
ENVIRONMENTAL ASSESSMENT

Determinations and Compliance Findings for HUD-Assisted Projects 24 CFR Part 58

Responsible Entity: New Jersey Department of Community Affairs, Charles Richman, Commissioner

Applicant Name Fairmount South (First) 10th Street Apartments (Last)

-or- Fairmount South 10th St Apts (Business/Project Name)

Project Location 128-134 South 10th Street/101 South 9th Street, (Street Address)

Newark (Municipality) Essex (County) NJ (State)

1827 (Block) 12 & 70 (Lot)

Note: Certification signatures can be found at the end of the document.

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--

- Acquire all required federal, state and local permits prior to commencement of construction and comply with all permit conditions.
- 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.
- Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g. asbestos, lead-based pain) or household waste (e.g. construction and demolition debris, pesticides/herbicides, white goods). In accordance with 24CFR Part 35.155(a)(1), any property contracted prior to January 1, 1978 is required to 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.

--Air Quality-- Temporary impacts to air quality must be mitigated through Best Management Practices (BMPs) including the usage of water or chemical dust suppressant, covering load compartments of trucks carrying dust-generating material, and retrofitting older equipment with pollution controls. The project activities must meet the regulatory requirements of New Jersey's Air Rules and Air Pollution Controls.

--Asbestos/Lead Based Paint-- The building at South 10th Street was built in 1927. Asbestos Containing Materials (ACM) were identified in a prior survey conducted as part of the Phase I ESA. Because ACM is present, it must be properly abated in accordance with all Federal, State and Local regulations prior to construction. In addition, a prior Lead Based Paint (LBP) survey was performed which identified LBP on-site; however, the NJDEP determined it was insufficient and a new LBP survey was requested to be performed. The site was determined to be unsafe to occupy; therefore, the new LBP survey could not be completed. It was determined that all surfaces should be treated suspect for LBP and must be disposed of in accordance with all applicable federal, state and local regulations (See HMFA02890_Reference_Email_Dewberry#16-1400).

--Contamination and Toxic Substances-- A prior Phase I ESA identified suspect vent pipes on the north side of the building at South 10th Street. Subsequent geotechnical investigations yielded inconclusive results. During the current site reconnaissance, piping was observed on the north side of the building, but it did not appear associated with USTs. Based on the scope of work, no ground disturbance or excavation is proposed on the north side of the building. If the scope changes to include ground disturbance or excavation on the north side of the building at South 10th Street, and if tanks and/or evidence of the contamination is encountered, they would need to be disposed of in accordance with all applicable federal/state/local regulations.

Miscellaneous household waste was observed on the front (west side) of the property adjoining the existing building on South 10th Street. This waste must be properly disposed.

Because of the deteriorated state of the interior of the building, no inspections were conducted inside the building. Therefore a full assessment of potential hazards could not be completed. If during the course of construction any hazardous materials are encountered, they would need to be disposed of in accordance with all applicable local, state and/or federal regulations.

--Drainage and Stormwater Management-- Based on the scale of the proposed project, any impact on storm water runoff is anticipated to be negligible. Furthermore, the site plan approval process - specifically, approval of a drainage, grading and/or stormwater management plan - will address site-specific drainage/storm water runoff concerns. Use of BMPs, such as clearing drainage inlets from obstructions, can help manage/mitigate drainage and storm water impacts.

--Endangered Species-- While bat surveys are no longer required for northern long-eared bats in buildings, if bats (of any species) happen to be discovered during the process of renovation/demolitions/etc., work should cease and the construction manager should contact Mackenzie Hall, New Jersey Division of Fish and Wildlife, Endangered and Nongame Species Program, at 609-292-1244 on how to proceed. All bat species are protected by law in New Jersey and cannot be knowingly harmed or harassed. While bat surveys are no longer required for northern long-eared bats in buildings, if bats (of any species) happen to be discovered during the process of renovation/demolitions/etc., work should cease and the construction manager should contact Mackenzie Hall, New Jersey Division of Fish and Wildlife, Endangered and Nongame Species Program, at 609-292-1244 on how to proceed. All bat species are protected by law in New Jersey and cannot be knowingly harmed or harassed.

--Hazards and Nuisances, including Site Safety-- The existing building at South 10th Street was noted to be in a deteriorated state and may contain hazards such as LBP, ACM and mold/mildew, and may represent a structural hazard. Miscellaneous household waste was also noted to be discarded on the front exterior of the property. Hazards from construction, (i.e. the removal of LBP and asbestos) activities can be mitigated by using industry-standard BMPs and standard site security, including fencing off areas during construction. In addition, all household waste observed on the property should be properly disposed of.

--Noise-- Temporary noise impacts (at all project sites) may occur during construction. The exterior level at both properties, at 128-134 South 10th Street and 101 South 9th Street, were estimated to be 62.9 decibels (dB), which is below the 65 dB threshold. Therefore, the project is in compliance. To minimize impacts to nearby properties, the applicant should comply with the following:

1. Outfit all equipment with operating mufflers.
2. Comply with the applicable local noise ordinance.

--Soil Suitability-- Geotechnical boring will be conducted prior to construction activities to ensure suitability. If underground storage tanks or other hazards are encountered during these tests, they would need to be properly disposed of in accordance with local, state and federal regulations. The threshold for the Hudson Essex Passaic Soil Conservation District soil certification requirement is 5,000 square feet of soil disturbance, clearing, grading, or construction access/staging. If this amount of disturbance (or greater) is proposed, this soil certification will need to be obtained.

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.)

Funding Information

Grant Number	HUD Program	Funding Amount
<i>B-13-DS-34-0001</i>	<i>CDBG-DR</i>	<i>\$1,100,000.00</i>
		<i>\$0.00</i>
		<i>\$0.00</i>

Estimated Total HUD Funded Amount:

\$3,600,000.00

Estimated Total HUD Funded Amount Description

The applicant is seeking the following HUD fund amounts: Veneto McKinney Grant: \$420,000 Continuum of Care Grant: \$400,000 HOME (Essex County, Newark, DCA): \$2,500,000 CDBG-DR : \$1,100,000

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

\$4,500,000.00

Estimated Total Project Cost Description

HUD funded amount (\$3,600,000) plus \$900,000 in private funds.

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

The project is intended to provide housing for families at or below the area median income (AMI) and/or who were formerly homeless in Essex County, New Jersey. The project will also help alleviate the shortage of housing caused by Superstorm Sandy within the nine impacted counties of New Jersey.

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.)

The applicant, previously known as the Fairmount 10th Street Apartments, will rehabilitate the existing (vacant) building at 128-134 South 10th Street in Newark and construct one new building at 101 South 9th Street in Newark, Essex county, New Jersey, for a total of twenty three units of permanent supportive and affordable housing. The building at 128-134 South 10th Street was originally built as a psychiatric hospital and subsequently used as state offices and transitional housing. The current proposal for this site is for the applicant to rehabilitate the building to include four studio, nine one-bedroom and eight two-bedroom units on floors one through four. Each unit will have its own heating and air conditioning units, windows and appliances will be energy star rated and provide as much energy efficiency as possible to keep the consumption of electricity low. There will not be on-site parking for this property. Site activities will include interior demolition and rehabilitation work in order to reconfigure the floors into residential apartment units. New mechanical equipment will also be installed in the building basement. Asphalt in the front courtyard (west side of the building) will be removed to allow for greater green space, and a new ADA ramp will be installed at the building's main entrance. Site remediation work will also be conducted, including abatement for asbestos containing materials (ACM) and lead based paint (LBP). Mold, mildew and other hazards (including underground storage tanks and/or contaminated soils, if present) will also be addressed if encountered.

The second property, located on South 9th Street, is a vacant lot abutting the South 10th street property. The applicant is proposing to develop this site into a two-family home with two car garage parking spaces on the first level and two three-bedroom units on floors two and three. Each unit will be approximately 1,500 square feet. Site preparation activities will include geotechnical investigations prior to installation of building foundations, if necessary. In addition, site construction will also involve clearing and grading for the construction of the new building foundation.

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 is within an area of predominately residential (single-family and duplex) development in Newark, with the concentrated areas of retail development located along main arterial roadways. In addition, Interstate 280 (I-280) is north of the project area and Route 21, also referred to as McCarter Highway, is approximately 1.5 miles to the east of the project area. In the absence of this project, the subject parcels will continue to remain vacant, representing a continued detriment to the community.

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

<p>1. Air Quality [Clean Air Act, as amended, particularly sections 176(c) & (d), and 40 CFR 6, 51, 93]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p><i>The project in Essex County, which is being designated a non attainment or maintenance area for the following National Ambient Air Quality Standard (NAAQS) pollutants (see HMFA02890_AirQuality_Map and HMFA02890_AirQuality_Pollutants_List):</i></p> <ul style="list-style-type: none"> • <i>Nonattainment area for 1 hour Ozone (1979 standard) THIS STANDARD WAS REVOKED 6/15/2005</i> • <i>Nonattainment area for 8 hour Ozone standard of 0.08 ppm (1997 standard) THIS STANDARD WAS REVOKED 4/6/2015</i> • <i>Nonattainment area for 8 hour Ozone standard of 0.075 ppm (2008 standard)</i> • <i>Maintenance area for Carbon Monoxide (1971)</i> • <i>Maintenance area for PM-2.5 (1997)</i> • <i>Maintenance area for PM-2.5 (2006)</i> <p><i>Project activities must meet the regulatory requirements of New Jersey’s Air Rules and Air Pollution Controls (see HMFA02890_AirQualityMemo). The project will involve rehabilitation of the South 10th Street building and construction of a new building at South 9th Street. Temporary impacts to air quality may occur during construction; however, no long-term impacts to air quality are anticipated. The temporary impacts can be mitigated through Best Management Practices (BMPs) including the usage of water or chemical dust suppressant, covering load compartments of trucks carrying dust-generating material, and retrofitting older equipment with pollution controls.</i></p>
<p>2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p><i>Newark International Airport is located approximately 6.5 miles south of the project. Atlantic City International Airport is located approximately 93.6 miles to the south of the project. The nearest military airfield, Lakehurst Naval Air Station is 48.4 miles south of the project. This project is not within 15,000 feet of a military air field or 2,500 feet from the end of a civilian airport runway. The project is therefore not within an Airport Clear Zone or Accident Potential Zone (see HMFA02890_AirportHazards_Map).</i></p>
<p>3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p><i>The property is not located within the coastal management zone or the Coastal Area Facilities Act (CAFRA) zone and therefore the project is not subject to CAFRA regulations per N.J.A.C. 7:7-2.1. In addition, no work will be conducted at or below the mean high water line (MHWL), and is greater than 150 feet from the MHWL (the MHWL 150 foot buffer zone does not display at the extent required to show the MHWL on the attached map). Therefore, no Waterfront Development permitting will be required. The project is also not within the Hackensack Meadowlands Zone or Upper Waterfront Development Zone (see HMFA02890_Coastal_Zone_Management).</i></p>

<p>4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input type="radio"/> A <input checked="" type="radio"/> B</p>	<p><i>The project properties are within the 3,000 foot buffer zone of mapped toxic or hazardous waste sites. (See HMFA02890_ToxicHazardousRadioactiveSubstances_Map). The sites that were determined by NJDEP as being contaminated have all been cleared; therefore they are not a concern (See HMFA02890_ToxicsEmail).</i></p> <p><i>A Phase I Environmental Site Assessment (ESA) of the subject properties was performed on behalf of the applicant in November, 2013. The site is assigned a NJDEP Program Interest Number PI#015982 pursuant to a previously removed 3,000 gallon No. 2 heating oil underground storage tank (UST) in January, 1995. The case was closed and deemed non-threatening. Two other vent pipes were observed on the exterior wall of the existing four-story vacant building. However, electromagnetic sweeps conducted in 2013 were inconclusive. The Phase I recommended a Phase II to determine whether the vent pipes are connected to existing or former USTs. During the current site reconnaissance, pipes were observed in the vicinity of the area noted in the Phase I of ESA; however, these did not appear associated with any underground tanks (See HMFA02890_FieldVisit).</i></p> <p><i>Since the project involves interior rehabilitation of the existing building, and excavation or ground disturbance is not proposed in the area of the pipes (the north side of the building), no further assessment is warranted regarding these pipes. The only ground disturbance on the South 10th Street parcel is removal of existing asphalt on the west (front) side of the building to allow for greater green space and construction of an ADA ramp. The only proposed excavation work for the project is to the east of the existing building, on the South 9th Street parcel, for the construction of the building foundation for the proposed new residence). If the scope changes to include ground disturbance or excavation on the north side of the building at South 10th Street, and if tanks and/or evidence of the contamination is encountered, they would need to be disposed of in accordance with all applicable federal/state/local regulations (See HMFA02890_PhaseI_ESA).</i></p> <p><i>Unlabelled discarded 55-gallon drums were observed on the adjacent property to the north. No petroleum odors or evidence of spills were observed in the vicinity of these drums. Therefore, these drums do not represent a concern to the property. Miscellaneous household waste was observed on the front (west side) of the property adjoining the existing building on South 10th Street. This waste must be properly disposed.</i></p> <p><i>The prior Phase I ESA states that the property is within a Tier 2 Moderate Radon Potential Zone; however, according to the NJDEP's 2015 Radon Tier Assignment report, the properties are located within a Tier 3 Low Radon Potential zone (see HMFA02890_RadonMap and HMFA02890_NJDEPRadonAssignments). Therefore, no further assessment regarding indoor radon is required.</i></p> <p><i>The building at South 10th Street was built in 1927. Asbestos Containing Materials (ACM) were identified in a prior survey conducted as part of the Phase I ESA. Because ACM is present, it must be properly abated in accordance with all Federal, State and Local regulations prior to construction. In addition, a prior Lead Based Paint (LBP) survey was performed which identified LBP on-site; however, the NJDEP determined it was insufficient and a new LBP survey was requested to be performed. The site was determined to be unsafe to occupy; therefore, the new LBP survey could not be completed. It was determined that all surfaces should be treated suspect for LBP and must be disposed of in accordance with all applicable federal, state and local regulations (See HMFA02890_Reference_E-mail_Dewberry#16-1400).</i></p> <p><i>Because of the deteriorated state of the interior of the building, no inspections were conducted inside the building. Therefore a full assessment of potential hazards could not be completed. If during the course of construction any hazardous materials are encountered, they would need to be disposed of in accordance with all applicable local, state and/or federal regulations.</i></p>
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<p>5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p><i>The USFWS IPaC reports for each of the project locations notes that there are no endangered species and no critical habitat. The IPaC indicated that migratory birds could potentially be affected by activities in these locations. There are 26 migratory birds, which were identified for 128-134 South 10th Street as well as for 101 South 9th Street. Red knot is identified as one of these species (but it is not identified on the ArcGIS mapping, see discussion below). It is also noted that the properties are both located in densely developed urban areas and therefore do not likely represent suitable habitat for migratory bird species, so no impact to these species is anticipated. The NHP response did not indicate the presence of any threatened or endangered species on or in the immediate vicinity of the project site (see HMFA02890_NHP Response.pdf, HMFA02890_IPaC Report).</i></p> <p><i>According to the NJDEP ArcGIS mapping tool, the properties are not within areas mapped as habitat for piping plover or red knot. In addition, according to the centroids data layer in the ArcGIS mapping tool, no state or federally listed species are present at the site (See HMFA02890_EndangeredSpecies_Map, HMFA02890_EndangeredSpecies_Centroid_Map, HMFA02890_EndangeredSpecies_Centroid2_Map).</i></p> <p><i>Per the Guidance for Section 7 Compliance on Building Demolition/Renovation and Tree Removal Projects (i.e. HUD, CDBG) to Avoid Adverse Effects to Federally Listed Bats, Question 1 states that since the project will not involve tree removal, the project may affect, but is not likely to adversely affect listed bats. Notwithstanding, bats were not listed in the area on the IPaC report. While bat surveys are no longer required for northern long-eared bats in buildings, if bats (of any species) happen to be discovered during the process of renovations/demolitions/etc., work should cease and the construction manager should contact Mackenzie Hall, New Jersey Division of Fish and Wildlife, Endangered and Nongame Species Program, at 609-292-1244 on how to proceed. All bat species are protected by law in New Jersey and cannot be knowingly harmed or harassed (See HMFA02890_8-17_16 Latest Bat Guidance, HMFA02890_USFWSBatGuidanceEmail).</i></p>
<p>6. Environmental Justice [Executive Order 12898]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p><i>The subject properties are located within an area containing environmental justice populations. The census block group containing 128-134 South 10th Street and 101 South 9th Street are approximately 99% minority and 99% are below poverty (see HMFA02890_EJ_Map, HMFA02890_EJ2_Map). Based on the scope, the project is not anticipated to have an adverse impact on environmental justice populations. The project will provide a long-term benefit to these populations through the construction of housing for households earning below 80% Area Mean Income and is anticipated to have a short-term benefit to these populations by providing an increased demand for construction-related jobs during the construction phase of the project. Therefore no adverse impact to environmental justice populations is impacted (see HMFA02890_EJChecklist).</i></p>
<p>7. Explosive and Flammable Operations [24 CFR 51C]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p><i>The project will involve the construction of new residences, thereby increasing density; therefore, the project is subject to 24 CFR 51 Subpart C. The proposed project will construct one new affordable housing unit on each of the locations of the project. The location on South 10th Street will have four studio, nine one-bedroom and eight two-bedroom units on floors one through four. On the south 9th Street site, there will be two-family homes with two stacked car garage parking spaces on the first level and two three-bedroom units on floors two and three There are no large ASTs within one mile of the project site (see HMFA02890_ExplosiveandFlammable_Map), and no ASTs were noted in the immediate vicinity during the site visit (see HMFA02890_FieldVisit). Therefore, the project is in compliance with the requirements of 24 CFR Part 51C.</i></p>
<p>8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly section 1504(b) & 1541; 7 CFR 658]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p><i>The subject properties are not mapped within farmland of statewide importance (See HMFA02890_FarmlandSoilsProtection_Map). In addition, the project will not involve the conversion of farmland into non-agricultural uses. Therefore, no impact to farmland of statewide importance will occur.</i></p>

<p>9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p><i>The project site is not within the 100-year floodplain (See HMFA02890_FloodplainManagement_Map); therefore, no further assessment for floodplain management is required.</i></p>
<p>10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p><i>The properties are not within a historic preservation exemption "Green Zone (Above Ground Only)." (See HMFA02890_HistoricPreservation_Map). The project was previously submitted to SHPO by the applicant in December 2013 with a finding of "No Historic Properties present or affected." SHPO concurred with this finding in January 2014. (See HMFA02890_SHPO approval).</i></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>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p><i>Day/Night Noise Level (DNL) standards are applicable to projects "providing assistance, subsidy or insurance for housing, manufactured home parks, nursing homes, hospitals, and all programs providing assistance or insurance for land development, redevelopment or any other provision of facilities and services which are directed to making land available for housing or noise sensitive development" (24 CFR 51.101(a)(3)). The proposed project is for residences, which are considered a noise sensitive use. The following sections assess the existing noise exposure of the project sites for comparison to the HUD criterion for outdoor noise at residential buildings. The following noise sources must be considered in a DNL calculation:</i></p> <ul style="list-style-type: none"> <i>• Arterial roadways (or greater) within 1,000 feet</i> <i>• Railroads within 3,000 feet</i> <i>• Commercial Airports within 15 miles</i> <p><i>An explanation of the criteria used for the DNL calculations is provided in HMFA02890_NoiseAnalysis. Locations of the subject property, arterial roadways, and railroads are shown in HMFA02890_NoiseMap.</i></p> <p><i>--Combined Noise Level-- Taking into account the railroad and roadway noise assessments discussed above, the predicted combined noise level at both the 128-134 South 10th Street location and the 109 South 9th Street location are 62.9 decibels (dB), (See HMFA02890_NoiseAnalysis), which is within the HUD threshold (65 dB) for normally acceptable exterior noise.</i></p> <p><i>--Mitigation-- Both sites are below 65 dB threshold; therefore, no further action is warranted regarding DNL calculations.</i></p> <p><i>Temporary noise impacts may occur during construction. To minimize impacts to nearby properties, the applicant should comply with the following:</i></p> <ul style="list-style-type: none"> <i>• Outfit all equipment with operating mufflers.</i> <i>• Comply with the applicable local noise ordinance.</i>

<p>12. Sole Source Aquifers [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p><i>The project area is not identified as being in an area that is underlain by a Sole Source Aquifer (see HMFA02890_SoleSourceAquifer_Map). The project involves construction of four studio, nine one-bedroom and eight two-bedroom units on the South 10th Street. On the South 9th Street site, there will be two-family homes with two and two three-bedroom units. The residences will be connected to the City of Newark Water & Sewer Utilities. Therefore, no consultation regarding sole source aquifers is warranted (see HMFA02890_SSAMemo).</i></p>
<p>13. Wetland Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p><i>No wetlands are mapped on or within 150 feet of the property (see HMFA02890_Wetland_Protection_Map), and no wetlands were observed during the site reconnaissance. Therefore, the project is not anticipated to impact wetlands.</i></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="radio"/> A <input type="radio"/> B</p>	<p><i>The Wild and Scenic Rivers Act of 1968 protects selected rivers in a free-flowing condition (16 U.S.C. 1271) and prohibits federal support for activities that would harm a designated river's free-flowing condition, water quality, or outstanding resource values. Five designated Wild and Scenic rivers are located within the State of New Jersey; the Delaware (Lower) River, Delaware (Middle) River, Great Egg Harbor River, Maurice River and the Musconetcong River. The nearest river is the Musconetcong River. The project is approximately 32.5 miles to the east of this river's Wild and Scenic buffer area. (See HMFA02890_WildandScenicRivers_Map). The proposed project is not located within one-quarter mile of a wild and scenic river stream bank, or within a one-mile radius of a designated wild and scenic river; therefore, consultation with the National Park Service is not required.</i></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	<i>The subject parcels, 128-134 South 10th Street and 101 South 9th Street, are in the R-3 residential area (See HMFA02890_101S9_ZoningMap, HMFA02890_128-134S10_ZoningMap). Based on the scale and type of project (construction of multi-family residences) the project is anticipated to be in conformance with applicable neighborhood and comprehensive plans. Conformance with these plans will be demonstrated during the project's site plan approval process. With the exception of the citywide zoning ordinance, no neighborhood-specific comprehensive plans cover the project sites.</i>
Land Use Compatibility and Conformance with Zoning	1	<i>According to the City of Newark Zoning Maps, the property at 128-134 South 10th Street and the property at 101 South 9th Street are zoned R-3 (One to Three Family and Townhouse Residential). (See HMFA02890_101S9_ZoningMap). Conformance with zoning will be demonstrated as part of the project's site plan approval process.</i>
Urban Design- Visual Quality and Scale	2	<i>The project will redevelop one vacant building and one vacant lot into affordable residences. The proposed new building (101 South 9th Street) will be of similar scale and mass to residences within the area (generally 2- and 3-story single family and duplex residences) and no changes are proposed to the size/scale of the building at 128-134 South 10th Street. Instead, the project will rehabilitate this building, which is currently vacant. Therefore, it is anticipated that the development of the project will enhance the visual quality of the area.</i>
Slope	1	<i>The project area is not located in an area containing steep slopes. Therefore it will not impact steep slopes.</i>
Erosion	1	<i>The project is not located on steep slopes or near bodies of water. Temporary impacts from construction and excavation of the proposed building on South 9th Street can be mitigated through the use of BMPs (i.e., silt fences).</i>
Soil Suitability	3	<i>The USGS Survey identifies each of the sites as having urban soils. Both 128-134 South 10th Street and 101 South 9th Street are located in the USBOOB (Urban land, Boonton substratum) zone. (SeeHMFA02890_SoilSuitability_Map). Geotechnical boring will be conducted prior to construction activities to ensure suitability. If underground storage tanks or other hazards are encountered during these tests, they would need to be properly disposed of in accordance with local, state and federal regulations. The threshold for the Hudson Essex Passaic Soil Conservation District soil certification requirement is 5,000 square feet of soil disturbance, clearing, grading, or construction access/staging. If this amount of disturbance (or greater) is proposed, this soil certification will need to be obtained.</i>

<p>Hazards and Nuisances, Including Site Safety</p>	<p>2</p>	<p><i>The project sites are currently one vacant building and one vacant lot within a developed urban area. The redevelopment of the building and lot into affordable housing will eliminate nuisances associated with vacant housing and vacant urban lots, thereby enhancing the local neighborhood. Specifically, the existing building was noted to be in a deteriorated state and may contain hazards such as LBP, ACM, and mold/mildew, and may represent a structural hazard. Miscellaneous household waste was also noted to be discarded on the front exterior of the property. Hazards from construction, (i.e. the removal of LBP and asbestos) activities can be mitigated by using industry-standard BMPs and standard site security, including fencing off areas during construction. In addition, all household waste observed on the property should be properly disposed of.</i></p>
<p>Drainage/Storm Water Runoff</p>	<p>1</p>	<p><i>The site is served by the city's existing storm water sewer system, which is maintained by the City of Newark Department of Water and Sewer Utilities. Based on the scale of the proposed project, any impact on storm water runoff is anticipated to be negligible. Furthermore, the site plan approval process - specifically, approval of a drainage, grading and/or stormwater management plan - will address site-specific drainage/storm water runoff concerns. Use of BMPs, such as clearing drainage inlets from obstructions, can help manage/mitigate drainage and storm water impacts.</i></p>

<p>Noise-Effects of Ambient Noise on Project & Contribution to Community Noise Levels</p>	<p>3</p>	<p><i>Day/Night Noise Level (DNL) standards are applicable to projects “providing assistance, subsidy or insurance for housing, manufactured home parks, nursing homes, hospitals, and all programs providing assistance or insurance for land development, redevelopment or any other provision of facilities and services which are directed to making land available for housing or noise sensitive development” (24 CFR 51.101(a)(3)). The proposed project is for residences, which are considered a noise sensitive use. The following sections assess the existing noise exposure of the project sites for comparison to the HUD criterion for outdoor noise at residential buildings. The following noise sources must be considered in a DNL calculation:</i></p> <ul style="list-style-type: none"> • <i>Arterial roadways (or greater) within 1,000 feet</i> • <i>Railroads within 3,000 feet</i> • <i>Commercial Airports within 15 miles</i> <p><i>An explanation of the criteria used for the DNL calculations is provided in HMFA02890_NoiseAnalysis. Locations of the subject property, arterial roadways, and railroads are shown in HMFA02890_NoiseMap.</i></p> <p><i>--Combined Noise Level-- Taking into account the railroad and roadway noise assessments discussed above, the predicted combined noise level at both the 128-134 South 10th Street location and the 109 South 9th Street location are 62.9 decibels (dB), (See HMFA02890_NoiseAnalysis), which is within the HUD threshold (65 dB) for normally acceptable exterior noise.</i></p> <p><i>--Mitigation-- Both sites are below 65 dB threshold; therefore, no further action is warranted regarding DNL calculations.</i></p> <p><i>Temporary noise impacts may occur during construction. To minimize impacts to nearby properties, the applicant should comply with the following:</i></p> <ul style="list-style-type: none"> • <i>Outfit all equipment with operating mufflers.</i> • <i>Comply with the applicable local noise ordinance.</i>
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Energy Consumption	1	<i>PSE&G provides electric utilities to Newark. The HUD CDBG-DR program goals include new construction meeting the 2009 residential International Building Code and requiring compliance with EPA Energy Star program. The project will result in an increase in energy consumption. The project will be consistent with the certification requirements of the New Jersey Energy Star Multifamily High Rise Program. Based on the number of units and energy efficiency to which they will be built, the anticipated impact will be negligible on the electric utility.</i>
Socioeconomic Factors		
Demographic Character Changes	1	<i>The project sites are within proximity to environmental justice populations. According to 2010 Census data, the block groups for 128-134 South 10th Street and 101 South 9th Street contain 98% minority populations. Based on the scope (construction of residences for low-moderate income families) the subject project is not anticipated to significantly impact the demographic character of the community. (See HMFA02890_EJ_Map).</i>
Displacement	2	<i>The project area includes one four-story, vacant building and the remaining portion of the project site consists of vacant land; therefore, displacement of residents is not anticipated. Upon completion of the project, the additional affordable housing units will help alleviate shortages in affordable housing caused by Superstorm Sandy; therefore, the proposed project will provide affordable and supportive housing in the City of Newark.</i>
Employment and Income Patterns	2	<i>The project sites are within proximity to environmental justice populations. According to 2010 Census data, the block group for 128-134 South 10th Street and for 101 South 9th Street has 98% of residents living below poverty. The project will provide a long-term benefit to these populations through the construction of housing for households earning below 80% Area Mean Income and will have a short-term benefit to these populations by providing an increased demand for construction related jobs during the construction phase of the project, thereby providing a benefit to employment and income patterns.(See HMFA02890_EJ2_Map).</i>
Community Facilities and Services		
Educational Facilities	1	<i>The project is within the Newark Public School system. Elementary school students may attend Benjamin Franklin Elementary, located at 42 Park Avenue. Middle school students may attend McKinley, located at 1 Colonnade Place. High school students may attend Barringer, located at 90 Parker Street. The addition of twenty-four residences will not increase the school enrollment beyond the capacity of the school district.</i>

Commercial Facilities	2	<i>Commercial (retail and office) facilities are located in proximity to the project, within downtown Newark (located approximately 1.5 miles southeast of the project). The proposed creation of additional housing will benefit businesses in the Newark by increasing numbers of consumers in close proximity to commercial and retail centers.</i>
Health Care	1	<i>There are three hospitals in close proximity to the project area (Columbus Hospital, East Orange General Hospital, University Hospital and St. Michael's Medical Center). Based on the availability of health care facilities, the proposed project is not anticipated to significantly affect health care.</i>
Social Services	1	<i>The New Community Social Services facility is located at 233 West Market Street, approximately 0.63 miles south of the project. Based on the scale of the project, it is not anticipated to impact social services.</i>
Solid Waste Disposal/Recycling	1	<i>The Newark Public Works Department collects solid waste/recycling at the project area. Due to its scale, the project's impact on waste/recycling disposal will be negligible. Based on the proposed scope of the project, it is anticipated that the existing waste disposal/recycling system will be able to support the additional residential units. Waste generated during construction may include typical construction debris. Hazardous materials (including previously discussed LBP and ACM, as well as any mold/mildew or other potential contaminants) would need to be disposed of in accordance with applicable local, state and federal regulations.</i>
Waste Water/Sanitary Sewers	1	<i>All of the new residences will be connected to the City of Newark Department of Water and Sewer Utilities' existing sanitary sewer system's connections on-site. According to information in the application, the project parcels currently contain connections to this system. While no "Will Serve" correspondence was provided by the applicant, the impact of the addition of the residences will be negligible. Based on the proposed scope of the project, it is anticipated that the existing waste water/sanitary system will be able to support the additional residential units.</i>
Water Supply	1	<i>The City of Newark Department of Water and Sewer Utilities provides potable water to properties within Newark. According to information in the application, the project parcels currently contain connections to this system. While no "Will Serve" correspondence was provided by the applicant, the impact of the addition of residences will be negligible. Based on the proposed scope of the project, it is anticipated that the existing water supply system will be able to support the additional residential units.</i>
Public Safety: • Police • Fire • Emergency Medical	1	<i>The Newark Police Department, Newark Fire Department, East Orange General Hospital, University Hospital and St. Michael's Medical Center provide public safety and public health services to the community. Based on the scope of the project, no impacts to public health or safety services are anticipated.</i>

Parks, Open Space & Recreation: • Open Space • Recreation	1	<i>Branch Brook Park and Washington Park are located within a one mile radius of the project site. Based on the scale of the project, no impacts to parks or open spaces are anticipated.</i>
Cultural Facilities	1	<i>The properties are not within a historic preservation exemption "Green Zone (Above Ground Only)." (See HMFA02890_HistoricPreservation_Map). The project was previously submitted to SHPO by the applicant in December 2013 with a finding of "No Historic Properties present or affected." SHPO concurred with this finding in January 2014. (See HMFA02890_SHPO approval).</i>
Transportation & Accessibility	1	<i>Based on the scale of the project, it is not anticipated to impact traffic and transportation. Public transportation is readily available to the project area. The project is located in an urban area with an existing roadway network as well as a public transit system. Connections to major transportation systems are located a few blocks from the project properties, including Interstate 280 and the Newark Train Station (Gladstone Branch and Morris & Essex Line of the NJ Transit railroad). These network connections provide good regional access to surrounding areas including New York City. The proposed project will not cause adverse impacts on the local or regional transportation system.</i>
Natural Features		
Water Resources	1	<i>The project area is not located within a Sole Source Aquifer (see HMFA02890_SoleSourceAquifer_Map) and is not expected to cause a significant drain on the local water authority. Therefore, no impacts are anticipated.</i>
Surface Water	1	<i>The nearest surface water, Branch Brook Lake, is approximately 3,800 feet to the northeast of the project. No impacts to surface waters are anticipated.</i>
Unique Natural Features & Agricultural Lands	1	<i>No unique natural features or agricultural lands are located within the project area. Therefore, no impact to these resources is anticipated.</i>

<p>Vegetation and Wildlife</p>	<p>1</p>	<p><i>The USFWS IPaC reports for each of the project locations notes that there are no endangered species and no critical habitat. The IPaC indicated that migratory birds could potentially be affected by activities in these locations. There are 26 migratory birds, which were identified for 128-134 South 10th Street as well as for 101 South 9th Street. Red knot is identified as one of these species (but it is not identified on the ArcGIS mapping, see discussion below). It is also noted that the properties are both located in densely developed urban areas and therefore do not likely represent suitable habitat for migratory bird species, so no impact to these species is anticipated. The NHP response did not indicate the presence of any threatened or endangered species on or in the immediate vicinity of the project site (see HMFA02890_NHP Response.pdf, HMFA02890_IPaC Report).</i></p> <p><i>According to the NJDEP ArcGIS mapping tool, the properties are not within areas mapped as habitat for piping plover or red knot. In addition, according to the centroids data layer in the ArcGIS mapping tool, no state or federally listed species are present at the site (See HMFA02890_EndangeredSpecies_Map, HMFA02890_EndangeredSpecies_Centroid_Map, HMFA02890_EndangeredSpecies_Centroid2_Map).</i></p> <p><i>Per the Guidance for Section 7 Compliance on Building Demolition/Renovation and Tree Removal Projects(i.e. HUD, CDBG) to Avoid Adverse Effects to Federally Listed Bats, Question 1 states that since the project will not involve tree removal, the project may affect, but is not likely to adversely affect listed bats. Notwithstanding, bats were not listed in the area on the IPaC report. While bat surveys are no longer required for northern long-eared bats in buildings, if bats (of any species) happen to be discovered during the process of renovations/demolitions/etc., work should cease and the construction manager should contact Mackenzie Hall, New Jersey Division of Fish and Wildlife, Endangered and Nongame Species Program, at 609-292-1244 on how to proceed. All bat species are protected by law in New Jersey and cannot be knowingly harmed or harassed (See HMFA02890_8-17_16 Latest Bat Guidance, HMFA02890_USFWSBatGuidanceEmail).</i></p>
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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: [Project complies with 24 CFR 51.303(a)(3)]

Newark International Airport is located approximately 6.5 miles south of the project. Atlantic City International Airport is located approximately 93.6 miles to the south of the project. The nearest military airfield, Lakehurst Naval Air Station is 48.4 miles south of the project. This project is not within 15,000 feet of a military air field or 2,500 feet from the end of a civilian airport runway. The project is therefore not within an Airport Clear Zone or Accident Potential Zone (see HMFA02890_AirportHazards_Map).

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: [Proceed with project]

The nine designated units of the Coastal Barrier Resource System in New Jersey are uninhabited. The 12 "otherwise protected areas" associated with the Coastal Barrier Resources System in New Jersey are also uninhabited. Therefore, the property is not located within the coastal management zone or the Coastal Area Facilities Act (CAFRA) zone and therefore the project will have no impact on coastal barrier resources. It is not subject to CAFRA regulations per N.J.A.C. 7:7-2.1. The nearest CBRS unit is actually located in New York (NY-60P), which is approximately 15 miles to the east. (See HMFA02890_CoastalBarrierResource_Map).

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]

The site is not within the 100-year floodplain. See HMFA02890_FloodplainManagement_Map.

Yes. Cite or attach Source Documentation:

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.)

HUD DNL Noise Analysis (see HMFA02890_NoiseAnalysis).

Field Inspection (Date and completed by):

Thursday, August 23, 2016 - Completed by John Robinson, Hazardous Waste and Yasmine Pessar, Staff Environmental Planner at Dewberry. See HMFA02890_FieldVisit.

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

- City of Newark
- Environmental Protection Agency (EPA)
- Federal Aviation Administration (FAA)

- Federal Emergency Management Agency (FEMA)
- Department of Housing and Urban Development (HUD)
- National Wild and Scenic Rivers System
- New Jersey Transit (NJT)
- New Jersey Historic Preservation Office (SHPO)
- U.S. Fish and Wildlife Service (FWS)
- NJDEP Natural Heritage Program (NHP)

Lists of Permits Required:

Acquire all required federal, state and local permits and zoning approvals (including site plan approvals and "will serve" letters from local utilities) prior to commencement of construction and comply with all permit and site plan approval conditions. In addition, the project must acquire Hudson Essex Passaic Soil District Soil certification if total ground disturbance (including siting for construction activities) is 5,000 square feet or greater. No State Coastal Zone Management, Wetland Protection or Flood Hazard Area permits are required.

Public Outreach [24 CFR 50.23 & 58.43]:

An English and Spanish-translation combined Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI/NOI-RROF) will be published in local newspapers. Copies of the publication and affidavits from the newspapers will be provided in the project file.

Cumulative Impact Analysis [24 CFR 58.32]:

According to the Council on Environmental Quality (CEQ) regulations, cumulative impacts represent the "impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7)." To the extent reasonable and practical, this EA considered the combined effect of the proposed project and other actions occurring or proposed in the vicinity of the proposed project site. Essex County and the entire New Jersey coast are undergoing recovery efforts after Superstorm Sandy caused extensive damages. The recovery efforts in the area include rehabilitation, demolition, reconstruction, and new construction. These projects and the proposed project may have a cumulative temporary impact on air quality, noise, traffic and surface water during construction activities, but will have a net long-term benefit to those areas within New Jersey that were significantly impacted by Superstorm Sandy. Further, based on the scale and scope of the project, it is not anticipated to pose adverse environmental impacts. The Housing and Mortgage Finance (HMFA) program as a whole is intended to help revitalize communities by

providing affordable housing opportunities. Specifically, the subject project and the HMFA program as a whole is anticipated to benefit environmental justice communities.

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.)

No other proposed project alternatives were provided by the applicant. Other uses for the project site, such as commercial or retail, were not considered as they would not be consistent with the property's zoning classification and would not meet program goals to provide affordable housing.

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

Under the No Action Alternative, the project would not be undertaken. In the absence of this project, the subject lots will continue to remain vacant, representing a continued detriment to the community, and will not benefit low income individuals as a whole. The HMFA program is intended to help revitalize communities by providing affordable housing opportunities. The No Action Alternative would not meet the HMFA program goals of providing affordable housing; therefore, this alternative was rejected.

Summary Statement of Findings and Conclusions:

Based on the findings of this assessment, the project will have a net benefit to the project area, specifically to environmental justice communities, and an environmental impact statement does not need to be prepared. The proposed project will provide affordable residential housing, which is needed in the City of Newark. The preparers have complied with all provisions of 24 CFR Part 58, subpart E - Environmental Review Process. All conditions of approval and required mitigation must be met.

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--

- Acquire all required federal, state and local permits prior to commencement of construction and comply with all permit conditions.
- 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.
- 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). In accordance with 24CFR

Part 35.155(a)(1), any property contracted prior to January 1, 1978 is required to 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.

--Air Quality-- Temporary impacts to air quality must be mitigated through Best Management Practices (BMPs) including the usage of water or chemical dust suppressant, covering load compartments of trucks carrying dust-generating material, and retrofitting older equipment with pollution controls. The project activities must meet the regulatory requirements of New Jersey's Air Rules and Air Pollution Controls.

--Asbestos/Lead Based Paint-- The building at South 10th Street was built in 1927. Asbestos Containing Materials (ACM) were identified in a prior survey conducted as part of the Phase I ESA. Because ACM is present, it must be properly abated in accordance with all Federal, State and Local regulations prior to construction. In addition, a prior Lead Based Paint (LBP) survey was performed which identified LBP on-site; however, the NJDEP determined it was insufficient and a new LBP survey was requested to be performed. The site was determined to be unsafe to occupy; therefore, the new LBP survey could not be completed. It was determined that all surfaces should be treated suspect for LBP and must be disposed of in accordance with all applicable federal, state and local regulations (See HMFA02890_Reference_Email_Dewberry#16-1400).

--Contamination and Toxic Substances-- A prior Phase I ESA identified suspect vent pipes on the north side of the building at South 10th Street. Subsequent geotechnical investigations yielded inconclusive results. During the current site reconnaissance, piping was observed on the north side of the building, but it did not appear associated with USTs. Based on the scope of work, no ground disturbance or excavation is proposed on the north side of the building. If the scope changes to include ground disturbance or excavation on the north side of the building at South 10th Street, and if tanks and/or evidence of the contamination is encountered, they would need to be disposed of in accordance with all applicable federal/state/local regulations.

Miscellaneous household waste was observed on the front (west side) of the property adjoining the existing building on South 10th Street. This waste must be properly disposed.

Because of the deteriorated state of the interior of the building, no inspections were conducted inside the

building. Therefore a full assessment of potential hazards could not be completed. If during the course of construction any hazardous materials are encountered, they would need to be disposed of in accordance with all applicable local, state and/or federal regulations.

--Drainage and Stormwater Management-- Based on the scale of the proposed project, any impact on storm water runoff is anticipated to be negligible. Furthermore, the site plan approval process - specifically, approval of a drainage, grading and/or stormwater management plan - will address site-specific drainage/storm water runoff concerns. Use of BMPs, such as clearing drainage inlets from obstructions, can help manage/mitigate drainage and storm water impacts.

--Endangered Species-- While bat surveys are no longer required for northern long-eared bats in buildings, if bats (of any species) happen to be discovered during the process of renovation/demolitions/etc., work should cease and the construction manager should contact Mackenzie Hall, New Jersey Division of Fish and Wildlife, Endangered and Nongame Species Program, at 609-292-1244 on how to proceed. All bat species are protected by law in New Jersey and cannot be knowingly harmed or harassed. While bat surveys are no longer required for northern long-eared bats in buildings, if bats (of any species) happen to be discovered during the process of renovation/demolitions/etc., work should cease and the construction manager should contact Mackenzie Hall, New Jersey Division of Fish and Wildlife, Endangered and Nongame Species Program, at 609-292-1244 on how to proceed. All bat species are protected by law in New Jersey and cannot be knowingly harmed or harassed.

--Hazards and Nuisances, including Site Safety-- The existing building at South 10th Street was noted to be in a deteriorated state and may contain hazards such as LBP, ACM and mold/mildew, and may represent a structural hazard. Miscellaneous household waste was also noted to be discarded on the front exterior of the property. Hazards from construction, (i.e. the removal of LBP and asbestos) activities can be mitigated by using industry-standard BMPs and standard site security, including fencing off areas during construction. In addition, all household waste observed on the property should be properly disposed of.

--Noise-- Temporary noise impacts (at all project sites) may occur during construction. The exterior level at both properties, at 128-134 South 10th Street and 101 South 9th Street, were estimated to be 62.9 decibels (dB), which is below the 65 dB threshold. Therefore, the project is in compliance. To minimize impacts to nearby properties, the applicant should comply with the following:

1. Outfit all equipment with operating mufflers.
2. Comply with the applicable local noise ordinance.

--Soil Suitability-- Geotechnical boring will be conducted prior to construction activities to ensure suitability. If underground storage tanks or other hazards are encountered during these tests, they would need to be properly disposed of in accordance with local, state and federal regulations. The threshold for the Hudson Essex Passaic Soil Conservation District soil certification requirement is 5,000 square feet of soil disturbance, clearing, grading, or construction access/staging. If this amount of disturbance (or greater) is proposed, this soil certification will need to be obtained.

CERTIFICATIONS

Yasmine Pessar, Dewberry

2016-11-21 19:30:51

Preparer Agency and Name

Completion Date

RE Certifying Officer Name

RE Certifying Officer Signature

RE CO Signature Date