

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Safe Drinking Water & Bureau of Clean Water

DOCUMENT NUMBER: 381-5511-111

TITLE: Guidelines for the Uniform Environmental Review Process in Pennsylvania

EFFECTIVE DATE: December 14, 2024

AUTHORITY: Various federal funding program regulations

POLICY: The Uniform Environmental Review (UER) process is intended to standardize the process for documenting the environmental effects of proposed drinking water and wastewater infrastructure projects requesting financial assistance from various federal funding sources in Pennsylvania.

The specific financial assistance programs and agencies that can utilize the UER are:

- The Clean Water State Revolving Loan Fund (PENNVEST, DEP, EPA)
- The Drinking Water State Revolving Loan Fund (PENNVEST, DEP, EPA)
- The Community Development Block Grant Program (DCED and HUD)
- Other Federal Funding Efforts (EPA)

PURPOSE: The UER process is intended to streamline and coordinate the environmental review of proposed projects to avoid major inconsistencies or duplication of effort, particularly where multiple sources of funding are involved.

APPLICABILITY: This guidance will apply when considering applications for funding under the above-mentioned federal financial assistance programs.

DISCLAIMER: The policies and procedures outlined in this guidance are intended to supplement existing requirements. Nothing in the policies or procedures shall affect regulatory requirements.

The policies and procedures herein are not an adjudication or a regulation. DEP does not intend to give this guidance that weight or deference. This document establishes the framework, within which DEP will exercise its administrative discretion in the future. DEP reserves the discretion to deviate from this policy statement if circumstances warrant.

PAGE LENGTH: 22 pages

Commonwealth of Pennsylvania



Pennsylvania Department of Environmental Protection

GUIDELINES FOR THE UNIFORM ENVIRONMENTAL REVIEW PROCESS IN PENNSYLVANIA

Bureau of Safe Drinking Water & Bureau of Clean Water
Pennsylvania Department of Environmental Protection
Pennsylvania Department of Community and Economic Development
U.S. Environmental Protection Agency, Region III

www.dep.pa.gov

ACRONYMS AND ABBREVIATIONS	iv
INTRODUCTION	1
Purpose of These Guidelines	1
National Environmental Policy Act.....	1
Categorical Exclusions.....	2
Environmental Assessments	3
Environmental Impact Statements	3
PROCEDURE FOR PREPARING AN ENVIRONMENTAL REPORT	4
CONTENTS OF THE ENVIRONMENTAL REPORT	4
ENVIRONMENTAL REPORT DOCUMENTATION REQUIREMENTS.....	5
1.0 PROJECT DESCRIPTION AND NEED	5
1.1 Purpose of and Need for Project	5
1.2 Project Description.....	5
2.0 SUMMARY OF REASONABLE ALTERNATIVES CONSIDERED	5
2.1 Alternatives Considered.....	5
2.2 Comparison of Alternatives	6
3.0 ENVIRONMENTAL CONSEQUENCES OF THE PROJECT.....	6
3.1 Land Use/Important Farmland/Formally Classified Lands	6
3.2 Floodplains.....	7
3.3 Wetlands	7
3.4 Historic Resources	8
3.5 Sensitive Biological Resources	8
3.6 Water Quality Issues	9
3.7 Coastal Resources	10
3.8 Socio-Economic Issues	10
3.9 Air Quality	10
3.10 Transportation	10
3.11 Noise Abatement and Control.....	10
3.12 Wild and Scenic Rivers.....	11
3.13 Miscellaneous Environmental Considerations.....	11
4.0 SUMMARY OF MITIGATION.....	11
5.0 PUBLIC PARTICIPATION	11
6.0 EXHIBITS	11
APPENDIX A.....	12
Legal References for Environmental Reviews	12
APPENDIX B	15
Agency Contact Information.....	15
APPENDIX C	18
DEP Regional Air and Water Program Contacts and County Air Quality Contacts	18

ACRONYMS AND ABBREVIATIONS

CDBG	Community Development Block Grant
CE	Categorical Exclusion
CFR	Code of Federal Regulations
USACE	United States Army Corps of Engineers
DCED	Pennsylvania Department of Community and Economic Development
DEP	Pennsylvania Department of Environmental Protection
EA	Environmental Assessment
EIS	Environmental Impact Statement
EJ	Environmental Justice
EPA	United States Environmental Protection Agency
EV	Exceptional Value Waters
FEMA	Federal Emergency Management Agency
FPPA	Farmland Protection Policy Act
HQ	High Quality Waters
HUD	United States Department of Housing and Urban Development
LESA	Land Evaluation and Site Assessment
NEPA	National Environmental Policy Act
NRCS	Natural Resources Conservation Service (USDA)
NWI	National Wetlands Inventory
PENNVEST	Pennsylvania Infrastructure Investment Authority
PHMC	Pennsylvania Historic and Museum Commission
RUS	Rural Utilities Service, USDA-RD
SHPO	State Historical Preservation Officer
USC	United States Code
USDA-RD	United States Department of Agriculture - Rural Development
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

INTRODUCTION

Purpose of These Guidelines

The Uniform Environmental Review (UER) process is intended to standardize the process for documenting the environmental effects of proposed drinking water and wastewater infrastructure projects requesting financial assistance from various federal funding sources in Pennsylvania.

The specific financial assistance programs and agencies that can utilize the UER are:

- The Clean Water State Revolving Loan Fund (PENNVEST, DEP, EPA)
- The Drinking Water State Revolving Loan Fund (PENNVEST, DEP, EPA)
- The Community Development Block Grant Program (DCED, HUD)
- Other Federal Funding Efforts (EPA)

The UER process is intended to streamline and coordinate the environmental review of proposed projects to avoid major inconsistencies or duplication of effort, particularly where multiple sources of funding are involved. Most of the items addressed in this environmental review are already required by existing state regulations relating to the planning phase or the permitting phase of the project. It is designed to complement those planning and permitting programs.

Note: Previous versions of this guidance included participation by USDA Rural Development (RD) in the UER process in Pennsylvania. USDA RD follows its own governing regulations, policies, and procedures which can be found at: <https://www.rd.usda.gov/resources/environmental-studies/environmental-guidance>.

National Environmental Policy Act

Each of the above funding programs is governed by federal law and regulations. In making funding decisions for specific projects, the agencies involved must determine consistency with the National Environmental Policy Act (NEPA). The state and federal agencies that provide funding under these programs have agreed to accept one uniform environmental review process, based on the NEPA requirements that are described below.

NEPA (42 USC § 4321 *et seq.*) establishes the basic national charter for protection of the environment and for identifying a proposed project's environmental consequences and the measures that will be taken to reduce negative impacts.

The goals of NEPA have been extended through various Executive Orders for the protection of the environment, as well as additional Executive Orders for the protection of wetlands, floodplains, and the cultural environment. To achieve these goals, NEPA allows for a tiered approach to the environmental review. These tiers, in order of complexity, are:

- Categorical Exclusion
- Environmental Assessment
- Environmental Impact Statement (EIS)

Categorical Exclusions

Categorical exclusions (CE) are available for projects that will not have a significant effect on the quality of the human or natural environment, either individually, cumulatively over time, or in conjunction with other projects. Such projects can be exempted from the need for a detailed environmental assessment and impact statement.

Actions that may be considered for a CE are those that involve minor rehabilitation of existing facilities, including construction of new facilities adjacent or appurtenant to existing facilities that do not affect the capacity of the existing facilities or significantly increase or decrease the degree of treatment.

Examples of projects that may be considered for a CE include:

- Infiltration and inflow correction in wastewater systems
- Cleaning and lining of drinking water pipes
- Repair or replacement of existing mechanical equipment, structures, or pipes
- On-site wastewater disposal technologies (single sites only)
- Actions not altering the purpose, operation, location, or design of existing facilities.
- Technical assistance, planning, environmental analysis, management studies, or feasibility studies

Types of projects that are **not** eligible for granting a CE:

- Actions which are known or expected to have a significant effect on the quality of the human environment, either individually, cumulatively over time, or in conjunction with other federal, state, local, tribal, or private actions
- Actions which are known or expected to have a significant, adverse effect (either directly or indirectly) on:
 - a. Historic resource areas such as archaeological sites or historic structures
 - b. Endangered or threatened species and their critical habitats
 - c. Environmentally important natural resource areas such as floodplains, wetlands, important farmlands, sole source aquifer recharge zones,
 - d. Other resource areas identified by the funding agency
- Other specialized specific actions for which the funding agency is prohibited from granting a categorical exclusion

Examples of projects **not** eligible for a CE include:

- Projects that create a new, or relocate an existing, wastewater discharge to surface or ground waters
- Projects that result in substantial increases in the volume of wastewater discharge or the loading of pollutants from an existing source or from new facilities to receiving waters
- Projects that create new demands on surface water or groundwater resources
- Projects that provide capacity to serve a population 30 percent greater than the existing population

Funding applicants are encouraged to consult with the funding agency(ies) early in the project formulation stage to determine whether a project, or portion of a project, could qualify for a CE. Applicants should provide enough information to allow the agency(ies) to make the determination. A funding agency may still determine that additional environmental assessment is necessary even if the project meets the CE criteria, because of unique, or extraordinary circumstances related to the proposed action (including projects which have generated significant public controversy).

Environmental Assessments

Projects that are **not** eligible for a CE must undergo an Environmental Assessment to support the request for funding. The funding applicant will prepare an Environmental Report (ER) which describes the proposed project and its possible impacts. An ER is a separate, stand-alone document available for public review.

Most projects that utilize the abovementioned federal sources of funding will also be subject to DEP's planning and permitting program requirements. In this regard, the ER should be prepared in conjunction with the relevant technical documentation that supports requests for DEP planning approval and DEP permit applications.

The funding agency(ies) will use the ER to assess the project in accordance with NEPA. If the ER indicates that there will be no significant impacts on the environment, each agency will use the report as a basis for the preparation of a decision document and/or a finding of no significant impact. Once the ER is approved by the funding agency(ies), it will constitute the Environmental Assessment for the project.

Environmental Impact Statements

If the ER indicates that there will be significant adverse impacts on the environment, detailed investigations into the effects of alternatives to mitigate these impacts will need to be examined. The selected alternative will then be fully explained in an Environmental Impact Statement (EIS).

If needed, the EIS process will be initiated by the lead funding agency in consultation with the other funding agencies involved. The funding applicant will be notified in writing of this requirement. Due to the nature of water and wastewater projects, and the related planning and permitting processes in Pennsylvania, it is highly unlikely that an EIS will be required.

PROCEDURE FOR PREPARING AN ENVIRONMENTAL REPORT

To promote acceptance of the ER, the funding applicant is encouraged to coordinate with DEP and the funding agencies early in the process, rather than after project planning. Generally, the ER should be prepared in conjunction with the relevant technical documentation that supports requests for DEP planning, permit approval, and permit applications. Examples of such technical documentation are:

- Act 537 Plans (sewage facilities), and
- Planning and Feasibility Studies (water supply projects).

For wastewater projects, the ER can comprise one portion of an Act 537 Sewage Facilities Plan, so long as it is readily distinguishable from other components of the Plan.

The level of detail and degree of analysis provided in the ER should be consistent with the magnitude of construction activities and potential environmental impact.

In order to prepare an ER that can stand alone for public scrutiny, it will be necessary to repeat some information which has already been presented in planning and/or feasibility studies. In such instances, funding applicants may include a **brief** discussion of the documentation requested below in the ER, along with a description of where more detailed information can be found in those other documents.

CONTENTS OF THE ENVIRONMENTAL REPORT

The ER should contain the following elements:

Project Description and Need

Purpose of and Need for Project

Project Description

Summary of Reasonable Alternatives Considered

Alternatives Considered

Comparison of Alternatives

Environmental Consequences of the Selected Alternative

Land Use/Important Farmland/Formally Classified Lands

Floodplains

Wetlands

Historic Resources

Biological Resources

Water Quality Issues

Coastal Resources

Socio-Economic Issues

Air Quality

Transportation

Noise Abatement and Control

Wild and Scenic Rivers

Miscellaneous Environmental Considerations

Summary of Mitigation

Public Participation

Exhibits

ENVIRONMENTAL REPORT DOCUMENTATION REQUIREMENTS

1.0 PROJECT DESCRIPTION AND NEED

1.1 Purpose of and Need for Project

State the purpose(s) of the project, including the reasons that the project is needed to address public health, safety and environmental impacts. For sewerage projects, the methodology outlined in DEP's booklet, *Act 537 Sewage Disposal Needs Identification* (3800-BK-DEP1949), available on DEP's eLibrary website at <https://greenport.pa.gov/elibrary>, along with other relevant information on the need to upgrade collection, conveyance and treatment facilities and the system's compliance status should be the basis for this description. For drinking water projects, improvements to public health and safety, regulatory compliance and adequacy and efficiency, along with other environmental and social impacts should be described.

1.2 Project Description

Describe the proposed project and its location. Include information such as: the overall project area; the type of facilities to be constructed and where located; the construction costs and annual costs for the project; and the primary and secondary funding sources.

The description should provide enough information to allow an uninformed person to understand the scope and location of the project.

Include a copy of a United States Geological Survey (USGS) 7.5-minute topographical map showing the existing and proposed facilities associated with the project and the overall project area. The location of major project components (treatment works, sewers, water lines, pump stations, storage facilities, etc.) should be clearly identified.

2.0 SUMMARY OF REASONABLE ALTERNATIVES CONSIDERED

2.1 Alternatives Considered

Discuss a "No Action" alternative to establish a baseline against which other alternatives are evaluated. This should describe the consequences to public health, safety and the environment if no project is implemented to mitigate the needs identified in Section 1.1.

Summarize all **reasonable** alternatives that were considered for the project, including:

- Engineering design alternatives, including different types of treatment plants and different types of collection/conveyance or distribution/transmission systems
- Siting locations of facilities, including treatment requirements for facilities located on different streams and/or aquifers
- System size and capacity

NOTE: If consideration is being given to discharge of wastewater to a "special protection" (HQ or EV) stream, non-discharge alternatives must be considered and fully evaluated.

2.2 Comparison of Alternatives

Summarize and compare the cost of each reasonable alternative, utilizing a present worth analysis of the capital and operation and maintenance costs. For each reasonable alternative, briefly describe:

- The area to be affected by each reasonable alternative
- The environmental resources in the affected area
- The expected environmental effects or consequences

3.0 ENVIRONMENTAL CONSEQUENCES OF THE PROJECT

Identify which reasonable alternative has been selected and state the reasons why this alternative has been chosen.

Describe and document the environmental effects of the selected alternative on each of the different environmental aspects listed in 3.1 to 3.13. Address the following direct, indirect, and cumulative effects for each aspect:

- Direct effects (changes directly related to the project activity)
- Indirect effects (changes which occur later in time or are removed in distance) which are reasonably foreseeable, i.e. community growth, population density, land use, and natural environment
- Cumulative effects (total changes to the environment resulting from the effect of the selected alternative when added to the effect of other past, present, or reasonably foreseeable future actions)

Discuss any mitigation measures necessary to avoid or minimize any adverse impacts to a specific environmental aspect.

Appendix B and Appendix C contain contact information for the various state and federal agencies with jurisdiction over these environmental aspects.

3.1 Land Use/Important Farmland/Formally Classified Lands

Briefly address consistency with local zoning, land use planning, and agricultural preservation interests. Submit copies of letters from the local and county planning commissions and agricultural preservation boards commenting on the project.

Document the project's impacts on important farmland by providing NRCS soils maps with the locations of proposed structures shown.

Document impacts on national and state parks, forests, and trails. If there are any state or national parks, forests, or trails within one mile of the project area, show the location of these resources on the USGS topographic map in relation to the project, and contact the appropriate agencies for comment. Include a copy of comments received.

Document impacts on registered and eligible national monuments and landmarks. If there are any of these resources within one mile of the project area, show the location of these resources on the USGS topographic map in relation to the project and contact the National Park Service for comment. Include a copy of comments received.

3.2 Floodplains

Address any impacts on the 100-year floodplain and the associated floodway. Address compliance with local floodplain ordinances. Include copies of the applicable Federal Emergency Management Agency (FEMA) floodplain map with the project facilities identified.

Based on Chapter 105 and Chapter 106 of DEP's regulations and contact with the applicable DEP regional program office (and/or a delegated County Conservation District), identify which DEP permits or approvals will pertain to these impacts. Activities with impacts defined in Chapter 105 and Chapter 106 must obtain written approval in the form of an authorization or permit. Compliance with local Floodplain Management Ordinances will need to be documented.

EPA requires implementation of the Federal Flood Risk Management Standard (FFRMS) for all CWSRF and DWSRF projects to be eligible for federal funding. All critical infrastructure must be designed and constructed by using one of the options for determining the FFRMS floodplain described below:

- Climate Informed Science Approach (CISA) – The elevation and flood hazard area that result from using the best available, actionable hydrologic and hydraulic data and methods that integrate current and future changes in flooding, including climate change and other physical processes (e.g., land use change)
- Freeboard Value Approach (FVA) – The elevation and flood hazard area that result from using the 100-year base flood elevation plus three feet for critical actions/infrastructure
- 0.2-Percent-Annual-Chance (500-year) Flood Approach (0.2PFA) – The area subject to flooding by the 0.2-percent-annual-chance flood
- The elevation and flood hazard area that result from using any other method identified in an update to the FFRMS

3.3 Wetlands

Discuss the anticipated impacts of the selected alternative on wetlands resources. If wetlands will be impacted, explain why there are no practical locations or sites not impacting wetlands available. Identify steps that will be taken to avoid and minimize wetland impacts, along with plans to replace the impacted wetlands.

Any activity that physically impacts wetlands in Pennsylvania, regardless of the source of funding for that activity, must obtain approval in the form of a permit under Chapter 105 of DEP's regulations. Based on contact with the applicable DEP regional program office, identify which DEP/USACE permits (including general permits) will pertain to the identified wetlands impacts.

If any structures (buildings, treatment facilities, storage facilities, pumping stations) are proposed on hydric soils or soils with hydric inclusions, hire a qualified expert to do a wetland determination. If wetlands are present where structures are proposed, proceed to have the wetlands delineated in accordance with current DEP and USACE guidelines. The applicant may choose to do this delineation during the planning phase, or as part of the design phase provided it is reasonably believed there is sufficient land available to avoid these hydric areas. Wetlands areas that will be impacted by the project should be identified and highlighted on:

- a. A 7.5-minute topographic map describing the project
- b. A National Wetlands Inventory (NWI) map showing proposed project facilities
- c. NRCS soils maps showing the location of proposed structures – (Include copies of the county list of hydric soils and soils with hydric inclusions.) Copies of the NRCS soils maps and NWI maps may be obtained from the local USDA/NRCS office.

3.4 Historic Resources

Address any effects on archaeological resources and historic properties. As of February 22, 2021, the Cultural Resource Notice Form and the Project Review Form are no longer used for submission of project documents to the Pennsylvania Historical and Museum Commission (PHMC). PHMC now requires applicants to utilize their online PA-SHARE portal to initiate consultation and submit project documents for environmental review. For more information regarding the PHMC review process, please visit the online PA-SHARE resource page, which includes answers to frequently asked questions, online mapping tools, and training videos. Please email PHMC at pashare@pa.gov with any questions or assistance needs. Early coordination with PHMC is strongly encouraged. PHMC review is limited to certain timeframes established by the History Code and cannot delay permit issuance by DEP beyond those timelines.

Include a copy of the PHMC response letter as an exhibit to the ER. This letter must reference Section 106 requirements if federal financing is contemplated. Describe the steps that have been taken to respond to PHMC's comments or concerns. For instance, if the PHMC review indicates a "high probability" of impacting archaeological resources, the applicant can hire a PHMC-approved professional to conduct a Phase I-A scoping survey during planning. The Phase I-A report should be submitted to PHMC for approval and a copy of PHMC's approval letter would be included as an exhibit to the ER.

If further archaeological evaluation (such as Phase I or Phase II) is required by PHMC, before proceeding further, the funding applicant should contact the funding agency to confirm eligibility of such work for funding by the agency.

3.5 Sensitive Biological Resources

Address any effects on endangered, threatened, or candidate species and their critical habitats. Include a copy of the PNDI Receipt and U.S. Fish and Wildlife Service (USFWS) response letters as exhibits to the ER.

Coordination with the Pennsylvania Natural Heritage Program (PNHP) regarding the presence of Federal threatened and endangered (T&E) species and State T&E species or species of special concern on the project site is a regulatory requirement. Early coordination (prior to submission) with the appropriate jurisdictional agencies using the Pennsylvania Conservation Explorer, previously known as the Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Tool (PNDI ER Tool), is the most effective means of timely decisions. The Pennsylvania Conservation Explorer can be accessed at the www.naturalheritage.state.pa.us/ website. First-time users will have to register at the website before conducting the review.

Upon completion of the review, a PNDI Receipt, valid for a period of two years from the date the search was conducted, is automatically available for printing. To provide proof of coordination with PNHP and PNDI, applicants must submit a PNDI Receipt as part of the ER.

PNDI reviews can still be obtained free-of-charge for users without access to a computer using the standard process of requesting a project review directly from each jurisdictional agency—Pennsylvania Department of Conservation and Natural Resources (DCNR), Pennsylvania Game Commission (PGC), Pennsylvania Fish and Boat Commission (PFBC) and USFWS instead of generating a PNDI Receipt instantly through the Pennsylvania Conservation Explorer. The standard PNDI review process user is responsible for securing PNDI Receipts from each jurisdictional agency—DCNR, PGC, PFBC and USFWS.

PNDI Receipts from each jurisdictional agency will be included with the applicable permit application/registration packages from DEP. The PNDI review is not complete or satisfied unless PNDI Receipts are included from all four jurisdictional agencies listed above. Applicants are encouraged to use the PA Conservation Explorer because using this tool is the most effective means of a timely decision. If the review determines there are potential impacts to a T&E species or species of special concern, the PNDI Receipt will provide an explanation of the potential impact(s) and instructions on how to resolve the potential impact(s).

3.6 Water Quality Issues

Describe any short- or long-term- impacts on surface and groundwater quality and quantity in the watershed, including any applicable compliance issues which will be addressed by the project.

For projects involving a stream discharge, identify the receiving stream and its water quality classification.

NOTE: If consideration is being given to discharge of wastewater to a “special protection” (HQ or EV) stream, non-discharge alternatives must be considered and fully evaluated.

Determine whether the project is located within a sole-source aquifer recharge area as designated by EPA (two are currently listed in Pennsylvania – Seven Valleys area in

York County or locations within two miles of the Delaware River). The applicant should contact EPA Region III to determine if any special provisions must be taken to protect those resources. Include a copy of EPA's response as an exhibit to the ER.

3.7 Coastal Resources

Determine whether the project is located in a coastal zone management area within Erie, Delaware, Bucks, or Philadelphia counties. If so, obtain comments from DEP's Coastal Resources Management Program. Include a copy of the Coastal Resources Management Program response letter as an exhibit to the ER.

3.8 Socio-Economic Issues

Describe whether the project imposes any disproportionate adverse effects on minority and disadvantaged populations. Sources of information for locations of minority and low-income populations include U.S. Census Bureau demographics, state/local agencies, and local civic organizations.

If the project will be located within an Environmental Justice (EJ) Community, DEP recommends following the steps outlined below:

- Utilize the Pre-Application Consultation Tool (PACT) process before submitting a permit application for the project.
- Become familiar with DEP's Environmental Justice Policy.
- Contact the EJ coordinator in the project's region to get assistance in understanding the EJ Policy and discuss your project.
- Engage the local community early in the process. The EJ coordinator will assist in planning an effective outreach process and connecting you with community contacts and for updated information on EJ Environmental Justice Overview & Environmental Justice Policy Implementation.

3.9 Air Quality

Address any impacts on air quality. If construction activities will generate dust emissions that need to be controlled, indicate what methods will be used to minimize these emissions. Address any potential sources of odor emissions that may be generated or eliminated through the implementation of the project.

3.10 Transportation

Address any impacts on transportation patterns within the surrounding community.

3.11 Noise Abatement and Control

Address any impacts from noise levels associated with the project on the surrounding community. For example, discuss any impacts from blowers or pumps on noise-sensitive developments, such as residential areas.

3.12 Wild and Scenic Rivers

Determine whether the project will have any effects on any river in the National Wild and Scenic Rivers system, the “Nationwide Rivers Inventory,” or on American Heritage rivers.

If the project is located within one mile of one of these designated streams, contact the National Park Service and the Department of Conservation and Natural Resources for comments. Include a copy of the response letters as exhibits to the ER.

3.13 Miscellaneous Environmental Considerations

Address any other related environmental impacts that may pertain to the project, such as:

- Biosolids generation, treatment, and disposal
- Impact of the project on or from local landfills
- Impact of the project on or from Superfund/HSCA sites
- “Hazardous Operations Explosive or Flammable in Nature” (HUD/DCED only)
- “Toxic Chemicals and Radioactive Materials” (HUD/DCED only)

4.0 SUMMARY OF MITIGATION

For the selected alternative, summarize potential adverse environmental impacts that have been identified and the methods by which those impacts will be mitigated, when, and by whom.

NOTE: It is not necessary to discuss impacts and mitigating actions that will be normally addressed as part of routine compliance with DEP permits (for example, compliance with NPDES permit discharge limits to protect receiving stream uses).

5.0 PUBLIC PARTICIPATION

State environmental regulations and NEPA require public participation during the course of project development and review. Contact the lead funding agency for the project to obtain specific guidelines for public participation requirements. For jointly financed projects, the funding agencies will make every effort to coordinate public notification requirements to minimize duplication of effort.

In the environmental report, describe the steps taken to ensure public participation in the planning and implementation of the project. Include dates of any public meetings, newspaper advertisements, or other actions. Summarize any information provided to the public, such as anticipated benefits, impacts, and user rates. Summarize any comments received from the general public; local, county, and regional planning commissions; and the responses that were provided.

6.0 EXHIBITS

Include documentation of contact and comment from the applicable agencies, as appropriate, for the environmental considerations addressed in the ER, copies of various forms, relevant maps and drawings, and other supporting information.

APPENDIX A

Legal References for Environmental Reviews

3.1 Land Use

25 Pa. Code § 71.21(a)(5)

USDA Departmental Regulation 9500-3

3.1 Important Farmland

25 Pa. Code § 71.21(a)(5)

4 Pa. Code Chapter 7, Subchapter W (Pennsylvania Prime Agricultural Land Policy)

40 CFR § 6.302

7 CFR § 1940.301(c)(8); (c)(16)

7 CFR Part 658

3.1 Formally Classified Land

Urban Park and Recreation Recovery Act of 1978

Land and Water Conservation Fund Act of 1965

3.2 Floodplains

25 Pa. Code § 71.21(a)(1)

25 Pa. Code Chapter 106

40 CFR § 6.302

7 CFR § 1940.301(c)(12)

Federal Executive Order 11988 (Floodplain Management)

Federal Executive Order 12148 (Federal Emergency Management)

Federal Executive Order 13690 (Federal Flood Risk Management Standard or FFRMS)

Federal Executive Order 14030 (Climate-Related Financial Risk)

3.3 Wetlands

25 Pa. Code § 71.21(a)(1)

25 Pa. Code § 71.21(a)(5)

25 Pa. Code § 105.17

40 CFR § 6.302

40 CFR Part 230

7 CFR § 1940.301(c)(13); (c)(17)

Federal Executive Order 11990 (Protection of Wetlands)

3.4 Historic Resources

25 Pa. Code § 71.21(a)(5)

37 PS § 507 (Pennsylvania Historic Preservation Act of 1978)

40 CFR § 6.301

7 CFR §§ 1940.301(c)(5); (c)(6); (c)(10); (c)(15)

16 USC §§ 469(a)(1) *et seq.* (Archaeological and Historic Preservation Act of 1974)

16 USC § 470 (National Historic Preservation Act of 1966)

Federal Executive Order 11593 (Protection and Enhancement of the Cultural Environment)

3.5 Sensitive Biological Resources

25 Pa. Code § 71.21(a)(5)

40 CFR § 6.302

7 CFR §§ 1940.301(c)(3); (c)(19)

16 USC §§ 1531 *et seq.* (Endangered Species Act of 1973)

Fish and Wildlife Coordination Act (PL 85-624)

3.6 Water Quality Issues

25 Pa. Code § 71.21(a)(1)

25 Pa. Code § 71.21(a)(5)

35 PS §§ 691.4 and 691.5 (Clean Streams Law)

33 USC § 1288 (Clean Water Act)

42 USC §§ 1962-1962d-18 (Water Resources Planning Act)

32 PS §§ 680.1-680.17 (Storm Water Management Act)

40 CFR § 6.506(b)

7 CFR § 1940.301(c)(2)

Federal Safe Drinking Water Act (PL 93-523)

3.7 Coastal Resources

40 CFR § 6.302

7 CFR § 1940.301(c)(7); (c)(9)

16 USC §§ 3501 *et seq.* (Coastal Barrier Resources Act)

16 USC §§ 1451 *et seq.* (Coastal Zone Management Act)

3.8 Socio-Economic Issues

Federal Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations)

Federal Executive Order 14008 (Tackling the Climate Crisis at Home and Abroad)

Commonwealth of Pennsylvania Executive Order 2021-07 (Environmental Justice)

3.9 Air Quality

40 CFR § 6.303

42 USC §§ 7401 *et seq.* (Clean Air Act)

3.11 Noise Abatement and Control

7 CFR § 1940.305(j)

24 CFR Part 51

42 USC §§ 4901 *et seq.* (Noise Control Act)

3.12 Wild and Scenic Rivers

40 CFR § 6.302

7 CFR § 1940.301(c)(4)

16 USC §§ 1271 *et seq.* (Wild and Scenic Rivers Act)

17 Pa. Code Chapter 41

32 PS §§ 820.22 - 820.29 (Pennsylvania Scenic Rivers Act)

APPENDIX B

Agency Contact Information

ENDANGERED SPECIES

U.S. Fish and Wildlife Service
Pennsylvania Ecological Services Field Office
110 Radnor Road
Suite 101
State College, PA 16801-7987
(814) 234-4090
<https://www.fws.gov/office/pennsylvania-ecological-services>

Pennsylvania Game Commission
2001 Elmerton Avenue
Harrisburg, PA 17110-9797
(833) 742-4868
<https://www.pgc.pa.gov/Wildlife/EndangeredandThreatened/Pages/default.aspx>

Pennsylvania Fish and Boat Commission
1601 Elmerton Avenue
P.O. Box 67000
Harrisburg, PA 17106-7000
(717) 705-7800
<https://www.fishandboat.com/Conservation/Threatened-and-Endangered-Species/Pages/default.aspx>

Pennsylvania Department of Conservation and Natural Resources
Pennsylvania Conservation Explorer
PA Natural Diversity Inventory
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17105
(717) 787-2869
<https://conservationexplorer.dcnr.pa.gov/>

WETLANDS

(See Appendix C for DEP Regional Office contact information)

Pennsylvania Department of Environmental Protection
Bureau of Waterways Engineering and Wetlands
P.O. Box 8460
Harrisburg, PA 17105-8460
(717) 787-3411
<https://www.dep.pa.gov/Business/Water/Waterways/Pages/default.aspx>

U.S. Army Corps of Engineers
Pennsylvania Section, Regulatory Branch
USACE - Baltimore District
CENAB - OP - RPA
2 Hopkins Plaza
Baltimore, MD 21201
(410) 962-7607
<https://www.nab.usace.army.mil/>

LANDMARKS, HISTORIC, AND ARCHAEOLOGICAL SITES

Pennsylvania Historical and Museum Commission
300 North Street
State Museum Building
Harrisburg, PA 17120
(717) 787-3362
<https://www.phmc.pa.gov/pages/default.aspx>

U.S. National Park Service
143 S. 3rd Street
Philadelphia, PA 19106
(215) 965-2305
<https://www.nps.gov/index.htm>

WILD AND SCENIC RIVERS

U.S. National Park Service
143 S. 3rd Street
Philadelphia, PA 19106
(215) 965-2305
<http://www.nps.gov/rivers/>

Pennsylvania Department of Conservation and Natural Resources
Bureau of Recreation and Conservation
Rachel Carson State Office Building
400 Market Street, 5th Floor
Harrisburg, PA 17101-2301
(717) 787-2869
<https://www.dcnr.pa.gov>

IMPORTANT FARMLANDS

U.S. Department of Agriculture
Natural Resources Conservation Service
359 East Park Drive, Suite 2
Harrisburg, PA 17111
(717) 237-2100
<https://www.nrcs.usda.gov/>

AIR QUALITY

See Appendix C

COASTAL RESOURCES MANAGEMENT

Compacts and Commissions Office
Pennsylvania Department of Environmental Protection
Coastal Resources Management Program
400 Market St., P.O. Box 8465
Harrisburg, PA 17105-8465
(717) 772-4785

<https://www.dep.pa.gov/Business/Water/Compacts%20and%20Commissions/Pages/default.aspx>

SOLE SOURCE AQUIFERS

U.S. EPA (3WP22)
Water Protection Division
1650 Arch Street
Philadelphia, PA 19103-2029
(higgins.walter@epa.gov)
(215) 814-5476

<https://www.epa.gov/dwssa/map-sole-source-aquifer-locations>

APPENDIX C

DEP Regional Air and Water Program Contacts and County Air Quality Contacts

Location and information on DEP Regional Offices can be found below and at www.dep.pa.gov/About/Regional/Pages/default.aspx.

Southeast Regional Office

2 E. Main Street
Norristown, PA 19401-4915
(484) 250-5920 Air Quality Program
(484) 250-5160 Waterways/Wetlands Program
(484) 250-5980 Safe Drinking Water Program
(484) 250-5970 Clean Water Program

Southcentral Regional Office

909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4702 Air Quality Program
(717) 705-4802 Waterways/Wetlands Program
(717) 705-4708 Safe Drinking Water Program
(717) 705-4707 Clean Water Program

Southwest Regional Office

400 Waterfront Drive
Pittsburgh, PA 15222-4174
(412) 442-5215 Air Quality Program
(412) 442-4018 Waterways/Wetlands Program
(412) 442-4345 Safe Drinking Water Program
(412) 442-4032 Clean Water Program

Northeast Regional Office

2 Public Square
Wilkes-Barre, PA 18701-1915
(570) 826-2511 Air Quality Program
(570) 826-2511 Waterways/Wetlands Program
(570) 826-2511 Safe Drinking Water Program
(570) 826-2511 Clean Water Program

Northcentral Regional Office

208 West 3rd Street, Suite 101
Williamsport, PA 17701
(570) 327-3638 Air Quality Program
(570) 327-3574 Waterways/Wetlands Program
(570) 327-3490 Safe Drinking Water Program
(570) 327-3670 Clean Water Program

Northwest Regional Office

230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6940 Air Quality Program
(814) 332-6984 Waterways/Wetlands Program
(814) 332-6899 Safe Drinking Water Program
(814) 332-6942 Clean Water Program

County Air Quality Contacts

Allegheny County
Plan Review Section
Allegheny County Health Department
Bureau of Air Pollution Control
542 Fourth Avenue
Pittsburgh, PA 15219
(412) 686-2243

Philadelphia County

Department of Public Health
Air Management Services
321 University Avenue, 2nd Floor
Spelman Building
Philadelphia, PA 19104
(215) 685-7584