



Legislation Details (With Text)

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Title: Resolution authorizing the Mayor and the Director of City Planning to enter into a Programmatic Agreement with the Federal Highway Administration, the Pennsylvania State Historic Preservation Officer, the Pennsylvania Department of Transportation, and the Sports & Exhibition Authority regarding the SR 0579 Section A10 Cap Project.

Sponsors:

Indexes: AGREEMENTS

Code sections:

Attachments: 1. Summary 2018-0742

Date	Ver.	Action By	Action	Result
8/6/2018	1	Mayor	Signed by the Mayor	
7/31/2018	1	City Council	Passed Finally	Pass
7/25/2018	1	Standing Committee	Affirmatively Recommended	Pass
7/24/2018	1	City Council	Waived under Rule 8	Pass
7/24/2018	1	City Council	Read and referred	

Resolution authorizing the Mayor and the Director of City Planning to enter into a Programmatic Agreement with the Federal Highway Administration, the Pennsylvania State Historic Preservation Officer, the Pennsylvania Department of Transportation, and the Sports & Exhibition Authority regarding the SR 0579 Section A10 Cap Project.

WHEREAS the Federal Highway Administration (“FHWA”) has provided a Transportation Investment Generating Economic Recovery (“TIGER”) grant to the Sports and Exhibit Authority of Pittsburgh (“SEA”) in conjunction with the construction of a “cap” over I-579 in the City of Pittsburgh, Allegheny County, Pennsylvania (“Cap Project”); and

WHEREAS, in conjunction with the Project, there has been a determination made that there is an above-ground historic property eligible for the National Register of Historic Places (NRHP) within the area of potential effects (“APE”); namely, the Mosaic Tunnel by Virgil Cantini (“the Mosaic Tunnel”); and

WHEREAS, the FHWA, pursuant to 36 CFR § 800.5(d)(2), has further determined that the Cap Project will have an adverse effect on the Mosaic Tunnel; and

WHEREAS, the FHWA has consulted with the Pennsylvania State Historic Preservation Officer (“SHPO”) in accordance with National Historic Preservation Act (NHPA), 16 U.S.C. Part 470, and its implementing regulations (36 CFR § 800) to resolve the effects of the undertaking on historic properties; and

WHEREAS, the purpose of this Programmatic Agreement (“PA”) is, *inter alia*, to enable FHWA to meet its responsibilities for undertakings pursuant to Section 106 and 110 of the National Historic Preservation Act (NHPA) 16 U.S.C. Section 470f; and

WHEREAS, the FHWA and the SHPO have invited The Pennsylvania Department of Transportation (“PennDOT”) to participate in the consultation and to sign the PA; and

WHEREAS, the FHWA and the SHPO have also invited the City of Pittsburgh (the “City”) and SEA to participate in the consultation and to sign the PA; and

WHEREAS, the City is committed to working with FHWA, SHPO, PennDOT and the SEA to implement the stipulations to be set forth in the PA.

NOW, THEREFORE, the FHWA and the SHPO agree that, upon the FHWA’s decision to proceed with the SR 579 CAP Project, the FHWA shall ensure that designated stipulations are implemented in order to take into account the effects of the Cap Project on the Mosaic Tunnel.

Be it resolved by the Council of the City of Pittsburgh as follows:

Section 1. The Mayor and the Director of the Department of City Planning Finance, on behalf of the City of Pittsburgh, are hereby authorized to enter into a Programmatic Agreement with FHWA, SHPO, PennDOT and the SEA. The Programmatic Agreement shall be in a form approved by the City Solicitor.

Section 2. To the extent that the Programmatic Agreement seeks to include costs to be borne by the City in relation to any proposed testing, storage, documentation of destruction, removal, or relocation of the Mosaic Tunnel, further authorization from City Council will be sought.