

ENVIRONMENTAL ASSESSMENT

Determinations and Compliance Findings for HUD-Assisted Projects

24 CFR Part 58

Responsible Entity: New Jersey Department of Community Affairs (DCA), Richard Constable III, Commissioner

Applicant Name: Multiple (see List of Sites table in the Description of the Proposed Project)

Project Location: Multiple (see List of Sites table in the Description of the Proposed Project), City of Linden, Union County, New Jersey

Conditions for Approval [40 CFR 1505.2(c)]: (List all mitigation and project modification measures required by the Responsible Entity to eliminate or minimize adverse environmental impacts. These conditions must be included in project contracts and other relevant documents as required. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.)

General

1. Acquire all required federal, state and local permits prior to commencement of demolition and comply with all permit conditions.
2. If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for reevaluation under the National Environmental Policy Act.

Historic Preservation

3. Comply with the FEMA Best Practices for Lower Impact Debris Removal and Demolitions (see BA_Linden_LowerImpactDebrisRemovalDemolitions_BA_TO4001).

Endangered Species

4. Avoid tree removal from Sites 1 and 9 in Area A and Sites 39, 42 and 43 in Area B so as not to disturb potential habitat for the northern long-eared bat.

Noise

5. During the temporary demolition activities, outfit all equipment with operating mufflers.
6. During the temporary demolition activities, comply with the applicable local noise ordinance.

Air Quality

Project activities must meet the regulatory requirements of New Jersey's Air Rules and Air Pollution Control requirements (see BA_Linden_AirQualityMemo_BA_TO4001). In addition, the following must be met:

7. Use water or chemical dust suppressant in exposed areas to control dust.
8. Cover the load compartments of trucks hauling dust-generating materials.
9. Wash heavy trucks and construction vehicles before they leave the site.
10. Reduce vehicle speed on non-paved areas and keep paved areas clean.
11. Retrofit older equipment with pollution controls.

12. Establish and follow specified procedures for managing contaminated materials discovered or generated during demolition.
13. Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.
14. Obtain an air pollution control permit to construct and a certificate to operate for all equipment subject to N.J.A.C. 7:27-8.2(c). Such equipment includes, but is not limited to, the following:
 - a. Any commercial fuel combustion equipment rated with a maximum heat input of 1,000,000 British Thermal Units per hour or greater to the burning chamber (N.J.A.C. 7:27-8.2(c)1);
 - b. Any stationary storage tank for volatile organic compounds with a capacity of 2,000 gallons and a vapor pressure of 0.02 pounds per square inch or greater (N.J.A.C. 7:27-8.2(c)9);
 - c. Any tank, reservoir, container, or bin with capacity in excess of 2,000 cubic feet used for storage of solid particles (N.J.A.C. 7:27-8.2(c)10); and
 - d. Any stationary reciprocating engine with a maximum rated power output of 37 kW or greater, used for generating electricity, not including emergency generators (N.J.A.C. 7:27-8.2(c)21).(Note: One or two family dwellings and dwellings of six or less family units, one of which is owner occupied, are exempt pursuant to NJSA 26:2C-9.2.)
15. Minimize idling and ensure that all on-road vehicles and non-road construction equipment operated at or visiting the project site comply with the applicable smoke and “3-minute idling” limits (N.J.A.C. 7:27-14.3, 14.4, 15.3 and 15.8).
16. Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (<15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 86, 89, 94, 1039, 1051, 1065, 1068).
17. Operate, if possible, newer on-road diesel vehicles and non-road construction equipment equipped with tier 4 engines, or equipment equipped with an exhaust retrofit device.

Wetland Protection, Erosion, Drainage/Storm Water Runoff, and Surface Water

18. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters and to prevent erosion in onsite and offsite wetlands and surface waters.
19. Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.
20. If practicable, auxiliary structures and enclosures, such as sheds and fences, should be removed by hand for sites with wetlands present (i.e. within 20 feet).
21. Do not remove or damage vegetation growing in wetlands.
22. Do not operate heavy equipment in wetlands.
23. Reestablish vegetation on exposed soil as soon as possible.

Hazardous Materials and Solid Waste Disposal/Recycling

24. All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the following:
 - a. National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145
 - b. National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150
 - c. NJAC 7:26-2.12—Generator requirements for disposal of asbestos containing waste materials
 - d. New Jersey Asbestos Control and Licensing Act, N.J.S.A. 34:5A-32 et seq.

- 25. Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g. asbestos, lead-based paint) or household waste (e.g. construction and demolition debris, pesticides/herbicides, white goods).
- 26. All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to HUD's lead-based paint regulations in 24 CFR Part 35 Subparts B, H, and J.

FINDING:

Finding of No Significant Impact (FONSI) [24 CFR 58.40(g)(1); 40 CFR 1508.27]

(The project will not result in a significant impact on the quality of the human environment.)

Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]

(The project may significantly affect the quality of the human environment.)

CERTIFICATIONS:

Vanessa Macwan, CDM Smith
Preparer Name and Agency


Preparer Signature

November 6, 2014
Preparer Completion Date

Richard Constable, III
RE Certifying Officer Name

RE Certifying Officer Signature

RE CO Signature Date

Funding Information:

Grant Number	HUD Program	Funding Amount
B-13-DS-34-0001	Blue Acres Acquisition Program	\$12,900,000

Estimated Total HUD Funded Amount:

The estimated total HUD funded amount is \$12,900,000.

Estimated Total Project Cost [24 CFR 58.32(d)]: (HUD and non-HUD funds)

The estimated total project cost is \$12,900,000.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The State of New Jersey was included in the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) program pursuant to the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013). In October 2012, Superstorm Sandy made landfall over the New Jersey coast. The City of Linden suffered substantial real estate damage due to flood and storm damage. The purpose of the proposed project is to reduce the number of people affected by future flooding and storm events in the City of Linden. The proposed project will provide an urgent need to allow the property owners the opportunity to move to safe and livable housing outside of flood-prone areas.

Description of the Proposed Project [24 CFR 50.12 & 58.32, 40 CFR 1508.25]: (Include all contemplated actions that are logically either geographically or functionally a composite part of the project, regardless of the source of funding. As appropriate, attach maps, site plans, renderings, photographs, budgets, and other descriptive information.)

Project type: Acquisition and demolition of housing

Project description: The proposed project would acquire residential properties on a voluntary basis and demolish, remove, and dispose of all man-made features on the properties, such as dwellings, foundations, sheds, garages, fences, and driveways. The properties would be graded and left in a stabilized condition (i.e., grass growth covering the property). The acquired properties would be permanently preserved as open space and serve as natural buffers against future storms and floods.

The proposed project would be located at 43 residential properties in the City of Linden in Union County. Thirty-eight of the properties are inland near Marshes Creek and five properties are inland near Morses Creek. To aid in the identification and mapping of the proposed activity sites, each site was assigned a unique Site ID. References to specific sites throughout this document and on attached maps will be made using the assigned Site ID. Two distinct clusters of sites are part of the proposed project and sites are further distinguished from each other based on the cluster that they fall into. The clusters are identified as Area A and Area B. The general location map shows the location of the assigned areas and the site location maps show the location of each proposed activity site with its assigned Site ID (see

BA_Linden_GeneralLocationMap_BA_TO4001 and BA_Linden_SiteLocationMaps_BA_TO4001). The following List of Sites table identifies the area, site ID, owner, address, block, and lot of each proposed activity site that is part of the proposed project.

List of Sites				
Site ID	Owner	Address	Block	Lot(s)
Area A				
1	Pawel & Zuzana Zuraw	2604 Parkway Avenue	582	2
2	Kishiram & Pammy Sanichar	2608 Parkway Avenue	582	3
3	Alexandra Falto & Nannette Carrion	2612 Parkway Avenue	582	4
4	Damian Joseph	2703 Parkway Avenue	576	7
5	Manual & Aida Gonzalez	2702 Parkway Avenue	579	1
6	Ramon & Fatima Sosa	2706 Parkway Avenue	579	2
7	Saint Jean & Marie Leneus	2710 Parkway Avenue	579	3
8	Edwin & Grace Moore	2714 Parkway Avenue	579	4
9	John Jr. & Linda Sheehy	310 Madison Street	582	6
10	Joseph & Dorothy Tomaszewski	321 Madison Street	579	10
11	Helen Van Hart	327 Madison Street	579	9
12	John Jr. & Margaret Hreha	331 Madison Street	579	8
13	Joyce Sheehy	335 Madison Street	579	7
14	Frederick Cowell	345 Madison Street	579	6
15	Jose & Sara Vasquez	314 Madison Street	582	7
16	Martha Bembem	324 Madison Street	582	9
17	Lauelle & Zenobia Saunderson	330 Madison Street	582	10
18	Allen & Dolores Kharledah	332 Madison Street	582	11
19	Anthony & Loretta Piercy	336 Madison Street	582	12
20	Luis & Luz Bazan	338 Madison Street	582	13
21	Genevieve Gliszczynski	344 Madison Street	582	14
22	Carol Thomas	350 Madison Street	582	15
23	William & Lorraine Telesco	239 Main Street	582	17
24	Michael & Carol Minarchenko	235 Main Street	582	18.1
25	Jorge Morales	233 Main Street	582	18.2
26	Mary Ann DiCicco & Anna O'Neill	229 Main Street	582	19
27	Ariel Pietroni	234 Arthur Street	582	32
28	Janusz & Barbara Debicka	226 Arthur Street	582	30
29	Iberty Nivar	235 Arthur Street	582	33
30	James & Jayne Zicaro	231 Arthur Street	582	34
31	Antonio & Maria Cruz	225 Arthur Street	582	35
32	Glenn Kocinski	232 Irene Street	582	49
33	Glenn Kocinski	230 Irene Street	582	48
34	Leonard & Jean Kostak	226 Irene Street	582	47
35	Edilberto Garcia	220 Irene Street	582	46
36	Arnold & Araseliz Tavarez	231 Irene Street	582	50

37	Ricardo & Marcos Ocampo	227 Irene Street	582	51
38	Damiusz & Anna Zelinska	221 Irene Street	582	52
Area B				
39	Sherleine Jenkins	1400 Clinton Street	535	4, 3
40	Mary Zglobicki	1412 Emma Place	529	11
41	Humberto Torrao & Elizabeth Ocampo	1408 Emma Place	529	10
42	Michael & Lauren Oliveira	1409 Emma Place	524	44
43	James & Marylynne Sporer	1319 Emma Place	524	48

Existing Conditions and Trends [24 CFR 58.40(a)]: (Describe the existing conditions of the project area and its surroundings, and the trends likely to continue in the absence of the project.)

The project areas are in residential neighborhoods. Area A is inland near Marshes Creek and Area B is inland near Morses Creek. The homes proposed for buyout were damaged as a result of Superstorm Sandy in October 2012 and are within a flood-prone area. In the absence of the proposed project, the home sites will continue to remain at risk for future flooding and damage.

PART I: STATUTORY CHECKLIST [24 CFR 50.4, 24 CFR 58.5]

DIRECTIONS – For each authority, check either Box “A” or “B” under “Status.”

“A box” The project is in compliance, either because: (1) the nature of the project does not implicate the authority under consideration, or (2) supporting information documents that project compliance has been achieved. In either case, information must be provided as to WHY the authority is not implicated, or HOW compliance is met; OR

“B box” The project requires an additional compliance step or action, including, but not limited to, consultation with or approval from an oversight agency, performance of a study or analysis, completion of remediation or mitigation measure, or obtaining of license or permit.

IMPORTANT: Compliance documentation consists of verifiable source documents and/or relevant base data. Appropriate documentation must be provided for each law or authority. Documents may be incorporated by reference into the ERR provided that each source document is identified and available for inspection by interested parties. Proprietary material and studies that are not otherwise generally available for public review shall be included in the ERR. Refer to HUD guidance for more information.

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & §58.5	STATUS		Compliance Documentation
	A	B	
<p>1. Air Quality [Clean Air Act, as amended, particularly sections 176(c) & (d), and 40 CFR 6, 51, 93]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project is in compliance. The proposed project is in Union County, which is listed as being in nonattainment or maintenance for five National Ambient Air Quality Standards (NAAQS) by the U.S. Environmental Protection Agency (USEPA). Union County is listed as being in moderate nonattainment of the 1997 8-hour ozone standard and in marginal nonattainment of the 2008 8-hour ozone standard. Union County is listed as being in maintenance of the 1997 and 2006 PM-2.5 standard and the carbon monoxide standard. NAAQS maps are provided as attachment BA_Linden_AirQualityMaps_BA_TO4001.</p> <p>In a memorandum dated January 23, 2014 from the New Jersey Department of Environmental Protection (NJDEP) Division of Air Quality, residential and commercial construction activities associated with CDBG-DR efforts are well below de minimus thresholds and are presumed to conform to the State Implementation Plan (SIP). The memorandum further states that compliance with the regulatory requirements of New Jersey’s Air Rules and the State’s Air Pollution Control requirements continue to remain in effect. Although the memorandum references the Reconstruction, Rehabilitation, Elevation and Mitigation (RREM) and the Landlord Rental Repair (LRR) residential programs, the memorandum also applies to the proposed project. The proposed project would demolish homes and convert residential properties to permanent open space. Therefore, the proposed project would conform to the SIP and meet the requirements stated in the NJDEP Division of Air Quality memorandum (see BA_Linden_AirQualityMemo_BA_TO4001).</p> <p>Source: USEPA, Green Book, National Area and County-Level Multi-Pollutant Information, http://www.epa.gov/airquality/greenbook/multipol.html</p>

<p>2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project is in compliance. The proposed project area is, at its closest, approximately four miles from Newark Liberty International Airport and approximately 80 miles from Atlantic City International Airport (see BA_Linden_AirportHazardsMap_BA_TO4001). Lakehurst Naval Air Station is the only military airport of concern in New Jersey. The proposed project area is approximately 35 miles from this military airport.</p> <p>Sources: NJDEP HUD Environmental Review Tool 2.1; aerial imagery accessed in Google™ Earth Pro</p>
<p>3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project is in compliance. Sites 1-38 in Area A are located within the Upland Waterfront Development Zone (see BA_Linden_CoastalZoneManagementActMaps_BA_TO4001). Sites 39-43 in Area B are located outside a coastal zone management area. The proposed project was submitted to the NJDEP Department of Land Use Regulation (DLUR) for a jurisdictional determination. In a letter dated September 11, 2014, the DLUR made the following determinations:</p> <ul style="list-style-type: none"> • A Waterfront Development permit is not required and the proposed project is exempt from the Waterfront Development provisions pursuant to N.J.A.C. 7:7-2.3(d)3. • A CAFRA permit is not required and the proposed project does not meet the definition of a “development” in a CAFRA area pursuant to N.J.A.C. 7:7-1.3. • A Coastal Wetlands permit is not required. <p>A copy of the letter is provided as attachment BA_Linden_CoastalJurisdictionalDetermination_BA_TO4001. The letter further states that the jurisdictional determination does not relieve the applicant of the responsibility of obtaining any other required State, Federal or local permits or approvals as required by law.</p> <p>Source: NJDEP HUD Environmental Review Tool 2.1</p>
<p>4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The proposed project is in compliance. The proposed activity sites may be within the 3,000-foot radius of a hazardous waste cleanup site, landfill, solid waste cleanup site or hazardous waste facility that handles hazardous materials or toxics substances, however, all sites that were determined by NJDEP to be “non-threatening” to the potential HUD project are not depicted as a hazardous site of concern on the NJDEP HUD Environmental Review Tool 2.1. Only sites determined to be “threatening” by the NJDEP are depicted on the tool. All proposed activity sites are within the 3,000-foot radius of a “threatening” site (see BA_Linden_ToxicHazardousandRadioactiveSubstancesMaps_BA_TO4001). The “threatening” sites are Stefanick John (Site ID 55565), EXXON Service Station #38556 (Site ID 915), and CITGO Service Station (Site ID 936). An email and spreadsheet provided by Kim McEvoy of NJDEP on August 21, 2014, indicate that NJDEP has found the Stefanick John, EXXON Service Station #38556, and CITGO Service Station sites to be in substantial compliance with NJDEP regulations, and that NJDEP therefore considers them under control and not a threat to the proposed activity sites (see BA_Linden_ToxicsResponse_BA_TO4001).</p> <p>The proposed activity sites are not listed on a State or Federal hazardous waste sites database.</p>

		<p>Site reconnaissance, conducted by Sadat Associates on September 29, 2014 and September 30, 2014, revealed no visible recognized environmental conditions (RECs) on or in the vicinity of the proposed activity sites. A photo log for each proposed activity site is provided as attachment BA_Linden_SiteInspectionPhotologs_BA_TO4001.</p> <p>Asbestos is of concern if a structure was constructed prior to 1980 and lead-based paint is of concern if a structure was constructed prior to 1978. Based on the age of construction, the homes on sites 1-6, 9-31, and 33-35 in Area A and sites 39-43 in Area B may contain asbestos and lead-based paint (see BA_Linden_HazardousMaterialsConcernList_BA_TO4001). Contractors must determine if these toxics are present. If present, these toxics must be addressed in accordance with all applicable federal, state, and local laws and regulations.</p> <p>The proposed project is exempt from radon consideration because the proposed project does not involve structures intended for human habitation. The proposed project would demolish homes and convert residential properties to permanent open space. Therefore, a radon map is not needed as additional supporting documentation.</p> <p>Source: NJDEP HUD Environmental Review Tool 2.1</p>
<p>5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project is in compliance. The NJDEP HUD Environmental Review Tool 2.1 centroids for the proposed activity sites did not indicate the presence of any threatened and endangered species. None of the proposed activity sites intersect with the red knot or piping plover threatened and endangered species layers (see BA_Linden_ThreatenedandEndangeredSpeciesMaps_BA_TO4001). Sites 1 and 9 in Area A intersect with the bats threatened and endangered species layer. Although sites 39, 42, and 43 in Area B are adjacent to the bats threatened and endangered species layer, they do not intersect the layer and were therefore not further evaluated. A request for a threatened and endangered species review was submitted to the NJDEP Endangered and Nongame Species Program (ENSP). In an e-mail response dated August 25, 2014, the ENSP determined that the proposed activities at sites will not affect the northern long-eared bat since tree removal will not occur. Although trees are present at proposed activity sites, demolition activities would be confined to the developed areas of the sites and would not impact trees that may be potential habitat for the northern long-eared bat. ENSP correspondence is provided as attachment BA_Linden_ENSPResponse_BA_TO4001.</p> <p>A request for a Natural Heritage Program (NHP) database review was submitted to the NJDEP Office of Natural Lands Management. In a letter dated August 29, 2014, the NHP provided tables showing the data request search results. No rare plant species or ecological communities were found to be present on any of the proposed activity sites. Several animal species based patches were found on the proposed activity sites and in the vicinity. The proposed project would not affect any of the identified species. The NJDEP HUD Environmental Review Tool 2.1 centroids for the proposed activity sites did not indicate the presence of any threatened</p>

		<p>and endangered species. A copy of the letter is provided as attachment BA_Linden_NHPReponse_BA_TO4001.</p> <p>The U.S. Fish and Wildlife Service (USFWS) Information, Planning, and Conservation System (IPaC) was consulted to obtain a preliminary USFWS species list for the proposed activity sites. No Endangered Species Act species were listed, but there were USFWS listed migratory birds (see BA_Linden_USFWS_IPaC_BA_TO4001). The NJDEP HUD Environmental Review Tool 2.1 centroids for the proposed activity sites did not indicate the presence of threatened and endangered species.</p> <p>Sources: NJDEP HUD Environmental Review Tool 2.1; USFWS, Information, Planning, and Conservation (IPaC) System, http://ecos.fws.gov/ipac/</p>
<p>6. Environmental Justice [Executive Order 12898]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project is in compliance. Primarily, more than 40 percent of the population within the proposed project areas and their vicinity is considered minority; however the area to the immediate south of Area A has a minority population of less than 10 percent. Primarily, less than 10 percent of the population within the project areas and their vicinity is living below the poverty threshold. However, 10-20 percent of the population within a portion of Area B and the area to its south and west live below the poverty threshold (see BA_Linden_EnvironmentalJusticeMaps_BA_TO4001). As indicated by the other sections of this environmental assessment, the proposed project would have no significant adverse environmental impacts. The proposed project would therefore have no significant disproportionate adverse environmental impact on minority and low-income residents of the proposed project areas (see BA_Linden_EnvironmentalJusticeChecklist_BA_TO4001).</p> <p>Source: USEPA, EJView, http://epamap14.epa.gov/ejmap/entry.html</p>
<p>7. Explosive and Flammable Operations [24 CFR 51C]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project is in compliance. HUD’s restrictions on siting of HUD-assisted projects near hazardous operations do not apply to demolition and removal projects (see 24 CFR 51.200 and the definition of “HUD-assisted project” in 24 CFR 51.201). Therefore, these restrictions do not apply to this proposed project.</p>
<p>8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly section 1504(b) & 1541; 7 CFR 658]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project is in compliance. Several of the proposed activity sites are on soils classified as farmland of unique importance (see BA_Linden_FarmlandProtectionMaps_BA_TO4001). However, these sites are previously developed residential properties. The proposed project would acquire residential properties, demolish the structures on these properties, and convert these properties to permanent open space. Therefore, there would be no effect on farmland.</p>
<p>9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project is in compliance. All proposed activity sites are within an A floodplain zone as shown on Federal Emergency Management Agency (FEMA) preliminary Flood Insurance Rate Maps (FIRMs) (see BA_Linden_FloodplainManagementMaps_BA_TO4001). Per 24 CFR 55.12(c)(3), the 8-step floodplain decision making process does not apply to property buyout projects such as the proposed project.</p> <p>The proposed project was submitted to the NJDEP DLUR for a jurisdictional determination. In a letter dated September 11, 2014, the DLUR determined that the proposed project appears to meet the</p>

			<p>requirements of a permit-by-rule pursuant to N.J.A.C. 7:13-7.2(b)2 and therefore would not require a Flood Hazard Area permit. A copy of the letter is provided as attachment BA_Linden_CoastalJurisdictionalDetermination_BA_TO4001.</p> <p>Source: NJDEP HUD Environmental Review Tool 2.1</p>
<p>10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The proposed project is in compliance. All proposed activity sites are outside the historic property exemption zone (see BA_Linden_HistoricPreservationExemptionZoneMaps_BA_TO4001). Field evaluations were completed and a determination that historically significant properties would not be affected by the proposed project was made. Additionally, significant ground disturbance to archaeologically sensitive locations would not occur provided that the FEMA Best Practices for Lower Impact Debris Removal and Demolitions are adhered to. The proposed project was submitted to the NJDEP Historic Preservation Office requesting concurrence with a no adverse effect determination. In a response received October 29, 2014, the Deputy State Historic Preservation Officer concurred with a finding that there are no historic properties affected within the proposed project's area of potential effects. A copy of the response is provided as attachment BA_Linden_SHPOResponse_BA_TO4001. The proposed project must comply with the FEMA Best Practices for Lower Impact Debris Removal and Demolitions (see BA_Linden_LowerImpactDebrisRemovalDemolitions_BA_TO4001).</p> <p>Source: NJDEP HUD Environmental Review Tool 2.1</p>
<p>11. Noise Abatement and Control [Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR 51B]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project is in compliance. HUD standards for noise exposure do not apply to acquisition and demolition projects such as the proposed project because they are not noise sensitive uses (24 CFR 51.101).</p> <p>Demolition noise will be a temporary impact that will be controlled by best management practices (BMPs). Demolition noise will be within applicable city, state and federal codes. Thus, demolition noise is not expected to have an impact to the project or surrounding areas.</p>
<p>12. Sole Source Aquifers [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project is in compliance. The proposed activity sites are outside a sole source aquifer (see BA_Linden_SoleSourceAquiferMap_BA_TO4001). The proposed project would not impact a sole source aquifer.</p> <p>Source: NJDEP HUD Environmental Review Tool 2.1</p>
<p>13. Wetland Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The proposed project is in compliance. A review of USFWS's National Wetlands Inventory (NWI) Online Mapper, a web-based application tool that draws wetland data from the National Spatial Data Infrastructure, was conducted to identify the location of NWI wetlands on or adjacent to the proposed activity sites. In addition to the NWI review, site photographs, aerial imagery, and site inspection reports for each site were reviewed to determine the presence or absence of wetlands.</p> <p>For sites in Area A, NWI and NJDEP-HUD (NJDEP HUD Environmental Review Tool 2.1) mapping indicates the presence of estuarine, intertidal emergent wetlands along the north and south banks of Marshes Creek</p>

	<p>(see BA_Linden_WetlandProtectionMaps_BA_TO4001). The emergent wetlands are irregularly flooded (i.e. less often than daily) and have been diked and impounded due to an earthen berm that parallels Marshes Creek and obstructs the natural flow of water. The wetlands to the north of Marshes Creek and the earthen berm, closest to the sites of Area A, appear to be dominated by <i>Phragmites australis</i>, a perennial invasive grass. The wetlands to the south of Marshes Creek appear to consist primarily of native, persistent herbaceous species.</p> <p>Review of aerial imagery and site records confirms the presence of these emergent wetlands and indicates wetland areas extend beyond mapped areas. A narrow band of emergent and scrub-shrub wetlands exist along a drainage ditch beginning south of site 16 and flowing west to east before reaching the mapped emergent wetlands north of the berm. Emergent wetlands also extend farther to the north than what is mapped, into areas south of sites 27, 29, and 32 and east of sites 36, 37, and 38.</p> <p>For sites in Area B, NWI mapping does not indicate any vegetated wetlands, and only notes the presence of open water habitats associated with Morses Creek. However, NJDEP-HUD mapping records the presence of vegetated wetlands along the north and south banks of Morses Creek where it bends to the south (see BA_Linden_WetlandProtectionMaps_BA_TO4001). Review of aerial imagery and site records confirms the presence of these wetlands and indicates the forested wetland extends farther to the west than what is mapped. The wetlands are palustrine forested wetlands consisting of mature trees, and provide a riparian buffer for Morses Creek. A summary of wetland presence and the proximity of wetlands to proposed activity sites are provided as tables in BA_Linden_WetlandTables_BA_TO4001.</p> <p>The potential for wetland impacts exists for work conducted on sites in Area A and Area B, particularly those sites closest to wetland areas. Sites within 150 feet of wetlands are considered adjacent and require further discussion and evaluation. Wetlands are considered present on a site if they exist within 20 feet of site boundaries. Sites located greater than 150 feet from wetlands are considered far enough away that wetland impacts are unlikely and unexpected.</p> <p>The following summarizes wetland locations for Area A and Area B:</p> <p><u>Area A (38 sites)</u> Wetlands Present – 11 sites Wetlands Adjacent – 11 sites No Wetlands – 16 sites</p> <p><u>Area B (5 sites)</u> Wetlands Present – 0 sites Wetlands Adjacent – 1 site No Wetlands – 4 sites</p> <p>Though 23 sites are within 150 feet of a wetland, per 24 CFR 55.12(c)(3), 24 CFR Part 55 <i>Floodplain Management and Protection of Wetlands</i> does not apply as the proposed activity would involve the acquisition of these properties, the clearance of all existing structures and related</p>
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		<p>improvements, and the permanent preservation of these sites as open space.</p> <p>For those sites with wetlands present and wetlands adjacent, BMPs and mitigation measures should be implemented to avoid, minimize or compensate for potential wetland impacts, including erosion and sediment control and wetland protection measures. These can include, but are not limited to:</p> <ul style="list-style-type: none"> • Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters and to prevent erosion in onsite and offsite wetlands and surface waters • Minimize soil compaction by minimizing project activities in vegetated areas, including lawns. • If practicable, auxiliary structures and enclosures, such as sheds and fences, should be removed by hand for parcels with wetlands present (i.e. within 20 feet) • Do not remove or damage vegetation growing in wetlands • Do not operate heavy equipment in wetlands • Reestablish vegetation on exposed soil as soon as possible <p>Source: USFWS, NWI Wetlands Mapper, http://www.fws.gov/wetlands/data/mapper.HTML</p>
<p>14. Wild and Scenic Rivers [Wild and Scenic Rivers Act of 1968, particularly section 7(b) & (c); 36 CFR 297]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project is in compliance. The proposed project area is not near any designated wild and scenic river. The proposed project area is approximately 32 miles from the designated segment of the Musconetcong River, approximately 40 miles from the designated segment of the Lower Delaware River, approximately 50 miles from the designated segment of the Middle Delaware River, and approximately 75 miles from the designated segment of the Great Egg Harbor River (see BA_Linden_WildandScenicRiversMap_BA_TO4001).</p> <p>Sources: NJDEP HUD Environmental Review Tool 2.1; National Wild and Scenic Rivers System, Explore Designated Rivers, New Jersey http://www.rivers.gov/new-jersey.php</p>

PART II: ENVIRONMENTAL ASSESSMENT CHECKLIST

[24 CFR 58.40; 40 CFR 1508.8 & 1508.27]

For each impact category, evaluate the significance of the effects of the proposal on the character, features, and resources of the project area. Enter relevant base data and credible, verifiable source documentation to support the finding. Note names, dates of contact, telephone numbers, and page references. Attach additional material as appropriate. **All conditions, attenuation, or mitigation measures have been clearly identified.**

Impact Codes:

- (1) no impact anticipated
- (2) potentially beneficial
- (3) potentially adverse- requires documentation
- (4) requires mitigation
- (5) significant/potentially significant adverse impact requiring avoidance or modification which may require an Environmental Impact Statement

Impact Categories	Impact Code	Impact Evaluation, Source Documentation and Mitigation or Modification Required
Land Development		
Conformance with Comprehensive and Neighborhood Plans	1	The City of Linden operates under an adopted master plan, a comprehensive long-range plan designed to guide the city's growth and development. The proposed project is consistent with the plan.
Land Use Compatibility and Conformance with Zoning	1	The open space created by removing homes would be compatible with remaining homes and the removal of homes would not have an urbanizing effect. The acquired properties would be permanently preserved as open space.
Urban Design- Visual Quality and Scale	2	The proposed project would acquire and demolish homes that have been flooded and damaged by Superstorm Sandy. The proposed project would create permanent open space and improve visual quality by removing damaged homes.
Slope	1	The proposed project areas do not contain steep slopes and the proposed project would not create steep slopes. The stability of the project areas would not be a concern for the proposed project.
Erosion	4	The proposed project has the potential to cause erosion. BMPs must be implemented to minimize erosion and sedimentation (see Conditions for Approval).
Soil Suitability	1	Soil suitability is not a significant factor for the acquisition of properties and demolition of structures.
Hazards and Nuisances, Including Site Safety	2	Residents of the proposed activity sites are currently exposed to hazards associated with living in the floodplain. The proposed project would help residents move out of a flood and storm affected area.

Drainage/Storm Water Runoff	4	The proposed project would create the potential for stormwater runoff to cause erosion and sedimentation. BMPs would be required to minimize erosion and sedimentation (see Conditions for Approval).
Noise-Effects of Ambient Noise on Project & Contribution to Community Noise Levels	4	There would be temporary, unavoidable increases in noise levels at nearby residences during the demolition of structures. Noise impacts would be mitigated to the greatest extent feasible (see Conditions for Approval). The completed project would not generate noise.
Energy Consumption	1	The proposed project would not consume a significant amount of energy, except for a typical amount during the demolition. Energy consumption would be reduced in the proposed project areas since the residential properties would be permanently preserved as open space.
Socioeconomic Factors		
Demographic Character Changes	1	The proposed project would shift population away from a flood and storm affected area, but would not cause a significant change in the characteristics of the population.
Displacement	1	The proposed project would allow property owners to plan for residential stability outside a flood and storm affected area. Participation in the Blue Acres buyout program is voluntary and pre-flood fair market value would be offered for the properties.
Employment and Income Patterns	1	The proposed project would have no effect on employment and income patterns in the proposed project areas.
Community Facilities and Services		
Educational Facilities	1	<p>Since the residential properties would be permanently converted to open space, the proposed project would likely reduce the demand for educational facilities. The proposed project would not interfere with delivery of educational services. The nearest educational facility is School No. 2, a Pre-K through 5th Grade school, located at 1700 S. Wood Avenue, approximately 0.2 miles southwest of the sites in Area B and approximately 0.6 miles northwest of the sites in Area A.</p> <p>Sources: Linden Public Schools, http://www.linden.k12.nj.us/; aerial imagery accessed in Google™ Earth Pro</p>
Commercial Facilities	1	<p>Since the residential properties would be permanently converted to open space, the proposed project would likely reduce the demand for commercial facilities. The proposed project would not interfere with operation of commercial facilities. The nearest commercial facility to the Area A sites is MSGR Komar Hall, an event catering company, located at 2806 Parkway Avenue, adjacent to the proposed activity sites. The nearest commercial facilities to the Area B sites are corner stores at the intersection of S. Wood Avenue and 12th Street, approximately 0.1 miles northwest.</p> <p>Source: Aerial imagery accessed in Google™ Earth Pro</p>

Health Care	1	<p>Since the residential properties would be permanently converted to open space, the proposed project would likely reduce the demand for health care. The proposed project would not interfere with delivery of health care. The nearest hospitals to the proposed project areas are Robert Wood Johnson University Hospital, located at 865 Stone Street, Rahway, approximately 3 miles west of Area A and Trinitas Regional Medical Center, located at 225 Williamson Street, Elizabeth, approximately 2.5 miles northeast of Area B.</p> <p>Source: Aerial imagery accessed in Google™ Earth Pro</p>
Social Services	1	<p>Since the residential properties would be permanently converted to open space, the proposed project would likely reduce the demand for social services. The proposed project would not interfere with delivery of social services. Social services are provided through the City of Linden Social Services Department. The department is located at 605 S. Wood Avenue, approximately 0.4 miles northwest of the proposed project areas.</p> <p>Sources: City of Linden, http://www.linden-nj.org/; aerial imagery accessed in Google™ Earth Pro</p>
Solid Waste Disposal/Recycling	4	<p>The proposed project would generate demolition debris, but would not increase long-term generation of solid waste. Homes may contain asbestos and lead-based paint. These hazardous materials, as well as construction and demolition debris, must be handled and disposed of in accordance with applicable federal, state, and local laws and regulations (see Conditions for Approval).</p>
Waste Water/Sanitary Sewers	1	<p>The proposed project would not affect the wastewater collection, treatment, and disposal system. The residential properties would be permanently preserved as open space and therefore lower the demand for wastewater services in the proposed project areas.</p>
Water Supply	1	<p>The proposed project would not consume an unusual quantity of water and would not affect the water supply system. The residential properties would be permanently preserved as open space and therefore lower the demand for water in the proposed project areas.</p>
Public Safety: <ul style="list-style-type: none"> • Police • Fire • Emergency Medical 	1	<p>Since the residential properties would be permanently converted to open space, the proposed project would likely reduce the demand for public safety services such as police, fire, and emergency medical in the proposed project areas.</p>
Parks, Open Space & Recreation: <ul style="list-style-type: none"> • Open Space • Recreation 	2	<p>The proposed project would create additional open space in the proposed project areas.</p>
Cultural Facilities	1	<p>The proposed project would not affect any cultural facility.</p>
Transportation & Accessibility	1	<p>The proposed project would not generate significant traffic, create a significant additional demand for transportation services, or interfere with transportation.</p>
Natural Features		
Water Resources	1	<p>The proposed project would not involve significant water withdrawals and would not have a significant effect on water resources.</p>

Surface Water	4	The proposed project would create the potential for stormwater runoff to cause erosion and sedimentation. BMPs would be required to minimize erosion and sedimentation (see Conditions for Approval).
Unique Natural Features & Agricultural Lands	1	The proposed activity sites are in residential neighborhoods and the proposed project would not affect agricultural lands. There are no unique natural features on or in the vicinity of the proposed activity sites.
Vegetation and Wildlife	2	The proposed activity sites are residential properties and vegetation is limited to grass, scattered trees, and conventional landscaping. After demolition, the created open space could serve as additional habitat for wildlife.

PART III: 58.6 CHECKLIST [24 CFR 50.4, 24 CFR 58.6]

1. AIRPORT RUNWAY CLEAR ZONES AND CLEAR ZONES NOTIFICATION [24 CFR Part 51.303(a)(3)]

Does the project involve the sale or acquisition of property located within a Civil Airport Runway Clear Zone or a Military Airfield Clear Zone?

No. Cite or attach Source Documentation:

The proposed project is in compliance. The proposed project area is, at its closest, approximately four miles from Newark Liberty International Airport and approximately 80 miles from Atlantic City International Airport (see BA_Linden_AirportHazardsMap_BA_TO4001). Lakehurst Naval Air Station is the only military airport of concern in New Jersey. The proposed project area is approximately 35 miles from this military airport.

[Project complies with 24 CFR 51.303(a)(3).]

Yes. Notice must be provided to the buyer. The notice must advise the buyer that the property is in a Runway Clear Zone or Clear Zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information, and a copy of the signed notice must be maintained in the ERR.

2. COASTAL BARRIERS RESOURCES ACT [Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)]

Is the project located in a coastal barrier resource area?

No. Cite or attach Source Documentation:

The proposed project is in compliance. The proposed activity sites are located outside a coastal barrier resource area (see BA_Linden_CoastalBarrierResourcesMaps_BA_TO4001).

[Proceed with project.]

Yes. Federal assistance may not be used in such an area.

3. FLOOD DISASTER PROTECTION ACT [Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 (42 USC 4001-4128 and 42 USC 5154a)]

Does the project involve acquisition, construction, or rehabilitation of structures located in a FEMA-identified Special Flood Hazard Area (SFHA)?

No. Cite or attach Source Documentation:

[Proceed with project.]

Yes. Cite or attach Source Documentation:

The proposed project involves the acquisition and demolition of homes located in the 100-year floodplain as shown on the FEMA preliminary FIRMS (see BA_Linden_FloodplainManagementMaps_BA_TO4001 and the Floodplain Management section in Part 1: Statutory Checklist above). Demolition projects do not require flood insurance.

Is the community participating in the National Insurance Program (or has less than one year passed since

FEMA notification of Special Flood Hazards)?

Yes. Flood Insurance under the National Flood Insurance Program must be obtained. If HUD assistance is provided as a grant, insurance must be maintained for the economic life of the project and in the amount of the total project cost (or up to the maximum allowable coverage, whichever is less). If HUD assistance is provided as a loan, insurance must be maintained for the term of the loan and in the amount of the loan (or up to the maximum allowable coverage, whichever is less). A copy of the flood insurance policy declaration must be kept on file in the ERR.

No. Federal assistance may not be used in the Special Flood Hazard Area.

Summary of Findings and Conclusions

Additional Studies Performed: (List the reports, studies, or analyses performed for this assessment, and attach studies or summaries.)

No additional studies were performed.

Field Inspection (Date and completed by):

Field inspections were completed for the proposed project on September 29, 2014 and September 30, 2014 by Sadat Associates.

List of Sources, Agencies, and Persons Consulted [40 CFR 1508.9(b)]: (List sources, agencies, and persons consulted for this assessment.)

City of Linden. Accessed at <http://www.linden-nj.org/>.

Federal Emergency Management Agency (FEMA). Best Practices for Lower Impact Debris Removal and Demolitions, New Jersey, Sandy Disaster Response, Version 3.7, June 6, 2013.

Google™ Earth Pro

Linden Public Schools. Accessed at <http://www.linden.k12.nj.us/>.

National Wild and Scenic Rivers System. Explore Designated Rivers, New Jersey. Accessed at <http://www.rivers.gov/new-jersey.php>.

New Jersey Department of Environmental Protection (NJDEP) Division of Air Quality. Memorandum received from William O'Sullivan, Director, January 23, 2014.

NJDEP Division of Fish and Wildlife Endangered and Nongame Species Program. E-mail received from Patrick Woerner, GIS Specialist, August 25, 2014.

NJDEP Division of Land Use Regulation. Letter received from Ryan J. Anderson, Supervisor, September 11, 2014.

NJDEP Historic Preservation Office. Response received from Daniel D. Saunders, Deputy State Historic Preservation Officer, October 29, 2014.

NJDEP HUD Environmental Review Tool 2.1. Accessed at <http://www.arcgis.com/explorer/?open=ac492b24c7cc472ea5cf2f57cfaf65ab&extent=-8643120.11643555,4661682.34020292,-7976191.21469309,5121911.72760389>.

NJDEP Site Remediation Program. E-mail received from Kim McEvoy, August 21, 2014.

NJDEP State Forestry Service Natural Heritage Program. Letter received from Robert J. Cartica, Administrator, August 29, 2014.

U.S. Department of Housing and Urban Development (HUD). Region X Environmental Office Environmental Justice Checklist. Accessed at <http://www.hud.gov/local/shared/working/r10/environment/justice.pdf>.

U.S. Environmental Protection Agency (USEPA). EJView. Accessed at <http://epamap14.epa.gov/ejmap/entry.html>.

USEPA. Green Book, National Area and County-Level Multi-Pollutant Information. Accessed at <http://www.epa.gov/airquality/greenbook/multipol.html>.

U.S. Fish and Wildlife Service (USFWS). Coastal Barrier Resources System Mapper. Accessed at <http://www.fws.gov/CBRA/Maps/Mapper.html>.

USFWS. Information, Planning, and Conservation (IPaC) System. Accessed at <http://ecos.fws.gov/ipac/>.

USFWS. National Wetlands Inventory (NWI) Wetlands Mapper. Accessed at <http://www.fws.gov/wetlands/data/mapper.HTML>.

Lists of Permits Required:

No permits were determined to be required through the consultations completed for this environmental assessment. This does not alleviate the requirement of the applicant obtaining all required federal, state, and local permits before beginning demolition.

Public Outreach [24 CFR 50.23 & 58.43]:

A combined public notice for the proposed project (Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds) will be published in the Star-Ledger and a Spanish translation of the notice will be published in the Reporte Hispano. Any substantive comments received will be addressed and incorporated into the final environmental assessment document.

Cumulative Impact Analysis [24 CFR 58.32]:

The proposed project would not contribute to adverse cumulative effects on environmental resources. The proposed project would remove urban development and convert residential properties to permanent open space. Removing urban development will have a cumulative benefit in the area by creating open space, which would act as a natural buffer for other homes in the area against future storms. Union County is currently undergoing extensive efforts to recover from the damage caused by Superstorm Sandy in October 2012, and the proposed Blue Acres Acquisition Program is a part of those efforts. Cumulatively, these activities may have temporary impacts on surface waters, air quality, noise, and traffic during the implementation phase of these recovery efforts, but these activities will have the long-term benefit of restoring the floodplain and enabling New Jersey residents to move out of flood-prone areas.

Project Alternatives Considered [24 CFR 58.40(e), 40 CFR 1508.9]: (As appropriate, identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment for each

alternative and the reasons for rejecting it.)

The following alternatives were considered:

- No action alternative (see below)
- Rehabilitation or reconstruction, including elevation, of homes

Rehabilitating or reconstructing, including elevating, the homes instead of demolishing them was considered and rejected. Although this alternative would avoid the short-term demolition impacts, there would be equivalent short-term construction impacts associated with this alternative. The major disadvantages of this alternative are that the homes and their occupants would remain at risk for future flooding and damage and there would be no restoration of the natural values of the floodplain.

No Action Alternative [24 CFR 58.40(e)]:

The no action alternative would avoid the short-term demolition impacts, but the residential properties would remain at risk for future flooding and damage. In the absence of the proposed project, the home sites will continue to remain at risk for future flooding and damage. There would also be no restoration of the natural values of the floodplain. Therefore, the no action alternative was rejected.

Summary Statement of Findings and Conclusions:

The proposed project would address the need to reduce the number of people affected by flooding and storm damage in the City of Linden. The proposed project is in compliance with all applicable statutory authorities and would have no significant impact on the environment. Mitigation measures to minimize any potential adverse environmental impacts and to ensure that the proposed project is in compliance with the statutory authorities are identified in the Required Mitigation and Project Modification Measures section below and the Conditions for Approval at the beginning of this environmental assessment.

Required Mitigation and Project Modification Measures: [24 CFR 58.40(d), 40 CFR 1505.2(c), 40 CFR 1508.20] (Recommend feasible ways in which the proposal or its external factors should be modified in order to minimize adverse environmental impacts and restore or enhance environmental quality.)

General

1. Acquire all required federal, state and local permits prior to commencement of demolition and comply with all permit conditions.
2. If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for reevaluation under the National Environmental Policy Act.

Historic Preservation

3. Comply with the FEMA Best Practices for Lower Impact Debris Removal and Demolitions (see BA_Linden_LowerImpactDebrisRemovalDemolitions_BA_TO4001).

Endangered Species

4. Avoid tree removal from Sites 1 and 9 in Area A and Sites 39, 42 and 43 in Area B so as not to disturb potential habitat for the northern long-eared bat.

Noise

5. During the temporary demolition activities, outfit all equipment with operating mufflers.
6. During the temporary demolition activities, comply with the applicable local noise ordinance.

Air Quality

Project activities must meet the regulatory requirements of New Jersey's Air Rules and Air Pollution Control requirements (see BA_Linden_AirQualityMemo_BA_TO4001). In addition, the following must be met:

7. Use water or chemical dust suppressant in exposed areas to control dust.
8. Cover the load compartments of trucks hauling dust-generating materials.
9. Wash heavy trucks and construction vehicles before they leave the site.
10. Reduce vehicle speed on non-paved areas and keep paved areas clean.
11. Retrofit older equipment with pollution controls.
12. Establish and follow specified procedures for managing contaminated materials discovered or generated during demolition.
13. Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.
14. Obtain an air pollution control permit to construct and a certificate to operate for all equipment subject to N.J.A.C. 7:27-8.2(c). Such equipment includes, but is not limited to, the following:
 - e. Any commercial fuel combustion equipment rated with a maximum heat input of 1,000,000 British Thermal Units per hour or greater to the burning chamber (N.J.A.C. 7:27-8.2(c)1);
 - f. Any stationary storage tank for volatile organic compounds with a capacity of 2,000 gallons and a vapor pressure of 0.02 pounds per square inch or greater (N.J.A.C. 7:27-8.2(c)9);
 - g. Any tank, reservoir, container, or bin with capacity in excess of 2,000 cubic feet used for storage of solid particles (N.J.A.C. 7:27-8.2(c)10); and
 - h. Any stationary reciprocating engine with a maximum rated power output of 37 kW or greater, used for generating electricity, not including emergency generators (N.J.A.C. 7:27-8.2(c)21).(Note: One or two family dwellings and dwellings of six or less family units, one of which is owner occupied, are exempt pursuant to NJSA 26:2C-9.2.)
15. Minimize idling and ensure that all on-road vehicles and non-road construction equipment operated at or visiting the project site comply with the applicable smoke and "3-minute idling" limits (N.J.A.C. 7:27-14.3, 14.4, 15.3 and 15.8).
16. Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (<15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 86, 89, 94, 1039, 1051, 1065, 1068).
17. Operate, if possible, newer on-road diesel vehicles and non-road construction equipment equipped with tier 4 engines, or equipment equipped with an exhaust retrofit device.

Wetland Protection, Erosion, Drainage/Storm Water Runoff, and Surface Water

18. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters and to prevent erosion in onsite and offsite wetlands and surface waters.
19. Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.
20. If practicable, auxiliary structures and enclosures, such as sheds and fences, should be removed by hand for sites with wetlands present (i.e. within 20 feet).
21. Do not remove or damage vegetation growing in wetlands.
22. Do not operate heavy equipment in wetlands.
23. Reestablish vegetation on exposed soil as soon as possible.

Hazardous Materials and Solid Waste Disposal/Recycling

24. All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the following:
 - e. National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145
 - f. National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150
 - g. NJAC 7:26-2.12—Generator requirements for disposal of asbestos containing waste materials
 - h. New Jersey Asbestos Control and Licensing Act, N.J.S.A. 34:5A-32 et seq.
25. Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g. asbestos, lead-based paint) or household waste (e.g. construction and demolition debris, pesticides/herbicides, white goods).
26. All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to HUD's lead-based paint regulations in 24 CFR Part 35 Subparts B, H, and J.