



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)

**This is a suggested format that may be used by Responsible Entities to document completion of a
Categorically Excluded Subject to Section 58.5 environmental review.**

Project Information

Project Name: 1001 State Street – Economic Development

Responsible Entity: City of Erie

Grant Recipient (if different than Responsible Entity):

State/Local Identifier: FY2024 CDBG Program

Preparer: Nicole Pollock, M&L Associates

Certifying Officer Name and Title: Joseph V. Schember, Mayor

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable): Nicole Pollock, Mullin & Lonergan Associates, Inc.

Direct Comments to: Debra A. Smith, Director, Department of Economic and Community
Development
dsmith@erie.pa.us

Project Location: 1001 State St., Erie, PA 16501

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]: This project will renovate 1001 State Street in the core of downtown Erie into a community accessible, mixed-use property with hospitality, office, public meeting areas, performance spaces and associated amenities such as retail and restaurant use. By transforming the current office space into a multi-use building it will become an economic driver for the creation of over 145 full-time jobs for non-traditionally educated or trained workers. It will also create entrepreneurial opportunities for minority, women, and immigrant owned businesses. Finally, it will aid with homelessness amelioration and prevention, blight elimination, improved street life and public safety through partnerships with local government and non-profit entities.

The rehabilitation of the building will include:

- New HVAC system

- New plumbing and fixtures
- Upgraded fire and safety throughout the building
- Elevator and stairway upgrades
- Basement upgraded to kitchen and bistro for hotel operations
- Hotel amenities added to the third floor
- New windows
- Modernized roof
- Cosmetic upgrades to exterior
- Cosmetic upgrades to interior throughout
 - All upgrades to the building will be done so to match the original design of the building.

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: (3)(iii) Rehabilitation of nonresidential structures, including commercial, industrial, and public buildings, provided the following conditions are met:

- Facilities and improvements were in place and will not be changed in size or capacity by more than 20%
- Activity does not involve change in land use from non-residential to residential, commercial to industrial, or one industrial use to another

Funding Information

Grant Number	HUD Program	Funding Amount
FY2024	CDBG	\$581,621.66

Estimated Total HUD Funded Amount: \$581,621.66

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$48.5 million

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.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6

<p>Airport Hazards</p> <p>24 CFR Part 51 Subpart D</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. This project is in compliance.</p>
<p>Coastal Barrier Resources</p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There are no Coastal Barrier Resource System Units in the City of Erie.</p>
<p>Flood Insurance</p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Per FIRM Panel 42049C0065E dated 6/7/17, the project is not located in a FEMA-designated Special Flood Hazard Area and does not require flood insurance.</p>

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5

<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project does not include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units. Project is in compliance.</p>
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is not located in the Lake Erie Coastal Zone per the attached map. This project is in compliance.</p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The site was evaluated by a Phase I ESA and asbestos, lead-based paint, and radon testing. Asbestos containing materials were found and will need to be removed and properly disposed of by a licensed asbestos professional. Lead-based paint was also found and will need to be abated by a certified lead professional. Radon testing was done and no test results revealed levels above the threshold. There were no Superfund, ACRES, or RCRA sites within the appropriate distances to the project site that have identified violations. With asbestos and lead-based paint mitigation, the project is in compliance.</p>
<p>Endangered Species</p>	<p>Yes No</p>	<p>This project is rehabilitation that will not extend beyond the current footprint of the existing</p>

Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	structure; therefore, it will have no impact on endangered species. Project is in compliance.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This rehabilitation project does not include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion. Project does include not a hazardous facility. Project is in compliance.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located within an urbanized area; therefore, there is no potential to 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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Using the FVA approach, the project site is not located within the FFRMS floodplain. Project is in compliance.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The PA SHPO was consulted through the PA SHARE process. The finding of the SHPO is that the following historic properties, listed in or eligible for the National Register of Historic Places, are located in the project area of potential effect: Erie Trust Company Building (Resource #1985RE00662). Based on the information received and available in our files, in our opinion, the proposed project will have No Effect on these historic properties. This project is in compliance.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project involves rehabilitation of commercial property for commercial use. Project is in compliance.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The City of Erie is not in a sole source aquifer. See supporting documentation.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance. Project is in compliance.

Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The City of Erie is more than 45 miles from the nearest wild and scenic river; this project will have no impact on wild and scenic rivers.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	There were no adverse environmental impacts identified in any other compliance review portion of this project's total environmental review. Project is in compliance.

Field Inspection (Date and completed by): Property Solutions Inc., Environmental and Engineering Consulting on January 18, 2018.

Summary of Findings and Conclusions: Project will entail temporary noise, dirt, and dust, during renovation, but it should be limited to the site. It will benefit the community and have little to no impact upon the environmental aspects that have been reviewed. The project will have a positive impact by providing much needed affordable housing. The City concludes that the implementation of this project will have no significant impact upon the environment.

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
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	<ul style="list-style-type: none"> • Removal and proper disposal of asbestos containing materials by a certified asbestos professional. • Abatement of lead-based paint by a certified professional.

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: Nicole Pollock Date: 12/10/2024

Name/Title/Organization: Nicole Pollock, Mullin & Lonergan Associates, Inc.

Certifying Officer Signature: Joseph V. Schember Date: 12/10/24

Name/Title: Joseph V. Schember, Mayor

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).