

**Environmental Assessment  
Determinations and Compliance Findings  
for HUD-assisted Projects  
24 CFR Part 58**

**Project Information**

**Project Name:** 1528-W.-Hamilton-Street---ABC-HDC

**HEROS Number:** 900000010307907

**Responsible Entity (RE):** ALLENTOWN, 435 Hamilton St Allentown PA, 18101

**RE Preparer:** Maria Quigney

**State / Local Identifier:** Lehigh

**Certifying Officer:** Vicky T Kistler

**Grant Recipient (if different than Responsible Entity):** HDC MidAtlantic

**Point of Contact:** Ben VanCouvering

**Consultant (if applicable):**

**Point of Contact:**

**Project Location:** 1528 W. Hamilton Street, Allentown, PA 18102

**Additional Location Information:**

Property is located @ 1528 W. Hamilton Street, Allentown. It is currently a community music school. There is a parking lot on the parcel.

**Direct Comments to:** City Hall Allentown  
Attn: Maria Quigney - HUD Grants Manager - 3rd Floor  
435 Hamilton Street  
Allentown, PA 18101

**Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**

Alliance for Building Communities (ABC) and Housing Development Corporation (HDC), both 501(c)3 nonprofits, are collaborating to develop a new affordable senior apartment building in the City of Allentown, Lehigh County. Called 1528 West, the project will have forty-nine (49) units of high-quality affordable housing. These units will be made available to seniors (55+) in the Allentown and surrounding Lehigh County communities. 1528 West will also have an established preference for adults with IDD (that is, Intellectual and Developmental Disabilities), who can live independently with their own provided supportive services. The proposed development will consist of a single, four-story building constructed on approximately 1.8 acres of land. Several partnerships with local community service organizations and stakeholders such as the Lehigh Valley Center for Independent Living (LVCIL) and OHS Administrative Services, which is the local lead agency for Lehigh County, will facilitate an inclusive and supportive environment for the future residents of 1528 West, which will allow them to live as healthily and happily as possible. One social partnership to note is with Eastern Pennsylvania Down Syndrome Center's (EPDSC) "The Housing Initiative" (THI). THI is a small group of parents that were asked by EPDSC to find a housing option that would allow adults with IDD to live meaningful, inclusive, and independent lives in their community. ABC and HDC recognized THI's expertise and knowledge on housing for adults with IDD and subsequently formed a social partnership to make sure that 1528 West provides everything its future residents with IDD need to thrive within the Allentown community. The project will be a four-story apartment community with forty-nine units consisting of thirty-five (35) one- and fourteen (14) two-bedroom units. One-bedroom units will be 680-688 Net Square Feet while two-bedroom units will range between 833 NSF to 912 NSF. All units will be made available to qualifying households that fall within the 20%, 50%, and 60% area median income (AMI) levels, with fifty-one percent (51 %) of these units reserved for individuals earning at or below 50% AMI. Additionally, there will be six fully accessible ADA units provided along with the designated population of seniors above the age of fifty-five (55), there will be an established preference for adults with IDD who can live independently. Specifically, approximately twenty percent (20%) or ten (10) units will be made available for this population. All residents will be able to enjoy numerous amenities offered by 1528 West. These include a community room and a connected kitchen and flex space, wellness center, game room, laundry room on each floor, covered terrace, roof terrace, basement parking garage, bike racks, and a private storage area that all residents can enjoy. Furthermore, rent for one-bedroom units will range from \$227-\$814/month and \$272-\$976/month for two-bedroom units. Located on a major thoroughfare in The City of Allentown, 1528 West will be situated in a strategic location, accessible to numerous amenities the local community has to offer. For instance, the YMCA, Fountain Park, West Park, the Farmers Market and the public library are all within a 10-minute walk from the project site. Moreover, a commercial strip mall just two street blocks west of the site has various services for personal grooming,

banking, food, dry cleaning and other complementary retailers. As well, there are at least 4 places of worship within three city blocks from the project site.

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

The preservation and expansion of access to affordable housing is critical in Lehigh County. This need is evidenced in the proposed development's Market Study and current comprehensive plan, Allentown Vision 2030, both of which cite that over 57% of renter households in Allentown are cost-burdened, meaning they spend over 30% of their gross income on housing expenses. The Plan cite further that the "entire Lehigh Valley is undersupplied in housing for households earning less than \$29,350 per year" (Page 76). The creation of rental housing is also emphasized in Allentown Vision 2030 when the plan highlighted a 2018 HUD study which determined there will be a demand for 2,625 rental units between 2018-2021, but only 850 are currently under construction. This generates a disparity of 1,775 units between supply and demand for rental housing options. The market study included in tab 4 of this application also comes to similar conclusions about the need for affordable rental housing in Allentown. For example, page four of the market study shows that the average occupancy rate of the eight (8) closest LIHTC rental housing communities near the project site is 100%. (See chart on Page 4 of the Market Study). These statistics clearly indicate the ongoing need for additional nonsubsidized LIHTC housing production in Allentown. The proposed development will surely help alleviate this portion of pent-up demand. Demand for affordable rental units for this project's future population of adults with IDD is also discussed in the Market Study. Page 7 calculates a capture rate of 3.2 % for the ten (10) units designated for adults with IDD. Furthermore, the capture rate for all age- and income-eligible households represents 0.5%, which is considered a low and achievable capture rate. Additionally, ABC and HDC's social partners, EPDSC's THI, provided information on the increasingly significant demand for affordable housing among adults with IDD. Individuals with IDD are among the nation's poorest citizens. For many, Social Security and Supplemental Income benefits, which are often far lower than typical rents, are their primary or sole source of income. Furthermore, Medicaid, the principal source of funding for services and support for people with IDD, typically does not allow funds to be used for rent or other community-based housing. As a result, the affordability gap for people with disabilities has exponentially worsened in recent years. One can clearly see based on the information presented above that there is a critical demand for new affordable housing units in the Allentown community for Seniors 55+ and adults with IDD. If successful, the forty-nine (49) units included in 1528 West will start to address this need.

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

The project site is the vacant, open portion of a large parcel on the 1500-block of Hamilton Street. The west half of the parcel is occupied by an active music school. The

other half - the east side where the project will be constructed - is vacant. The parcel and the lands immediately around it are zoned for high density residential. Land uses in the immediate vicinity are varied ranging from single-family types, twin housing to multi-unit apartment buildings. Across the street on Hamilton are a mix of office uses, institutional uses, and more residential. The current zoning allows the type of housing proposed as 1528 West, and is deemed consistent with the abutting land uses around it. The project site is not in the flood zone and, on account of its high elevation, is safe from flood hazards. The comprehensive plan (Vision 2030), envisions this segment of Hamilton Street to remain host to a complementary mix of uses from residential, office, retail and institutional activities. The emerging land use trend along Hamilton Street - especially in the last 5 years - has been leaning towards mixes of residential-retail-office, which certainly supports the city's purposeful rejuvenation of its downtown. Numerous local stakeholders in the Allentown community agree that 1528 West will positively impact the Allentown community, and as a result, have provided their support. Alliance for Building Communities and Housing Development Corporation MidAtlantic coordinated a significant stakeholder outreach strategy to generate local support for the project. HDC and ABC targeted local business owners, political representatives, services providers, financial institutions, and other organizations with a vested interest in seeing the proposed project come to fruition. ABC and HDC accomplished this strategy by employing two approaches: in-person meetings, and a larger stakeholder event and presentation. Eastern Pennsylvania Down Syndrome Center (EPDSC) and ABC have already met with numerous stakeholders in the Allentown community to explain the need for affordable housing for seniors and adults with Intellectual and Developmental Disabilities (IDD). EPDSC and ABC gathered numerous letters of support, which can be found throughout 1528 West's application. EPDSC, ABC, and HDC also hosted a stakeholder event on June 19 to discuss 1528 West with several local organizations with an interest in Allentown's housing market. During this event, EPDSC, ABC, and HDC each gave presentations on their respective role in the development process and articulated the critical need for affordable housing for seniors and adults with IDD.

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

[PROPERTY STREET MAP.pdf](#)

[communities in schools property pics.docx](#)

[SITE-SPECIFIC FIELD CONTAMINATION CHECKLIST.pdf](#)

**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:**

[EA DETERMINATIONS AND COMPLIANCE FINDINGS.pdf](#)  
[Public Notice Hamilton Street.docx](#)

**7015.15 certified by Certifying Officer** 5/11/2023  
**on:**

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

**Funding Information**

Grant / Project Identification Number	HUD Program	Program Name
22-MC-42-0200	Community Planning and Development (CPD)	HOME Program

**Estimated Total HUD Funded, Assisted or Insured Amount:** \$850,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$19,000,000.00

**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)
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		
<b>Airport Hazards</b> Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.
<b>Coastal Barrier Resources Act</b> Coastal Barrier Resources Act, as amended by the Coastal Barrier	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Improvement Act of 1990 [16 USC 3501]		
<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]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. 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.
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b>		
<b>Air Quality</b> Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project's county or air quality management district is in non-attainment status for the following: Carbon monoxide, Lead, Nitrogen dioxide, Sulfur dioxide, Ozone, Particulate Matter, <2.5 microns, Particulate Matter, <10 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.
<b>Coastal Zone Management Act</b> Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located far inland and 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.
<b>Contamination and Toxic Substances</b> 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Endangered Species Act</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.

<p><b>Explosive and Flammable Hazards</b> Above-Ground Tanks)[24 CFR Part 51 Subpart C</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements.</p>
<p><b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>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.</p>
<p><b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.</p>
<p><b>Historic Preservation</b> National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106.</p>
<p><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</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>A Noise Assessment was conducted. The noise level was acceptable: 59.0 db. This was determined using AirNav to determine the number of flights out of Queen City airport, LVIA 2020 Contour map and the HUD DNL Calculator. Queen City and LVIA are within 15 miles of the project site. The project is in compliance with HUD's Noise regulation. Queen City records only 63 flights per day, non of which are commercial, therefore it has minimal impact on noise. The project site lies outside the 65 db contour lines. Noise level is calculated at 58 db. Using existing data supplied by LVPC, PennDOT and the City of Allentown the DNL Calculator Noise for the site was calculated to be 59db.</p>
<p><b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.</p>
<p><b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.</p>

<b>Wild and Scenic Rivers Act</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.
<b>HUD HOUSING ENVIRONMENTAL STANDARDS</b>		
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b> Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
<b>LAND DEVELOPMENT</b>			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	Housing of any type and in any location in the city is a development activity highly supportive of the City's comprehensive plan (Allentown Vision2030). The project site is located on Hamilton Street, which is identified in Vision2030 as a priority location for streetscape improvements as an essential arterial roadway that serves as a thoroughfare and gateway connection between West Allentown and Center Allentown. As well, the proposed architectural design of the building's facade, scale and bulk comply with the design overlay for the area as determined in the Planning Staff Report to the City Planning Commission. Aside from passing the regular project review process by the different units of the city (ie., Engineering, Traffic, Zoning, Planning, Tree Commission,	



Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		the project was also reviewed through the area's design and zoning overlay that ensured the project reasonably blends in with the existing urban form in the immediate area.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	The project site has a slight slope in the contour of the land that will not affect natural drainage or other soil or geologic conditions which would hinder its use for development purposes. Surface and subsurface drainage is managed through the onsite and roadway storm sewer system. Overall this will improve the overall run off. The project has a plan for erosion control and drainage management approved by the City Engineer. Temporary erosion impacts during construction would be minimal and will be mitigated using standard erosion and sedimentation best management practices.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	In general, seniors' residences are not known to produce a level of ambient noise deemed bothersome and detrimental to the enjoyment of the usual peace and quiet in any residential neighborhood. The main push back from the neighboring music school is the concern for of safety of its students and the resident seniors as cars and pedestrians move about in the parking area. In addition to installing on-site lighting, traffic signs pavement marking, and safe ingress-egress points, the developer was tasked to continue discussions with the neighboring music school with the view to arriving at a safe parking design and pedestrian circulation.	
<b>SOCIOECONOMIC</b>			
Employment and Income Patterns	1	The project, once operational, is going to generate jobs and business opportunities. At this point of the project, however, the benefits accruing from these opportunities are not yet qualifiable.	

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
Demographic Character Changes / Displacement	2	The development of the proposed action would not result in community demographic changes. No displacements are foreseen.	
Environmental Justice EA Factor	1	The proposed action would not result in an adverse effect to the local EJ community. In fact, the project will benefit low-income, senior citizens with disabilities who are the target beneficiaries of the project.	
<b>COMMUNITY FACILITIES AND SERVICES</b>			
Educational and Cultural Facilities (Access and Capacity)	2	No negative impact anticipated. The neighboring music school has been coordinating with the project developer towards designing a safe parking circuit and pedestrian circulation to benefit both students of the school as well as residents and visitors of the envisioned apartment.	
Commercial Facilities (Access and Proximity)	2	The proposed action will not add to or take out commercial facilities in the area. However, this facility has access within 1 one mile of grocery variety stores and drug stores and patronage to these retailers may be expected to increase as a result of the project. The nearest grocery store is about two miles from the project site.	
Health Care / Social Services (Access and Capacity)	2	There is adequate access to healthcare and social services in proximity to this project. This facility is within walking distance to numerous facilities.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	Solid waste collection and disposal services will be done by a private collector contracted by the city for this purpose.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	Public wastewater treatment services for the site would be provided by Lehigh County Authority. Site plan approval, including the provisions of wastewater service, will be obtained prior to the start of construction. Moreover, the Pa-DEP will review and approve the sewage planning module for this project, which was estimated to have a 7,056 gallons per day of sewage flows.	

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
Water Supply (Feasibility and Capacity)	2	Public water for the proposed action would be provided by Lehigh County Authority which has already issued approval for more than 7,056000 gallons per day of public water service.	
Public Safety - Police, Fire and Emergency Medical	2	As a residence for senior citizens, there will be an expectation of increased demand for emergency services, particularly ambulance but not to the level that will negatively affect capacity and performance of EMT services.	
Parks, Open Space and Recreation (Access and Capacity)	2	The proposed action will not provide additional park, open space or recreation. However, the envisioned residents of the seniors apartment are expected to increase visitations at nearby public parks (Fountain Park and West Park).	
Transportation and Accessibility (Access and Capacity)	2	Transportation and Accessibility to the envisioned apartment building will not adversely effect access or capacity of the local transportation system. In fact, there is an expectation for bus ridership to increase since many of the envisioned residents of the apartments will not own a car. The facility will provide adequate parking, bicycle racks, ADA access, and (some) basement parking. The facility has a bus stops along Hamilton Street.	
<b>NATURAL FEATURES</b>			
Unique Natural Features /Water Resources	2	No unique natural features or aquatic resources exist within the project limits. No direct impacts to unique natural features or water resources are anticipated though the implementation of the proposed action.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	At present, the site is planted to fescue grass and some shrubbery. These will be replaced by planned landscaping consisting of grass cover, ornamental shrubbery and trees. For wildlife, avoidance measures are required by the PA Game Commission to address any negative impact to the Peregrine Falcon ( <i>Falco peregrinus</i> ). Though no longer listed as a threatened or	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		endangered species in Pennsylvania, avoidance measures are still required.	
Other Factors 1		NA	
Other Factors 2		NA	
<b>CLIMATE AND ENERGY</b>			
Climate Change	2	The project is not anticipated to have an impact on climate change. Green and sustainable materials will be used where feasible.	
Energy Efficiency	2	The project will use energy efficient appliances and technologies where feasible.	

**Supporting documentation**

- [ArchitecturalPlans\\_1528 West Apartments W Hamilton Street Elevation.pdf](#)
- [20230222ColorCodedPlansCostEstimate.pdf](#)
- [ArchitecturalPlans\\_A803 Outdoor Seating Areas Reduced File Size.pdf](#)
- [Sewer Planning Module\\_1528 W Hamilton Street.pdf](#)
- [ArchitecturalPlans1528 West Elevations 02152023.pdf](#)
- [20230222\\_LandDevelopmentPlans\\_1528West \(2\) \(1\).pdf](#)
- [20220803\\_HOP-Plans\\_1528West.pdf](#)

**Additional Studies Performed:**

**Field Inspection [Optional]:** Date and completed

by:

Maria Quigney

2/15/2023 12:00:00 AM

[communities in schools property pics.docx](#)

[SITE-SPECIFIC FIELD CONTAMINATION CHECKLIST.pdf](#)

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

Federal Emergency Management Agency, National Flood Hazard Layer Viewer, <https://www.fema.gov/national-flood-hazard-layer-nfhl> National Wild and Scenic Rivers System, Maps and GIS, <https://www.rivers.gov/mapping-gis.php> U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Nonattainment Areas for Criteria Pollutants (Green Book), <https://www.epa.gov/green-book> U.S. Environmental Protection Agency, Office of Ground Water and Drinking Water, Sole Source Aquifers, <https://www.epa.gov/dwssa> PA Department of Environmental Protection, eMapPA,

<https://www.depgis.state.pa.us/emappa/> Pennsylvania Conservation Explorer, PNDI Environmental Review, <https://conservationexplorer.dcnr.pa.gov/> Pennsylvania Historic & Archaeological Resource Exchange, <https://share.phmc.pa.gov/pashare/landing> U.S. Environmental Protection Agency, Environmental Justice Screening and Mapping Tool (EJScreen), <https://ejscreen.epa.gov/mapper/> U.S. Fish and Wildlife Service, National Wetland Inventory Mapping, <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>

**List of Permits Obtained:**

NPDES, City of Allentown Building Permits, City of Allentown Land Development Agreement, Sewer Planning Module, Zoning Permit, Lehigh Valley Planning Commission Review, Allentown Zoning Hearing Board Review, Allentown City Planning Commission Review

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

please see attached.

[ZHB Agenda and Decision.pdf](#)

[2-14-23 ACPC Minutes.pdf](#)

[heros-download-1681952595275 - 1528 Hamilton EA ERR\\_jesse.docx](#)

[3-08-22 ACPC Minutes 02.pdf](#)

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

Cumulative effects are the effects, both beneficial and adverse, of a proposed action. Because the proposed action would not result in direct or indirect impacts to resources beyond those normally associated with developed land, the existing land use is a macadam parking lot and proposed is a building, cumulative impacts are limited to climate change. Climate change is any significant change in measures of climate (temperature, precipitation, or wind) lasting for an extended period of time. The build alternative would not have an appreciable impact on climate change as measures were incorporated into the building design to reduce the future effects on emissions.

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

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

Under the "no action" alternative the proposed action would not be implemented. Without the implementation of the proposed action, the site would remain as is. The

absence of the 49 affordable housing units would further exacerbate the affordable housing issue in the City.

**Summary of Findings and Conclusions:**

The proposed action to build a 4-story, 49-unit senior's apartment building is highly desirable to a community like Allentown, whose need to expand the availability of affordable housing is so pronounced that almost 60% of its renter households are housing cost-burdened. Although only a small portion of this population will benefit from the project, the city is grateful to target the older, more challenged sub-population in this effort. To the best of our knowledge and efforts, our findings required no need of mitigation efforts in all review criteria, which makes this project a desirable project for HUD funding, as well. The partnerships among non-profits the were forged through this project is something the city is proud of, and is a model that we can replicate in other efforts on community collaboration.

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

Summarized below are 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 or Condition	Comments on Completed Measures	Mitigation Plan	Complete
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**Project Mitigation Plan**

No mitigation is required.

**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

[1528 W Hamilton Airport Hazaed Map.pdf](#)

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

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

#### Supporting documentation

[COASTAL BARRIER RESOURCE MAP.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.

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

Yes

**4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?**

Yes

- ✓ No

### Screen Summary

#### **Compliance Determination**

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. 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**

[FLOOR PLAIN MAP.pdf](#)

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

Yes

1528-W.-Hamilton-Street-  
--ABC-HDC

Allentown, PA

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✓ 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)
Lead	µg/m3 (micrograms per cubic meter of air)
Nitrogen dioxide	ppb (parts per billion)
Sulfur dioxide	ppb (parts per billion)
Ozone	ppb (parts per million)
Particulate Matter, <2.5 microns	µg/m3 (micrograms per cubic meter of air)
Particulate Matter, <10 microns	µg/m3 (micrograms per cubic meter of air)

**Provide your source used to determine levels here:**

GREEN BOOK GIS DOWNLOAD

**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	ppm (parts per million)
Lead	µg/m3 (micrograms per cubic meter of air)
Nitrogen dioxide	ppb (parts per billion)
Sulfur dioxide	ppb (parts per billion)
Ozone	ppb (parts per million)
Particulate Matter, <2.5 microns	µg/m3 (micrograms per cubic meter of air)
Particulate Matter, <10 microns	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, Lead, Nitrogen dioxide, Sulfur dioxide, Ozone, Particulate Matter, <2.5 microns, Particulate Matter, <10 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**

[map8hr\\_2015.pdf](#)

[8-Hour Ozone \(2015\) Nonattainment Areas by State County Area Green Book US EPA.html](#)

**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 far inland and 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 zone.docx](#)

#### **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. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.**

- American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
- ASTM Phase II ESA
- Remediation or clean-up plan
- ASTM Vapor Encroachment Screening
- None of the Above

**2. 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? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)**

- No

**Explain:**

No Rec's were identified in the Phase I ESA. There were no brownfield or superfund sites found in proximity to the site. The Phase I performed by HDC is also included in this ER

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

Yes

### Screen Summary

### Compliance Determination

**Supporting documentation**

[HDC Hamilton Street 2023 phase 1.pdf](#)

[enviromap contamination.jpg](#)

[SITE-SPECIFIC FIELD CONTAMINATION CHECKLIST\(1\).pdf](#)

[eviromap 2.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 <i>et seq.</i> ); particularly section 7 (16 USC 1536).	50 CFR Part 402

**1. Does the project involve any activities that have the potential to affect species 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**

[Species List\\_Pennsylvania Ecological Services Field Office.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 itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?**

No

Yes

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

No

Yes

**3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:**

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR

- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.

If all containers within the search area fit the above criteria, answer "No." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "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.

Yes

**Screen Summary**

**Compliance Determination**

There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements.

**Supporting documentation**

[STORAGE TANKS.jpg](#)

**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.)	<a href="#">7 CFR Part 658</a>

**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:

The project area is zoned residential and not considered farmland. This determination was made by using the Allentown zoning map

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**

[FARMLAND MAP .jpg](#)

**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:**

[FLOOD HAZARD MAP.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**

[FLOOR PLAIN MAP\(1\).pdf](#)

[FLOOD HAZARD MAP\(1\).pdf](#)

**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" <a href="https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf">https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf</a>

### **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**

[2023-04-12T07-59-26\\_2023PR01341-001\\_ER\\_Summary\\_Letter - PHMC.pdf](#)  
[Historic Map.jpg](#)



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[padot HISTORIC MAP.jpg](#)

**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

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: 59

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: 59

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: 59.0 db. This was determined using AirNav to determine the number of flights out of Queen City airport, LVIA 2020 Contour map and the HUD DNL Calculator. Queen City and LVIA are within 15 miles of the project site. The project is in compliance with HUD's Noise regulation. Queen City records only 63 flights per day, non of which are commercial,

therefore it has minimal impact on noise. The project site lies out side the 65 db contour lines. Noise level is calculated at 58 db. Using existing data supplied by LVPC, PennDOT and the City of Allentown the DNL Calculator Noise for the site was calculated to be 59db.

**Supporting documentation**

[AirNav\\_KXLL - Allentown Queen City Municipal Airport.html](#)

[AirNav\\_KABE - Lehigh Valley International Airport.html](#)

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

Yes

✓ No

### Sole Source Aquifers

General requirements	Legislation	Regulation
<b>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.</b>	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. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

- Yes
- ✓ No

2. 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.

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**Supporting documentation**

[SOLE SOURCE AQUIFERS.jpg](#)

**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

✓ Yes

**2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.**

**"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."**

✓ No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

### Screen Summary

**Compliance Determination**

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.

**Supporting documentation**

[WETLANDS.jpg](#)

**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.jpg](#)

#### **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