

ENVIRONMENTAL ASSESSMENT

Determinations and Compliance Findings for HUD-Assisted Projects

24 CFR Part 58

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

Applicant Name: _____ (First) _____ (Last)

-or- _____ Borough of Beach Haven _____ (Business/Corporate Name)

Project Location: _____ 300 Engleside Avenue _____ (Street Address)

_____ Beach Haven _____ (Municipality) _____ Ocean _____ (County) New Jersey _____ (State)

_____ 133 _____ (Block) _____ 2 _____ (Lot)

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 construction 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.*

Noise

1. *Outfit all equipment with operating mufflers.*
2. *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 Controls (see "AirQualityMemo.pdf"). In addition, the following must be met:

1. *Use water or chemical dust suppressant in exposed areas to control dust.*
2. *Cover the load compartments of trucks hauling dust-generating materials.*
3. *Wash heavy trucks and construction vehicles before they leave the site.*
4. *Reduce vehicle speed on non-paved areas and keep paved areas clean.*
5. *Retrofit older equipment with pollution controls.*
6. *Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.*
7. *Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.*

8. 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).
9. 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).
10. 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).
11. 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.

Energy Efficiency

All reconstruction, new construction and rehabilitation projects in the HUD CDBG programs must be designed to incorporate principles of sustainability, including water and energy efficiency, resilience and mitigation of the impact of future disasters.

Explosive and Flammable Operations

An approximately 500-gallon above-ground storage tank (AST) was observed approximately 100 feet to the west of the building (see NCR39693_ASDCalcMap1 and NCR39693_Fueloiltank, within the "NCR39693_ASD" folder). The tank contains fuel oil and is therefore subject to the standards of regulation 24 CFR Part 51 Subpart C for thermal radiation for buildings and people but not for blast over pressurization. The tank is located within a secondary containment basin that measures approximately 6 feet by 6 feet by 2 feet high. This allows for a storage capacity of approximately 538 gallons. It is noted that the basin has covers which prevent rain water accumulation that might otherwise displace its spill carrying capacity. Therefore, the secondary containment can be considered a diked enclosure. The acceptable separation distance (ASD) for thermal radiation for people for this tank is approximately 38 feet (see NCR39693_ASDCalc within the NCR39693_ASD folder). The tank is approximately 100 feet to the west of the current footprint of the Borough Hall; therefore, the Borough Hall is outside of the ASD for this tank. The proposed project will include the extension of the footprint of the Borough Hall to the rear (west), towards the AST, by approximately 25 feet. Therefore, the proposed building footprint will ultimately be approximately 75 feet from the tank, which is outside the tank's ASD for thermal radiation. The project is in compliance and no ASD mitigation measures need to be incorporated into the project design. See correspondence with HUD (NCR39693_ASDCorrespondence), in the NCR39693_ASD folder. However, the applicant must maintain the tank's containment system; if it is removed, the tank would no longer be considered "diked" and the ASD would be approximately 207 feet and the site would not be beyond the ASD,

meaning the project would not be in compliance with 24 CFR 51 Subpart C.

Floodplain Management and Flood Insurance

1. All proposed reconstruction, substantial improvements, and elevation activities in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the Flood Hazard Area Control Act rules (N.J.A.C. 7:13).
2. All structures funded by the CDBG-DR programs, if in, or partially in, the 100-year floodplain shown on the effective FEMA Flood Insurance Rate Map, must be covered by flood insurance and the flood insurance must be maintained for the economic life of the structure [24 CFR 58.6(a)(1)]. This means no funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.
3. No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance, but failed to obtain and maintain the insurance [24 CFR 58.6(b)].
4. The reconstruction of the building (beyond the existing building's footprint) will be subject to the requirements of an NJDEP Division of Land Use Regulation (DLUR) Flood Hazard Area (FHA) Individual Permit at N.J.A.C. 7:13-11.5. The applicant will be required to submit an FHA Individual Permit application to the DLUR pursuant to the requirements of 7:13-1.1 et seq. Permit materials will need to include the required permit plans, construction details and notes, Engineering Reports, compliance statement, Environmental Reports, sequence of construction, application form, checklists, figures, public notifications, photos, technical appendices, and fee check.

Hazardous Waste

Based on the construction date of the subject building, an asbestos and lead-based paint survey was conducted (see "NCR39693_LBP_ACM_Report"). The survey identified six asbestos-containing materials in various samples throughout the building (see Table 1.0 within the report). Based on the results of the survey, the following must be met:

1. All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the following:
 - National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145
 - National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150
 - NJAC 7:26-2.12—Generator requirements for disposal of asbestos containing waste materials
 - New Jersey Asbestos Control and Licensing Act, N.J.S.A. 34:5A-32 et seq.
2. 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).
3. 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.
4. Regarding asbestos containing material a qualified person should continuously oversee all demolition activities once they commence.

In addition, the following must be met:

1. *Should impacted soils be encountered during construction, they should be excavated and properly disposed of at an off-site permitted disposal facility in accordance with all applicable local, state and federal regulations. In the event that the impacted soils constitute a reportable release, the appropriate information pertaining to the release and the responsible party should be provided to the New Jersey Department of Environmental Protection Hotline, and the impacted media remediated with the oversight of a Licensed Site Remediation Professional (LSRP).*

Soil and Water Quality

Obtain Ocean Soil Conservation District Soil Erosion and Sediment Control Plan Certification. The following requirements will also be met.

1. *Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in waters and to prevent erosion in wetlands and waters.*
2. *Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.*

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:

Gary Doss, Dewberry
Preparer Name and Agency


Preparer Signature

4/13/2015
Preparer Completion Date

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	CDBG-DR	\$5,000,000

Estimated Total HUD Funded Amount: \$5,000,000

Estimated Total Project Cost [24 CFR 58.32(d)]: (HUD and non-HUD funds) \$6,006,000

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

The proposed project is intended to reconstruct the storm-damaged Borough Hall building, which was substantially damaged as a result of flooding from Superstorm Sandy. The project will help facilitate the Borough's day-to-day operations by reconstructing the damaged Borough Hall building.

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 proposed project was originally submitted with a scope of work that would involve the demolition of the existing single-story 6,780 square foot Borough Hall building and the reconstruction of a new two-story approximately 13,000 square foot Borough Hall. The new building would be built within the footprint of the existing building and would incorporate the Beach Haven Police Department headquarters. In addition, the

new building would be constructed to an elevation above the base flood elevation (BFE). The project would also involve sidewalk installation along Engleside Avenue and Bay Avenue, and grading and landscaping.

Subsequently, the applicant informed NJDEP that they are seeking to revise their scope of work for the project (see "NCR39693_NewSOWNarrative.pdf" within the Applicant Documents folder). Concurrent with the Borough Hall reconstruction, the Borough has been pursuing grant funding for the rehabilitation of their Emergency Operations Center (EOC), located at 420 Pelham Avenue (approximately 1 mile to the south of the Borough Hall). This structure has housed all the Borough's municipal functions since Superstorm Sandy. The Borough has decided, however, that the most efficient approach would be to abandon the EOC rehabilitation project and amend the scope of the Borough Hall reconstruction to incorporate the addition of EOC offices. This option would be more cost effective than rehabilitating/reconstructing both buildings, and would provide for more efficient functioning of municipality offices through the consolidation of the municipality's facilities into one building.

The applicant's revised scope of work would no longer involve construction solely within the footprint of the existing building. Instead, the existing Borough Hall's footprint would be expanded by approximately 3,300 square feet to the rear (west) and front corners (north and south) of the building. An approximately 5,000 square foot second story will be constructed, resulting in overall approximately 15,000 square feet of space. The applicant noted that they are seeking first-floor expansion instead of increasing second-story floor space (i.e., they are seeking to increase the footprint of the building instead of making it higher than what they originally proposed) to allow for more public facilities to be located on the first floor, increasing accessibility to these offices. It is noted that the new proposal will also involve the incorporation of the Police Department offices into the Borough Hall and will also involve associated sidewalk/landscaping/grading improvements (see "NCR39693_NewSitePlan.pdf" within the Applicant Documents folder).

The project will not result in a change in land use. The site and overall parcel are currently a municipal land use, and the project will not result in a change in this use. It is noted that the site is located on a parcel that contains numerous buildings owned and operated by the municipality. The parcel occupies roughly the entire block bounded by Engleside Avenue, Bay Avenue, Amber Street and S. Delaware Avenue. For the purposes of this assessment, "site" and "project" refer only to the area included within the proposed footprint of the Borough Hall and the adjoining sidewalk/landscaped areas along Engleside Avenue and Bay Avenue that are being improved (i.e., the areas where work is funded). See NCR39693_SiteLocationMap. The remainder of the subject property is not considered "on-site" for this assessment.

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 site is within Beach Haven Borough in an area characterized primarily by residential (single-family) development and commercial (retail) and rental housing. Beach Haven and other nearby communities were heavily impacted by Superstorm Sandy; in the absence of the current project, the Borough Hall will continue to deteriorate, impacting future Borough government operations.

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 A B		Compliance Documentation
<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 project is within Ocean County, which is shown as being designated a nonattainment or maintenance area for the following National Ambient Air Quality Standard (NAAQS) pollutants (see NCR39693_AirQualityMap):</p> <ul style="list-style-type: none"> • Nonattainment area for 8 hour Ozone standard of 0.08 ppm (1997 standard) • Nonattainment area for 8 hour Ozone standard of 0.075 ppm (2008 standard) • Maintenance area for 8-hour Carbon Monoxide standard of 9ppm <p>Project activities must meet the regulatory requirements of New Jersey’s Air Rules and Air Pollution Controls (see “AirQualityMemo.pdf”). The project will involve the demolition of the existing building and reconstruction of a new Borough Hall building. 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.</p>

<p>2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	<input checked="" type="checkbox"/>	<p><input type="checkbox"/></p> <p>Newark Liberty International Airport is located approximately 77 miles to the north of the project. Atlantic City International Airport is located approximately 19 miles to the southwest of the project. The nearest military airfield, Lakehurst Naval Air Station, is located approximately 32 miles north of the project. The 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 NCR39693_AirportHazardsMap).</p>
<p>3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]</p>	<input checked="" type="checkbox"/>	<p><input type="checkbox"/></p> <p>The entire site is within the Coastal Area Facility Review Act (CAFRA) area; however, the site is not within 150 feet of the Mean High Water Line (MHWL) and is located within a non-qualifying municipality (see NCR39693_CoastalZoneManagementActMapCAFRA). The original DLUR submittal (see “NCR39693_DLUR_1” within the “DLUR” folder within the “NCR39693_Correspondence” folder) was conducted prior to the applicant’s change in project scope; therefore, that DLUR response does not reflect the current project activities (expansion of footprint). Dewberry resubmitted to DLUR with the revised project scope. Notwithstanding the expansion in footprint, because the project is not proposed to increase the number of dwelling units on-site and will not increase parking spaces associated with the building, no CAFRA permitting is anticipated to be required, per N.J.A.C. 7:7-2.1(a)5.ii (see NCR39693_DLUR_Response2). While the project will increase the density on the site (through the consolidation of off-site EOC office space into the new Borough Hall), no new parking is proposed. Parking will continue to be accommodated at existing spaces on-site or through streetside parking.</p> <p>In addition, the project does not involve work beneath the MHWL, therefore no Waterfront Development permitting is required.</p>
<p>4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]</p>	<input type="checkbox"/>	<p><input checked="" type="checkbox"/></p> <p>The site is within 3,000 feet of the following toxics site: “Friendly Management Co. Service Station”, site ID 3255 (see NCR39693_ToxicHazardousandRadioactiveSubstancesMap), however, according to NJDEP, this site is cleared and therefore not considered a concern to the project (see the “Toxics” folder within the “NCR39693_Correspondence” folder). In addition, no toxic or hazardous substances were observed on-site.</p> <p>It is noted that the subject building was constructed in approximately 1974/1975; therefore, there is the potential for asbestos-containing materials (ACMs) and lead-based paint (LBP) to be present in the building. The building construction date was not available on tax assessment records; however, the applicant (the Borough of Beach Haven, which owns the building) indicated the construction date was 1974/1975. An ACM/LBP screening survey was conducted to evaluate the presence of ACM/LBP (see “NCR39693_LBP_ACM_Report” within the Supporting Documentation folder). Based on the survey results, no LBP was encountered; however, ACM was identified in six samples taken throughout the building (see Table 1 within the survey report). Due to the presence of ACM, a qualified person should continuously</p>

		<p>oversee all demolition activities once they commence. All construction and demolition activities at the site must comply with applicable federal, state, and local laws and regulations regarding asbestos.</p> <p>The property is within a Tier 3 Radon area of low radon potential (see NCR39693_RadonMap). Therefore, further assessment regarding radon is not warranted.</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>According to the US Fish and Wildlife Service (USFWS) Information, Planning and Conservation System (IPaC), piping plover (threatened) may be present within proximity to the site (see NCR39693_USFWS_IPaC). It is noted, however, that according to the NJDEP GIS tool, no piping plover habitat is mapped within proximity to the site (see NCR39693_EndangeredSpeciesMap). The IPaC results also indicated the possible habitat for the federally-threatened plant species Seabeach amaranth in proximity to the site; however, because the site is currently entirely developed or artificially landscaped and the sidewalk replacement will be in-kind, no impact to this species is anticipated. In addition, this species typically inhabits dune environments, and no dunes are present on-site.</p> <p>According to the NJDEP Natural Heritage Program (NHP), no state or federally-listed threatened/endangered species are on-site (see NCR39693_NHP). The NHP results did indicate one on-site species of concern as being bottlenose dolphin; however, this species is not designated as state or federally threatened/endangered and no suitable habitat for this species is on-site. The NHP results also indicated foraging and nesting habitat for numerous additional species that are identified as state and/or federally threatened/endangered within one mile of the project site; however, based on the scope of project activities (e.g., expansion of footprint only into developed or artificially landscaped areas), no impact to these species is anticipated.</p> <p>The NJDEP GIS tool did not indicate the presence of state or federally listed threatened/endangered species, with the exception of potential habitat for federally-threatened bat species. This habitat is identified as being within the right of way for South Bay Avenue, adjacent to the east of the site. In addition, the western portion of the subject property is identified as being potential bat habitat for this species. It is noted, however, that no bat species were identified on IPaC or NHP results.</p> <p>The applicant's revised scope of work will involve expansion toward but not within these mapped areas. While the mapped bat areas do not overlap the limits of proposed disturbance, bats are highly mobile in nature, and may be present in adjacent areas that are not mapped as potential bat habitat. Notwithstanding this information, no potential bat habitat (trees greater than or equal to five inches in diameter) is present in the area of proposed disturbance. The rear of the property is completely paved and the front portions of the property contain only decorative shrubs and planters. Therefore, the expanded footprint of the building is not anticipated to impact</p>

		bat species.
6. Environmental Justice [Executive Order 12898]	<input checked="" type="checkbox"/>	<input type="checkbox"/> <p>The project will involve the reconstruction of the Borough Hall. The site is not located within proximity to environmental justice populations (0-10% minority population and 0-10% below poverty). Therefore the project will not adversely impact environmental justice populations. See NCR39693_EJChecklist, NCR39693_EnvironmentalJusticeMinorityMap and NCR39693_EnvironmentalJusticePovertyMap.</p>
7. Explosive and Flammable Operations [24 CFR 51C]	<input checked="" type="checkbox"/>	<input type="checkbox"/> <p>An approximately 500-gallon above-ground storage tank (AST) was observed approximately 100 feet to the west of the building (see NCR39693_ASDCalcMap1 and NCR39693_Fueloiltank, within the "NCR39693_ASD" folder). The tank contains fuel oil and is therefore subject to the standards of regulation 24 CFR Part 51 Subpart C for thermal radiation for buildings and people but not for blast over pressurization. The tank is located within a secondary containment basin that measures approximately 6 feet by 6 feet by 2 feet high. This allows for a storage capacity of approximately 538 gallons. It is noted that the basin has covers which prevent rain water accumulation that might otherwise displace its spill carrying capacity. Therefore, the secondary containment can be considered a diked enclosure. The acceptable separation distance (ASD) for thermal radiation for people for this tank is 38 feet (see NCR39693_ASDCalc within the NCR39693_ASD folder). The tank is approximately 100 feet to the west of the current footprint of the Borough Hall. The proposed project will include the extension of the footprint of the Borough Hall to the rear (west), towards the AST, by approximately 25 feet. Therefore, the proposed building footprint will ultimately be approximately 75 feet from the tank, which is outside the tank's ASD for thermal radiation. The project is in compliance and no ASD mitigation measures need to be incorporated into the project design. See correspondence with HUD (NCR39693_ASDCorrespondence), in the NCR39693_ASD folder. However, the applicant must maintain the tank's containment system; if it is removed, the tank would no longer be considered "diked" and the ASD would be approximately 207 feet and the site would not be beyond the ASD, meaning the project would not be in compliance with 24 CFR 51 Subpart C.</p> <p>No other large storage tanks were observed within 1 mile of the project (see NCR39693_ASDCalcMap2).</p>
8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly section 1504(b) & 1541; 7 CFR 658]	<input checked="" type="checkbox"/>	<input type="checkbox"/> <p>According to NJDEP GIS information, the site is not within areas identified as being prime farmland. Therefore, the project will not adversely impact soils of importance to farmland (see NCR39693_FarmlandProtectionSoilsMap).</p>
9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]	<input type="checkbox"/>	<input checked="" type="checkbox"/> <p>The site is completely located within the 100-year floodplain (see NCR39693_FloodplainMgmtandFloodInsuranceNFIPNotInFloodway). The site is within Zone AE, with a base flood elevation (BFE) of 8 feet (it is noted that the AE zone is a subset of the A zone, as shown on the GIS map). According to the applicant, the proposed reconstructed building will be built to an elevation of 9 feet (one foot above the BFE).</p> <p>The NJDEP DLUR previously reviewed the former project scope for</p>

		<p>compliance with Coastal Zone Management (see Section 3 above and “NCR39693_DLUR_Response1” in the “DLUR” folder within the “NCR39693_Correspondence” folder). In their response, they stated that the project would be subject to a Flood Hazard Area Control Act (FHA) permit-by-rule. However, because the project scope has changed and will now involve expansion greater than 300 square feet outside of the current footprint, an FHA permit-by-rule is not applicable to the project. The project will require an FHA Individual Permit pursuant to the requirements of N.J.A.C. 7:13-11.5 (see NCR39693_DLUR_Response2). The applicant will be required to submit an FHA Individual Permit application to the DLUR pursuant to the requirements of 7:13-1.1 et seq. Permit materials will need to include the required permit plans, construction details and notes, Engineering Reports, compliance statement, Environmental Reports, sequence of construction, application form, checklists, figures, public notifications, photos, technical appendices, and fee check.</p> <p>Since no practicable alternatives to locating within the floodplain were identified, and the project involves a “critical action” (the project involves incorporation of a police station, which is defined as a critical action per 24 CFR 55.2(b)(3)(i)(B)), an 8-step decision-making process was conducted as outlined in 24 CFR 55.21. A public notification was posted on October 30, 2014 with a comment period of 15 days. No comments were received. A copy of the 8-step checklist, the 8-step analysis and public notifications can be found in NCR39693_8Step.</p> <p>Steps 1-7 were conducted as part of the 8 Step. Step 8 consists of implementation of the proposed action. Implementation of the proposed action may require additional local and state permits, which could place additional design modifications or mitigation requirements on the project.</p>
<p>10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The site is located within the “green zone” and is not within the historic archaeological site grid (see NCR39693_HistoricPreservationExemptionZoneMap). It is noted, however, that the project site is located approximately 200 feet to the west of the Beach Haven Historic District (NR/SR); therefore, the former project scope was submitted to SHPO for a review of potential visual impacts to the historic district. SHPO concurred on November 7, 2014 that no historic properties were adversely affected by the formerly proposed project (see the “NCR39693_SHPO_Response1” within the “SHPO” folder within “NCR39693_Correspondence”). Subsequent to this concurrence, Dewberry received the amended scope of work for the project and submitted a follow-up correspondence to SHPO on April 7, 2015. Notwithstanding the expansion in scope, due to the presence of intervening commercial development between the historic district and the Borough Hall, it is not anticipated that there will be any visual impact on the historic district. Furthermore, because the project is located on a barrier island, is not in proximity to a known shipwreck or other archaeological site, and will involve less than 5 acres of ground disturbance, the project is not subject to archaeological review per the May 2013 Programmatic Agreement. SHPO has concurred with this finding (see</p>

		<p>NCR39693_SHPO_Response2). No further consultation with the SHPO is required at this time.</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="checkbox"/> <input type="checkbox"/></p>	<p>A Day/Night Noise Level (DNL) calculation for the project was not conducted. DNL noise 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 project will involve demolition and reconstruction of the Beach Haven Borough Hall, which is not a noise sensitive development.</p> <p>It is anticipated that construction activities will create a temporary noise impact. This impact can be mitigated through the use of BMPs such as installation of mufflers on equipment and performing construction during daytime.</p>
<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="checkbox"/> <input type="checkbox"/></p>	<p>The site is in an area identified as being underlain by the Coastal Plain Sole Source Aquifer (see NCR39693_SoleSourceAquiferMap). With the exception of small landscaped areas fronting along South Bay Avenue and Engleside Avenue, the property is almost entirely developed. The proposed project will involve demolition of the existing Borough Hall and replacing it with a new elevated building. Only approximately 800 square feet of additional impervious surface cover is proposed, as shown on the revised site plan (see NCR39693_NewSitePlan). In addition, the project area receives municipally-supplied water and sewer utilities (Borough of Beach Haven Water Department and Sewerage Authority). No above-ground or underground storage tanks are located on or proposed to be located on the project site. Therefore, the project is in compliance with the conditions of the USEPA Sole Source Aquifer Memo (see “EPA SSA Memo”) and no impacts to the aquifer are anticipated and no consultation with USEPA Region 2 is required.</p> <p>While one AST was observed on the overall site parcel (see Section 7 above), this tank is not located within the limits of the site and is not associated with the proposed project.</p>
<p>13. Wetland Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The site is not in proximity to mapped wetlands. See NCR39693_WetlandProtection Map. In addition, no wetlands were observed in the vicinity of the site during the site reconnaissance. Therefore, no impacts to wetlands are anticipated.</p>

<p>14. Wild and Scenic Rivers [Wild and Scenic Rivers Act of 1968, particularly section 7(b) & (c); 36 CFR 297]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>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.</p> <p>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 designated river is the Great Egg Harbor River, approximately 22 miles to the southwest of the project site (see NCR39693_WildandScenicRiversMap). This distance is greater than the 1 mile buffer zone. Therefore, consultation with the National Park Service is not required.</p>
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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	According to the Borough of Beach Haven Zoning Map, adopted April 9, 2002, the property is currently zoned Business District (BD). This allows for commercial and municipal uses (i.e., non-residential) along Bay Avenue, creating a central business district within the Borough. The project, which will reconstruct the Borough Hall, is in conformance with these goals.
Land Use Compatibility and Conformance with Zoning	1	The property is currently zoned Business District (see "Beach Haven Zoning Map.pdf"). The project is a municipal building and is in conformance with zoning requirements.
Urban Design- Visual Quality and Scale	1	The zoning requirements for the subject parcel limit development to 35 feet and three stories in height. The proposed development includes reconstructing the Borough Hall; the reconstruction will replace the existing single-story building with a two-story building. Conformance with height limits set forth in the property's zoning will be ensured during the design phases of the project.
Slope	1	The subject property and surrounding area is generally flat with no slopes; therefore, the proposed project will not impact steep slopes.

Erosion	3	<p>The project is not located on steep slopes and is not adjacent to a body of water. Temporary impacts from construction activities can be mitigated through BMPs (i.e., silt fences) and will be addressed during the site plan approval process.</p> <p>The project will involve ground disturbance. The threshold for Sediment Control Plan Certification is 5,000 square feet. The project will involve disturbing greater than 5,000 square feet; therefore, the applicant will need to obtain Ocean Soil Conservation District Soil Erosion and Sediment Control Plan Certification. The following requirements will also be met.</p> <ol style="list-style-type: none"> 1. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in waters and to prevent erosion in wetlands and waters. 2. Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.
Soil Suitability	1	<p>According to NJDEP GIS information, the project is not within areas identified as being prime farmland. Therefore, the project will not adversely impact soils of importance to farmland (see NCR39693_FarmlandProtectionSoilsMap).</p>
Hazards and Nuisances, Including Site Safety	2	<p>The Borough Hall is currently vacant and dilapidated. The proposed project will demolish the building and reconstruct a new Borough Hall, thereby eliminating nuisances associated with empty dilapidated buildings, enhancing the local neighborhood. Site safety during construction can be managed through the use of BMPs (i.e., perimeter fencing) during construction operations.</p> <p>Due to the presence of ACM, a qualified person should continuously oversee all demolition activities once they commence. All construction and demolition activities at the site must comply with applicable federal, state, and local laws and regulations regarding asbestos.</p>
Drainage/Storm Water Runoff	3	<p>The project will utilize the Borough's existing storm water system. The property is almost entirely impervious; therefore, no additional impacts to the Borough's storm water management system are anticipated from the project. The site plan approval process will address any drainage/storm water runoff concerns.</p>

<p>Noise-Effects of Ambient Noise on Project & Contribution to Community Noise Levels</p>	<p>1</p>	<p>A Day/Night Noise Level (DNL) calculation for the project was not conducted. DNL noise 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 project will involve demolition and reconstruction of the Beach Haven Borough Hall, which is not a noise sensitive development.</p> <p>It is anticipated that construction activities will create a temporary noise impact. This impact can be mitigated through the use of BMPs such as installation of mufflers on equipment and performing construction during daytime.</p>
<p>Energy Consumption</p>	<p>1</p>	<p>Atlantic City Electric Utility provides electric utilities to southern New Jersey, including the project area. The project will demolish an existing building and replace it with a new one. The project is not anticipated to have a significant impact on electric utility services. In addition, all reconstruction, new construction and rehabilitation projects in the HUD CDBG programs must be designed to incorporate principles of sustainability, including water and energy efficiency, resilience and mitigation of the impact of future disasters.</p>

Socioeconomic Factors						
Demographic Character Changes	1	According to 2010 census data, the site is not located in a high diversity residential area. The non-minority population accounts for 92.6% of the total population, compared to 69% for the state as a whole. The proposed project activities are not anticipated to impact the demographic character of the area.				
			Beach Haven Borough		New Jersey	
		Subject	Number	Percent	Number	Percent
		Total Population	1,170	100.0	8,791,894	100.0
		Median Age (Years)	51.5	(X)	39.0	(X)
		White	1,084	92.60%	6,029,248	68.6
		Black or African American	4	0.30%	1,204,826	13.7
		American Indian and Alaska Native	0	0%	29,026	0.3
		Asian	9	0.80%	725,726	8.3
		Native Hawaiian and Other Pacific Islander	0	0%	3,043	0.0
		Some Other Race	69	6%	559,722	6.4
		Two or More Races	4	0.30%	240,303	2.7
		Hispanic Total Population	116	9.90%	8,791,894	100.0
		Average Household Size	2.2	(X)	2.68	(X)
		Average Family Size	2.81	(X)	3.22	(X)
		Total Housing Units	2,667	100.0	3,553,562	100.0
		Occupied Housing Units	531	19.90%	3,214,360	90.5
Vacant Housing Units	2,136	80.10%	339,202	9.5		
Note: Hispanic populations may be of more than one race.						
Displacement	2	The current building is closed due to the storm damage, resulting in the displacement of Borough offices to other areas in the Borough. The project is proposed to reconstruct the storm-damaged Borough Hall, thereby allowing the Borough offices to resume operations in their original location.				

Employment and Income Patterns	2	<p>2008 and 2012 census data shows that Brick Township has a lower unemployment rate and slightly higher income level compared to the state as a whole. The project will reconstruct the Borough Hall in its original location and is therefore not anticipated to have any long-term impacts to employment and income patterns. Short-term employment benefits, however, are anticipated during the construction phases of the project through the increase in demand for construction-related jobs.</p> <table border="1" data-bbox="706 472 1458 1306"> <thead> <tr> <th rowspan="2">Subject</th> <th colspan="2">Beach Haven Borough</th> <th colspan="2">New Jersey</th> </tr> <tr> <th>Number</th> <th>Percent</th> <th>Number</th> <th>Percent</th> </tr> </thead> <tbody> <tr> <td>Population 16 years and over</td> <td>1,035</td> <td>100%</td> <td>6,985,329</td> <td>6,985,329</td> </tr> <tr> <td>In Labor Force</td> <td>477</td> <td>46.10%</td> <td>4,672,338</td> <td>66.9%</td> </tr> <tr> <td>Civilian Labor Force</td> <td>477</td> <td>46.10%</td> <td>4,663,005</td> <td>66.8%</td> </tr> <tr> <td>Employed</td> <td>441</td> <td>42.60%</td> <td>4,219,677</td> <td>60.4%</td> </tr> <tr> <td>Unemployed</td> <td>36</td> <td>3.50%</td> <td>443,328</td> <td>6.3%</td> </tr> <tr> <td>Armed Forces</td> <td>0</td> <td>0%</td> <td>9,333</td> <td>0.1%</td> </tr> <tr> <td>Not in labor force</td> <td>558</td> <td>53.90%</td> <td>2,312,991</td> <td>33.1%</td> </tr> <tr> <td>Civilian Employed Population 16 Years and Over</td> <td>477</td> <td>(X)</td> <td>4,219,677</td> <td>4,219,677</td> </tr> <tr> <td>Median Household Income (dollars)</td> <td>75,500</td> <td>(X)</td> <td>71,637</td> <td>(X)</td> </tr> <tr> <td>Mean Household Income (dollars)</td> <td>113,181</td> <td>(X)</td> <td>96,602</td> <td>(X)</td> </tr> <tr> <td>Median Family Income (dollars)</td> <td>105,000</td> <td>(X)</td> <td>87,389</td> <td>(X)</td> </tr> <tr> <td>Mean Family Income (dollars)</td> <td>146,288</td> <td>(X)</td> <td>112,730</td> <td>(X)</td> </tr> <tr> <td>Per Capita Income (dollars)</td> <td>56,243</td> <td>(X)</td> <td>35,928</td> <td>(X)</td> </tr> <tr> <td>Percentage of People Whose Income in the Past 12 Months is Below Poverty Level</td> <td>(X)</td> <td>4.00%</td> <td>(X)</td> <td>9.9%</td> </tr> </tbody> </table>	Subject	Beach Haven Borough		New Jersey		Number	Percent	Number	Percent	Population 16 years and over	1,035	100%	6,985,329	6,985,329	In Labor Force	477	46.10%	4,672,338	66.9%	Civilian Labor Force	477	46.10%	4,663,005	66.8%	Employed	441	42.60%	4,219,677	60.4%	Unemployed	36	3.50%	443,328	6.3%	Armed Forces	0	0%	9,333	0.1%	Not in labor force	558	53.90%	2,312,991	33.1%	Civilian Employed Population 16 Years and Over	477	(X)	4,219,677	4,219,677	Median Household Income (dollars)	75,500	(X)	71,637	(X)	Mean Household Income (dollars)	113,181	(X)	96,602	(X)	Median Family Income (dollars)	105,000	(X)	87,389	(X)	Mean Family Income (dollars)	146,288	(X)	112,730	(X)	Per Capita Income (dollars)	56,243	(X)	35,928	(X)	Percentage of People Whose Income in the Past 12 Months is Below Poverty Level	(X)	4.00%	(X)	9.9%
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Educational Facilities	1	The project will not involve adding residences; therefore, the project is not anticipated to have an impact on the Beach Haven public schools, Long Beach Island Consolidated School District and other local public education facilities.																																																																															
Commercial Facilities	1	The project will involve the reconstruction of the Borough Hall; therefore, no impacts are anticipated to nearby commercial facilities.																																																																															
Health Care	1	The project will involve the reconstruction of the Borough Hall. No additional residences are proposed. Therefore, no impacts are anticipated to the Long Beach Island Health Department, which services the municipalities on Long Beach Island.																																																																															
Social Services	1	The project will involve the reconstruction of the Borough Hall. No additional residences are proposed. Therefore, no impacts are anticipated to the Ocean County Board of Social Services.																																																																															
Solid Waste Disposal/Recycling	1	The Beach Haven Borough Public Works Department is responsible for the pickup of solid waste/recycling pickup. Based on the scope of project activities, the project is not anticipated to have a significant impact on the township's solid waste disposal/recycling system.																																																																															

Waste Water/Sanitary Sewers	1	Wastewater and sewer utilities in Beach Haven Borough are provided by the Beach Haven Sewerage Authority. The proposed project will reconstruct the storm-damaged Borough Hall; based on the scope of the project, the proposed project is not anticipated to significantly impact the Borough's waste water and sanitary sewer capacity.
Water Supply	1	Water utilities in Beach Haven Borough are provided by the Beach Haven Water Department. The proposed project will reconstruct the storm-damaged Borough Hall; based on the scope of the project, the proposed project is not anticipated to significantly impact the Borough's water supply.
Public Safety: <ul style="list-style-type: none"> • Police • Fire • Emergency Medical 	2	The project will involve the demolition and reconstruction of the Borough Hall. In addition, the Beach Haven Police Department and Beach Haven Emergency Operations Center will be incorporated into the new Borough Hall. This is not anticipated to adversely impact public safety in the project area and no disruption to service is anticipated (departments will continue to function in other buildings while construction is ongoing). In fact, the consolidation of Borough offices is expected to benefit these municipal functions because the consolidation of municipal uses into one central location will increase efficiency and communication among the departments.
Parks, Open Space & Recreation: <ul style="list-style-type: none"> • Open Space • Recreation 	1	No residences are proposed to be added as part of the project, and no parks or recreational facilities are proposed to be displaced by the project. Therefore, no adverse impacts to nearby public parks/recreational facilities (such as Veterans Memorial Park, approximately 500 feet to the southeast) is anticipated.
Cultural Facilities	1	<p>No residences are proposed to be added as part of the project; therefore, the project is not anticipated to have any impact to local cultural facilities (such as the Long Beach Island Historical Society, approximately 500 feet to the east).</p> <p>The site is located within the "green zone" and is not within the historic archaeological site grid (see NCR39693_HistoricPreservationExemptionZoneMap). It is noted, however, that the project site is located approximately 200 feet to the west of the Beach Haven Historic District (NR/SR); therefore, the former project scope was submitted to SHPO for a review of potential visual impacts to the historic district. SHPO concurred on November 7, 2014 that no historic properties were adversely affected by the formerly proposed project (see the "NCR39693_SHPO_Response1" within the "SHPO" folder within "NCR39693_Correspondence"). Subsequent to this concurrence, Dewberry received the amended scope of work for the project and submitted a follow-up correspondence to SHPO on April 7, 2015. Notwithstanding the expansion in scope, due to the presence of intervening commercial development between the historic district and the Borough Hall, it is not anticipated that there will be any visual impact on the historic district. Furthermore, because the project is located on a barrier island, is not in proximity to a known shipwreck or other archaeological site, and will involve less than 5 acres of ground disturbance, the project is not subject to archaeological review per the May 2013 Programmatic Agreement. SHPO has concurred with this finding (see NCR39693_SHPO_Response2). No further consultation with the SHPO is required at this time.</p>

Transportation & Accessibility	1	The site is located along South Bay Avenue (Route 607), which is the main north/south thoroughfare on the island. Based on the scope of the project, it is not anticipated to significantly impact local transportation infrastructure.
Natural Features		
Water Resources	1	<p>The site is in an area identified as being underlain by the Coastal Plain Sole Source Aquifer (see NCR39693_SoleSourceAquiferMap). With the exception of small landscaped areas fronting along South Bay Avenue and Engleside Avenue, the property is almost entirely developed. The proposed project will involve demolition of the existing Borough Hall and replacing it with a new elevated building. Only approximately 800 square feet of additional impervious surface cover is proposed, as shown on the revised site plan (see NCR39693_NewSitePlan). In addition, the project area receives municipally-supplied water and sewer utilities (Borough of Beach Haven Water Department and Sewerage Authority). No above-ground or underground storage tanks are located on or proposed to be located on the project site. Therefore, the project is in compliance with the conditions of the USEPA Sole Source Aquifer Memo (see "EPA SSA Memo") and no impacts to the aquifer are anticipated and no consultation with USEPA Region 2 is required.</p> <p>While one AST was observed on the overall site parcel (see Section 7 above), this tank is not located within the limits of the site and is not associated with the proposed project.</p>
Surface Water	1	The site is located approximately 600 feet east of Little Egg Harbor and approximately 1,700 feet west of the Atlantic Ocean. The project is not anticipated to impact these areas.
Unique Natural Features & Agricultural Lands	1	No unique natural features or agricultural lands are located within the project area. Therefore, no impacts to these resources is anticipated.
Vegetation and Wildlife	1	<p>According to the US Fish and Wildlife Service (USFWS) Information, Planning and Conservation System (IPaC), piping plover (threatened) may be present within proximity to the site (see NCR39693_USWFS_IPaC). It is noted, however, that according to the NJDEP GIS tool, no piping plover habitat is mapped within proximity to the site (see NCR39693_EndangeredSpeciesMap). The IPaC results also indicated the possible habitat for the federally-threatened plant species Seabeach amaranth in proximity to the site; however, because the project parcel is currently entirely developed or artificially landscaped, and the sidewalk replacement will be in-kind, no impact to this species is anticipated. In addition, this species typically inhabits dune environments, and no dunes are present on-site.</p> <p>According to the NJDEP Natural Heritage Program (NHP), no state or federally-listed threatened/endangered species are on-site (see NCR39693_NHP). The NHP results did indicate one on-site species of concern as being bottlenose dolphin; however, this species is not designated as state or federally threatened/endangered and no suitable habitat for this species is on-site. The NHP results also indicated foraging and nesting habitat for numerous additional species that are identified as state and/or federally</p>

	<p>threatened/endangered within one mile of the project site; however, based on the scope of project activities (e.g., expanding footprint only into developed or artificially landscaped areas), no impact to these species is anticipated.</p> <p>The NJDEP GIS tool did not indicate the presence of state or federally listed threatened/endangered species, with the exception of potential habitat for federally-threatened bat species. This habitat is identified as being within the right of way for South Bay Avenue, adjacent to the east of the site. In addition, the western portion of the subject property is identified as being potential bat habitat for this species. It is noted, however, that no bat species were identified on IPaC or NHP results.</p> <p>The applicant's revised scope of work will involve expansion toward but not within these mapped areas. While the mapped bat areas do not overlap the limits of proposed disturbance, bats are highly mobile in nature, and may be present in adjacent areas that are not mapped as potential bat habitat. Notwithstanding this information, no potential bat habitat (trees greater than or equal to five inches in diameter) is present in the area of proposed disturbance. The rear of the property is completely paved and the front portions of the property contain only decorative shrubs and planters. Therefore, the expanded footprint of the building is not anticipated to impact bat species.</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:

Newark Liberty International Airport is located approximately 77 miles to the north of the project. Atlantic City International Airport is located approximately 19 miles to the southwest of the project. The nearest military airfield, Lakehurst Naval Air Station, is located approximately 32 miles north of the project. The 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 NCR39693_AirportHazardsMap). [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 nine designated units of the Coastal Barrier Resources 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, no project activities would occur on designated coastal barriers or in "otherwise protected areas," and the proposed project would have no impact on coastal barrier resources. The nearest CBRS unit is NJ-04, which is located approximately 1/3 mile to the northwest. See NCR39693_CoastalBarrierResourceActMap.

[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: *See NCR39693_FloodplainMgmtandFloodInsuranceNFIPNotInFloodway*

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 Adverse Effects on Historic Properties* submittal to SHPO (original submittal on October 31, 2014; SHPO concurrence received on November 7, 2014; follow-up submittal on April 6, 2015, awaiting concurrence).

Field Inspection (Date and completed by): *October 15, 2014, completed by Gary Doss, Environmental Planner, and Lawrence Smith, Senior Planner.*

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

Agencies Consulted

*NJDEP Office of Natural Lands Management
NJDEP Division of Land Use Regulation
New Jersey Historic Preservation Office*

Reference Material

New Jersey Department of Community Affairs. "Frequently Asked Questions About the Disaster Recovery Action Plan" Retrieved October 2014.

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U.S. Environmental Protection Agency Region 2. Sole Source Aquifers. Retrieved October 2014.

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U.S. Fish and Wildlife Service. Endangered Species. U.S. Fish and Wildlife Service, New Jersey Field Office. Retrieved October, 2014, from <http://www.fws.gov/northeast/njfieldoffice/Endangered/>

U.S. Fish and Wildlife Service. Information, Planning and Conservation System (IPaC), Retrieved October 2014. <http://ecos.fws.gov/ipac/>

U.S. National Parks Service. National Wild and Scenic Rivers System. Retrieved October 2014. <http://www.rivers.gov/new-jersey.php>

Beach Haven Zoning Ordinance and Beach Haven Zoning Map, adopted April 2002

Lists of Permits Required:

Local Construction Permits

Road access/opening- local/county road

Ocean Soil Conservation District Soil Erosion and Sediment Control Plan Certification

Site Plan Approval

Flood Hazard Area Control Act Individual Permit 7:13-11.5.

Compliance with New Jersey Stormwater Management Rules (N.J.A.C. 7:8)

Public Outreach [24 CFR 50.23 & 58.43]: *In accordance with HUD regulations, a Public Notice will be published in the local newspaper, The Star Ledger. A Spanish translation of the notice will be published in Reporte Hispano. Any substantive comments received will be incorporated into the EA. Public outreach was also conducted as part of the 8-step floodplain decision-making process. No comments applicable to the subject project were received related to the 8-step outreach.*

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.*

Ocean 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.

It is noted that the applicant was in the process of seeking additional program funding for a rehabilitation of their EOC offices at 420 Pelham Drive, approximately 1 mile to the south of the Borough Hall. The applicant has decided to cancel that application and incorporate the EOC offices into the reconstructed Borough Hall. At this time the Borough has not formalized future plans for the use or

rehabilitation of the EOC building.

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 applicant's original intent for this project was to reconstruct the Borough Hall, within the same footprint, while incorporating the Borough's Police Department headquarters. This reconstructed Borough Hall would have been approximately 13,000 square feet, accommodated in two stories, and elevated to one foot above the BFE. Because the reconstructed building would be located entirely within the 6,780 square foot footprint of the existing structure, no additional long term impacts were anticipated to the floodplain. In fact, this alternative would have reduced the impacts to the floodplain (compared to the existing conditions) because the new building would have been elevated above the BFE, allowing flood waters to flow freely beneath the building in the event of a future flood event.

Subsequently, the applicant indicated that they wish to consolidate the subject project with another NJEDA grant application. The revised scope of work includes incorporating the Borough's EOC offices within the new Borough Hall. To accommodate this, the Borough is seeking to increase the footprint of the building by approximately 3,300 square feet beyond the existing 6,780 square foot building. The applicant is still seeking to elevate the building to one foot above the BFE. This new alternative will have increased impacts to the floodplain when compared to their original scope of work (due to the increased footprint of development); however, the impacts to the floodplain, and exposure to flood hazards, will still be significantly reduced when compared to the development that is currently present. The applicant has determined that the consolidation of the EOC offices into the reconstructed Borough Hall represents a more efficient use of program funding and will allow more efficient and effective communications among the Borough's departments; therefore, this is the Preferred Alternative.

Since the program goals are to encourage reconstruction while meeting flood hazard requirements, no other reasonable alternatives were considered.

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

In the No Action Alternative, the subject property would continue to remain in its current dilapidated and vacant state. The No Action Alternative does not meet the Purpose and Need, as it would not help facilitate the Borough's day-to-day operations by reconstructing the Borough Hall.

Summary Statement of Findings and Conclusions:

Based on the findings of this Environmental Assessment, the proposed project will have a net benefit on the project area.

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 construction 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.*

Noise

1. *Outfit all equipment with operating mufflers.*
2. *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 Controls (see "AirQualityMemo.pdf"). In addition, the following must be met:

1. *Use water or chemical dust suppressant in exposed areas to control dust.*
2. *Cover the load compartments of trucks hauling dust-generating materials.*
3. *Wash heavy trucks and construction vehicles before they leave the site.*
4. *Reduce vehicle speed on non-paved areas and keep paved areas clean.*
5. *Retrofit older equipment with pollution controls.*
6. *Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.*
7. *Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.*
8. *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).*
9. *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).*
10. *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).*
11. *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.*

Energy Efficiency

All reconstruction, new construction and rehabilitation projects in the HUD CDBG programs must be designed to incorporate principles of sustainability, including water and energy efficiency, resilience and mitigation of the impact of future disasters.

Explosive and Flammable Operations

An approximately 500-gallon above-ground storage tank (AST) was observed approximately 100 feet to the west of the building (see NCR39693_ASDCalcMap1 and NCR39693_Fueloiltank, within the "NCR39693_ASD" folder). The tank contains fuel oil and is therefore subject to the standards of regulation 24 CFR Part 51 Subpart C for thermal radiation for buildings and people but not for blast over pressurization. The tank is located within a secondary containment basin that measures approximately 6 feet by 6 feet by 2 feet high. This allows for a storage capacity of approximately 538 gallons. It is noted that the basin has covers which prevent rain water accumulation that might otherwise displace its spill carrying capacity. Therefore, the secondary containment can be considered a diked enclosure. The acceptable separation distance (ASD) for thermal radiation for people for this tank is 38 feet (see NCR39693_ASDCalc within the NCR39693_ASD folder). The tank is approximately 100 feet to the west of the current footprint of the Borough Hall; therefore, the Borough Hall is outside of the ASD for this tank. The proposed project will include the extension of the footprint of the Borough Hall to the rear (west), towards the AST, by approximately 25 feet. Therefore, the proposed building footprint will ultimately be approximately 75 feet from the tank, which is outside the tank's ASD for thermal radiation. The project is in compliance and no ASD mitigation measures need to be incorporated into the project design. See correspondence with HUD (NCR39693_ASDCorrespondence), in the NCR39693_ASD folder. However, the applicant must maintain the tank's containment system; if it is removed, the tank would no longer be considered "diked" and the ASD would be approximately 207 feet and the site would not be beyond the ASD, meaning the project would not be in compliance with 24 CFR 51 Subpart C.

Floodplain Management and Flood Insurance

- 1. All proposed reconstruction, substantial improvements, and elevation activities in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the Flood Hazard Area Control Act rules (N.J.A.C. 7:13).*
- 2. All structures funded by the CDBG-DR programs, if in, or partially in, the 100-year floodplain shown on the effective FEMA Flood Insurance Rate Map, must be covered by flood insurance and the flood insurance must be maintained for the economic life of the structure [24 CFR 58.6(a)(1)]. This means no funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.*
- 3. No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance, but failed to obtain and maintain the insurance [24 CFR 58.6(b)].*
- 4. The reconstruction of the building (beyond the existing building's footprint) will be subject to the requirements of an NJDEP DLUR FHA Individual Permit at N.J.A.C. 7:13-11.5. The applicant will be required to submit an FHA Individual Permit application to the DLUR pursuant to the requirements of 7:13-1.1 et seq. Permit materials will need to include the required permit plans, construction details and notes, Engineering Reports, compliance statement, Environmental Reports, sequence of construction, application form, checklists, figures, public notifications, photos, technical appendices, and fee check.*

Hazardous Waste

Based on the construction date of the subject building, an asbestos and lead-based paint survey was conducted (see "NCR39693_LBP_ACM_Report"). The survey identified six asbestos-containing materials in various samples throughout the building (see Table 1.0 within the report). Based on the results of the survey, the following must be met:

1. All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the following:
 - National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145
 - National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150
 - NJAC 7:26-2.12—Generator requirements for disposal of asbestos containing waste materials
 - New Jersey Asbestos Control and Licensing Act, N.J.S.A. 34:5A-32 et seq.
2. 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).
3. 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.
4. Regarding asbestos containing material a qualified person should continuously oversee all demolition activities once they commence.

In addition, the following must be met:

1. Should impacted soils be encountered during construction, they should be excavated and properly disposed of at an off-site permitted disposal facility in accordance with all applicable local, state and federal regulations. In the event that the impacted soils constitute a reportable release, the appropriate information pertaining to the release and the responsible party should be provided to the New Jersey Department of Environmental Protection Hotline, and the impacted media remediated with the oversight of a Licensed Site Remediation Professional (LSRP).

Soil and Water Quality

Obtain Ocean Soil Conservation District Soil Erosion and Sediment Control Plan Certification. The following requirements will also be met.

1. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in waters and to prevent erosion in wetlands and waters.
2. Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.