



U.S. Department of Housing and Urban  
Development

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**Environmental Review for Activity/Project that is Categorically  
Excluded Subject to Section 58.5  
Pursuant to 24 CFR 58.35(a)**

**Project Information**

**Project Name:** Penn Hills 2022 Year 48 CDBG Demolition Program

**Responsible Entity:** Municipality of Penn Hills, 102 Duff Road, Pittsburgh, (Penn Hills), PA

**Grant Recipient** (if different than Responsible Entity): Municipality of Penn Hills, PA

**State/Local Identifier:** CD-21-09 and CD-22-09

**Preparer:** Damian Butler-Buccilli, Planner, Municipality of Penn Hills, PA

**Certifying Officer Name and Title:** Hon. Pauline Calabrese, Mayor, Municipality of Penn Hills

**Consultant** (if applicable): Jon Haglund, Urban Design Ventures, LLC.

**Direct Comments to:** Meg Balsamico, Principal Planner, Municipality of Penn Hills, PA

**Project Location:** Demolitions will be completed to the structures located at: 130 Mcalister Drive (Former highlands swim club) and 10985 Frankstown Road (Former mixed commercial/residential).

**Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:** CDBG funds will be used to demolish unsafe structures and deteriorated structures that are not suitable for rehabilitation or renovation in an effort to eliminate slums and blight. Once the property is demolished, a lien is placed on the property so future recovery of costs is possible. Funds will also be used to remove retaining walls, debris, and accessory structures as well as for the reestablishment of appropriate lawns or vegetation – NOTE: A SEPARATE REVIEW WAS COMPLETED ON EACH STRUCTURE AND IS ON FILE IN THE PH PLANNING DEPARTMENT.

**Level of Environmental Review Determination:** Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:(4)(i) An individual action on up to four dwelling units where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between.

**Funding Information**

<b>Grant Number</b>	<b>HUD Program</b>	<b>Funding Amount</b>
B-22-MC-42-0104	CDBG	\$100,000
B-21-MC-42-0104	CDBG	\$2,360.02

**Estimated Total HUD Funded Amount:** \$102,360.02

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:** \$102,360.02

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

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

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	There are no FAA regulated civil airports within 2,500 feet, nor military fields within 15,000 feet of the project area. The closest civilian and military airport is the Pittsburgh International Airport, which is over 81,000 feet away. No compliance is required under 24 CFR 51.303. See attached airport maps.
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	No portion of Pennsylvania lies within the Coastal Barrier Resource System (CBRS). See attached map.
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The projects are not located in the floodplain; no compliance required under 24CFR Part 55. See attached floodplain maps.

<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</b>		
<p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Allegheny County, PA is a non-attainment area for Particulate Matter (PM-2.5) (2012 standards) at the moderate level, Sulfur Dioxide (2010 Standards), and the 8-Hr Ozone (2008 standards) at the marginal level. The Municipality of Penn Hills does not anticipate an effect on the air quality with respect to the demolition projects. Proposed project will not be affected by ambient air quality, nor will it contribute to the community's pollution levels. No compliance efforts required under the Clean Air Act (42 U.S.C. 7401 et seq.) Project sites will be inspected for hazards and nuisances prior to project implementation. All Federal and State lead paint and asbestos standards and regulations will be followed. Contractors will obtain necessary permits related to asbestos and lead paint, including the completion of the Asbestos Abatement and Demolition/Renovation Notification Form, if applicable. No further compliance is required.</p>
<p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>No Part of the Municipality of Penn Hills lies within a Coastal Zone. No compliance is required under Sec. 307 of the Coastal Zone Management Act of 1972, as amended.</p>
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Demolition activities do not involve human habitation, nor will they disturb any ground in the vicinity of an EPA designated Superfund, dumpsite, or DEP Underground Storage Tank containing petroleum; refer to PA DEP and EPA Site Contamination listing for Region III. Project site will be inspected for hazards and nuisances prior to project implementation. All Federal and State lead paint and asbestos standards and regulations will be followed. Contractors will obtain necessary permits related to asbestos and lead paint, including the completion of the Asbestos Abatement and Demolition/Renovation Notification Form</p>

		that can be found after this project ERR, mitigation <i>will</i> be done on a site-specific basis <i>if applicable</i> . As needed, additional testing and mitigation will be done on a site specific basis.
<b>Endangered Species</b>  Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is limited to existing buildings in the developed Municipality. There will be no effect on endangered species. Existing urban area, no compliance with the Endangered Species Act (ESA) required, no new construction as per ESA of 1973.
<b>Explosive and Flammable Hazards</b>  24 CFR Part 51 Subpart C	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Project does not meet definition of "HUD-assisted project as provided for at 24 CFR Part 51.201 and is thus not subject to review under the provisions of 24 CFR Part 51 Subpart C.
<b>Farmlands Protection</b>  Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Activity is located in fully developed, urban areas and has no impact on prime or unique farmlands; see attached documentation. No compliance is required under the Farmlands Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)
<b>Floodplain Management</b>  Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The homes slated for demolition are not located in the flood plain; compliance required under 24 CFR Part 55. A floodplain map of each structure that will be demolished is in each file.
<b>Historic Preservation</b>  National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	No circumstances requiring compliance at this time; Refer to the Compliance Threshold Determination and the determination from the PA State Historic Preservation Office dated May 27, 2021 and June 30, 2021.
<b>Noise Abatement and Control</b>  Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	No proposed activities will involve new construction or rehab of structures to be occupied by people, thus are not noise sensitive uses, not subject to 24 CFR Part 51B.
<b>Sole Source Aquifers</b>  Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Proposed activities do not pose a significant hazard to public health per EPA memo dated August 13, 1996, entitled "EPA Sole Source Aquifer Review of HUD Projects." No compliance is required (based on the Safe Drinking Water Act of 1974).

<p><b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Activities are located in fully developed urban area; see attached wetlands area map. No compliance is required under 24 CFR Part 55.</p>
<p><b>Wild and Scenic Rivers</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>No part of the Municipality of Penn Hills contains a Wild and Scenic River. No compliance efforts required based on the Wild and Scenic Rivers Act (16 U.S.C.1271 et seq).</p>
<p><b>ENVIRONMENTAL JUSTICE</b></p>		
<p><b>Environmental Justice</b> Executive Order 12898</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>All activities provided beneficial improvements to existing infrastructure for low/moderate income residents. No environmental justice issues have been identified.</p>

**Field Inspection** (Date and completed by): April 26, 2022 Damian Butler-Buccilli, Planner, Municipality of Penn Hills, PA

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

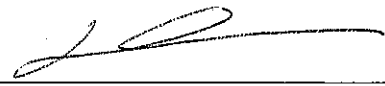
Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development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

Law, Authority, or Factor	Mitigation Measure
None	None

**Determination:**

- This categorically excluded activity/project converts to Exempt, per 58.34(a)(12) because there are no circumstances which require compliance with any of the federal laws and authorities cited at §58.5. **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR
- This categorically excluded activity/project cannot convert to Exempt because there are circumstances which require compliance with one or more federal laws and authorities cited at §58.5. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain “Authority to Use Grant Funds”** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR

This project is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature:  D.B.B. Date: 8/1/22

Name/Title/Organization: Damian Butler-Buccilli, Planner, Penn Hills Planning Department

Certifying Officer Signature:  Date: 8/1/22

Name/Title: Christopher Blackwell, Penn Hills Planning Director, Acting on Behalf of Pauline Calabrese, Mayor, Municipality of Penn Hills

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).