

NEW YORK CITY HOUSING AUTHORITY

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

This is a Notice of Intent to Request a Release of Funds under the New York City Housing Authority (“NYCHA”) preservation initiative Permanent Affordability Commitment Together (“PACT”). NYCHA intends to submit application(s) to the U.S. Department of Housing and Urban Development (“HUD”) for the disposition of public housing property as authorized under Section 18 of the U.S. Housing Act of 1937 as amended and implementing regulations at 24 C.F.R. Part 970 (“Section 18”), the Rental Assistance Demonstration (“RAD”) created by the Consolidated and Further Continuing Appropriations Act of 2012 (Public Law 112-55) and the corresponding Notice H 2019-09 PIH 2019-23 (September 5, 2019). The City of New York acting through the New York City Department of Housing Preservation & Development (“NYC HPD”) is serving as the Responsible Entity (“RE”) for NYCHA pursuant to the National Environmental Policy Act (“NEPA”) 24 C.F.R. Part 58.

NYCHA PACT Eastchester Gardens:

Approval of the disposition of public housing property will facilitate the PACT program and the rehabilitation and preservation of such housing as long-term, project-based Section 8 assisted housing. NYCHA will convey the existing public housing property known as Eastchester Gardens, located in the Laconia section of the Bronx, New York City (“Project Site”) by leasing the Project Site to EGC LLC (MDG Design and Construction, Wavecrest Management Team, and Infinite Horizons) (collectively the “Developer”). The Developer will conduct repairs, serve as the new on-site property manager, and provide oversight along with enhanced social services and community programs. NYCHA’s disposition to the Developer would take place through a 99-year ground lease, and NYCHA will remain the lease fee owner of the Project Site. At such conveyance, the Project Site will be converted from public housing (Section 9) to long-term project-based Section 8 assisted housing pursuant to Section 18 and RAD.

The Project Site is approximately 15 acres on Bronx Block 4581, Lot 1. The Project Site is bounded by Adeo Avenue to the south, Burke Avenue to the north, Yates Avenue to the east, and Bouck Avenue to the west. The Project Site is currently developed with ten (10) 7- and 8-story buildings containing a total of 877 residential units, a management office, a community center operated by Neighborhood Initiatives Development Corp. with oversight from the NYC Department of Youth & Community Development, a senior center managed by R.A.I.N. Total Care Inc. with oversight from the NYC Department for the Aging, landscaping and walking paths, parking areas, and a playground (Eastchester Playground) managed by the NYC Department of Parks and Recreation (see **Table 1** for Project Site Summary).

Such disposition and conversion of the Project Site to Section 8 under the PACT methodologies (Section 18 and RAD) will allow the Developers to finance, rehabilitate, operate, manage the Project Site, and provide social services to residents while maintaining affordability and residents’ rights in line with public housing protections. The Developers will also address environmental hazards conditions such as lead-based hazards, asbestos, radon, mold, and leaks at the Project Site (collectively, the “Proposed Project”). The Proposed Project will not involve a change in the unit density or a change in land use at the Project Site.

NYCHA seeks to identify resources and opportunities to significantly improve its public housing developments while preserving long-term affordability and maintaining strong resident rights in line with public housing protections. The PACT program facilitates such preservation and rehabilitation by using multiple conversion methods from public housing Section 9 to long-term

project-based Section 8 rental assistance under RAD and Section 18. The conversion to long-term project-based Section 8 rental assisted housing allows the Developers to finance much-needed repairs to the Project Sites. Additionally, PACT requires that residents retain resident rights in line with their current public housing rights and prohibits the permanent involuntary displacement of current residents because of the conversion.

An Environmental Review Record that documents the environmental determinations for the Proposed Project is on file at NYC HPD and may be requested by emailing at nepa_env@hpd.nyc.gov.

PUBLIC COMMENTS:

Any individual, group, or agency may submit written comments to NYC HPD within 7 days of this Notice. The NYC HPD will consider all comments received by the end of the comment period before submitting the request for release of funds to HUD. After receiving the request for release of funds, HUD will also accept comments for 15 days.

ENVIRONMENTAL CERTIFICATION:

The Proposed Project is Categorically Excluded under HUD regulations pursuant to 24 CFR Part 58, Section 58.35(a).

As the Responsible Entity, NYC HPD, through its Certifying Officer Adolfo Carrión Jr., will certify in its request for release of funds to HUD that New York City consents to accept jurisdiction of the federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making and action, and that the responsibilities have been satisfied. NYC HPD approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and confirms the site-specific environmental reviews for the Proposed Project have been conducted prior to any obligation of funds.

OBJECTIONS TO RELEASE OF FUNDS:

HUD will accept objections to its release of funds and the RE's certification for a period of fifteen (15) days following the anticipated submission date or its actual receipt of the request (whichever is later) only if objections are on one of the following bases: (a) the certification was not executed by the Certifying Officer of NYC HPD; (b) the RE has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be emailed to NY_PH_Director@hud.gov in accordance with the required procedures (24 CFR Part 58) and shall be addressed to Mr. Luigi D'Ancona, Director, Office of Public Housing. Potential objectors should contact HUD to verify the actual last day of the objection period.

Table 1
Project Site Summary

Building No.	Block/Lot	Address	Use
1	4581/1	1130, 1134, and 1140 Burke Avenue	Residential (109 units), Management Office, Maintenance/Storage
2	4581/1	1160 and 1166 Burke Avenue	Residential (112 units), Maintenance/Storage
3	4581/1	1210 and 1216 Burke Avenue	Residential (112 units), Maintenance/Storage, RA Office
4	4581/1	1230, 1240, and 1246 Burke Avenue	Residential (112 units), Senior Center, Maintenance/Storage
5	4581/1	1260 Burke Avenue	Residential (64 units)
6	4581/1	3055 Bouck Avenue	Residential (64 units)
7	4581/1	1255 Adee Avenue	Residential (64 units)
8	4581/1	1245 Adee Avenue	Residential (64 units)
9	4581/1	1219 Adee Avenue	Residential (64 units), Maintenance Area
10	4581/1	3010, 3016 and 3020 Yates Avenue	Residential (112 units), Community Center
N/A	4581/1	1161 Adee Avenue	Eastchester Playground (NYCDPR)

Sources: NYCHA and EGC LLC