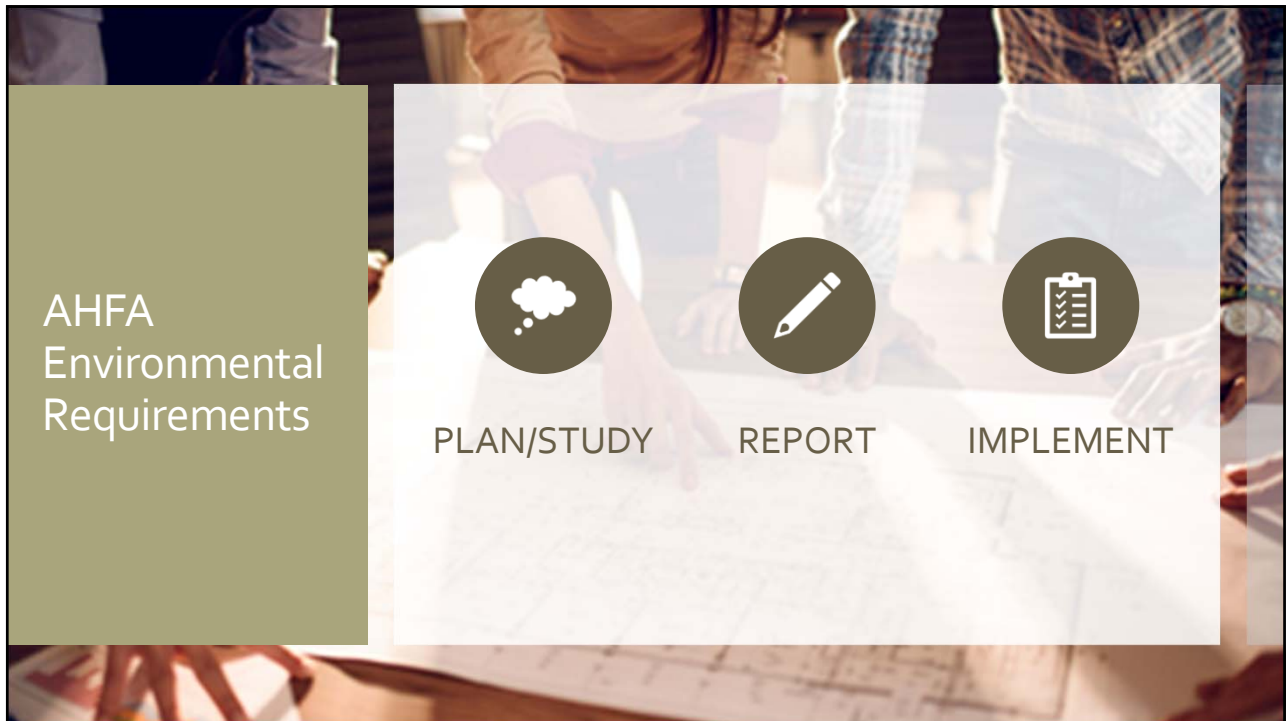


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Event	Date
Application Package Released	1/26/2021
Deviation Requests Due	3/1/2021
Application Log Due	3/29/2021
Competitive Applications Due	4/1/2021
Award Announcements	TBD

2021 Application Timeline

NOTE: dates reflect adjustments made to the schedule due to COVID-19 related issues. Future dates indicated are subject to revision. Any changes to the schedule will be published and posted on AHFA.com.

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AHFA requires the use of the most current version of the ASTM for Phase II reports [E1903-19](#).

There are limited exceptions for unrestricted residential use requirements.

**AHFA
Environmental Policy
Requirements
(Addendum B)
Clarifications for 2021**

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AHFA Multifamily Competitive Cycle - Environmental Guidance

- All AHFA Environmental Requirements for all competitive applications are found in Addendum B of the [current year Plans](#).
- Additional Post-Award environmental documentation identified in the [AHFA Environmental Assessment Checklist](#) is required for HOME and HTF projects .

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AHFA Environmental Tips

<https://www.ahfa.com/multifamily/environmental>

- *These tips are not meant to be exhaustive of all the items you should consider when working with your EP. Rather, the tips are meant to help applicants and their EPs avoid common mistakes.*
- *Although the tips are designed to be consistent with AHFA's Environmental Policy Requirements and related policies and regulations, only the requirements set forth in AHFA's current year allocation plans are controlling.*

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Cost: Understand that environmental assessments for AHFA-funded projects require significantly more work than a standard Phase I Environmental Site Assessment (ESA) and are more costly than a standard Phase I ESA.

Timing: Start discussions with your EP as early as possible (as soon as possible after a site is selected) to ensure they have sufficient time to prepare a complete environmental assessment before the application deadline.

Scope of Assessment: Carefully review the scope of work with the EP to ensure it fully complies with all of AHFA's Environmental Policy Requirements.

Tips

Working with Your Environmental Professional

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Site Boundaries: Provide accurate site boundaries to EP for the property seeking AHFA funding.

Site History: Provide, as soon as possible to the EP, any relevant information regarding the Applicant's knowledge of the site and its history.

Regulatory Approvals: Be prepared to allow enough time for applicable regulatory approvals (e.g., a jurisdictional determination or voluntary clean-up plan) so that any required approval is obtained prior to the environmental assessment submitted to AHFA.

Response to AHFA Comments: Upon receipt of AHFA comments to the environmental assessment, immediately forward those comments to the EP in order to ensure response within required 7-day turnaround time.

Tips

Working with Your Environmental Professional

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Unrestricted Residential Use: Recognize that AHFA requires sites to be meet ADEM's standard for unrestricted residential use and that the environmental assessment must demonstrate that all environmental conditions associated with the project meet that standard. The requirement that all projects be appropriate for unrestricted residential use is subject to the following sole exceptions:

- (a) AHFA will permit the use of an institutional control prohibiting the use of groundwater for potable or irrigation purposes in instances where the water is supplied by a utility; and
- (b) for Housing Credit projects only, AHFA will permit the use of a permanent passive vapor mitigation system as part of a Voluntary Cleanup Plan approved prior to submission of the application, in writing by ADEM under Alabama Administrative Code regulation 335-15-4-.04, where the source(s) of potential vapor intrusion is (are) located entirely off-site and the ADEM approval of the Voluntary Cleanup Plan states that no future compliance monitoring will be required.

Tips

Working with Your Environmental Professional

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Phase II ESA:

If a Phase I ESA for a project either (a) identifies a Recognized Environmental Condition (which includes, but is not limited to, controlled recognized environmental conditions and historical recognized environmental conditions (hereinafter collectively referred to as ("RECs")), and/or (b) recommends additional testing, investigation or a Phase II ESA Report be conducted, any and all Phase II ESA Reports and Addenda or additional testing reports that are prepared by the EP to address the RECs identified must be included at the time the Phase I ESA is submitted to AHFA. All Phase II ESA Reports must fully address all RECs identified in the Phase I ESA; must be completed in accordance with the most current versions of ASTM E1903-19, Alabama Environmental Investigation and Remediation Guidance ("AEIRG"), and the Alabama Risk Based Corrective Action Guidance Manual ("ARBCA"); and must sufficiently demonstrate that all environmental conditions associated with the project are appropriate for unrestricted residential use as defined by the Alabama Department of Environmental Management ("ADEM") under Alabama Administrative Code regulation 335-15-1.02(ddd).

Tips**Working with Your Environmental Professional**

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Phase II ESA: (continued)

The requirement that all projects be appropriate for unrestricted residential use is subject to the following sole exceptions: (a) AHFA will permit the use of an institutional control prohibiting the use of groundwater for potable or irrigation purposes in instances where the water is supplied by a utility; and (b) for Housing Credit projects only, AHFA will permit the use of a permanent passive vapor mitigation system as part of a Voluntary Cleanup Plan approved prior to submission of the application, in writing by ADEM under Alabama Administrative Code regulation 335-15-4-.04, where the source(s) of potential vapor intrusion is (are) located entirely off-site and the ADEM approval of the Voluntary Cleanup Plan states that no future compliance monitoring will be required.

Tips**Working with Your Environmental Professional**

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Phase II ESA: (continued)

If a Phase I ESA identifies an environmental condition that is ruled out as a REC, the Phase I ESA must provide sufficient explanation and all supporting data to demonstrate that the environmental condition is not a REC. AHFA reserves the right to terminate any application if it determines that the EP failed to identify environmental conditions as RECs and addressed, where appropriate, in a Phase II ESA. AHFA further reserves the right to terminate any application if it determines that the EP failed to 2021 HOME Action Plan – Addendum B – Environmental Policy Requirements B-2 sufficiently demonstrate that a project is appropriate for unrestricted residential use in compliance with the most current versions of ASTM E1903-19, AEIRG, or ARBCA. AHFA will not consider any sites for funding that are listed on or proposed to the National Priority List (“NPL”) or State equivalent State Hazardous Waste Site (“SHWS”) (Superfund sites).

Tips

Working with Your Environmental Professional

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Remediation or Mitigation Plans: All remediation or mitigation plans to resolve any environmental issues identified in a Phase I ESA or Phase II ESA must be submitted to AHFA in writing upon submittal of the application and include: (a) details regarding the specific remediation plan; (b) all applicable final regulatory authority approvals required for the implementation of the remediation plan; (c) a detailed line item summary of estimated costs with supporting quotes; (d) information regarding the expected source of funding for conducting the remediation activities; (e) a projected schedule for approved remediation activities; and (f) a copy of any proposed environmental covenants documenting any planned institutional or engineering controls.. To the extent there are conflicting or inconsistent guidelines or methods between regulatory agencies concerning the environmental matter at issue, the EP shall follow the most stringent standard and certify that this standard has been satisfied.

Tips

Working with Your Environmental Professional

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- Noise calculations must be calculated from the site boundaries.
- Site Boundaries must be consistent on all Environmental Figures.
- Wetland delineations must have a Jurisdictional Determination from the [USACE](#).
- Environmental Data Search distances must comply with AHFA standards.
- [HUD Exchange Partner Worksheets](#) must be included in reports.
- Certificates of Insurance must be current and must include AHFA as additional insured.
- Legal Descriptions in reports must match those in the application.

Tips

Common Environmental Report Deficiencies

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AHFA Environmental Testing Requirements

- *RADON*
- *ASBESTOS CONTAINING MATERIALS*
- *LEAD BASED PAINT*

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Radon

Report the Alabama Department of Public Health [radon zone](#) for the county in which the project is located. New Construction projects in all zones will require radon resistant new construction practices in all buildings pursuant to the radon requirements in the most recent version of [HUD's Multifamily Accelerated Processing \(MAP\) Guide](#). Radon testing results must be provided for all rehabilitation projects in zones 1 and 2 in accordance with the most recent version of HUD's Multifamily Accelerated Processing (MAP) Guide.

AHFA Environmental Testing Requirements

[Alabama Radon Zones](#)

[Radon Resistant New Construction Practices](#)

[Radon Mitigation Standards](#)

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Lead-Based Paint

For all buildings built prior to 1978, a LBP testing report must be included in the Phase I ESA. AHFA requires the Phase I ESA include a statement that all LBP will be completely abated (eliminated) by a licensed LBP contractor. If funded, the plan for LBP abatement will be required. If any structures are planned to be demolished, in lieu of a LBP testing report, it is acceptable to provide a plan for abatement via demolition that includes the appropriate management and disposal of waste in accordance with applicable solid waste regulations and the preparation of any required post-demolition clearance report compliant with applicable state, federal, and local regulations. A [list of licensed LBP contractors](#) can be obtained from the [Alabama Department of Public Health](#).

Lead-Based Paint standards: US Department of HUD "Guidelines for the Evaluation and Control of Lead Paint Hazards in Housing": [Chapter 7](#)

AHFA Environmental Testing Requirements

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Asbestos

If suspect asbestos-containing materials ("ACM") are present in any structures, asbestos testing must be performed to document the presence or absence of ACMs in every structure. Testing is to be conducted by accredited inspectors meeting the requirements presented in 40 CFR 763 Subpart E, Appendix C and TSCA Title II in accordance with the Asbestos Hazardous Emissions Response Act (AHERA) requirements and EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations. All asbestos testing results must be included in the Phase I ESA at the time of application submittal. AHFA requires the Phase I ESA to include a statement that all friable and non-friable ACM in deteriorated condition will be completely abated. If funded, a plan for complete abatement by a qualified asbestos contractor of all friable and non-friable ACM in deteriorated condition in all structures is required. Non-friable ACMs may be managed in place if in an intact condition, and if any proposed rehabilitation activities will not disturb the non-friable ACMs. If funded, a site-specific Operations & Maintenance Plan will be required if non-friable intact ACMs are to be left in place. Asbestos standards are located at ASTM E-2356, EPA: Clean Air Act, CERCLA, & OSHA 29 CFR Part 1926.1101.

AHFA Environmental Testing Requirements

A listing of asbestos contractors may be obtained from the Alabama Department of Environmental Management at 334.271.7700 or asbestosmail@adem.alabama.gov.

AHFA Environmental Fees

- *THIRD PARTY*
- *ENVIRONMENTAL EXTENSION*

<p>Third-Party Fees</p> <p>The Applicant will be required to pay or reimburse any third-party costs incurred during the application process as it pertains to the review of the environmental report(s) submitted by the applicant and resulting from changes in the application, which may result in additional third-party fees being incurred by AHFA, including without limitation, legal fees, architect and engineer's fees, consultant (construction or otherwise) fees, and environmental fees etc.</p> <p>In addition, AHFA may, at its sole discretion, require applicant to provide advance deposits and require an increase or replenishment of such deposits, in amounts sufficient to cover all third-party costs that AHFA reasonably anticipates incurring under this paragraph.</p>	<p>AHFA Environmental Fees</p>
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<p>Environmental Extension Penalty</p> <p>A fee will be charged in the amount of the initial reservation fee paid for each project that accepts a current or future year allocation of Housing Credits under Section (IV)(1)(7) of the HOME Action Plan.</p>	<p>AHFA Environmental Fees</p>
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