

**Soil Test
Right of Entry Application**

Urban Redevelopment Authority of Pittsburgh
("URA")

Dear Applicant:

You are applying to conduct a soil test at the lot and block(s) listed below ("Lot(s)").

Address of Lot(s): _____

Lot & Block #(s): _____

This "Right of Entry" Application ("Application"), once countersigned by the URA, will permit you to take a soil test from the Lot(s) ("Temporary Revocable License") as a pre-requisite to receiving a project agreement for the contemplated gardening activities you have proposed at the Lot(s). For your Application to be approved and the Temporary Revocable License is granted, you must agree to the following:

1. **SOIL TESTING:** You are required to conduct a preliminary soil test for contaminants including lead (at a minimum) on the Lot(s) at your own expense. The URA recommends such testing by an experienced laboratory, company, or individual as outlined in the "City of Pittsburgh Vacant Land Use Soil Policy". If you have a soil test conducted and the results indicate that the gardening activities you have planned are not appropriate you will be advised by the URA to find a different lot or remediation option.
2. You may use only the Lot(s) assigned to you, as identified above, and shall not damage, destroy, deface or injure any other property of the URA while performing your soil testing activities on the Lot(s).
3. After this Application is countersigned by the URA, the URA is granting you **one (1) day** permission to conduct a soil test at the Lot(s); the URA is not giving you any easements, rights or interests in its property other than a revocable temporary license to perform soil testing. Accordingly, you shall not record this Application or the Temporary Revocable License at any time in the office of Recorder of Deeds in and for the County of Allegheny, Commonwealth of Pennsylvania.
4. **NO WARRANTY OF FITNESS FOR ACTIVITIES/CONSUMPTION:** By permitting you to perform soil tests on the Lot(s), the URA is providing the Lot(s) in "as is" condition and is not providing any warranty as to the safety or fitness of the soil. You are responsible for ensuring the safety of yourself and others. You have agreed to perform soil testing on the Lot(s) in its/their current condition and have signed the Release and Indemnification attached hereto and incorporated herein.

5. All activities at the Lot(s) shall be performed at no cost to the URA. You shall be solely responsible for all costs, including labor and materials, in connection with your use of the Lot(s).
6. The URA reserves the right of entering the Lot(s) at any time for any lawful purpose.
7. Any license granted below is not transferable or assignable. Children under the age of 18 may NOT participate in soil testing activities.

If you understand and agree to these terms, the URA asks that you sign this Application and provide a copy of your soil test map and the attached Release and Indemnification to the URA. If your Application is approved, you will receive an email notification to perform your soil test containing a countersigned copy of this Application, which will be your License to perform the soil testing on the Lot(s) as described herein. ***Your Application will not be reviewed if it is incomplete.***

Name: _____ (Please print)

Signature: _____ Date: _____

Mailing Address: _____ Telephone: _____

_____ Email: _____

GRANT OF TEMPORARY REVOCABLE LICENSE: In consideration of the attached completed Application and signed Release and Indemnification form (which are both attached hereto and incorporated herein by reference) the URA grants to _____ a Right of Entry to conduct a soil test at _____ Lot & Block #(s): _____ **for [DATE].**

Approved by: _____ Date: _____

Tom Link
Chief Development Officer, URA



RELEASE AND INDEMNIFICATION (ADULT)

In exchange for the Urban Redevelopment Authority of Pittsburgh (“URA”) granting _____ (the “Licensee”) a Right of Entry to conduct a soil test on the assigned Lot(s) located at _____ Lot & Block #(s): _____ (the “Lot(s)”).

Licensee agrees to release the URA and its officers, servants, agents and employees and agrees to indemnify and hold the URA harmless of and from any and all claims, demands, damages, or actions of any kind that may result from Licensee’s activities on or around the Lot(s).

By signing this form, Licensee further agrees to release the URA and agrees to indemnify and hold the URA harmless of and from any and all claims, demands, damages, or actions of any kind that may result from injury to any equipment that Licensee owns while performing the soil test.

Licensee further acknowledges:

1. By permitting this use, the URA is providing the Lot(s) in “as is” condition and is not providing any warranty as to the safety or fitness of the soil or vegetables grown thereon for gardening activities and/or consumption. Licensee will be responsible for ensuring the safety of itself and any of its invitees.
2. Licensee hereby agrees to use its own medical and/or dental coverage in the event of any injury to Licensee.
3. The below signatory for Licensee is 18 years of age or older.
4. Under the 42 Pa.C.S. §§ 303, *et seq.*, also known as the Political Subdivision Tort Claims Act (“PSTCA”), the URA possesses broad immunities to liability. In the event that Licensee brings any legal action against the URA or a legal action is brought against the URA as a result of Licensee’s use of the Lot(s), the URA will accordingly rely on its immunities under the PSTCA, along with any other legal defenses available to it.

I have read and fully understand this Release and Indemnification.

Before witness, and intending to be legally bound, I set my hand this _____.

Name: _____

Signature: _____

Date: _____

Witness: _____

INSTRUCTIONS HOW TO PERFORM A SOIL TEST

Soil sampling and testing is a relatively quick and easy process to assess the health of the soil on a vacant lot. Several organizations can assist you; however, you can do it on your own by following these simple steps:

Determine the number of test areas

It may be helpful to test areas of the Lot(s) based on past usage, for example, where the garage or house used to be versus the backyard area. You may also consider separate tests for areas where there is a slope, drainage, different color, or past pest infestation, to give you more information about your site. At a minimum, the URA requires at least one soil test for each project. It is essential to make a note of how you are dividing your site so you can interpret your results later.

Collect your samples

Each area sample should be a mixture of soil from 10-12 separate samples taken randomly from your site. (See example below.) Use the form provided to keep track of where you took samples for future reference (and for your Application).

Make sure you sample randomly around your site like this:



Be sure to use a clean tool (trowel, shovel, core sampler, or bulb planter) and a clean container for your initial collection. (Galvanized tools contain zinc, which may affect your soil sample.) If contaminants are likely please wear gloves while handling the soil.

For each sample, pull back the top layer of grass to get to the bare soil. You want to take soil from 4-6" below the surface. Grab at least a golf-ball sized sample from each of the 10-12 random spots on your site to create your area sample. You should have at least one cup of soil for each area sample, so make sure you have plenty of soil to allow for drying and debris removal. Avoid sampling extremely wet soil.

Dry your samples

Place each of the individual samples in a clean container (pail, bucket, or bag) and mix the samples together. Spread the mixed sample onto newspaper, break up any clumps, and remove debris (rocks, glass, sticks, and other plant matter). Allow the sample to air-dry (do not use oven); this may take a few days.

Ship your samples

Once completely dry, place at least one cup of soil in a zip seal bag and label clearly with your name, address, and a sample ID (can be the lot and block number), according to the testing lab instructions. **The University of Massachusetts Amherst Soil Testing Lab** (<http://soiltest.umass.edu/>) **\$20 test** includes pH, exchangeable acidity, Modified Morgan extractable nutrients (P, K, Ca, Mg, Fe, Mn, Zn, Cu, B, S), **lead (Pb)**, and aluminum (Al), cation

exchange capacity, and base saturation, as well as crop specific lime and nutrient recommendations.

Allegheny County Conservation District has purchased equipment that reads the amount of heavy metals and contaminants in soil, and they **can test your soil for free**. There is an educational component to the grant that funded the equipment, so you'll have to be on site for the testing. To set up an appointment, you can contact Jon Burgess at the Allegheny County Conservation District, jburgess@accdpa.org or 412.291.8017.

Penn State Extension (<http://extension.psu.edu/allegheny/news/spotlight/penn-state-analytical-laboratories-test-your-soil-and-water>) also offers soil tests that include standard fertility tests, and separate tests for heavy metals. Whatever lab you use, you should make sure the test includes a full nutrient evaluation as well as heavy metals. **You MUST test for lead levels in order to use URA-owned land.**

Most labs offer to email the results to you. Please forward results to the URA.

NOTE: If this is a high risk area where there was likely dumping or other potentially dangerous contaminants, please write in the notes section of the form "questionable urban soil" so the lab workers can take the appropriate precautions.

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