



U.S. Department of Housing and Urban
Development

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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: Replacement of Windows and Doors at SW Focal Point Center

Responsible Entity: Pembroke Pines, Florida

Grant Recipient (if different than Responsible Entity):

State/Local Identifier: B-20-MC-12-0040

Preparer: Peter Neiger, Civitas, LLC – pete.neiger@civitassc.com
for Community Redevelopment Associates of Florida, Inc.

Certifying Officer Name and Title: Charles F. Dodge, City Manager

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable): Peter Neiger, Civitas, LLC

Direct Comments to:

Joseph Yaciuk, AICP
Planning Administration
Planning and Economic Development Department
601 City Center Way, 3rd Floor
Pembroke Pines, FL 33025
954-392-2100

Project Location:

301 NW 103rd Avenue
Pembroke Pines, FL 33026

See "Project Location Map" in the Supporting Documents section of this review.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]: This project includes the improvement of a public service building, the Carl Shechter Southwest Focal Point Community Center. Activities includes demolition work and new work as outlined in the RFQ (quoted below)

Demolition Work:

1. Contractor to remove existing window and exterior doors assemblies along with accordion shutters and dispose of at the City's discretion.
2. Contractor shall be responsible to remove all debris from the site daily.
3. Contractor must not allow materials and debris generated daily to be disposed of in an illegal manner.
4. Demolish as required to accomplish work. All required demolition shall be included in the base bid package submitted by the contractor.
5. The contractor must be careful to maintain security alarms, and other existing conditions for all parts of items to remain.
6. Contractor shall take proper care to protect and close off work area as required for normal facility operation.
7. Building will be occupied during the demolition.

New Work:

1. Install new impact window and door assemblies as required.
2. All impact resistant glass shall be a minimum Low-E 366 with factory applied tint.
3. Owner will provide construction drawings which include the approved window and door pressures.
4. Contractor shall use the attached product NOAs or may submit a proposed alternate for city's review and approval.
5. Contractor shall, besides the attached engineered drawings and specs, provide all required documents, like shop drawings and NOA's necessary to obtain a permit and provide submittals for approval by the project manager and engineer on record as required for normal project execution.
6. Replace pedestrian doors as necessary per each location. All doors are to include Von Duprin closers and concealed vertical devices per code.
7. Contractor shall provide key cylinders a minimum of 2 weeks in advance for Owner to rekey prior to Contractor's installation.
8. Contractor shall use keyway cylinder Schlage Everest T for all Doors.
9. Frame color to match existing.
10. All windows and or doors removed, shall have the new assemblies installed before end of workday to ensure that building can be locked up.
11. Any repairs required around the windows or doors due to replacement of such, shall be done by the contractor to include but not limited to, drywall, stucco, paint, polyurethane sealant, etc.
12. Contractor is responsible for acquiring permit and calling in all necessary inspections.

Level of Environmental Review Determination:

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

24 CFR 58.35(a)(3)(i)

(a) Categorical exclusions subject to § 58.5. The following activities are categorically excluded under NEPA, but may be subject to review under authorities listed in § 58.5:

(3) Rehabilitation of buildings and improvements when the following conditions are met:

(i) In the case of a building for residential use (with one to four units), the density is not increased beyond four units, and the land use is not changed.

Funding Information

Grant Number	HUD Program	Funding Amount
B-20-MC-12-0040	CDBG	\$300,000

Estimated Total HUD Funded Amount: \$300,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$300,000

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"/>	Due to the location of this project it ` this factor. Per the statutes, executive orders, and regulations listed in 24 CFR 58.6 this factor only applies to projects located within 2,500 feet of the end of a civilian airport runway or 15,000 feet of the end of a military field runway. The nearest civilian airport, North Perry Airport, is located 2.4 miles from the project area. There are no military field runways in the vicinity.

		See "Airport Distance Map" in the Supporting Documents section of this review.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Due to the location of this project it is <u>in compliance</u> with this factor. Per the statutes, executive orders, and regulations listed in 24 CFR 58.6 this factor only applies to projects located within a Coastal Barrier Resources System (CBRS) Unit. The city of Pembroke Pines does not include any Coastal Barrier Resource Units. See "CBRS Map" in the Supporting Documents section of this review.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Upon review of the details of this project <u>compliance cannot be determined</u> for this factor. Per the statutes, executive orders, and regulations listed in 24 CFR 58.6 this factor only applies to projects that are located in a Special Flood Area 100-Year Floodplain. This project is not located in a 100-year Floodplain. See "FEMA FIRMette Map" in the Supporting Documents
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Due to the nature of this project it is <u>in compliance</u> with this factor. Per the statutes, executive orders, and regulations listed in 24 CFR 58.5 this factor only applies to projects that include acquisition of undeveloped land, change of land use, demolition, major rehabilitation, and new construction. This project only includes activities classified as minor rehabilitation. See "Air Quality Worksheet" in the Supporting Documents section of this review.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Due to the nature of this project it is <u>in compliance</u> with this factor. Per the statutes, executive orders, and regulations listed in 24 CFR 58.5 this factor only applies to projects that are defined by the state's coastal zone management plan. Determination of the

		<p>applicability of this factor is determined by the Florida State Clearinghouse.</p> <p>See Clearinghouse Consultation in the Supporting Documents section of this review.</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 type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Due to the due diligence conducted it has been determined that this site is <u>in compliance</u> with this factor. During the screening process it was determined that a Phase I ESA was not required to ensure the site is free hazardous materials, contamination, toxic chemicals and gasses, and radioactive substances.</p> <p>See the Contamination Report in the Supporting Documents section of this review.</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>Due to consultation and analysis a determination of “<i>No Effect</i>” has been reached for this project and it is <u>in compliance</u> with this factor. Additionally, the nearest Bald Eagle Nest is approximately 5 miles from the project location, considerably more than the 660 feet that requires additional compliance or mitigation.</p> <p>See Fish and Wildlife Consistency Letter, Clearance to Proceed, and Eagle Nest Map in the Supporting Documentation section of this document.</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>Due to the nature of this project it is <u>in compliance</u> with this factor. Per the statutes, executive orders, and regulations listed in 24 CFR 58.5 this factor only applies to projects that include new construction, rehabilitation where density is increased, and conversion of land use from non-residential to residential use. This project only includes activities classified as minor rehabilitation.</p> <p>See “Explosive and Flammable Hazards Worksheet” in the Supporting Documents section of this review.</p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Due to the location of this project it is <u>in compliance</u> with this factor. Per the statutes, executive orders, and regulations listed in 24 CFR 58.5 this factor only applies to projects located in an area that includes prime</p>

		<p>farmland, unique farmland, or land of statewide or local importance.</p> <p>See “Soil Map” in the Supporting Documents section of this review.</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Due to the location and nature of this project <u>it is in compliance</u> with this factor. The project is located in a 500-year Floodplain but is not a critical action.</p> <p>See “Flood Hazard FIRMette” and in the Supporting Documents section of this review</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Due to the location of this project it is <u>in compliance</u> with this factor. The project does not include in its area of potential effect:</p> <ul style="list-style-type: none"> • A property listed in, or eligible for listing in, the National Register of Historic Places • An historic district listed in, or eligible for listing in, the National Register of Historic Places • Compelling evidence of the high probability of archaeological resources eligible for listing in the National Register of Historic Places <p>See State Master File Correspondence, State Clearinghouse Correspondence, National Register of Historic Places Map, SHPO correspondence, and Tribal Consultation Checklist in the Supporting Documentation section of this document.</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Due to the nature of this project it is <u>in compliance</u> with this factor. Per the statutes, executive orders, and regulations listed in 24 CFR 58.5 this factor is only required when project activities include acquisition of land, conversion of land, or new construction.</p> <p>See “Noise Abatement and Control Worksheet” in the Supporting Documentation section of this document.</p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Due to a memorandum of understanding between HUD and the EPA, this project is <u>in compliance</u> with this factor. This project is located in the Biscayne Sole Source Aquifer,</p>

		<p>but the activities have been determined to have no impact on the aquifer.</p> <p>See Sole Source Aquifer Map and Memorandum of Understanding in the Supporting Documentation Section of this document.</p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Due to the location of this project it is <u>in compliance</u> with this factor. Project is not located in a wetland nor does it have any potential to effect wetlands outside of the project location.</p> <p>See National Wetlands Inventory Map in the Supporting Documentation Section of this document.</p>
<p>Wild and Scenic Rivers</p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Due to the location of this project it is <u>in compliance</u> with this factor. Project is located in Pembroke Pines, which does not include any Wild and Scenic Rivers, the state of Florida does not currently have any rivers currently being studied, and there are no rivers from the National River Inventory in the area.</p> <p>See the National Wild and Scenic Inventories Map, Study Rivers List, and National River Inventory in the Supporting Documentation section of this document.</p>
ENVIRONMENTAL JUSTICE		
<p>Environmental Justice</p> <p>Executive Order 12898</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Due to the nature of this project it is <u>in compliance</u> with this factor. Project activities do not include any activities that will have a negative impact on the environment of any residents.</p> <p>See the “Environmental Justice Worksheet” in the Supporting Documentation section of this document.</p>

Field Inspection (Date and completed by): Site inspection complete by City staff – Summer 2020

Summary of Findings and Conclusions: Project area is a public facility in regular use. There is no evidence of factors that would prevent this project from moving forward.

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
N/A	N/A

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: 11/13/20

Name/Title/Organization: Peter Neiger, ER Specialist, Civitas, LLC – pete.neiger@civitassc.com

Responsible Entity Agency Official Signature:

Date: 11/19/20

Name/Title: 

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).