NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

DATE OF NOTICE: November 16, 2020
RESPONSIBLE ENTITY: City of Erie
ADDRESS: Department of Economic and Community Development
626 State Street, Room 404
Erie, PA 16501
TELEPHONE: 814-870-1270

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of Erie (City).

REQUEST FOR RELEASE OF FUNDS

On or about December 3, 2020, the City will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of federal Community Development Block Grant funds under Title I of the Housing and Community Development Act of 1974 (P.L. 93-383) to be used for the following projects:

ASSESSED PROJECTS

CD 20-48 Manus Enterprises – This project will include the following exterior and interior improvements for the rehabilitation of Manus Enterprises Mini Market, a commercial property:
Exterior - LED sign on the front of the building, roof replacement, sofet, facia, and gutter repair, addition of 2 security cameras to existing system, resurface portions of asphalt parking lot, replace broken fence slats, landscaping (tree trimming).

Interior - Upgrade lighting to LED, replacement of A/C and furnace system, replace/repair floor tile, replace drop ceiling tiles, equipment replacement, including walk-in freezer, ice maker, ice freezer, and soda fountain.

Estimated CDBG funding: $75,000
Project location: 26 East 12th Street, Erie, PA 16501

CD 20-26a Economic Development: Logistics Plus– This project will make the following improvements to the Times-News Building:
Exterior: Installation of a security system, new doorway openings, and security doors, roof repair, signage

Interior: Installation of warehouse racking, floor repair/replacement, upgrading fire panel

Estimated CDBG funding: $100,000
Project location: 205 West 12th Street, Erie, PA 16534

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

The City has determined that the projects will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act (NEPA) of 1969 is not required. Additional project information is contained in the Environmental Review Record (ERR) on file with the City of Erie and can be accessed online at https://cityof.erie.pa.us.

TIERED PROJECTS AND PROGRAMS

In addition to the above-identified projects, on or about December 3, 2020, the City will submit a request to HUD for the release of federal Community Development Block Grant funds under Title I of the Housing and Community Development Act of 1974 (P.L. 93-383) and HOME Investment Partnerships Program funds under Section 228 of the Cranston-Gonzalez National Affordable Housing Act (NAHA) to be used for the following projects in the County:

Tier 1 Broad Review Project/Program Title: Clearance/Demolition– City-wide, Multi-Year, Non-Site Specific CDBG funds will be utilized for the demolition of structures in order to remove residential buildings unsuitable for rehabilitation that present a blighting influence and are a threat to public health and safety. Tier 2 site specific reviews will be completed for those laws and authorities not addressed in the Tier 1 Broad Level Review for each address under this program when addresses become known. The site-specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review: Contamination and Toxic Substances, Endangered Species, Floodplain Management, Historic Preservation, Wetlands Protection, and Environmental Justice.

Level of Environmental Review Citation: Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: 58.35 (a)(4)(ii): An individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site.

Estimated Project Cost: CDBG FY 2020: $200,000; FY 2020 – FY 2024: $1,000,000

Tier 1 Broad Review Project/Program Title: Public Infrastructure Improvements– City-wide, Multi-Year, Non-Site Specific (including CD 20-2d ADA Improvements – Curb Cuts, CD 20-5a Streetscape Improvements – Tree Removal/Planting, CD 20-2 Road Reconstruction, CD 20-13 Parks and Recreation Improvements) CDBG funds will be utilized for improvements to existing infrastructure including park improvements, reconstruction or repaving of roads, sidewalks and curbs (including installation of ADA curb cuts at intersections), as well as tree removal and planting. Projects will be confined to existing rights-of-way where applicable and will not involve new construction or a change in size or capacity of more than twenty percent. In some cases materials may not be replaced in-kind in order to meet ADA specification or to add aesthetic quality to the project such as decorative brick work or stamped concrete. Tier 2 site specific reviews will be completed for those laws and authorities not addressed in the Tier 1 Broad Level Review for each address under this program when addresses become known. The site-specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review: Contamination and Toxic Substances, Floodplain Management, Historic Preservation, and Environmental Justice.

Level of Environmental Review Citation: Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: 58.35(a)(1): Acquisition, repair, improvement, reconstruction or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).

Estimated Project Cost: CDBG FY 2020: $489,521; FY 2020 – FY 2024: $2,447,605 (est.)

Tier 1 Broad Review Project/Program Title: City Façade Renovations – City-wide, Multi-Year, Non-Site Specific This program uses federal CDBG to assist with exterior improvements for the rehabilitation of commercial properties. The facilities and improvements are in place and will not involve a change in size or capacity by more than twenty percent, additions or expansion of the structure, or a change in land use. Tier 2 site specific reviews will be completed for those laws and authorities not addressed in the Tier 1 Broad Level Review for each address under this program when addresses become known. The site-specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review: Flood Insurance, Contaminants and Toxic Substances, Floodplain Management, Historic Preservation, and Environmental Justice.

Level of Environmental Review Citation: Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: 58.35 (a)(3)(iii): Rehabilitation of non-residential structures including commercial, industrial, and public buildings when the following conditions are met: (i) Facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; (ii) The activity does not involve a change in land use.

Estimated Project Cost: CDBG FY2020: $75,000; FY 2020-2024: $375,000 (est.)

Tier 1 Broad Review Project/Program Title: Owner-occupied Residential Rehabilitation Program – City-wide, Multi-Year, Non-Site Specific (including CD 20-4y ERA Housing Rehabilitation, CD 20-4z ERA Housing Rehabilitation – Lead Hazard Control, H 20-51y City Housing Rehabilitation) The program will provide CDBG and HOME funds to rehabilitate existing housing units in the City of Erie. Rehabilitation activities will include but not be limited to window/door removal and replacement, replacement of flooring, removal/replacement of roof components and gutters, improvements to HVAC systems, improvements to electrical and plumbing systems, improvements to kitchen areas including removal/replacement of cabinets and appliances, improvements to bathrooms including removal/replacement of tubs, sinks, vanities and toilets, ADA improvements, improvements to interior walls including new sheetrock and painting, exterior improvements including the installation of vinyl siding and painting, porch improvements and sidewalk/walkway improvement, as well as any other general housing improvement work. The improvements will not increase the structure's capacity and will not involve additions or expansion of the structure. Tier 2 site specific reviews will be completed for those laws and authorities not addressed in the Tier 1 Broad Level Review for each address under this program when addresses become known. The site-specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review: Flood Insurance, Contaminants and Toxic Substances, Floodplain Management, Historic Preservation, Noise Abatement and Control, and Environmental Justice.

Level of Environmental Review Citation: Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:

58.35 (a)(3)(i): Rehabilitation of buildings and improvements when the following conditions are met: (i) In the case of building for residential use (with one to four units), the density is not increased beyond four units, and the land use is not changed.

58.35 (a)(4)(ii): An individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site.

Estimated Project Cost:
CDBG FY2020: $260,000; FY 2020-2024: $1,300,000 (est.)
HOME FY2020: $170,992; FY 2020-2024: $854,960 (est.)
Total HUD Funded Amount: FY2020: $430,992; FY2020-FY2024: $2,154,960 (est.)

Tier 1 Broad Review Project/Program Title: Homebuyer Rehabilitation Program – City-wide, Multi-Year, Non-Site Specific The program will utilize HOME funds to provide direct assistance to creditworthy, income-qualified families to assist them in achieving homeownership through acquisition and/or rehabilitation of existing housing. Rehabilitation activities will include but not be limited to window/door removal and replacement, replacement of flooring, removal/replacement of roof components and gutters, improvements to HVAC systems, improvements to electrical and plumbing systems, improvements to kitchen areas including removal/replacement of cabinets and appliances, improvements to bathrooms including removal/replacement of tubs, sinks, vanities and toilets, ADA improvements, improvements to interior walls including new sheetrock and painting, exterior improvements including the installation of vinyl siding and painting, porch improvements and sidewalk/walkway improvement, as well as any other general housing improvement work. The improvements will not increase the structure's capacity and will not involve additions or expansion of the structure. Tier 2 site specific reviews will be completed for those laws and authorities not addressed in the Tier 1 Broad Level Review for each address under this program when addresses become known. The site-specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review: Flood Insurance, Contaminants and Toxic Substances, Explosive/Flammable Hazards, Floodplain Management, Historic Preservation, Noise Abatement and Control, and Environmental Justice.

Level of Environmental Review Citation: Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:

58.35 (a)(3)(i): Rehabilitation of buildings and improvements when the following conditions are met: (i) In the case of building for residential use (with one to four units), the density is not increased beyond four units, and the land use is not changed.

58.35 (a)(4)(ii): An individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site.

Estimated Project Cost: HOME FY2020: $159,921; FY 2020-2024: $799,605 (est.)

The tiered projects and programs listed immediately above are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements. Additional project information is contained in the respective project Environmental Review Record (ERR). The ERR can be accessed online at https://cityof.erie.pa.us.

PUBLIC COMMENTS

Any individual, group or agency may submit written comments on the ERR to Debra Smith, by email to dsmith@erie.pa.us. All comments received by December 2, 2020 will be considered by the City prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The City certifies to HUD that Joseph V. Schember, Certifying Officer, in his capacity as Mayor of the City of Erie, consents to accept the jurisdiction of the federal courts if an action is brought to enforce responsibilities in relation to the environmental review process, and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City to use CDBG and HOME Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the City's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on the following bases: (a) the certification was not executed by the Certifying Officer of the City; (b) the City has omitted a step or failed to make a determination or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs, or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76), and shall be addressed to the HUD Pittsburgh Field Office of Community Planning and Development (CPD), Attn: Phillip McKeough, CPD Director, by phone at (412) 644-5846, or by email to phillip.e.mckeough@hud.gov. Potential objectors should contact HUD Pittsburgh via email to verify the actual last day of the objection period.

Joseph V. Schember, Mayor

EP-418516