**Environmental Assessment**

**Determinations and Compliance Findings**

**for HUD-assisted Projects**

**24 CFR Part 58**

# Project Information

|  |  |
| --- | --- |
| **Project Name:** | HACP-Allegheny-Dwellings-Redevelopment-Plan |

|  |  |
| --- | --- |
| **HEROS Number:** | 900000010008264 |

|  |  |
| --- | --- |
| **Responsible Entity (RE):** | PITTSBURGH, 200 Ross St Pittsburgh PA, 15219 |

|  |  |
| --- | --- |
| **RE Preparer:** | Jody Davin |

|  |  |
| --- | --- |
| **State / Local Identifier:** |  |

|  |  |
| --- | --- |
| **Certifying Officer:** |  |

|  |  |
| --- | --- |
| **Grant Recipient (if different than Responsible Entity):** | Housing Authority City of Pittsburgh |

|  |  |
| --- | --- |
| **Point of Contact:** | Noor Ismail |

|  |  |
| --- | --- |
| **Consultant (if applicable):** |  |

|  |  |
| --- | --- |
| **Point of Contact:** |  |

|  |  |
| --- | --- |
| **Project Location:** | Henderson St, Pittsburgh, PA 15212 |

|  |
| --- |
| **Additional Location Information:** |
| N/A |

|  |  |
| --- | --- |
| **Direct Comments to:** |  |

|  |
| --- |
| **Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:** |
| Allegheny Dwellings Phase I would be developed in the southern lower segment of the property accessible via Henderson Street. HACP intends to reduce density on property, and that Phase I would constitute up to sixty-five (65) mixed-income units of apartment and townhouses to be developed on-site and off-site (city/privately owned parcels) located along Federal Street. Fifty-seven (57) units will be developed on-site and eight (80 units are anticipated to be built off-site. |

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

|  |
| --- |
| Allegheny Dwellings is owned by the Housing Authority of the City of Pittsburgh and is one of the more distressed HACP housing stock. Due to its age, size and distressed condition, Allegheny Dwellings is very expensive to operate and maintain. Its condition adversely impacts surrounding property values, thereby limiting the impact of other revitalization efforts. |

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

|  |
| --- |
| In its current state, the parcle exudes steep topographic conditions with the highest elevation being the northern segement of the property which then lowers in altitude towards its southern borders. The topograhpy of the property is divided to three current distinct development sites, the top, middle, and bottom. |

**Maps, photographs, and other documentation of project location and description:**

**Determination:**

|  |  |
| --- | --- |
| ✓ | Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment |
|  | Finding of Significant Impact |

**Approval Documents:**

[06301600.PDF](https://www.onecpd.info/reports/ESD_900000010008264_06302017_900000010032896_1467295800933.PDF)

|  |  |
| --- | --- |
| **7015.15 certified by Certifying Officer on:** |  |

|  |  |
| --- | --- |
| **7015.16 certified by Authorizing Officer on:** |  |

**Funding Information**

|  |  |  |  |
| --- | --- | --- | --- |
| **Grant Number** | **HUD Program** | **Program Name** | **Funding Amount** |
| N/A | PIH | Project-Based Voucher Program | $10,500,000.00 |

|  |  |
| --- | --- |
| **Estimated Total HUD Funded Amount:** | $10,500,000.00 |

|  |  |
| --- | --- |
| **Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** | $29,300,000.00 |

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

|  |  |  |
| --- | --- | --- |
| **Compliance Factors**:  Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6 | Are formal compliance steps or mitigation required? | Compliance determination  (See Appendix A for source determinations) |
| **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6** | | |
| **Airport Hazards** Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D | 🞎 Yes 🗹 No | The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. |
| **Coastal Barrier Resources Act**  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | 🞎 Yes 🗹 No |  |
| **Flood Insurance** Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] | 🞎 Yes 🗹 No | The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. |
| **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5** | | |
| **Air Quality** Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 | 🞎 Yes 🗹 No | The project's county or air quality management district is in non-attainment status for the following: Carbon monoxide, Ozone, Particulate Matter, <2.5 microns. This project does not exceed de minimis emissions levels or the screening level established by the state or air quality management district for the pollutant(s) identified above. The project is in compliance with the Clean Air Act. |
| **Coastal Zone Management Act** Coastal Zone Management Act, sections 307(c) & (d) | 🞎 Yes 🗹 No | This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. |
| **Contamination and Toxic Substances** 24 CFR 50.3(i) & 58.5(i)(2)] | 🞎 Yes 🗹 No | On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. |
| **Endangered Species Act** Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 | 🞎 Yes 🗹 No | This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. |
| **Explosive and Flammable Hazards** Above-Ground Tanks)[24 CFR Part 51 Subpart C | 🞎 Yes 🗹 No | Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements. |
| **Farmlands Protection** Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658 | 🞎 Yes 🗹 No | This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. |
| **Floodplain Management** Executive Order 11988, particularly section 2(a); 24 CFR Part 55 | 🞎 Yes 🗹 No | This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. |
| **Historic Preservation** National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800 | 🞎 Yes 🗹 No | Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106. |
| **Noise Abatement and Control** Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B | 🞎 Yes 🗹 No | A Noise Assessment was conducted. The noise level was acceptable: 65.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation. |
| **Sole Source Aquifers** Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149 | 🞎 Yes 🗹 No | The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. |
| **Wetlands Protection** Executive Order 11990, particularly sections 2 and 5 | 🞎 Yes 🗹 No | Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. |
| **Wild and Scenic Rivers Act** Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c) | 🞎 Yes 🗹 No | This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. |
| **HUD HOUSING ENVIRONMENTAL STANDARDS** | | |
| **ENVIRONMENTAL JUSTICE** | | |
| **Environmental Justice** Executive Order 12898 | 🞎 Yes 🗹 No | No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. |

**Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]**

**Impact Codes**: An impact code from the following list has been used to make the determination of impact for each factor.

**(1)** Minor beneficial impact

**(2)** No impact anticipated

**(3)** Minor Adverse Impact – May require mitigation

**(4)** Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

| **Environmental Assessment Factor** | **Impact Code** | **Impact Evaluation** | **Mitigation** |
| --- | --- | --- | --- |
| **LAND DEVELOPMENT** | | | |
| Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design | 1 | The project developer will meet all of the City of Pittsburgh's requirements related to zoning and land use. |  |
| Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff | 2 | Refer to Phase I ESA uploaded under the Related Laws and Authorities section. |  |
| Hazards and Nuisances including Site Safety and Site-Generated Noise | 2 | This site is residential in nature therefore there will not be any unreasonable noise generated after development. |  |
| Energy Consumption/Energy Efficiency | 2 | New construction, energy efficiency has been considered in development plans. |  |
| **SOCIOECONOMIC** | | | |
| Employment and Income Patterns | 1 | This location is near a neighborhood business corridor with plenty of businesses as well as transportation to other areas with additional employment. |  |
| Demographic Character Changes / Displacement | 1 | No displacement is taking place, development is taking place on raw land/vacant properties. |  |
| **COMMUNITY FACILITIES AND SERVICES** | | | |
| Educational and Cultural Facilities (Access and Capacity) | 1 | This location is near a busline towards a High School as well as many cultural amenities including a library, located within the nearby business corridor. |  |
| Commercial Facilities (Access and Proximity) | 1 | There are many restaurants and stores near the development site. |  |
| Health Care / Social Services (Access and Capacity) | 2 | This project is located near a bus line which would provide ample access to health care and social services. |  |
| Solid Waste Disposal and Recycling (Feasibility and Capacity) | 1 | The development is located within an area that already offers Solid Waste Disposal and Recycling. |  |
| Waste Water and Sanitary Sewers (Feasibility and Capacity) | 1 | The development is located within an area that already offers Waste Water and Sanitary Sewers and existing infrastructure. |  |
| Water Supply (Feasibility and Capacity) | 1 | The development is located within an area that has existing infrastructure. |  |
| Public Safety - Police, Fire and Emergency Medical | 2 | The area is already serviced by Police Fire and Emergency Medical. |  |
| Parks, Open Space and Recreation (Access and Capacity) | 1 | Existing Parks, Open Space and Recreation are located within close proximity. |  |
| Transportation and Accessibility (Access and Capacity) | 1 | This is located on a bus line. |  |
| **NATURAL FEATURES** | | | |
| Unique Natural Features /Water Resources | 2 | See related items on Statutory Checklist. |  |
| Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.) | 2 | See Endangered Species Consultation within Statutory Checklist. |  |
| Other Factors | 1 | There are no other factors that need to be considered. |  |

**Supporting documentation**

**Additional Studies Performed:**

|  |
| --- |
| Phase I Environmental Site Assessment, |

|  |  |
| --- | --- |
| **Field Inspection [Optional]:** Date and completed by: |  |
|  |  |

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

|  |
| --- |
| NEPA Assist, Pennsylvania Endangered Species Database, FEMA, Department of Transportation, Federal Railroad Administration, Federal Aviation Administration |

**List of Permits Obtained:**

|  |
| --- |
| Building Permits, Public Space Permits. |

**Public Outreach [24 CFR 58.43]:**

|  |
| --- |
| New Pittsburgh Courier, Post Gazette, EPA. FONSI will be published and disseminated in accordance with our public participation plan. |

**Cumulative Impact Analysis [24 CFR 58.32]:**

|  |
| --- |
| There is a Finding of No Significant Impact (FONSI). |

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

|  |
| --- |
| No alternatives were considered. |

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

|  |
| --- |
| No action alternative was considered. |

**Summary of Findings and Conclusions:**

|  |
| --- |
| There is a Finding of No Significant Impact. FONSI. |

**Mitigation Measures and Conditions [CFR 1505.2(c)]:**

Summarized below areall mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

|  |  |  |  |
| --- | --- | --- | --- |
| **Law, Authority, or Factor** | **Mitigation Measure or Condition** | **Comments on Completed Measures** | **Complete** |
| Permits, reviews and approvals | Building Permits, Public Space Permits. | N/A |  |

**Mitigation Plan**

|  |
| --- |
| The developer will be responsible for obtaining these routine permits. |

**Supporting documentation on completed measures**

**APPENDIX A: Related Federal Laws and Authorities**

**Airport Hazards**

|  |  |  |
| --- | --- | --- |
| General policy | Legislation | Regulation |
| It is HUD’s policy to apply standards to prevent incompatible development around civil airports and military airfields. |  | 24 CFR Part 51 Subpart D |

**1. To ensure compatible land use development, you must determine your site’s proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?**

|  |  |
| --- | --- |
| ✓ | **No** |

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

|  |  |
| --- | --- |
|  | **Yes** |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Coastal Barrier Resources**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS. | Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501) |  |

**This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.**

**Compliance Determination**



**Supporting documentation**

[Coastal Barrrier Backup.pdf](https://www.onecpd.info/reports/ESD_900000010008264_06302017_900000010032680_1467295800933.pdf)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Flood Insurance**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained. | Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128) | 24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b). |

**1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?**

|  |  |
| --- | --- |
|  | No. This project does not require flood insurance or is excepted from flood insurance. |

|  |  |
| --- | --- |
| ✓ | Yes |

**2. Upload a FEMA/FIRM map showing the site here:**

|  |
| --- |
| [FM42003C0334H (3).pdf](https://www.onecpd.info/reports/ESD_900000010008264_06302017_900000010032682_1467295800933.pdf) |

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](http://www.msc.fema.gov) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information.  Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

**Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?**

|  |  |
| --- | --- |
| ✓ | No |

Based on the response, the review is in compliance with this section.

|  |  |
| --- | --- |
|  | Yes |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Air Quality**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP. | Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d)) | 40 CFR Parts 6, 51 and 93 |

**1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?**

|  |  |
| --- | --- |
| ✓ | Yes |
|  | No |

**Air Quality Attainment Status of Project’s County or Air Quality Management District**

**2. Is your project’s air quality management district or county in non-attainment or maintenance status for any criteria pollutants?**

|  |  |
| --- | --- |
|  | No, project’s county or air quality management district is in attainment status for all criteria pollutants. |

|  |  |
| --- | --- |
| ✓ | Yes, project’s management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply): |

|  |  |
| --- | --- |
| ✓ | Carbon Monoxide |
|  | Lead |
|  | Nitrogen dioxide |
|  | Sulfur dioxide |
| ✓ | Ozone |
| ✓ | Particulate Matter, <2.5 microns |
|  | Particulate Matter, <10 microns |

**3. What are the *de minimis* emissions levels (40 CFR 93.153) or screening levels for the non-attainment or maintenance level pollutants indicated above**

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Carbon monoxide |  | ppm (parts per million) |
| Ozone | 0.00 | ppb (parts per million) |
| Particulate Matter, <2.5 microns | 2.67 | µg/m3 (micrograms per cubic meter of air) |

|  |
| --- |
| **Provide your source used to determine levels here:** |
| Project Emission Estimates for Regulated Pollutants |

4. **Determine the estimated emissions levels of your project. Will your project exceed any of the de minimis or threshold emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?**

|  |  |
| --- | --- |
| ✓ | No, the project will not exceed *de minimis* or threshold emissions levels or screening levels. |

**Enter the estimate emission levels:**

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Carbon monoxide | 0.00 | ppm (parts per million) |
| Ozone |  | ppb (parts per million) |
| Particulate Matter, <2.5 microns | 2.67 | µg/m3 (micrograms per cubic meter of air) |

Based on the response, the review is in compliance with this section.

|  |  |
| --- | --- |
|  | Yes, the project exceeds *de minimis* emissions levels or screening levels. |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| The project's county or air quality management district is in non-attainment status for the following: Carbon monoxide, Ozone, Particulate Matter, <2.5 microns. This project does not exceed de minimis emissions levels or the screening level established by the state or air quality management district for the pollutant(s) identified above. The project is in compliance with the Clean Air Act. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Coastal Zone Management Act**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans. | Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d)) | 15 CFR Part 930 |

**1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. |

**Supporting documentation**

[Coastal Barrrier Backup(1).pdf](https://www.onecpd.info/reports/ESD_900000010008264_06302017_900000010032723_1467295800933.pdf)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Contamination and Toxic Substances**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulations |
| It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property. |  | 24 CFR 58.5(i)(2)  24 CFR 50.3(i) |

**1. Evaluate the site for contamination. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property?**

|  |  |
| --- | --- |
| ✓ | No |

**Explain:**

|  |
| --- |
| See Phase I ESA. No REC's were observed. |

Based on the response, the review is in compliance with this section.

|  |  |
| --- | --- |
|  | Yes |

|  |  |
| --- | --- |
| ✓ | Check here if an ASTM Phase I Environmental Site Assessment (ESA) report was utilized. [Note: HUD regulations does not require an ASTM Phase I ESA report for single family homes] |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. |

**Supporting documentation**

[Allegheny Dwellings ESA\_rev\_II.pdf](https://www.onecpd.info/reports/ESD_900000010008264_06302017_900000010032735_1467295800933.pdf)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Endangered Species**

|  |  |  |
| --- | --- | --- |
| General requirements | ESA Legislation | Regulations |
| Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”). | The Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq*.); particularly section 7 (16 USC 1536). | 50 CFR Part 402 |

**1. Does the project involve any activities that have the potential to affect specifies or habitats?**

|  |  |
| --- | --- |
|  | No, the project will have No Effect due to the nature of the activities involved in the project. |

|  |  |
| --- | --- |
|  | No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office |

|  |  |
| --- | --- |
| ✓ | Yes, the activities involved in the project have the potential to affect species and/or habitats. |

**2. Are federally listed species or designated critical habitats present in the action area?**

|  |  |
| --- | --- |
| ✓ | No, the project will have No Effect due to the absence of federally listed species and designated critical habitat |

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Documentation may include letters from the Services, species lists from the Services’ websites, surveys or other documents and analysis showing that there are no species in the action area.

|  |  |
| --- | --- |
|  | Yes, there are federally listed species or designated critical habitats present in the action area. |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. |

**Supporting documentation**

[project\_receipt\_allegheny\_dwellings\_607110\_1.pdf](https://www.onecpd.info/reports/ESD_900000010008264_06302017_900000010032738_1467295800933.pdf)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Explosive and Flammable Hazards**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards. | N/A | 24 CFR Part 51 Subpart C |

**1. Is the proposed HUD-assisted project a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals), i.e. bulk fuel storage facilities, refineries, etc.?**

|  |  |
| --- | --- |
| ✓ | No |
|  | Yes |

**2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?**

|  |  |
| --- | --- |
| ✓ | No |

Based on the response, the review is in compliance with this section.

|  |  |
| --- | --- |
|  | Yes |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Farmlands Protection**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes. | Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.) | [7 CFR Part 658](http://www.access.gpo.gov/nara/cfr/waisidx_11/7cfr658_11.html) |

**1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:



Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Floodplain Management**

|  |  |  |
| --- | --- | --- |
| General Requirements | Legislation | Regulation |
| Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable. | Executive Order 11988 | 24 CFR 55 |

**1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]**

|  |  |
| --- | --- |
|  | 55.12(c)(3) |
|  | 55.12(c)(4) |
|  | 55.12(c)(5) |
|  | 55.12(c)(6) |
|  | 55.12(c)(7) |
|  | 55.12(c)(8) |
|  | 55.12(c)(9) |
|  | 55.12(c)(10) |
|  | 55.12(c)(11) |
| ✓ | None of the above |

**2. Upload a FEMA/FIRM map showing the site here:**

[FM42003C0334H (3).pdf](https://www.onecpd.info/reports/ESD_900000010008264_06302017_900000010032682_1467295800933.pdf)

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

**Does your project occur in a floodplain?**

|  |  |
| --- | --- |
| ✓ | No |

Based on the response, the review is in compliance with this section.

|  |  |
| --- | --- |
|  | Yes |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Historic Preservation**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects | Section 106 of the National Historic Preservation Act  (16 U.S.C. 470f) | 36 CFR 800 “Protection of Historic Properties” <http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html> |

***Threshold***

**Is Section 106 review required for your project?**

|  |  |
| --- | --- |
|  | No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA ). (See the PA Database to find applicable PAs.) |
| ✓ | No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)]. |
|  | Yes, because the project includes activities with potential to cause effects (direct or indirect). |

**Threshold (b). Document and upload the memo or explanation/justification of the other determination below:**



Based on the response, the review is in compliance with this section.

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106. |

**Supporting documentation**

[2016-0708-003-F 18 May 2016 (2).pdf](https://www.onecpd.info/reports/ESD_900000010008264_06302017_900000010032747_1467295800933.pdf)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Noise Abatement and Control**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| HUD’s noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate. | Noise Control Act of 1972  General Services Administration Federal Management Circular 75-2: “Compatible Land Uses at Federal Airfields” | Title 24 CFR 51 Subpart B |

**1. What activities does your project involve? Check all that apply:**

|  |  |
| --- | --- |
| ✓ | New construction for residential use |

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

|  |  |
| --- | --- |
| ✓ | Rehabilitation of an existing residential property |

NOTE: For major or substantial rehabilitation in Normally Unacceptable zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. For major rehabilitation in Unacceptable zones, HUD strongly encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details.

|  |  |
| --- | --- |
|  | A research demonstration project which does not result in new construction or reconstruction |
|  | An interstate land sales registration |
|  | Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster |
|  | None of the above |

4**. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000’ from a major road, 3000’ from a railroad, or 15 miles from an airport).**

**Indicate the findings of the Preliminary Screening below:**

|  |  |
| --- | --- |
|  | There are no noise generators found within the threshold distances above. |

|  |  |
| --- | --- |
| ✓ | Noise generators were found within the threshold distances. |

5**. Complete the Preliminary Screening to identify potential noise generators in the**

|  |  |
| --- | --- |
| ✓ | Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a)) |

|  |  |
| --- | --- |
| Indicate noise level here: | 65 |

Based on the response, the review is in compliance with this section. Document and upload noise analysis, including noise level and data used to complete the analysis below.

|  |  |
| --- | --- |
|  | Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a)) |

|  |  |
| --- | --- |
|  | Unacceptable: (Above 75 decibels) |

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels.

|  |  |
| --- | --- |
|  | Check here to affirm that you have considered converting this property to a non-residential use compatible with high noise levels. |

|  |  |
| --- | --- |
| Indicate noise level here: | 65 |

Document and upload noise analysis, including noise level and data used to complete the analysis below.

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| A Noise Assessment was conducted. The noise level was acceptable: 65.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation. |

**Supporting documentation**

[AGC Noise Contours.pdf](https://www.onecpd.info/reports/ESD_900000010008264_06302017_900000010032764_1467295800933.pdf)

[PIT Noise Contours.pdf](https://www.onecpd.info/reports/ESD_900000010008264_06302017_900000010032763_1467295800933.pdf)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Sole Source Aquifers**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health. | Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349) | 40 CFR Part 149 |

**1. Is the project located on a sole source aquifer (SSA)?**

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

|  |  |
| --- | --- |
| ✓ | No |

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

|  |  |
| --- | --- |
|  | Yes |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. |

**Supporting documentation**

[Sole Source Aquifiers Backup.pdf](https://www.onecpd.info/reports/ESD_900000010008264_06302017_900000010032762_1467295800933.pdf)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Wetlands Protection**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service’s National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed. | Executive Order 11990 | 24 CFR 55.20 can be used for general guidance regarding the 8 Step Process. |

**1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building’s footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order**

|  |  |
| --- | --- |
| ✓ | No |

Based on the response, the review is in compliance with this section.

|  |  |
| --- | --- |
|  | Yes |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. |

**Supporting documentation**

[wetlandsMay162016150533GMT-0400.pdf](https://www.onecpd.info/reports/ESD_900000010008264_06302017_900000010032766_1467295800933.pdf)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Wild and Scenic Rivers Act**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development. | The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c)) | 36 CFR Part 297 |

**1. Is your project within proximity of a NWSRS river?**

|  |  |
| --- | --- |
| ✓ | No |

|  |  |
| --- | --- |
|  | Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River. |
|  | Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River. |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. |

**Supporting documentation**

[Wild and Scenic Rivers Backup (1).pdf](https://www.onecpd.info/reports/ESD_900000010008264_06302017_900000010032741_1467295800933.pdf)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Environmental Justice**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project. | Executive Order 12898 |  |

**HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.**

**1. Were any adverse environmental impacts identified in any other compliance review portion of this project’s total environmental review?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

Based on the response, the review is in compliance with this section.

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |