



**U.S. Department of Housing and Urban
Development**

451 Seventh Street, SW
Washington, DC 20410
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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: Single-Family Owner-Occupied Housing Rehabilitation

Responsible Entity: Borough of Conshohocken

Grant Recipient (if different than Responsible Entity): same as Responsible Entity

State/Local Identifier: PA DCED Contract C000073788

Preparer: Christine M. Stetler

Certifying Officer Name and Title: Colleen Leonard, Borough Council President

Grant Recipient (if different than Responsible Entity): same as Responsible Entity

Consultant (if applicable): Not Applicable

Direct Comments to: Christine M. Stetler

Project Location: Multiple residential dwellings within the Municipal limits of Conshohocken from the Elm Street to 12th Avenue and Colwell Lane Righter Street

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

Conshohocken's Housing Rehabilitation Program provides construction services to the homes of low-moderate income residents. The Program brings properties into compliance with the local Property Maintenance Code, and rehabilitation standards established by the Pennsylvania Department of Community and Economic Development.

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:

Conshohocken’s Housing Rehabilitation Program meets the requirements of §21 CFR 58.35 (a) for categorical exclusions subject to the laws and authorities at §58.5. The project deals only with existing residential dwellings with one (1) unit. No new construction is permitted. Residential density remains the same; and is not increased by more than four (4) units. Conshohocken’s Housing Rehabilitation Program therefore, falls under §58.35 (a) (3) (i). The project is subject to review under authorities listed below: 24 CFR 50.4, 58.5 and 58.6. Compliance with the statutes in question is reviewed below, and a determination is made as to what statutes, executive orders and regulations require mitigation activities.

Funding Information

Grant Number	HUD Program	Funding Amount
C000073788	2019 CDBG	\$128,853.00

Estimated Total HUD Funded Amount: \$116,846.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$245,699.00

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		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Conshohocken is not within 5 miles of any commercial or military airport, and therefore no activities will be conducted in an airport runway clear zone. No notices need be sent to applicants within a designated airport

		runway clear zoning. See Exhibit A for distances to area airports.
<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>Conshohocken is not located in a coastal barrier zone, therefore not rehabilitation activities will occur which would impact coastal barrier resources. See Exhibit B for Conshohocken's location with regard to the nearest Coastal Barrier Zone.</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 checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Conshohocken Borough is adjacent to the Schuylkill River, and portions of the Borough border Plymouth Creek. These waterways result in 2 floodplains located within municipal limits. The Borough participates in NFIP. There are a limited number of single-family, owner-occupied properties in either flood plain in Conshohocken. Due to the multiple locations of properties eligible for rehabilitation services, the location of properties with respect to the 2 Borough flood plains will be identified. To date, none of the properties on the Housing Rehabilitation Program waiting list is located in a flood plain. No services will be provided to any property determined to be in a flood plain unless documentation of flood insurance is provided by the applicant. See Exhibit C.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5</p>		
<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>Rehabilitation involves no new construction. Construction occurs only on existing residential dwellings. No conversion to commercial or industrial uses is permitted. The lack of new construction and prohibited conversion to commercial use show that the Rehabilitation Program will not contribute to added air pollution. Program Guidelines document the rehabilitation requirements of the Program. See Exhibit D</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>Conshohocken is not located in a coastal zone and therefore no rehabilitation will occur, which would impact coastal zone</p>

		management. See Exhibit E.
<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>There are no Federal superfund or PA monitored sites located within the municipal limits of Conshohocken. While there are number of PA sites of interest in the Borough; many have discontinued operation. One remaining site is subject to an approved clean-up plan to be implemented when the site is developed. There have been no recent toxic releases with the Borough. Emissions from the trash to steam operation in adjacent Plymouth Township are being monitored. There have been no confirmed reports of toxic releases. Age of housing stock (40% constructed before 1960) in Conshohocken, necessitates the testing of rehabilitation properties for lead-based paint and radon. Unacceptable levels of either substance require remediation. All properties determined to be eligible for rehabilitation services are tested for the presence of lead-based paint and radon. Technical specifications for any property with unacceptable levels of lead paint or radon will include remediation of the substance and retesting upon completion of remediation activities. See Exhibit F.</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Rehabilitation activities occur only at existing single-family dwellings. With the exception of exterior replacement of existing concrete work with no increase in the area disturbed, and the replacement of existing roofs; rehabilitation work is limited to the interior of all dwellings. No endangered species or critical habitat are disturbed by rehabilitation of any dwelling; therefore, no mitigation activities are required</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Housing Rehabilitation Program will not increase the residential density of properties in Conshohocken. Nor will the program convert any area to additional storage of explosive or flammable materials. Therefore, the Rehabilitation Program does not meet the threshold for implementing</p>

		mitigation activities. See Exhibit G.
Farmlands Protection 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"/>	Conshohocken is a fully developed urban community. There is no remaining farmland, which would be lost as a result of single-family, owner-occupied housing rehabilitation. See Exhibit H.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	There are 2 existing floodplains withing Conshohocken Borough: along the Schuylkill River and Plymouth Creek. No new development is proposed with an identified flood plain. Residential properties in flood hazard areas are multi-family market rate properties; and therefore, not eligible for rehabilitation services, which provide assistance only to single-family, owner-occupied dwellings. To date, no property on the Housing Rehabilitation Program waiting list is located in an identified floodplain. The location of all single-family, owner-occupied properties applying for rehabilitation services will be verified, and rehabilitation will not be conducted unless documentation of flood insurance is provided. See Exhibit C.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	Approximately 40% of the single-family dwellings in Conshohocken were built prior to 1960, resulting in a significant number of properties 50 year of age or older. The age of all properties judged eligible for rehabilitation will be identified through Montgomery County Records or the Conshohocken Historical Survey. All properties regardless of age will be submitted to the PA SHPO for historical review as per Section 106. See Exhibit I for a USGS map of the Borough, and a map of potential historic districts.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Conshohocken is located in proximity to 2 Pennsylvania Interstates, I 76 and I 476. SEPTA's Norristown Line runs through the south end of Conshohocken. Rehabilitation activities will not increase noise levers in the Borough. While noise affecting activities are in proximity to residential dwellings,

		rehabilitation occurs primarily within dwelling units. Residents and contractors participating in the Housing Rehabilitation are provided with information regarding noise reduction. Contractors are encouraged to use noise reducing materials. See Exhibit J.
Sole Source Aquifers 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"/>	Conshohocken is not located on or in proximity to a sole source aquifer. Nor is the Borough's drinking water from a sole source aquifer. Therefore, no mitigation measures are necessary. See Exhibit K
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	There are no identified wetlands within the municipal limits of Conshohocken. Due to the lack of wetlands and residential property located in their proximity, rehabilitation activities will have no impact on any wetlands. See Exhibit L.
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 Schuylkill River is not a nationally designated wild or scenic river. However, the Schuylkill is listed as a Pennsylvania scenic river; and is designated a Recreational and Modified Recreational River. Development along the riverfront is a mix of commercial and multi-family uses. Multi-family projects are market rate rental or condominium. Rental properties are not eligible for rehabilitation services. Single-family condominium units are located in multi-family buildings, and therefore, not eligible for rehabilitation services. Single-family housing rehabilitation will not affect the flow of the Schuylkill River; diminish the River outside of its boundaries; and will not affect the recreational, natural or cultural value of the river. There will be no change in access to the river due to the rehabilitation of single-family dwellings. Because the Schuylkill River is not a nationally designated wild and Scenic River; and rehabilitation will not affect the State's Recreation and Modified Recreational designation; the Housing Rehabilitation Program conforms to the requirements of the Wile and Scenic Rivers Act; and no

		mitigation activities are warranted. See Exhibit M.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Conshohocken’s Housing Rehabilitation Program involves single-family, owner-occupied properties at various locations throughout the municipal limits of Conshohocken Borough. Low-moderate income and minority populations are distributed throughout Conshohocken. Therefore, rehabilitation of single-family properties will not impact any one area of the Borough. Housing rehabilitation of single-family, owner-occupied properties will not have a negative effect on low-moderate income or minority populations. On the contrary, rehabilitation of these properties will benefit low- and moderate-income residents by enabling them to remain safely in their home; and benefit the community by preventing rundown, blighted properties. See Exhibit N.

Field Inspection (Date and completed by): While there is no overall field inspection for housing rehabilitation in the Borough; individual inspections will be made of all properties determined to be eligible for Program services. Identified environmental concerns and how they will be addressed will be noted in the Tier 2 Environmental Record for each individual property.

Summary of Findings and Conclusions:

Conshohocken’s Housing Rehabilitation will require investigation and mitigation related to the following environmental statutes: Flood Disaster Protection Act of 1973/National Flood Insurance Reform Act of 1994 [USC - 4001 – 4128 and 42 USC5154 A.]; Contamination and Toxic Substances 24 CFR Part 53 3(i) and 58.5 (i)(2); Flood Plain Management Executive Order 11988 Section 2(a); 24 CFR Part 55; and Historic Preservation – National Historic Preservation Act of 1966; Sections 106 and 110; 36 CFR Part 800. For these statutes, mitigation will be required before and during rehabilitation activities can occur. The locations of properties must be identified to determine their location with respect to the 2 floodplains in Conshohocken. Rehabilitation of properties located in a floodplain will not be rehabilitated unless the owner of the property provides current documentation of flood insurance. All properties will be tested for lead-based paint and radon. If present, remediation activities will be incorporated into technical specifications for the property. Lastly, all properties regardless of the year built will be submitted, either initially or as a “no effect list” project (for evaluations completed prior to 6/30/20). to the Pennsylvania State Historic Preservation Office for review as per Section 106 of

the National Historic Preservation Act. The determination of the SHPO and the cost of recommended mitigation requirements will determine if rehabilitation of the property can proceed.

With regard to all other environmental standards, the Conshohocken Housing Rehabilitation Program meets the thresholds to not require mitigation activities.

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
Flood Disaster Protection Act	Provision of flood insurance by the homeowner, or disqualification for rehabilitation services
Contamination and Toxic Substances	Testing for lead-based paint and radon; and incorporation of remediation measures in technical specifications for rehabilitation
Floodplain Management Ex. Order 11988	Provision of flood insurance by the homeowner, or disqualification for rehabilitation services
National Historic Preservation Act	Submission of technical specifications for rehabilitation activities to the PA SHPO for review to determine the impact on actual or potential historic properties or districts and addition to technical specification of recommended remediation measures or disqualification for rehabilitation services.

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: _____ Date: _____

Name/Title/Organization: Christine M. Stetler, Community Development and Grant Coordinator

Responsible Entity Agency Official Signature:

_____ Date: _____

Name/Title: Colleen Leonard, Borough Council President

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).