justice: Environmental Justice dictates that impacts on the surrounding community be taken into consideration. This requires a full EIS.

HUD 4128(B) (26) Site Suitability: The site is not suitable for this use. It is in between opposing lanes of a highway of six or more lanes, where there is a higher than normal incidence of running of red lights. The fence is not in keeping with the aesthetic of the neighborhood, and the project will negatively impact the surrounding area.

HUD 4128(B) (31) Parks: The site is within 500 feet of a public park frequented by children who reside in a public housing complex. The residents of the proposed facility represent a danger to the users of that park.

HUD 4128(B) (33) Transportation: The proposed use will interfere with commercial transportation, as the residents represent a hazard to high speed transportation traffic that are heavy users of the corridor in which this project is proposed.

HUD 4128 Sample Field Notes Checklist (19) Noise Abatement: The project is located near several major noise sources, including civil airport, military airfield, major highways and railroads. A noise assessment is required under 24 CFR 51 Subpart B.

HUD 4128 Sample Field Notes Checklist (20) Hazardous Industrial Operations: The project is within visible sight of the Holiday fuel station.

HUD 4128 Sample Field Notes Checklist (21) Airport Hazards: The project is within 3000 feet of the end of Merrill Field, and within 2 1/2 miles of the end of Elmendorf Airstrip. The project must comply with 24 CFR Part 51 Subpart D.

HUD 4128 Sample Field Notes Checklist (23) Toxic Chemicals: Similar projects adjacent to the proposed project have had presence of toxic chemicals. A Phase I (ASTM) report is required, and there is a high probability a Phase II report may be required. Additionally, the site is within 3000 feet of the former Anchorage Municipal Landfill solid waste landfill site. The project will require investigations undertaken by qualified professionals to comply with 24 CFR 50.3. Failure to do so could lead to HUD being determined to be a Potential Responsible Party (PRP).

HUD 4128 Sample Field Notes Checklist (24) (e) Environmental Justice: The project is located in a predominantly minority and low-income neighborhood. The neighborhood suffers from disproportionately adverse environmental effects from the concentration of homeless services and the individuals who such services attract, relative to the community at large. The project is required to comply with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

HUD 4128 Sample Field Notes Checklist (26) Site Suitability: The project is not compatible with the surrounding area in terms of land use, as evidenced by the vote of the Fairview Community Council to oppose the project (21-2) (Fairview Community Council Resolution CS-2010-01 is attached). Because the project proposes to remove 800 square feet of asphalt, it will be unduly influenced by inadequate off-street parking. Sitting between lanes of the Glenn Highway, a heavily-travelled highway of six or more lanes, there are air pollution generators nearby which would adversely affect the site.

HUD 4128 Sample Field Notes Checklist (28) Hazards: The project will be affected by the dangerous intersections at 5th Avenue and Karluk Street, and 6th Avenue and Karluk Street, both of which have the highest incidence of run red lights in the downtown corridor, as reported by the Anchorage Police Department. The highway also presents a hazard from through traffic. It also will cause nuisances from light, vibration from heavy trucks at all hours of the day and night, industrial nuisances, and the airport will create a noise nuisance.

HUD 4128 Sample Field Notes Checklist (31) Schools, Parks, Recreation, and Social Services: RurAL CAP has claimed in the past that social services will not be available on site for residents of the proposed project. They have now claimed the opposite. We do not know what to believe.

HUD 4128 (11): We believe all of the above mentioned issues require mitigation.

It is the position of the Fairview Community Council that the property is required to conduct a full EIS under 24 CFR 50.42(a) because the project will have a significant impact on the human environment. The fence is not in keeping with the aesthetic of the neighborhood; the project will have an excessive impact on the well being of the surrounding neighborhood, as documented by the attached study (Ingrid Gould Ellen, Harvard Center for Housing Studies, March 2007); the proposed tenants who would be sex offenders represent a danger to current residents of low-income housing properties within 750 feet of the project, and who use a park within 500 feet of the proposed project; and the project will have economic impacts on the surrounding residents and businesses, all of which need to be documented and mitigated under the EIS process.

Due to these factors, we believe that the Department of Neighborhoods must answer section 11 of HUD form 4128 as "Environmental Assessment and a Finding of Significant Impact is made, and an Environmental Impact Statement is required in accordance with 24 CFR 50.33(d) and 50.41."

Please feel free to contact me at 222-0649 or chamard@gci.net if you have any questions.

Regards,



Sharon Chamard
President, Fairview Community Council

Attachments:

1. Fairview Community Council Resolution CS-2010-01: A Resolution opposing establishment of a multi-unit complex for chronic inebriates in the northern section of Fairview and recommending an alternative location for implementing the Housing First Initiative
2. Gould, Ingrid Ellen (2007). "Spillovers and Subsidized Housing: The Impact of Subsidized Rental Housing on Neighborhoods." Joint Center for Housing Studies, Harvard University.
3. HUD-4128 form: Environmental Assessment and Compliance Findings for the Related Laws
4. "Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations." Federal Register, vol. 59, No. 32, February 16, 1994.

Fairview Community Council Resolution CS-2010-01

A Resolution opposing establishment of a multi-unit complex for chronic inebriates in the northern section of Fairview and recommending an alternative location for implementing the Housing First Initiative

Whereas, the Municipal Charter states “The Assembly by ordinance shall provide for establishment of community councils to afford citizens an opportunity for maximum community involvement and self-determination.” and,

Whereas, Community Councils have an official role to provide counsel and recommendations to the Mayor and Assembly on relevant neighborhood issues, and

Whereas, the Anchorage Bowl 2020 Comprehensive Plan provides a long range vision for the community wherein the goal of “Housing: A balanced, diverse supply of affordable, quality housing located in safe and livable neighborhoods with amenities and infrastructure that reflects Anchorage’s varied social, cultural, and physical environment.” and

Whereas, the Department of Neighborhood’s 2010 Action Plan, page 12, states “the inner city neighborhood of Fairview Community Council is experiencing disinvestment, a concentration of low-income households, and blighted conditions.” and

Whereas, according to Anchorage Neighborhood Indicators Sourcebook, the number of Fairview residents in Group Quarters versus Households is 9.8%, more than three times the Anchorage average of 2.7%, indicating that the Fairview Community Council shoulders more than its fair share of public and affordable housing units, and

Whereas, there is an identified population of 200-250 individuals who constitute the hard-core chronic public inebriate in Anchorage, and

Whereas, chronic public inebriates have impacted Fairview business and residential interests significantly over the years to the point that the Council organized and co-sponsored a series of community workshops that resulted in production of a written report and recommendations informally titled the Fairview Initiative, and

Whereas, the Community Transfer Station (Sleep-off Center) for individuals detained for public drunkenness is located in the City Jail located at the corner of 3rd Avenue and Post Road and just below 5th Avenue, and

Whereas, the Community Service Patrol collects inebriated individuals from Downtown and Midtown while the Anchorage Police Department collects public inebriates from all over the city, and bring them to the Sleep-off Center where they regain a sense of sobriety, and are then released into the community of Fairview, and

Whereas, the Mental Health Trust Authority and other public organizations are preparing to provide funding to the organization of RurAL CAP for purposes of implementing the concept of Housing First in Anchorage modeled after a relatively successful experiment titled 1811 Eastlake in Seattle located in a prosperous neighborhood, and

Whereas, the 1811 Eastlake or Downtown Emergency Service Center facility provides supportive housing for 75 formerly homeless men and women living with chronic alcohol addiction, 24-hour, seven days a week supportive services including: State licensed mental health and chemical dependency

treatment, on-site health care services, daily meals and weekly outings to food banks, case management and payee services, medication monitoring, weekly community building activities, and

Whereas, the proposed location in Anchorage for implementing the Housing First concept is the 55 unit Red Roof Inn located on Karluk Street between 5th and 6th Avenues and approximately two blocks from the City Jail and the Sleep-off Center, and

Whereas, Housing First is also known as a “wet house” whereby chronic inebriates are allowed to have visitors and drink to excess within the confines of the building, and

Whereas, the approximately 48 chronic inebriates to be housed in the facility will know and associate with the remainder of the 200-250 known chronic inebriates who will be frequently released from the Sleep off center, and

Whereas, RurAL CAP managers have informed the Fairview Community Council they do not intend to provide any support services except for on-site food preparation and general building security, and

Whereas, chronic inebriates and their visitors will purchase their liquor at the nearest retail outlets, two of which are located along Gambell Street at 12th and 13th Avenues, and

Whereas, according to a 2005 report, 5th and 6th Avenues along with Gambell and Ingra Streets rank within the top five most dangerous road corridors for pedestrians within the City, and the Municipality Pedestrian Plan recommends significant infrastructure improvements along this section of Karluk to address the unsafe pedestrian conditions, and

Whereas, the Municipality and State Department of Transportation and Public Facilities are engaged in an effort to develop an eight-lane, high-speed, controlled-access Highway to Highway connection between the Glenn and New Seward Highways for purposes of resolving current and anticipated traffic congestion problems along 5th and 6th Avenues and the Gambell/Ingra Couplet, and

Whereas, the preliminary alignment for this connection as identified in the Long Range Transportation Plan and the Municipal Bicycle Plan comes from north of Third Avenue to Post Road and angling in a southwesterly direction to the general alignment of Hyder Street, and

Whereas, this preliminary alignment will also have major off ramp connections to both the Downtown along Third Avenue and to the Port of Anchorage angling northwest, and

Whereas, this major infrastructure project will very likely result in significant changes to existing land uses including social support facilities located along Third Avenue, and

Whereas, proponents of the Housing First or “Wet House” assert it is more economical to locate such a facility near existing support services such as the Brother Francis Shelter and Bean’s Cafe, and

Whereas, these social service support facilities are would possibly be relocated by the proposed Highway to Highway connection, and

Whereas, it would be an inefficient allocation of resources to purchase and renovate a facility that will very likely be isolated from other social support services in the future and located just a couple blocks from the City Sleep off Center in an area of town that struggles to maintain a prosperous economic base, and

Whereas, the lack of supportive services at the proposed Housing First facility due to budget constraints means that the success achieved by 1811 Eastlake would be very difficult to replicate at the Red Roof Inn location, and

Whereas, implementing an abbreviated version of the 1811 Eastlake experiment could very likely result in increased calls for emergency services at this location, and

Whereas, the short term economic savings associated with facility acquisition and rehabilitation should not override what is in the long term best interests of the clients, the neighborhood and the community.

Whereas, the proponents of the Housing First concept would be well served to look at alternative locations for such a facility in conjunction with future establishment of a support campus for homeless chronic inebriates,

Therefore, Be It Resolved that the Fairview Community Council formally opposes the use of public funds from Municipal, State, Federal governments or funding from organizations that are supported by any level of government to acquire and renovate the Red Roof Inn for purposes of establishing a limited application of the Housing First concept in Anchorage, and

Therefore, Be It Resolved that the Fairview Community Council herewith opposes well-intentioned but poorly designed approaches that perpetuate a negative image of the Fairview community as a de facto social services ghetto, and

Therefore, Be It Resolved that the Fairview Community Council requests their elected representatives and public officials oppose this use of public funds and to support a more comprehensive approach that recognizes the recommendations of other official Municipal planning documents, the need for funding adequate supportive services and the recommendations of the Fairview Community Council Chronic Public Inebriate report.

Passed this 11th day of February, 2010 by a vote of 21 Yeas and 2 Nays.



Sharon Chamard, President

**Joint Center for Housing Studies
Harvard University**

**Spillovers and Subsidized Housing:
The Impact of Subsidized Rental Housing on Neighborhoods**

**Ingrid Gould Ellen
March 2007
RR07-3**

*Prepared for
Revisiting Rental Housing: A National Policy Summit
November 2006*

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At a congressional hearing in 1948, representative A.S. Mike Monroney argued that the construction of new, subsidized rental housing improves the surrounding neighborhood, and in so doing, raises property tax revenues. He stated: “One of the principal arguments, with which I go along, is that the establishment of a housing project in a city raises the assessed valuation for blocks around it and puts back onto the municipal tax rolls a great deal more money than is taken off by the land that is occupied by these public housing projects.”¹ Congressman Monroney was not alone in his beliefs; when the federal public housing program was first established in the late 1930s, neighborhood benefits were a key justification.

Yet it is hard to imagine a member of Congress making a similar argument today. The current assumption is that the production of subsidized, rental housing, if anything, accelerates neighborhood decline – “there goes the neighborhood” is the common refrain. And partially as a result, we’ve seen the policy pendulum swing away from place-based housing investment towards demand-side housing programs, such as housing vouchers.

Despite this policy shift, many of the local developers and nonprofits who build and manage subsidized rental housing continue to believe that their efforts not only provide shelter but help to revitalize communities as well, which raises the obvious question: Who is right? This paper aims to revisit this critical policy issue, exploring how and why investments in subsidized, rental housing might affect surrounding neighborhoods. Unlike most of the existing research, which simply asks whether subsidized housing has a negative or positive impact, my aim is to explore the factors that shape the direction and size of the effect. For while recent research on this topic suggests that subsidized rental housing can have very positive impacts on communities, not all housing developments have had similarly positive effects. The aim here is to look across a variety of empirical papers on the topic to glean lessons for policymakers about the types of subsidized rental housing investments most likely to generate positive spillovers to the surrounding community.

Understanding the Spillover Effects of Subsidized Rental Housing

Although subsidized rental housing developments may have less positive impacts on communities than their market-rate counterparts, the likely spillover effect isn’t clear and is likely to depend on the housing and the circumstances. Schwartz, Ellen, Voicu, and Schill

¹ Fisher, Robert Moore, *Twenty Years of Public Housing*, New York: Harper & Brothers, 1959, p. 159.

(forthcoming) identify five general mechanisms through which subsidized housing might affect the value of neighboring properties: the removal effect; the physical structure effect; market effects; the population growth effect; and population mix effects. This framework can also be used to analyze how subsidized rental housing might affect neighborhood demographics, services, and quality of life.

Removal Effect

The construction of subsidized rental housing can affect a community simply because of what it removes. In urban areas, subsidized housing often replaces abandoned, boarded-up buildings or littered, vacant lots, disamenities that can signal that the community is disorganized and that criminal activity will go largely unchecked (Skogan, 1990; Wilson and Kelling 1982). The removal of such blight can help to make a neighborhood both more attractive and safe, and thereby catalyze neighborhood revitalization. Of course, subsidized rental housing may also replace a desirable use, like a park, an attractive set of older buildings, or simply open-space. In these cases, removal effects would likely be negative.

Physical Structure Effect

The construction or rehabilitation of a building or set of buildings may also have an independent effect, over and above the removal of the prior use. In particular, if a new subsidized project is viewed as unattractive or not fitting with the existing character of a community, or if a project is not cared for over time, it may detract from the appeal of a community. Alternatively, an attractive, high-quality, well-maintained building that fits in nicely with the design of existing properties can enhance the overall design and appearance of a community.

Market Effects

Developers sometimes avoid blighted neighborhoods because they fear that investments there won't be profitable. By ensuring a certain level of activity, subsidized housing developments may help to allay such fears. Moreover, if subsidized developments include market rate units, they may signal to developers that an area is viable and thereby attract additional investment. On the other hand, the creation of new subsidized housing may also have a depressing effect on the neighborhood by glutting the local market with low-rent housing and

crowding out unsubsidized, private investment (see Murray 1999; Sinai and Waldfoegel 2002; and Malpezzi and Vandell 2002).

Population Growth Effect

The construction of new housing is likely to increase population, which might in turn make local streets safer and promote new commercial activity.² At the same time, such growth might result in congested streets, overcrowded schools, and strains on local police and infrastructure.

Population Mix Effects

The impacts of new housing may depend not only on how many people move into but who moves into it, and how their incomes and ethnicity compare to those of existing residents. Such changes may not be linear – lower-income in-movers may make little difference in high-income areas, while reductions in income in neighborhoods that already have high concentrations of poverty and joblessness may be detrimental (see Ellen and Turner, 1997).³ The racial or ethnic composition of occupants may be relevant as well. Research has shown that after increases in the black population in a community, white households – and white homeowners in particular -- tend to report lower neighborhood satisfaction and are more likely to move (Ellen 2000). Other research suggests that during the 1970s and 1980s, housing prices were typically lower in neighborhoods with greater shares of non-whites (Kiel and Zabel, 1996).

Finally, the construction of subsidized rental housing may also lead to a more stable population, and a more stable community in turn, since households living in subsidized housing tend to live in their units for longer periods of time.

Naturally, the size and direction of all these effects are likely to vary across programs and even particular projects, depending on what the housing replaces, the size, design, and upkeep of the development, the characteristics of the tenants, housing market conditions, and the characteristics of the surrounding neighborhood. In general, we expect that investments in housing – the rehabilitation of old housing or the construction of new housing – would have

2 Of course, if the subsidized construction fully crowds out private construction, then the population will remain steady. But while most research on this topic finds evidence of crowding out, no paper has found it to be complete (see Murray 1999 and Sinai and Waldfoegel, 2002).

3 Children growing up in communities characterized by high rates of poverty and joblessness will be disadvantaged by their lack of exposure to role models of successful working adults. Crime may increase as alternatives are less apparent, and local schools may struggle, perhaps because they face difficulties in recruiting strong teachers or because local parents are typically less educated (see Ellen and Turner 1997).

positive spillovers on the surrounding community, especially when that housing replaces an abandoned or otherwise blighted site. But those positive impacts might be tempered to some degree by poor or incongruous design, deficient management and upkeep, and/or by the perception that tenants – either because of their lower relative incomes or different ethnic compositions – will make undesirable neighbors.

Existing Evidence on the Spillovers of Subsidized Rental Housing on Property Values

Actually identifying and quantifying the neighborhood spillover effects generated by housing investment is quite difficult. The first challenge lies in measuring any neighborhood improvements. Sources of data are hard to come by, and many of the outcomes we would wish to capture (e.g., social capital and collective efficacy) are difficult to quantify.⁴ However, because land is immobile, to the extent that any of these outcomes occur, they should be capitalized into, or reflected in higher property values. Put simply, if a neighborhood becomes a better place to live, people will be willing to pay more to live there. Thus, much of the existing research measures neighborhood benefits by increases in the value of surrounding properties.⁵

Given the conventional view that subsidized rental housing developments, if anything, help to accelerate neighborhood decline, it is perhaps not surprising that the papers on this subject have virtually all been framed to ask whether these subsidized housing developments reduce surrounding property values.⁶ Yet, contrary to the conventional wisdom, empirical research yields inconclusive evidence about the nature of spillover effects generated by subsidized rental housing. Most of these past studies either rely on cross-sectional data or do not have access to project completion dates and therefore cannot determine whether subsidized housing is systematically located in weak/strong neighborhoods, or whether subsidized housing

⁴ Collective efficacy is defined as the willingness of local residents to intervene for the common good. For more on the concept, see Sampson, Raudenbush, and Earls (1997).

⁵ Of course, it may be true that neighborhood changes occur even when little change in property values is apparent, perhaps because these underlying changes in services and conditions cancel one another out. Consider the effects of an increase in population resulting from new housing. On the one hand, this increase is likely to make a neighborhood safer; on the other hand, it may lead to unwanted noise and congestion.

⁶ One exception is Nourse (1963), which considers whether federally-subsidized housing might deliver *benefits* to the surrounding neighborhood. But this paper was published way back in 1963, almost 10 years before the demolition of Pruitt Igoe, a time when attitudes about subsidized rental housing clearly differed.

leads to neighborhood decline/improvement [see, e.g., Green, Malpezzi & Seah, 2003; Lee, Culhane & Wachter, 1999; Lyons and Loveridge, 1993].⁷

Recently, several studies have attempted to disentangle the causality problem by estimating impacts based upon a comparison of price changes of properties within the vicinity of new housing to price changes citywide, while controlling for idiosyncratic features of the neighborhood (typically through census tract fixed effects). Briggs, Darden, and Aidala (1999), for instance, use a census tract fixed effects model to examine price changes surrounding seven scattered-site public housing developments on property values in neighborhoods in Yonkers, New York. They find little effect on the surrounding area. Santiago, Galster, and Tatian (2001) use a similar model to estimate the impact of the Denver Housing Authority's scattered site public housing program on the sales prices of surrounding single-family homes. Testing for both changes in price levels and trends after completion, they find that proximity to dispersed public housing units is, if anything, associated with an increase in the prices of single-family homes.

While these two studies go a long way to question the common belief that scattered-site public housing reduces the value of surrounding properties, neither reveals anything about possible differences in impacts across different types of programs.

Together with colleagues at New York University, I have written a series of paper investigating the impacts of subsidized, rental housing in New York City.⁸ While limited to a single city, these studies offer more opportunities to compare impacts across programs in part because of the sheer scale of the activity in New York. Between 1986 and roughly 2000, New York City engaged in a massive effort to rebuild its housing stock, funded with a mix of city, state, and federal dollars. Much of the effort was focused on the large stock of dilapidated housing and vacant land that the city had acquired through tax foreclosure proceedings during the 1970s. During this roughly 15-year period, the city utilized close to 100 different programs and built or rehabilitated nearly 200,000 units of housing, most of it rental. (Specific program features differed, but in general, the city gave land and/or buildings together with low-interest financing to nonprofit or for-profit developers, who would then undertake the rehabilitation or construction and

⁷ Green, Malpezzi and Seah (2003) estimate a repeat sales model and utilize an interesting gravity measure of distance to LIHTC development sites. Nonetheless, they do not have access to project completion dates, which makes it impossible to interpret their coefficients on distance as impact measures. To do so, one has to assume that the coefficient on distance to LIHTC sites was zero *before* project completion.

⁸ See Ellen, Schwartz, Voicu, and Schill (forthcoming); Ellen and Voicu (2006); Schwartz, Ellen, Voicu, and Schill (forthcoming); and Schill, Ellen, Schwartz, and Voicu (2002). Note that the latter two papers also explore neighborhood impacts of owner-occupied housing, but the bulk of the housing studied is rental.

ultimately own and manage the buildings.) Moreover, another 58,000 units of federally-subsidized rental housing were also built in New York City between 1977 and 2000, through the Section 8, Section 202, and Public Housing programs.⁹

The unique scale of the efforts gives us statistical power to identify impacts. And the diversity of the city's neighborhoods as well as its programs allows us to compare and contrast the impacts of different programs (both federal and local) in different circumstances.

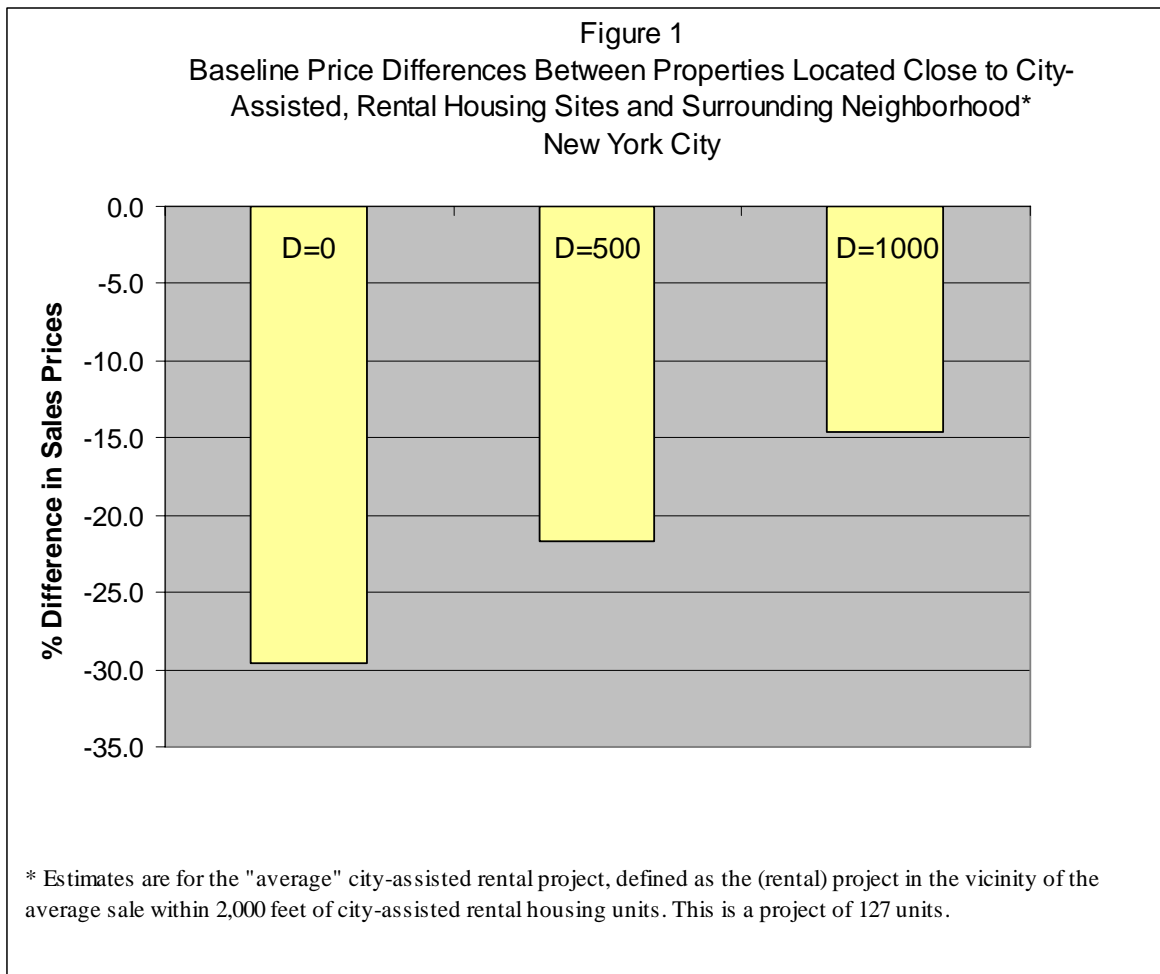
While the specifications differ across individual papers, the core model used is a hedonic regression model with a difference-in-difference specification. Intuitively, the estimated impacts are the difference between the change in property values in the vicinity of subsidized housing investment before and after the investment and price changes of comparable properties farther away, but still in the same neighborhood. We include census tract fixed effects to control for idiosyncratic neighborhood characteristics and neighborhood*time interaction variables to control for idiosyncratic price trends in the local neighborhood. We also include variables that allow us to investigate the extent to which impact estimates vary with project size, housing characteristics, and submarkets in the city.

In general, our papers find that the city-assisted programs have had significant, positive effects, far larger than those estimated for subsidized housing in other cities. Prior to rehabilitation or construction, these city-assisted housing sites – which were typically abandoned properties or vacant lots that the city had taken over for tax foreclosure during the 1970s – appear to have significantly depressed the value of neighboring properties.

Specifically, as shown in Figure 1, for the typical city-assisted project, properties located right next to the original, abandoned properties (distance = 0) sold for almost 30 percent less than comparable properties located further away but still in the same neighborhood. As expected, the price discount declines with distance from the site. Nonetheless, as the figure also shows, prices remained significantly lower 1,000 feet away from assisted housing sites. Specifically, the prices of properties located 1,000 feet from assisted housing sites (distance = 1,000) were almost 15 percent lower than the prices of comparable properties selling at the exact same time in the surrounding neighborhood. We cannot say for sure that these blighted, city-owned sites fully explained the lower property values in the 1,000-foot rings surrounding them, but it is likely that

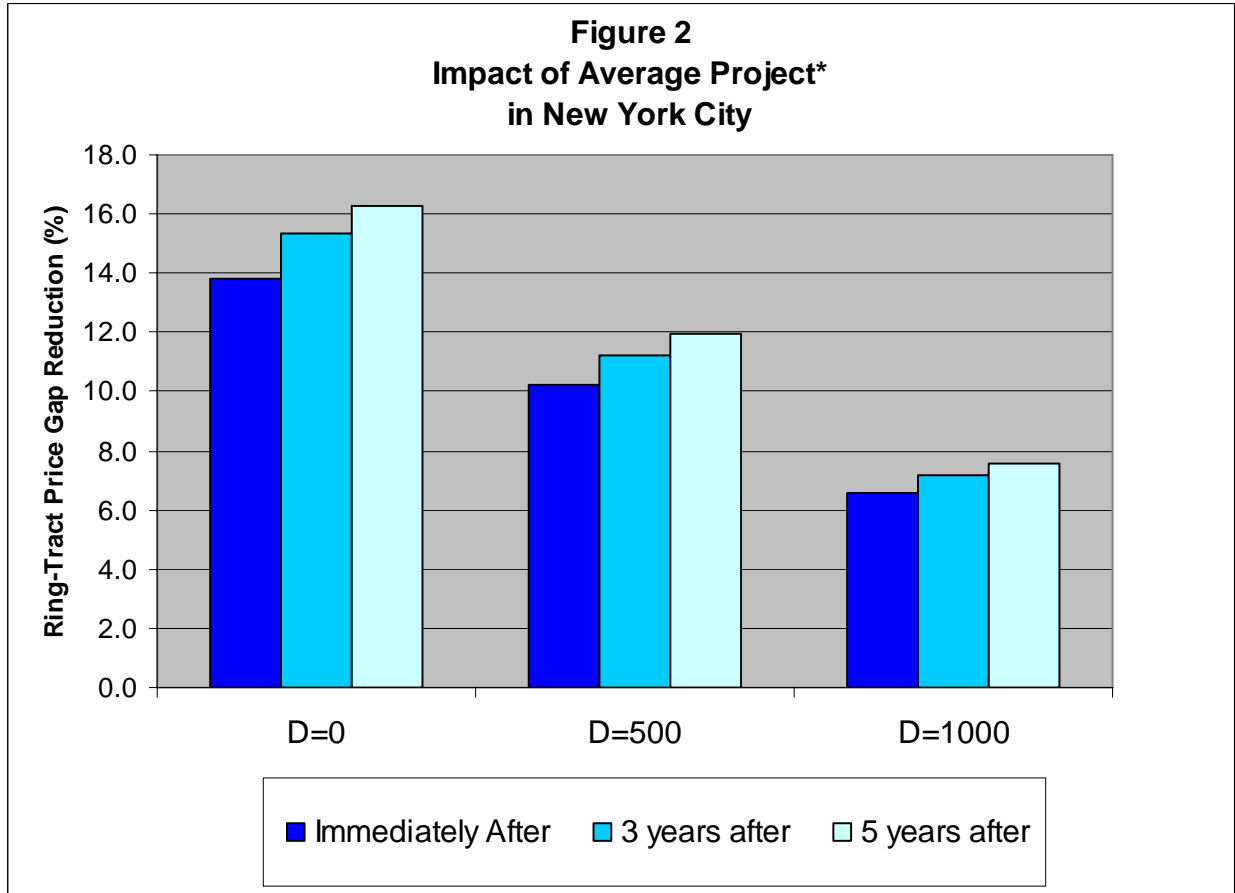
⁹ There were also roughly 20,000 units built through the Low Income Housing Tax Credit program, but most of these units also received city assistance through the city's Ten Year Plan for Housing and are thus counted in the total number of units assisted by the city (Schill, Ellen, Schwartz, and Voicu, 2002).

they were a contributor.



A second, and perhaps more critical, result is that New York City's investment in these abandoned, tax-foreclosed properties appears to have yielded significant, positive benefits. Figure 2 shows the extent to which the gap between prices of properties near assisted housing sites and those in the surrounding neighborhood fell after completion, or in other words, how much prices rose in the vicinity of the subsidized housing relative to other comparable properties in the same neighborhood. Immediately after completion, prices of properties right next to city-assisted housing sites rose by 8.9 percentage points more than the prices of properties in the surrounding neighborhood. Moreover, these impacts grow over time, perhaps as families move into the housing and the population rises. Five years after completion, properties next to the city-assisted housing had appreciated 11.4 percentage points more than other comparable properties in the neighborhood.

Impacts shrink with distance from the city-assisted housing, as one would expect, but the figure shows significant positive effects at 1,000 feet away from subsidized housing investment as well. Building more units appears to bring a greater benefit, though this marginal effect declines as the number of units increases.



* Estimates are for the "average" city-assisted project, defined as the project in the vicinity of the average sale in a 2,000-foot ring. This is a project of 250 units, out of which 55.5% are rental-multi-family units.

Our analyses suggest that these relationships are causal, i.e., that the investments that New York City made during the 1980s and 1990s to build new subsidized housing and rebuild dilapidated properties as affordable housing have generated improvements in the surrounding neighborhoods. While there are plausible alternative explanations for these price patterns, the evidence does not support them. For example, although city officials may have wanted to pick “winning” sites where prices were going to appreciate anyway, even in the absence of investment, they had little latitude in their selection. By the end of our study period, virtually all

available sites in New York City had been developed. Moreover, the results are robust to various different specifications and statistical techniques.

The magnitude of these neighborhood benefits appears to be substantial. Our analysis of costs and benefits suggests that New York City's housing investments delivered a tax benefit to the city that exceeded the cost of the city's subsidies and amounted to some 75 percent of total public investment, which includes both state and federal dollars.¹⁰ It is worth emphasizing that in these calculations we did not consider the benefits enjoyed by the households that actually reside in the new subsidized housing. Adding such individual benefits would yield even more favorable estimates.

Our research on federally-assisted rental housing in New York City yields more mixed conclusions (see Ellen et al, 2006). We find evidence that housing produced through the Section 202 and Low Income Housing Tax Credit (LIHTC) programs generate sustained increases in property values in the surrounding community. By contrast, Section 8 and public housing appear to lead to reductions in property values, although these initially negative effects diminish over time, and in the case of public housing, dissipate within three years of completion. Further, impacts are very sensitive to scale, with larger Section 8 and public housing projects generating more negative impacts. Interestingly, however, these marginal impacts diminish with scale, at least in the case of public housing. In other words, while larger projects generally result in larger initial declines, adding another unit to a 500-unit public housing development has a less negative effect than adding another unit to a 100-unit development.

In summary, the New York City research suggests that housing created through the Section 202 program, the LIHTC program, and New York's many local housing programs delivered significant neighborhood benefits. (Since many of the city programs utilized tax credits, there is in fact considerable overlap between the latter two categories.) By contrast, the research finds that housing built through the Section 8 and Public Housing program are associated with reductions in property values, at least initially.

Exploring the Heterogeneity of Impacts

The discussion above makes clear that impacts differ across programs and circumstances. A key question for policymakers is why. Why, for instance, did the tax credit developments and

¹⁰ For more detail on these tax benefit estimates, see Schwartz, Ellen, Voicu, and Schill (forthcoming).

the city-sponsored housing in New York City appear to generate more positive impacts than housing built through the Section 8 and Public Housing programs? This section aims to summarize what the existing research can tell us about the types of housing investments most likely to generate positive community spillovers. I focus mostly on the differences in impacts across housing programs in New York City (both federal and local), since most other studies examine a single program. Where possible, however, I also speculate about the root causes of differences between New York City findings and those in other cities, as well as impact differences found within studies examining assisted housing built outside of New York City.¹¹

Siting

Existing research offers some lessons about where to site new housing. The experience of New York City suggests that focusing on blighted sites can lead to greater spillovers. As compared to federal efforts in the city and most housing programs elsewhere, the New York City programs more explicitly focused on neighborhood revitalization. One of the key aims of the city's housing efforts – evident from speeches and documents describing the program – was to revitalize the neighborhoods that had suffered from disinvestment and arson during the 1970s (Schill et al, 2002). As a result, city officials in New York chose sites (either buildings or vacant land) that were extremely blighted. This focus on improving blighted sites may help to explain the greater benefits delivered by city-assisted housing.

The evidence is more mixed about what neighborhoods to build in. On the one hand, the research in New York suggests that average-sized projects generate more positive impacts in neighborhoods that are more distressed (Schwartz et al, forthcoming). On the other hand, the spillover benefits of very small projects developed in New York appear to be lesser in more distressed or blighted neighborhoods, perhaps because building just a few new housing units in a highly blighted area may simply not be enough to make a difference.¹² Moreover, the research on federally-subsidized rental housing suggests that adding significantly more subsidized housing and low-income households to already vulnerable, low-income communities can be

11 I turn mostly to the two studies employing data and methods closest to the New York City studies: Briggs, Darden, and Aidala (1999) and Santiago, Galster, and Tatian (2001).

12 In general, city officials were fairly systematic about the sequence of investment, staging their efforts so that investments were clustered and full blocks and groups of blocks were rehabilitated at the same time, which may have helped to enhance neighborhood benefits (Schill et al, 2002).

harmful. Ellen et al (forthcoming), for instance, find that the effects of Section 8 housing are more negative in lower-income areas. Similarly, Santiago, Galster, and Tatian (2001) find that while scattered-site, public housing generates positive effects in affluent, white areas; it leads to consistently negative spillover effects in substantially black, low-income communities.

Scale

In general, we expect larger projects to have more dramatic effects (either positive or negative) on a community. And this is typically what the research finds. Lyons and Loveridge (1993), for instance, find that greater numbers of subsidized units are associated with larger reductions in property values. Similarly, Ellen et al (forthcoming) find that larger public housing and Section 8 projects generate more negative impacts. Meanwhile, studies finding positive impacts tend to find that impacts of larger projects are more positive (Schwartz et al, forthcoming; Santiago, Galster, and Tatian, 2001).

That said, the studies examining subsidized housing in New York find evidence that scale effects are non-linear. Specifically, the marginal effects of additional subsidized housing units – whether positive or negative – tend to diminish in magnitude with the number of units (Schwartz et al, forthcoming, Ellen et al, forthcoming). In other words, contrary to what many believe, the impact of adding another housing unit will actually be smaller in a larger development.

Type of Housing

Few clear lessons emerge about different types of housing. Structure type is surprisingly irrelevant in the New York City studies; the magnitude of the spillover effect is unchanged whether the subsidized housing is comprised of single-family homes, 2-4 unit buildings, or multifamily apartment buildings (Schwartz et al, forthcoming). Of course, it is very possible that neighbors are more sensitive to structure type in other, lower density cities. Indeed, among studies outside of New York City, the two that find the most positive impacts are those that examine scattered-site, public housing, which is typically comprised of in-fill, single-family and 2-family homes (Santiago, Galster, and Tatian 2001; Briggs, Darden, and Aidala, 1999).

As for type of construction, the New York City studies also fail to find any difference between the neighborhood spillover effects of units created through the rehabilitation of vacant buildings and those generated by in-fill, new construction projects, suggesting perhaps that the

presence of an untended vacant lot can be as destructive to the surrounding community as a vacant, dilapidated building (Schwartz et al, forthcoming).

Tenant Characteristics

Unfortunately, no study has had access to project-specific information about tenant characteristics. However, we can make assumptions about tenant characteristics given the rules of the programs governing the developments. For example, in their analysis of federal rental housing programs, Ellen et al (forthcoming) find that housing programs targeted to the elderly typically have more positive impacts than those aimed at families, suggesting that low-income elderly tenants are typically more welcomed, or less feared, than low-income families. In addition, among the programs targeted to families, those that house the lowest income tenants (Section 8 and Public Housing) have the most negative effects. That said, these initially negative impacts do appear to dissipate fairly quickly, at least in the case of public housing.

Significantly, however, in examining the impact of the New York City programs, we did not find any evidence that the share of homeless tenants in a project depressed benefits (Schill et al, 2002). This may be because the programs in New York City all aimed to achieve some mix of incomes, so formerly homeless families were housed together with working families.

Indeed, one reason why the city-sponsored efforts in New York City appeared to yield more positive impacts than the traditional federal programs may be just this focus on income mixing. As compared to federal programs, the city-run programs in New York City placed a fair amount of emphasis on mixing incomes within projects. Rather than concentrating the very poorest households in particular neighborhoods or projects, the city programs generally aimed to house a mixture of low and moderate-income tenants (Salama, Schill, and Roberts 2003).

Management and Ownership

No studies to date evaluate the impact of the quality or style of management. We can, however, draw some inferences about ownership. Ellen and Voicu (2006), for instance, find some differences between the impacts of housing developed by nonprofit and for-profit organizations. In particular, neighborhood spillover benefits appear to be somewhat more sustained over time when rehabilitation projects are undertaken by nonprofit developers. This finding is consistent with theoretical predictions. In the presence of information asymmetries

with respect to housing quality, nonprofits are likely to invest more in developing and maintaining features that benefit the broader community than their for-profit counterparts.

However, in the case of small projects, nonprofit organizations appear to deliver significantly smaller neighborhood benefits than their for-profit counterparts. The fact that scale makes such a difference to nonprofit impacts may be explained by the capacity issues that often challenge smaller nonprofits. It might also reflect the fact that projects developed by smaller nonprofits typically lack community amenities.

The fact that the public housing developed in New York City appears to have yielded lesser positive neighborhood impacts than the projects that are owned and managed by private developers may also be rooted, at least in part, in the different incentives, resources, and constraints faced by public and private actors. (That said, the housing program that appears to deliver the most negative spillover effects is Section 8 housing, which is also privately-owned.)

Finally, the most important distinction may be between federal and local programs. The housing built through city-assisted programs in New York appears to have generated significantly more positive neighborhood benefits than housing built through federal programs. (And one of the two federal programs that appeared to generate positive impacts was administered locally, in partnership with private developers – the Low Income Housing Tax Credit Program, while the other was aimed at the elderly.) Perhaps local policymakers and developers simply have a greater motivation, as well as greater capacity due to their local knowledge, to build housing that will benefit the surrounding community.

Context: Is New York City Simply Different?

Given that the housing delivering the greatest benefits is found in New York City, it's worth exploring the New York context. Many of the features that appear to have worked so well in New York City – the focus on income mixing and neighborhood revitalization – could surely be transplanted to other cities and to other times. But it is also possible that New York City is simply different, as we hear all the time. Certainly, it is hard to imagine other cities replicating New York's efforts at the same tremendous scale.

Moreover, while additional housing might trigger the removal of buildings from the housing stock in weak markets, public subsidies for housing production and rehabilitation may serve as far more effective spurs to neighborhood revitalization in tighter housing markets such

as New York City. During the 1990s, the city's population was growing rapidly and structural barriers inhibited the construction of affordable, private housing. The result was a very tight housing market. New York's extraordinarily high density may also magnify spillover effects, since buildings have more close neighbors. So some caution is warranted in extrapolating the conclusions here to other cities, especially those that are economically weaker.

Conclusions

In summary, the evidence clearly fails to support the notion that subsidized rental housing will in general depress neighborhood property values or otherwise undermine communities. Both theory and existing evidence suggest that the neighborhood impacts of subsidized, rental housing will differ depending on where it is built, the scale of the development, the characteristics of its tenants, and the nature of ownership and management. Reading across these studies, we can identify a few guidelines for policymakers who wish to make the types of rental housing investments most likely to deliver neighborhood benefits.

First, in siting housing, policymakers should pay attention to what is being replaced. Housing that replaces an existing disamenity will naturally benefit a community more than housing that replaces an otherwise desirable use. Even in affluent communities, there are often unattractive and underutilized sites that depress the value of surrounding properties. Attention should also be paid to the larger neighborhood context. Renovating a single home on an otherwise abandoned block is likely to do little. That said, concentrating too much lower income housing in already low-income and vulnerable neighborhoods may be harmful. And of course, policymakers should consider impacts on tenants too; who are likely to do better when living in more economically integrated communities.

Second, tenants matter, but perhaps not as much as people think. The experience of city-assisted housing in New York suggests that the share of formerly homeless families in a development makes little difference to neighborhood impacts. That said, there is at least suggestive evidence that developments that have some mix of incomes (such as those developed through New York City's programs) may yield greater benefits to the surrounding area.

Third, scale matters. Projects need to be large enough, especially in distressed areas, to overcome the blight around them. But they need not be too large. In New York City, we find that the marginal effect of an additional unit appears to diminish with overall size. Thus when

housing delivers benefits, total benefits will be maximized through building a set of moderate-sized developments in several neighborhoods, rather than a single, very large development.

Finally, research in New York suggests that housing created through local government programs has done more to benefit surrounding neighborhoods than that created through federal programs, due to differing incentives and/or knowledge. And local governments will be well-served by providing housing subsidies to either nonprofit or for-profit organizations, though there appears to be greater heterogeneity within the nonprofit sector (Ellen and Voicu 2006).

Other factors are likely to matter too, but researchers have yet to explore them. The extent of ongoing maintenance is likely to be important, for instance. The nature of the design, and the extent to which it fits into the existing character of the community are also likely to make a difference. Indeed, one of the unique features of the subsidized housing produced in New York City is that much of it was created through the gut rehabilitation of vacant, uninhabitable buildings. While these buildings were no more than shells, the city chose not to demolish them and use the existing structure for new housing units. By definition, this meant that the new housing built by the city fit in with the existing neighborhood context.

In future work, researchers should explore these critical policy issues. Clearly, the notion that all subsidized rental housing depresses property values and undermines a neighborhood is simply wrong. The experience of New York City suggests that well-designed, well-managed projects built on distressed sites can play an important role in helping to revitalize a community. But it behooves us to move further on this research to give clearer guidance to policymakers about the particular features that make housing investments more effective in different markets and communities.

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Environmental Assessment and Compliance Findings for the Related Laws

U.S. Department of Housing and Urban Development

1. Project Number	
HUD Program	
2. Date Received	

RMS: HI-00487R

Findings and Recommendations are to be prepared **after** the environmental analysis is completed. Complete items 1 through 15 as appropriate for all projects. For projects requiring an environmental assessment, also complete Parts A and B. For projects categorically excluded under 24 CFR 50.20, complete Part A. Attach notes and source documentation that support the findings.

3. Project Name and Location (Street, City, County, State)		4. Applicant Name and Address (Street, City, State, Zip Code), and Phone	
5. <input type="checkbox"/> Multifamily <input type="checkbox"/> Elderly <input type="checkbox"/> Other If Other, explain.	6. Number of _____ Dwelling Units _____ Buildings _____ Stories	7. Displacement <input type="checkbox"/> No <input type="checkbox"/> Yes If Yes, explain.	
8. <input type="checkbox"/> New Construction <input type="checkbox"/> Rehabilitation <input type="checkbox"/> Other (if Other, explain)	10. Planning Findings. Is the project in compliance or conformance with the following plans? Local Zoning <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable Coastal Zone <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable Air Quality (SIP) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable Explain any "No" answer: _____ Are there any unresolved conflicts concerning the use of the site? <input type="checkbox"/> No <input type="checkbox"/> Yes (explain): _____		
9. Has an environmental report (Federal, State, or local) been used in completing this form? <input type="checkbox"/> No <input type="checkbox"/> Yes If Yes, identify: _____	11. Environmental Finding (check one) <input type="checkbox"/> Categorical exclusion is made in accordance with § 50.20 or <input type="checkbox"/> Environmental Assessment and a Finding of No Significant Impact (FONSI) is made in accordance with § 50.33 or <input type="checkbox"/> Environmental Assessment and a Finding of Significant Impact is made, and an Environmental Impact Statement is required in accordance with §§ 50.33(d) and 50.41.		
<input type="checkbox"/> Project is recommended for approval (List any conditions and requirements) <input type="checkbox"/> Project is recommended for rejection (State reasons)			

12. Preparer (signature)	Date	13. Supervisor (signature)	Date
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14. Comments by Environmental Clearance Officer (ECO) (required for projects over 200 lots/units)

ECO (signature) X	Date
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15. Comments (if any) by HUD Approving Official

HUD Approving Official (signature) X	Date
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Part A. Compliance Findings for §50.4 Related Laws and Authorities

§ 50.4 Laws and Authorities	Project is in Compliance		Source Documentation and Requirements for Approval
	Yes	No	
16. Coastal Barrier Resources			
17. Floodplain Management (24 CFR Part 55)			
18. Historic Preservation (36 CFR Part 800)			
19. Noise Abatement (24 CFR Part 51 Subpart B)			
20. Hazardous Operations (24 CFR Part 51 Subpart C)			
21. Airport Hazards (24 CFR Part 51 Subpart D)			
22. Protection of Wetlands (E. O. 11990)			
23. Toxic Chemicals & Radioactive Materials (§ 50.3(i))			
24. Other § 50.4 authorities (e.g., endangered species, sole source aquifers, farmlands protection, flood, insurance, environmental justice)			

Part B. Environmental/Program Factors

Factors	Anticipated Impact/Deficiencies			Source Documentation and Requirements for Approval
	None	Minor	Major	
25. Unique Natural Features and Areas				
26. Site Suitability, Access, and Compatibility with Surrounding Development				
27. Soil Stability, Erosion, and Drainage				
28. Nuisances and Hazards (natural and built)				
29. Water Supply / Sanitary Sewers				
30. Solid Waste Disposal				
31. Schools, Parks, Recreation, and Social Services				
32. Emergency Health Care, Fire and Police Services				
33. Commercial / Retail and Transportation				
34. Other				

Sample Field Notes Checklist

Project Number	HUD Program
----------------	-------------

Project Name:

Location (street, city, county/State, & zip code)

Number of Dwelling Units	Project site is in a location described as
<input type="checkbox"/> New construction <input type="checkbox"/> Rehabilitation	<input type="checkbox"/> Central city <input type="checkbox"/> Suburban <input type="checkbox"/> Infill urban development <input type="checkbox"/> In developing rural area <input type="checkbox"/> In undeveloped area

Note to Reader: An Environmental Assessment (EA) is a concise public document that a Federal agency must prepare in order to comply with the National Environmental Policy Act (NEPA) and the related Federal environmental laws and authorities. The EA must support decision making process and provide a clear rationale, justification, and documentation for ratings assigned.

Instructions

It is recommended that this checklist be used by HUD staff who prepare the Environmental Assessment (EA; form HUD-4128). It will constitute full documentation for many factors on the EA, and partial documentation for others. It will avoid narrative reports and expedite the environmental review process. This checklist, which is a slightly revised version of Appendix C of Handbook 1390.2, should be used pending revision of Handbook 1390.2.

The number for each checklist topic is the number that appears on form HUD-4128. Also, each checklist title/heading is followed by a reference to where the topic appears in the current Handbook 1390.2.

Before the site visit, review the Phase I and all background information submitted with the application (if applicable). During the site visit, the preparers of form HUD-4128 are to: (i) answer all relevant questions on this checklist; (ii) use the spaces provided for comments to include supplemental information as well as to record any recommended mitigation measures or requirements for project approval; (iii) key your answers to the relevant questions (using additional sheets of paper to provide more detailed information); and (iv) use the spaces provided for source documentation to cite the information source used (e.g., title of

a technical report, map, or special study; site inspection/field observation; name and location of the qualified data source(s) that provided the information, for example, the local planning agency, the local housing and/or community development agency, the State environmental protection agency, the State Historic Preservation Officer, or other qualified data source.)

Preparers are to obtain and use, as appropriate, any environmental report (Federal, State, or local) that may have already been prepared for the property or area in which the property is located.

Several different types of maps will be useful in completing the review, such as the project plan or plot map, a location map showing major features and facilities in the vicinity, the USGS topographic map and FEMA flood map for the site area, and zoning/land use maps. **Many of the conditions can and should be recorded directly on the project plan.** Distances to major features and facilities (e.g., schools and fire stations) and a description of the surrounding area are examples. The plan can then be referenced as "source documentation" on form HUD-4128.

9. Environmental Report

List the Federal, State, or local agencies contacted to obtain their existing environmental reports and other data for the HUD environmental review for the proposed project.

List the major reports obtained. (attach the report(s) or otherwise list the title, author, publication date)

10. Planning Findings

Is the project in compliance or conformance with the local zoning?
 Yes No Not Applicable If No or Not Applicable, explain.

Is the project located within a coastal management zone (CZM)?

Yes No Not Applicable

If your answer is Yes, the State Coastal Zone Management (CZM) Agency must make a finding that the project is consistent with the approved State CZM program.

Is the State's finding attached to this checksheet?

Yes No

Is the project in compliance with the air quality State Implementation Plan (SIP)?

Yes No Not Applicable

Comments:

Source documentation:

Are there any unresolved conflicts concerning the use of the site?

Yes No If your answer is Yes, briefly explain:

16. Coastal Barrier Resources

Is the project located within a coastal barrier designated on a current FEMA flood map or Department of Interior coastal barrier resources map?

Yes No If your answer is Yes, the law prohibits Federal funding of projects in designated coastal barriers.

17. Flood Management (24 CFR Part 55) (see CF 3 and 4 of Handbook 1390.2)

Is the project located within a floodplain designated on a current FEMA flood map?

Yes No Identify FEMA flood map used to make this finding:

Community Name and Number: _____

Map Panel Number and Date of Map Panel: _____

If your answer is Yes, use § 55.12 and the floodplain management decisionmaking process (§ 55.20) to comply with 24 CFR Part 55.

Comments:

Source documentation: (attach § 55.20 analysis)

18. Historic Preservation (see CF 2 of Handbook 1390.2)

Has the SHPO been notified of the project and requested to provide comments?

Yes No

Is the property listed on or eligible for listing on the National Register of Historic Places?

Yes No

Is the property located within or directly adjacent to an historic district?

Yes No

Does the property's area of potential effects include an historic district or property?

Yes No

If your answer is Yes to any of the above questions, consult with the State Historic Preservation Officer (SHPO) and comply with 36 CFR part 800.

Has the SHPO been or is being advised of HUD's finding?

Yes No

Comments:

Source documentation:

19. Noise Abatement (see CF 1 of Handbook 1390.2)

Is the project located near a major noise source, i.e., civil airports (within 5 miles), military airfields (15 miles), major highways or busy roads (within 1000 feet), or railroads (within 3000 feet)?

Yes No If your answer is Yes, comply with 24 CFR 51, Subpart B which requires a noise assessment for proposed new construction. Use adopted DNL contours if the noise source is an airport.

Comments:

Source documentation: (attach NAG worksheets)

20. Hazardous Industrial Operations (see CF 5 of Handbook 1390.2)

Are industrial facilities handling explosive or fire-prone materials such as liquid propane, gasoline or other storage tanks adjacent to or visible from the project site?

Yes No If your answer is Yes, use HUD Hazards Guide and comply with 24 CFR Part 51, Subpart C.

Comments:

Source documentation: (attach ASD worksheets)

21. Airport Hazards (see CF 5 of Handbook 1390.2)

Is the project within 3,000 feet from the end of a runway at a civil airport?

Yes No

Is the project within 2-1/2 miles from the end of a runway at a military airfield?

Yes No If your answer is Yes to either of the above questions, comply with 24 CFR Part 51, Subpart D.

Comments:

Source documentation:

22. Protection of Wetlands (E.O. 11990) (see CF 3 and 4 of Handbook 1390.2)

Are there drainage ways, streams, rivers, or coastlines on or near the site?

Yes No

Are there ponds, marshes, bogs, swamps or other wetlands on or near the site?

Yes No

For projects proposing new construction and/or filling, the following applies:

Is the project located within a wetland designated on a National Wetlands Inventory map of the Department of the Interior (DOI)?

Yes No If your answer is Yes, E.O. 11990, Protection of Wetlands, discourages Federal funding of new construction or filling in wetlands and compliance is required with the wetlands decisionmaking process (§ 55.20 of 24 CFR Part 55. Use proposed Part 55 published in the Federal Register on January 1, 1990 for wetland procedures).

Comments:

Source documentation: (attach § 55.20 analysis for new construction and/or filling)

23. Toxic Chemicals and Radioactive Materials (see CF 5 of Handbook 1390.2)

Has a Phase I (ASTM) Report been submitted and reviewed?

Yes No If your answer is No, is a Phase I (ASTM) report needed?

Yes No

Are there issues that require a special/specific Phase II report before completing the environmental assessment?

Yes No

Is the project site near an industry disposing of chemicals or hazardous wastes?

Yes No

Is the site listed on an EPA Superfund National Priorities or CERCLA, or equivalent State list?

Yes No

Is the site located within 3,000 feet of a toxic or solid waste landfill site?

Yes No

Does the site have an underground storage tank?

Yes No

If your answer is Yes to any of the above questions, use current techniques by qualified professionals to undertake investigations determined necessary and comply with § 50.3(i).

Are there any unresolved concerns that could lead to HUD being determined to be a Potential Responsible Party (PRP)?

Yes No

Comments:

Source documentation: (attach Phase I (ASTM) Report)

24. Other

a. Endangered Species (see EF 3.4 of Handbook 1390.2)

Has the Department of Interior list of Endangered Species and Critical Habitats been reviewed?

Yes No

Is the project likely to affect any listed or proposed endangered or threatened species or critical habitats?

Yes No If your answer is Yes, compliance is required with Section 7 of the Endangered Species Act, which mandates consultation with the Fish and Wildlife Service in order to preserve the species.

Comments:

Source documentation

b. Sole Source aquifers

Will the proposed project affect a sole source or other aquifer?

Yes No

Comments

Source documentation

c. Farmlands Protection (see EF 3.3 of Handbook 1390.2)

If the site or area is presently being farmed, does the project conform with the Farmland Protection Policy Act and HUD policy memo?
 Yes No If your answer is Yes, compliance is required with 7 CFR Part 658, Department of Agriculture regulations implementing the Act.

Comments:

Source documentation:

d. Flood Insurance

Is the building located or to be located within a Special Flood Hazard Area identified on a current Flood Insurance Rate Map (FIRM)?

Yes No

If your answer is Yes, flood insurance protection is required for buildings located or to be located within a Special Flood Hazard Area as a condition of approval of the project. In addition, compliance with § 55.12 and the floodplain management decisionmaking process (§ 55.20) is required (refer to item #17 above). Document the map used to determine Special Flood Hazard Area in above item #17 pertaining to community name and number, map panel number and date of map panel.

e. Environmental Justice

Is the project located in a predominantly minority and low-income neighborhood?

Yes No

Does the project site or neighborhood suffer from disproportionately adverse environmental effects on minority and low-income populations relative to the community-at-large?

Yes No If your answer is Yes, compliance is required with E.O. 12898, Federal Actions to Address Environmental Justice.

Comments:

Source documentation:

25. Unique Natural Features and Areas (see EF 3.2 of Handbook 1390.2)

Is the site near natural features (i.e., bluffs or cliffs) or near public or private scenic areas?

Yes No

Are other natural resources visible on site or in vicinity? Will any such resources be adversely affected or will they adversely affect the project?

Yes No

Comments:

26. Site Suitability, Access, and Compatibility with Surrounding Development (see EF 1.1 and 1.3 of Handbook 1390.2)

Has the site has been used as a dump, sanitary landfill or mine waste disposal area? Yes No
 Is there paved access to the site? Yes No
 Are there other unusual conditions on site? Yes No

Is there indication of:	Yes	No		Yes	No
distressed vegetation	<input type="checkbox"/>	<input type="checkbox"/>	oil/chemical spills	<input type="checkbox"/>	<input type="checkbox"/>
waste material/containers	<input type="checkbox"/>	<input type="checkbox"/>	abandoned machinery, cars, refrigerators, etc.	<input type="checkbox"/>	<input type="checkbox"/>
soil staining, pools of liquid	<input type="checkbox"/>	<input type="checkbox"/>	transformers, fill/vent pipes, pipelines, drainage structures	<input type="checkbox"/>	<input type="checkbox"/>
loose/empty drums, barrels	<input type="checkbox"/>	<input type="checkbox"/>			

Is the project compatible with surrounding area in terms of:

	Yes	No		Yes	No
Land use	<input type="checkbox"/>	<input type="checkbox"/>	Building type (low/high-rise)	<input type="checkbox"/>	<input type="checkbox"/>
Height, bulk, mass	<input type="checkbox"/>	<input type="checkbox"/>	Building density	<input type="checkbox"/>	<input type="checkbox"/>

Will the project be unduly influenced by:

	Yes	No		Yes	No
Building deterioration	<input type="checkbox"/>	<input type="checkbox"/>	Transition of land uses	<input type="checkbox"/>	<input type="checkbox"/>
Postponed maintenance	<input type="checkbox"/>	<input type="checkbox"/>	Incompatible land uses	<input type="checkbox"/>	<input type="checkbox"/>
Obsolete public facilities	<input type="checkbox"/>	<input type="checkbox"/>	Inadequate off-street parking	<input type="checkbox"/>	<input type="checkbox"/>

Are there air pollution generators nearby which would adversely affect the site:

	Yes	No		Yes	No
Heavy industry	<input type="checkbox"/>	<input type="checkbox"/>	Large parking facilities (1000 or more cars)	<input type="checkbox"/>	<input type="checkbox"/>
Incinerators	<input type="checkbox"/>	<input type="checkbox"/>	Heavy travelled highway (6 or more lanes)	<input type="checkbox"/>	<input type="checkbox"/>
Power generating plants	<input type="checkbox"/>	<input type="checkbox"/>	Oil refineries	<input type="checkbox"/>	<input type="checkbox"/>
Cement plants	<input type="checkbox"/>	<input type="checkbox"/>	Other(specify)	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

Source documentation:

27. Soil Stability, Erosion, and Drainage (see EF 1.2 of Handbook 1390.2)

Slopes: Not Applicable Steep Moderate Slight

Is there evidence of slope erosion or unstable slope conditions on or near the site?	<input type="checkbox"/>	<input type="checkbox"/>	
Is there evidence of ground subsidence, high water table, or other unusual conditions on the site?	<input type="checkbox"/>	<input type="checkbox"/>	
Is there any visible evidence of soil problems (foundations cracking or settling, basement flooding, etc.) in the neighborhood of the site?	<input type="checkbox"/>	<input type="checkbox"/>	
Have soil studies or borings been made for the project site or the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Unknown
Do the soil studies or borings indicate marginal or unsatisfactory soil conditions?	<input type="checkbox"/>	<input type="checkbox"/>	
Is there indication of cross-lot runoff, swales, drainage flows on the property?	<input type="checkbox"/>	<input type="checkbox"/>	
Are there visual indications of filled ground?	<input type="checkbox"/>	<input type="checkbox"/>	
If your answer is Yes, was a 79(g) report/analysis submitted?	<input type="checkbox"/>	<input type="checkbox"/>	
Are there active rills and gullies on site?	<input type="checkbox"/>	<input type="checkbox"/>	
If the site is not to be served by a municipal waste water disposal system, has a report of the soil conditions suitable for on-site septic systems been submitted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> N.A.
Is a soils report (other than structural) needed?	<input type="checkbox"/>	<input type="checkbox"/>	
Are structural borings or a dynamic soil analysis/geological study needed?	<input type="checkbox"/>	<input type="checkbox"/>	

Comments:

Source documentation:

28. Nuisances and Hazards (see EF 1.3 and 1.4 of Handbook 1390.2)

Will the project be affected by natural hazards:

	Yes	No		Yes	No
Faults, fracture	<input type="checkbox"/>	<input type="checkbox"/>	Fire hazard materials	<input type="checkbox"/>	<input type="checkbox"/>
Cliffs, bluffs, crevices	<input type="checkbox"/>	<input type="checkbox"/>	Wind/sand storm concerns	<input type="checkbox"/>	<input type="checkbox"/>
Slope-failures from rains	<input type="checkbox"/>	<input type="checkbox"/>	Poisonous plants, insects, animals	<input type="checkbox"/>	<input type="checkbox"/>
Unprotected water bodies	<input type="checkbox"/>	<input type="checkbox"/>	Hazardous terrain features	<input type="checkbox"/>	<input type="checkbox"/>

Will the project be affected by built hazards and nuisances:

	Yes	No		Yes	No
Hazardous street	<input type="checkbox"/>	<input type="checkbox"/>	Inadequate screened drainage catchments	<input type="checkbox"/>	<input type="checkbox"/>
Dangerous intersection	<input type="checkbox"/>	<input type="checkbox"/>	Hazards in vacant lots	<input type="checkbox"/>	<input type="checkbox"/>
Through traffic	<input type="checkbox"/>	<input type="checkbox"/>	Chemical tank-car terminals	<input type="checkbox"/>	<input type="checkbox"/>
Inadequate separation of pedestrian/vehicle traffic	<input type="checkbox"/>	<input type="checkbox"/>	Other hazardous chemical storage	<input type="checkbox"/>	<input type="checkbox"/>
Children's play areas located next to freeway or other high traffic way	<input type="checkbox"/>	<input type="checkbox"/>	High-pressure gas or liquid petroleum transmission lines on site	<input type="checkbox"/>	<input type="checkbox"/>
Inadequate street lighting	<input type="checkbox"/>	<input type="checkbox"/>	Overhead transmission lines	<input type="checkbox"/>	<input type="checkbox"/>
Quarries or other excavations	<input type="checkbox"/>	<input type="checkbox"/>	Hazardous cargo transportation routes	<input type="checkbox"/>	<input type="checkbox"/>
Dumps/sanitary landfills or mining	<input type="checkbox"/>	<input type="checkbox"/>	Oil or gas wells	<input type="checkbox"/>	<input type="checkbox"/>
Railroad crossing	<input type="checkbox"/>	<input type="checkbox"/>	Industrial operations	<input type="checkbox"/>	<input type="checkbox"/>

Will the project be affected by nuisances:

	Yes	No	Yes	No	
Gas, smoke, fumes	<input type="checkbox"/>	<input type="checkbox"/>	Unsightly land uses	<input type="checkbox"/>	<input type="checkbox"/>
Odors	<input type="checkbox"/>	<input type="checkbox"/>	Front-lawn parking	<input type="checkbox"/>	<input type="checkbox"/>
Vibration	<input type="checkbox"/>	<input type="checkbox"/>	Abandoned vehicle	<input type="checkbox"/>	<input type="checkbox"/>
Glare from parking area	<input type="checkbox"/>	<input type="checkbox"/>	Vermin infestation	<input type="checkbox"/>	<input type="checkbox"/>
Vacant/boarded-up buildings	<input type="checkbox"/>	<input type="checkbox"/>	Industrial nuisances	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

Source documentation:

29. Water, Supply, Sanitary Sewers, and Solid Waste Disposal (see EF 2.1, 2.2, and 2.4 of Handbook 1390.2)

Is the site served by an adequate and acceptable:

water supply

Yes No Municipal Private

sanitary sewers and waste water disposal systems

Yes No Municipal Private

trash collection and solid waste disposal

Yes No Municipal Private

If the water supply is non-municipal, has an acceptable "system" been approved by appropriate authorities and agencies?

Yes No

If the sanitary sewers and waste water disposal systems are non-municipal, has an acceptable "system" been approved by appropriate authorities and agencies?

Yes No

Comments:

Source documentation:

31. Schools, Parks, Recreation, and Social Services (see U/EF 4, 5, and 6 of Handbook 1390.2)

Will the local school system have the capability to service the potential school age children from the project?

Yes No

Are parks and play spaces available on site or nearby?

Yes No

Will social services be available on site or nearby for residents of the proposed project?

Yes No

Comments:

Source documentation:

32. Emergency Health Care, Fire and Police Services (see U/EF 7, 8, and 9 of Handbook 1390.2)

Are emergency health care providers located within reasonable proximity to the proposed project?

Yes No Approximate response time: _____

Are police services located within reasonable proximity to the proposed project?

Yes No Approximate response time: _____

Is fire fighting protection municipal volunteer adequate and equipped to service the project?

Yes No Approximate/estimated response time: _____

Comments:

Source documentation:

33. Commercial/Retail and Transportation (see U/EF 10 and 11 of Handbook 1390.2)

Are commercial/retail shopping services nearby?

Yes No

Is the project accessible to employment, shopping and services by

public transportation or private vehicle?

Is adequate public transportation available from the project to these facilities?

Yes No

Are the approaches to the project convenient, safe and attractive?

Yes No

11. Conditions and Requirements for Approval

Are mitigation measures required?

Yes No

If your answer is Yes, list and describe:

Brief Description of the Project:

Field Inspection on (date) _____

By (signature) _____

Presidential Documents

Title 3—

Executive Order 12898 of February 11, 1994

The President

Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1-1. *Implementation.*

1-101. Agency Responsibilities. To the greatest extent practicable and permitted by law, and consistent with the principles set forth in the report on the National Performance Review, each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions, the District of Columbia, the Commonwealth of Puerto Rico, and the Commonwealth of the Mariana Islands.

1-102. Creation of an Interagency Working Group on Environmental Justice.

(a) Within 3 months of the date of this order, the Administrator of the Environmental Protection Agency ("Administrator") or the Administrator's designee shall convene an interagency Federal Working Group on Environmental Justice ("Working Group"). The Working Group shall comprise the heads of the following executive agencies and offices, or their designees: (a) Department of Defense; (b) Department of Health and Human Services; (c) Department of Housing and Urban Development; (d) Department of Labor; (e) Department of Agriculture; (f) Department of Transportation; (g) Department of Justice; (h) Department of the Interior; (i) Department of Commerce; (j) Department of Energy; (k) Environmental Protection Agency; (l) Office of Management and Budget; (m) Office of Science and Technology Policy; (n) Office of the Deputy Assistant to the President for Environmental Policy; (o) Office of the Assistant to the President for Domestic Policy; (p) National Economic Council; (q) Council of Economic Advisers; and (r) such other Government officials as the President may designate. The Working Group shall report to the President through the Deputy Assistant to the President for Environmental Policy and the Assistant to the President for Domestic Policy.

(b) The Working Group shall: (1) provide guidance to Federal agencies on criteria for identifying disproportionately high and adverse human health or environmental effects on minority populations and low-income populations;

(2) coordinate with, provide guidance to, and serve as a clearinghouse for, each Federal agency as it develops an environmental justice strategy as required by section 1-103 of this order, in order to ensure that the administration, interpretation and enforcement of programs, activities and policies are undertaken in a consistent manner;

(3) assist in coordinating research by, and stimulating cooperation among, the Environmental Protection Agency, the Department of Health and Human Services, the Department of Housing and Urban Development, and other agencies conducting research or other activities in accordance with section 3-3 of this order;

(4) assist in coordinating data collection, required by this order;

(5) examine existing data and studies on environmental justice;

(6) hold public meetings as required in section 5-502(d) of this order; and

(7) develop interagency model projects on environmental justice that evidence cooperation among Federal agencies.

1-103. Development of Agency Strategies. (a) Except as provided in section 6-605 of this order, each Federal agency shall develop an agency-wide environmental justice strategy, as set forth in subsections (b)-(e) of this section that identifies and addresses disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. The environmental justice strategy shall list programs, policies, planning and public participation processes, enforcement, and/or rulemakings related to human health or the environment that should be revised to, at a minimum: (1) promote enforcement of all health and environmental statutes in areas with minority populations and low-income populations; (2) ensure greater public participation; (3) improve research and data collection relating to the health of and environment of minority populations and low-income populations; and (4) identify differential patterns of consumption of natural resources among minority populations and low-income populations. In addition, the environmental justice strategy shall include, where appropriate, a timetable for undertaking identified revisions and consideration of economic and social implications of the revisions.

(b) Within 4 months of the date of this order, each Federal agency shall identify an internal administrative process for developing its environmental justice strategy, and shall inform the Working Group of the process.

(c) Within 6 months of the date of this order, each Federal agency shall provide the Working Group with an outline of its proposed environmental justice strategy.

(d) Within 10 months of the date of this order, each Federal agency shall provide the Working Group with its proposed environmental justice strategy.

(e) Within 12 months of the date of this order, each Federal agency shall finalize its environmental justice strategy and provide a copy and written description of its strategy to the Working Group. During the 12 month period from the date of this order, each Federal agency, as part of its environmental justice strategy, shall identify several specific projects that can be promptly undertaken to address particular concerns identified during the development of the proposed environmental justice strategy, and a schedule for implementing those projects.

(f) Within 24 months of the date of this order, each Federal agency shall report to the Working Group on its progress in implementing its agency-wide environmental justice strategy.

(g) Federal agencies shall provide additional periodic reports to the Working Group as requested by the Working Group.

1-104. Reports to the President. Within 14 months of the date of this order, the Working Group shall submit to the President, through the Office of the Deputy Assistant to the President for Environmental Policy and the Office of the Assistant to the President for Domestic Policy, a report that describes the implementation of this order, and includes the final environmental justice strategies described in section 1-103(e) of this order.

Sec. 2-2. Federal Agency Responsibilities for Federal Programs. Each Federal agency shall conduct its programs, policies, and activities that substantially affect human health or the environment, in a manner that ensures that such programs, policies, and activities do not have the effect of excluding persons (including populations) from participation in, denying persons (including populations) the benefits of, or subjecting persons (including populations) to discrimination under, such programs, policies, and activities, because of their race, color, or national origin.

Sec. 3-3. Research, Data Collection, and Analysis.

3-301. Human Health and Environmental Research and Analysis. (a) Environmental human health research, whenever practicable and appropriate, shall include diverse segments of the population in epidemiological and clinical studies, including segments at high risk from environmental hazards, such as minority populations, low-income populations and workers who may be exposed to substantial environmental hazards.

(b) Environmental human health analyses, whenever practicable and appropriate, shall identify multiple and cumulative exposures.

(c) Federal agencies shall provide minority populations and low-income populations the opportunity to comment on the development and design of research strategies undertaken pursuant to this order.

3-302. Human Health and Environmental Data Collection and Analysis. To the extent permitted by existing law, including the Privacy Act, as amended (5 U.S.C. section 552a): (a) each Federal agency, whenever practicable and appropriate, shall collect, maintain, and analyze information assessing and comparing environmental and human health risks borne by populations identified by race, national origin, or income. To the extent practical and appropriate, Federal agencies shall use this information to determine whether their programs, policies, and activities have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations;

(b) In connection with the development and implementation of agency strategies in section 1-103 of this order, each Federal agency, whenever practicable and appropriate, shall collect, maintain and analyze information on the race, national origin, income level, and other readily accessible and appropriate information for areas surrounding facilities or sites expected to have a substantial environmental, human health, or economic effect on the surrounding populations, when such facilities or sites become the subject of a substantial Federal environmental administrative or judicial action. Such information shall be made available to the public, unless prohibited by law; and

(c) Each Federal agency, whenever practicable and appropriate, shall collect, maintain, and analyze information on the race, national origin, income level, and other readily accessible and appropriate information for areas surrounding Federal facilities that are: (1) subject to the reporting requirements under the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. section 11001-11050 as mandated in Executive Order No. 12856; and (2) expected to have a substantial environmental, human health, or economic effect on surrounding populations. Such information shall be made available to the public, unless prohibited by law.

(d) In carrying out the responsibilities in this section, each Federal agency, whenever practicable and appropriate, shall share information and eliminate unnecessary duplication of efforts through the use of existing data systems and cooperative agreements among Federal agencies and with State, local, and tribal governments.

Sec. 4-4. Subsistence Consumption of Fish and Wildlife.

4-401. Consumption Patterns. In order to assist in identifying the need for ensuring protection of populations with differential patterns of subsistence consumption of fish and wildlife, Federal agencies, whenever practicable and appropriate, shall collect, maintain, and analyze information on the consumption patterns of populations who principally rely on fish and/or wildlife for subsistence. Federal agencies shall communicate to the public the risks of those consumption patterns.

4-402. Guidance. Federal agencies, whenever practicable and appropriate, shall work in a coordinated manner to publish guidance reflecting the latest scientific information available concerning methods for evaluating the human health risks associated with the consumption of pollutant-bearing fish or

wildlife. Agencies shall consider such guidance in developing their policies and rules.

Sec. 5-5. Public Participation and Access to Information. (a) The public may submit recommendations to Federal agencies relating to the incorporation of environmental justice principles into Federal agency programs or policies. Each Federal agency shall convey such recommendations to the Working Group.

(b) Each Federal agency may, whenever practicable and appropriate, translate crucial public documents, notices, and hearings relating to human health or the environment for limited English speaking populations.

(c) Each Federal agency shall work to ensure that public documents, notices, and hearings relating to human health or the environment are concise, understandable, and readily accessible to the public.

(d) The Working Group shall hold public meetings, as appropriate, for the purpose of fact-finding, receiving public comments, and conducting inquiries concerning environmental justice. The Working Group shall prepare for public review a summary of the comments and recommendations discussed at the public meetings.

Sec. 6-6. General Provisions.

6-601. Responsibility for Agency Implementation. The head of each Federal agency shall be responsible for ensuring compliance with this order. Each Federal agency shall conduct internal reviews and take such other steps as may be necessary to monitor compliance with this order.

6-602. Executive Order No. 12250. This Executive order is intended to supplement but not supersede Executive Order No. 12250, which requires consistent and effective implementation of various laws prohibiting discriminatory practices in programs receiving Federal financial assistance. Nothing herein shall limit the effect or mandate of Executive Order No. 12250.

6-603. Executive Order No. 12875. This Executive order is not intended to limit the effect or mandate of Executive Order No. 12875.

6-604. Scope. For purposes of this order, Federal agency means any agency on the Working Group, and such other agencies as may be designated by the President, that conducts any Federal program or activity that substantially affects human health or the environment. Independent agencies are requested to comply with the provisions of this order.

6-605. Petitions for Exemptions. The head of a Federal agency may petition the President for an exemption from the requirements of this order on the grounds that all or some of the petitioning agency's programs or activities should not be subject to the requirements of this order.

6-606. Native American Programs. Each Federal agency responsibility set forth under this order shall apply equally to Native American programs. In addition, the Department of the Interior, in coordination with the Working Group, and, after consultation with tribal leaders, shall coordinate steps to be taken pursuant to this order that address Federally-recognized Indian Tribes.

6-607. Costs. Unless otherwise provided by law, Federal agencies shall assume the financial costs of complying with this order.

6-608. General. Federal agencies shall implement this order consistent with, and to the extent permitted by, existing law.

6-609. Judicial Review. This order is intended only to improve the internal management of the executive branch and is not intended to, nor does it create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any person. This order shall not be construed to create any right to judicial review involving the compliance or noncompliance

of the United States, its agencies, its officers, or any other person with this order.

William J. Clinton

THE WHITE HOUSE,
February 11, 1994.

[FR Citation 59 FR 7629]