

## Ortlieb, Erich

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**From:** Pettit, Chris <Chris.Pettit@icfi.com>  
**Sent:** Wednesday, February 11, 2015 10:09 AM  
**To:** Ortlieb, Erich; Harrison, Karyn; DeVoe, Lauren  
**Cc:** NJERRQUESTIONS  
**Subject:** FW: NCR39567 and NCR40034 - Noise Abatement and Control Question

Erich,

As we discussed on yesterday's call here is the response from Neil and Cathy regarding the noise. As we discussed this response answers both applications.

Cheers

Chris

CHRISTOPHER J. PETTIT | Senior Associate | +1.609.403.7443 Office | [christopher.pettit@icfi.com](mailto:christopher.pettit@icfi.com) | [icfi.com](http://icfi.com)

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**From:** Catherine Hughes Dymkoski [mailto:[cdymkoski@earthlink.net](mailto:cdymkoski@earthlink.net)]  
**Sent:** Wednesday, February 11, 2015 11:04 AM  
**To:** Sullivan, Neil; Pettit, Chris; Dymkoski, Catherine  
**Cc:** NJERRQUESTIONS  
**Subject:** Re: NCR39567 and NCR40034 - Noise Abatement and Control Question

Neil and Chris,

I agree. These recreational projects are not noise sensitive uses, not only according to sec 51.103(c) concerning disaster assistance, but also according to sec. 51.101(a)(2). (sec. 51.100, "Purpose and authority", provides the context).

Cathy

**From:** [Sullivan, Neil](#)  
**Sent:** Wednesday, February 11, 2015 6:19 AM  
**To:** [Pettit, Chris](#) ; [Dymkoski, Catherine](#) ; [Dymkoski, Catherine](#)  
**Cc:** [NJERRQUESTIONS](#)  
**Subject:** RE: NCR39567 and NCR40034 - Noise Abatement and Control Question

Chris,

My opinion is that these projects are not "noise sensitive developments" and noise analysis is not required. See the quote from HUD's noise regs below.

24 CFR Part 51.101(3)

*HUD support for new construction. HUD assistance for the construction of new noise sensitive uses is prohibited generally for projects with unacceptable noise exposures and is discouraged for projects with normally unacceptable noise exposure. (Standards of acceptability are contained in Sec. 51.103(c).) This policy applies to all HUD programs 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. The policy does not apply to research demonstration projects which do not result in new construction or reconstruction, flood insurance, interstate land sales registration, or any action or emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster.*

**NEIL SULLIVAN** | Senior Manager | 703.218.2533 (o) | [Neil.Sullivan@icfi.com](mailto:Neil.Sullivan@icfi.com) | [icfi.com](http://icfi.com)  
**ICF INTERNATIONAL** | 9300 Lee Highway, Fairfax, VA 22031 | 703.975.8853 (m)  
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**From:** Pettit, Chris  
**Sent:** Tuesday, February 10, 2015 12:06 PM  
**To:** Sullivan, Neil; Dymkoski, Catherine; Dymkoski, Catherine  
**Cc:** NJERRQUESTIONS  
**Subject:** FW: NCR39567 and NCR40034 - Noise Abatement and Control Question

Neil, Cathy,

Please see the below email from URS regarding noise abatement and control. I would say that neither of these are required to perform noise abatement and control. Can you confirm please?

Thanks

Chris

**CHRISTOPHER J. PETTIT** | Senior Associate | +1.609.403.7443 Office | [christopher.pettit@icfi.com](mailto:christopher.pettit@icfi.com) | [icfi.com](http://icfi.com)  
**ICF INTERNATIONAL** | 850 Bear Tavern Road, Suite 101, Ewing, NJ 08628



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**From:** Ortlieb, Erich [<mailto:erich.ortlieb@aecom.com>]  
**Sent:** Monday, February 09, 2015 11:44 PM  
**To:** Pettit, Chris; Sherman, Steven  
**Cc:** NJERRQUESTIONS; Harrison, Karyn; DeVoe, Lauren; Richardson, Morgan  
**Subject:** NCR39567 and NCR40034 - Noise Abatement and Control Question

NCR39567 (Perth Amboy Beach EA) and NCR40034 (Elizabeth River Trail EA)

Noise Abatement and Control

Are either of these projects considered applicable activities for Noise Abatement and Control?

The CEST and EA Guidance Document clarifies applicable activities to include “ (1) *Acquisition, conversion, or new construction* for residential or other *noise-sensitive developments* such as hospitals, nursing homes, day care, and community centers. (2) Reconstruction or rehabilitation projects where residential density is being increased.”

Do either of these projects appear to meet this criteria?

NCR40034 (Elizabeth River Trail EA)

Per Cathy Dymkoski, the trail “is construction of a recreational trail system for access to and use of the waterway for recreational purposes, as well as to provide a connection between existing open spaces and other recreational uses.”

NCR39567 (Perth Amboy Beach EA)

This is also effectively a recreational project - repairs and new improvements (not new construction) to a public facility with no change in land use.

**Erich Ortlieb**

Environmental Engineer

D 1-225-935-2986 C 1-225-252-3784

[erich.ortlieb@aecom.com](mailto:erich.ortlieb@aecom.com)

**AECOM**

7389 Florida Blvd, Ste 300, Baton Rouge, Louisiana 70806

T 1-225-922-5700 F 1-225-922-5701

[www.aecom.com](http://www.aecom.com)

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