

Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5 Pursuant to 24 CFR 58.35(a)

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

Applicant Name: Borough of Carlstadt

Project Location: Various Locations – Public Right of Way on Kero Road, Jomike Court, Barell Avenue, Eastern Way, and Starke Road, as well as at 455 16th Street (Street Address)

Carlstadt Borough (Municipality) Bergen (County) New Jersey (State)

Conditions for Approval:

(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.)

Coastal Zone Management

The NJDEP Department of Land Use Regulation has determined that a Hackensack Meadowlands Commission Water Quality Certificate is required for the proposed project and, if the proposed project qualifies for and receives the Waterfront Development Permit and Water Quality Certificate, the NJDEQ will issue a determination that project will be consistent with the State's Coastal Zone Management Program (CZMP). Additionally, the drainage enhancement portion of the proposed project located at 455 16th Street (Block 92, Lots 1 and 2) will require a Waterfront Development (In-Water) permit due to work being performed below the mean high water line. Lastly, the re-paving elements of the project qualify for a Flood Hazard Control Act permit-by-rule pursuant to N.J.A.C 7:13-7.2(d)1 and must comply with all permit requirements. Issuance of the Water Quality Certificate and Waterfront Development permit, as well as compliance with the permit-by-rule does not relieve the applicant of the responsibility of obtaining any other required State, Federal or local permits or approvals as required by law.

Endangered Species

The NJ Department of Environmental Protection, Division of Fish and Wildlife, Endangered and Nongame Species Program concluded that the conditions set forth by the NJDLUR and Hackensack Meadowlands Commission (see Coastal Zone Management conditions above) should be met in order to address endangered and threatened wildlife concerns through the normal Division of Land Use Regulation review process. No additional review is required for threatened and endangered species if the conditions set forth by the DLUR and Hackensack Meadowlands Commission are met.

Floodplain Management

The proposed project is required to comply with all applicable construction requirements in accordance with all local floodplain ordinances.

The project qualifies for New Jersey Flood Hazard Control Act, Permit-by-Rule N.J.A.C. 7:13-7.2(d)1 provided the permit conditions are met.

N.J.A.C. 7:13-7.2(d)1 applies to specified activities associated with roadways and parking areas listed therein. The repaving and/or resurfacing of a lawfully existing paved roadway or paved parking area outside a floodway, provided:

- i. The surface of the existing roadway or parking area is raised by no more than three inches. Multiple repaving and/or resurfacing is permissible provided the cumulative impact of the activity does not result in raising the pavement by more than three inches;
 - ii. The existing roadway is not expanded; and
 - iii. No vegetation is cleared, cut or removed in a riparian zone.

Wetlands

Construction activities must remain within the footprints of existing roadway surfaces, storm water inlets and storm water systems, and employ using best management practices (BMPs). No clearing, grubbing, grading or construction activities (including staging areas) should be carried out outside of the existing footprints where mapped wetlands exist (see NCR40029WetlandsProtectionMap). Additionally, BMPs should be in place between all construction activities and mapped wetlands in order to minimize any potential impacts to wetlands. See list of BMPs below that should be incorporated into the project plans. If construction activities will be carried out outside of the current footprints, additional coordination with USACE will be required.

- All construction activities must adhere to the latest requirements of the governing authority using methods that do not adversely impact the wetland and preserve the natural and beneficial values of the property and surrounding area.
- Construction activities should stay within the existing footprints, using best management practices that include, but are not limited to, the following:
 - Cover the load compartments of trucks hauling dust-generating materials;
 - Wash heavy trucks and construction vehicles before they leave the site in a catchment container, as to not drain into the adjacent desktop mapped wetlands;
 - Reduce vehicle speed on non-paved areas and keep paved areas clean;
 - Retrofit older equipment with pollution controls;
 - Re-vegetate graded areas in a timely fashion;
 - Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment in any wetlands adjoining the site;
 - Establish and follow specified procedures for proper management of contaminated materials discovered or generated during construction; and
 - Maintain a spill kit on-site during construction and employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.
- Best management practices should be in place between the designated wetland areas and construction activities in order to minimize any potential impacts to wetlands located near the existing footprints.
- No clearing (including removal of trees and vegetation) or construction activities (including staging areas) should be carried out on the desktop mapped wetlands within the parcel site (NCR40029f).

FINDING:

This categorically excluded activity/project converts to **EXEMPT** per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR

This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain "Authority to Use Grant Funds"** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR

This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

CERTIFICATIONS:

Brad Blalock, URS
Preparer Name and Agency



Preparer Signature

3/10/2015
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	Economic Development Authority (EDA) – Neighborhood and Community Revitalization (NCR) Program	\$4,987,790.00

Estimated Total HUD Funded Amount:

The total HUD funded amount is \$4,987,790.00.

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

The total estimated project cost is \$4,987,840.65.

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

Early on October 29, 2012 Superstorm Sandy made landfall near Brigantine, New Jersey just to the northeast of Atlantic City. The post-tropical cyclone with hurricane-force winds caused widespread damage and extensive flooding throughout the state; however, nine of New Jersey’s counties were identified as being the “most impacted” counties in order to most effectively focus disaster recovery efforts. In the wake of the hurricane, a winter storm swept into the area, exaggerating the damage and dramatically hindering emergency response and eventual disaster recovery efforts. The Stronger New Jersey Neighborhood and Community Revitalization (NCR) Program was developed by the New Jersey Economic Development Authority to support long-term recovery of small business and communities by funding long-term economic revitalization priorities. Funding under the NCR program is intended to assist projects located throughout New Jersey, focusing on those located in one of the nine most impacted counties as determined by HUD.

The proposed project will contribute to the revitalization of the Borough of Carlstadt in Bergen County (one of the nine most impacted counties) by providing much needed reconstruction of roadway surfaces at several of the proposed action sites (NCR40029a-e) and improvements to the storm water drainage management system across all proposed action sites (NCR40029a-f). The primary goals of this project are to help ensure the mobility of merchandise in and out of the area, and to decrease future risk of flooding-related damage to businesses in the area.

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 activities include the reconstruction and improvement of five different roads—Kero Road (NCR40029a), Jomike Court (NCR40029b), Barell Avenue (NCR40029c), Eastern Way (NCR40029d), and Starke Road (NCR40029e)—and associated drainage inlets within the Borough of Carlstadt, Bergen County, New Jersey (see NCR40029SiteLocationMap). Additionally, storm water system improvements will be completed at 455 16th Street (NCR40029f) (see NCR40029SiteLocationMap). The scope of this project will include the mitigation and reconstruction of various outfalls, the installation of a backflow preventer / check valve, the purchase of equipment for ongoing maintenance (Caterpillar wheel loader, Caterpillar skid steer, dump truck, and a camera truck), the purchase and placement of Tiger Dams, and the reconstruction of roadway surfaces. Activities at the Kero Road project site (NCR40029a) will involve street repaving (approximately 110,000 square feet) from the intersection of Kero Road and Washington Avenue through the end of Kero Road (cul-de-sac). Activities at the Jomike Court project site (NCR40029b) will involve street repaving (approximately 52,000 square feet) of Jomike Court, southeast of Washington Avenue (intersects with Washington Avenue at start and end points). Activities at the Barell Avenue project site (NCR40029c) will involve street repaving (approximately 92,000 square feet) from the intersection of Barell Avenue and Washington Avenue through the south end of Barell Avenue. Activities at the Eastern Way project site (NCR40029d) will involve street repaving (approximately 32,400 square feet)

from the intersection of Eastern Way and Moonachie Avenue through the south end of Eastern Way. Activities at the Starke Road project action site (NCR40029e) will involve street repaving (approximately 144,000 square feet) from the intersection of Starke Road and Gotham Parkway to the Carlstadt - Moonachie municipal line as well as the reconstruction of three handicap ramps. The street construction work will also be accompanied by associated drainage inlet improvements. Activities at the 455 16th Street project site (NCR40029f) will involve storm water system improvements with associated soil erosion and sediment control as well as associated excavation and concrete reconstruction. Storm water system improvements include installing a concrete headwall, four 10' concrete manholes, 575 linear feet of elliptical concrete pipe, a TideFlex valve, and five storm connections (see NCR40029CarlstadtRevisedBudget). The storm water system improvement activities at NCR40029f will be limited to within the municipal easement and otherwise will not be conducted on or inside any building on the parcel. All of these combined reconstruction activities (NCR40029a-f) will address the damage to the drainage system and roads caused by Superstorm Sandy and associated flooding events. The final product will result in new and improved roadways and drainage systems for the associated areas. These improvements do not involve any change in land use, will allow for the continued safe use of these roadways during future potential flooding events, and will effectively reduce damage from flooding to nearby public and private infrastructure by allowing for proper and timely storm water drainage.

STATUTORY CHECKLIST [24 CFR 50.4, 24 CFR 58.5]

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

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

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

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

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & 58.5	STATUS		Compliance Documentation
	A	B	
<p>1. Air Quality [Clean Air Act, as amended, particularly sections 176(c) & (d), and 40 CFR 6, 51, 93]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project is in compliance. According to the U.S. EPA, Bergen County is designated as Nonattainment or Maintenance for 5 NAAQS Pollutants (see NCR40029AirQuality):</p> <ul style="list-style-type: none"> • 8-Hour Ozone (1997 Standards) • 8-Hour Ozone (2008 Standards) • Carbon Monoxide (1971 Standards) • PM-2.5 (1997 Standards) • PM-2.5 (2006 Standards) <p>While Bergen County is identified as being within a 1-hour ozone nonattainment area, all 1-hour ozone areas were revoked as of June 15, 2005, and as such are excluded from the pollutant count on the NAAQS map (see NCR40029Air Quality). Therefore, a general conformity analysis in accordance with the Clean Air Act and 40 CFR Part 93, Subpart B was completed. However, according to the Department of Environmental Protection Division of Air Quality, the revised estimated air emissions (which take into account both residential and commercial construction activities) continue to remain well below the Federal General Conformity regulation’s de minimis thresholds and are presumed to conform to the State Implementation Plan (SIP) (see NCR40029AirQualityAssessmentMemo). Correspondence from the New Jersey Department of Environmental Protection Bureau of Air Quality Planning further clarifies that streetscape and other similar projects</p>

		<p>are included in the general conformity analysis and therefore will not require a conformity determination (see NCR40029AirQualityStreetscapeMemo).</p> <p>Temporary air quality impacts associated with construction of the proposed action will be mitigated to the greatest extent feasible and will adhere to all local and state air quality standards. All activities must still meet the State’s Air Pollution Control requirements.</p>
<p>2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project is in compliance. The restrictions on construction and major rehabilitation of structures in runway protection zones (formerly called runway clear zones) apply to civil airports (24 CFR 51.303). Civil airports are defined as commercial service airports designated in the Federal Aviation Administration’s National Plan of Integrated Airport Systems (NPIAS) (24 CFR 51.301(c)). The only New Jersey airports, within the nine counties most impacted by Superstorm Sandy, listed as commercial service airports in the current NPIAS are Newark Liberty International Airport in Essex and Union Counties and Atlantic City International Airport in Atlantic County. Runway protection zones extend up to half a mile from the ends of runways along flight paths, and become wider as distance from the runway increases. Additionally, these runway protection zones are uninhabited and therefore, not applicable to the proposed project. HUD regulations also include restrictions on construction and major rehabilitation in clear zones and accident potential zones associated with runways at military airfields (24 CFR 51.303). The only military airfield in New Jersey with clear zones and accident potential zones subject to these restrictions is the Lakehurst Naval Air Station.</p> <p>For the proposed action site located at Kero Road (NCR40029a), the nearest runway protection zones at Newark International Airport and Atlantic City International Airport are located approximately 9.6 miles and 98 miles from the proposed action site, respectively. The nearest applicable clear zones and accidental potential zones at the Lakehurst Naval Air Station are located approximately 54 miles from the proposed action site. Therefore, none of these clear zones are applicable to the proposed project</p>

		<p>(see NCR40029AirportClearZonesMap).</p> <p>For the proposed action site located at Jomike Court (NCR40029b), the nearest runway protection zones at Newark International Airport and Atlantic City International Airport are located approximately 9.2 miles and 97 miles from the proposed action site, respectively. The nearest applicable clear zones and accidental potential zones at the Lakehurst Naval Air Station are located approximately 53 miles from the proposed action site. Therefore, none of these clear zones are applicable to the proposed project (see NCR40029AirportClearZonesMap).</p> <p>For the proposed action site located at Barell Avenue (NCR40029c), the nearest runway protection zones at Newark International Airport and Atlantic City International Airport are located approximately 9.4 miles and 97 miles from the proposed action site, respectively. The nearest applicable clear zones and accidental potential zones at the Lakehurst Naval Air Station are located approximately 54 miles from the proposed action site. Therefore, none of these clear zones are applicable to the proposed project (see NCR40029AirportClearZonesMap).</p> <p>For the proposed action site located at Eastern Way (NCR40029d), the nearest runway protection zones at Newark International Airport and Atlantic City International Airport are located approximately 10 miles and 98 miles from the proposed action site, respectively. The nearest applicable clear zones and accidental potential zones at the Lakehurst Naval Air Station are located approximately 54 miles from the proposed action site. Therefore, none of these clear zones are applicable to the proposed project (see NCR40029AirportClearZonesMap).</p> <p>For the proposed action site located at Starke Road (NCR40029e), the nearest runway protection zones at Newark International Airport and Atlantic City International Airport are located approximately 9.5 miles and 98 miles from the proposed action site, respectively. The nearest applicable clear zones and accidental potential zones at the Lakehurst Naval Air Station are located approximately 54 miles from the proposed action site. Therefore, none of</p>
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			<p>these clear zones are applicable to the proposed project (see NCR40029AirportClearZonesMap).</p> <p>For the proposed action site located at 455 16th Street (NCR40029f), the nearest runway protection zones at Newark International Airport and Atlantic City International Airport are located approximately 9.4 miles and 98 miles from the proposed action site, respectively. The nearest applicable clear zones and accidental potential zones at the Lakehurst Naval Air Station are located approximately 54 miles from the proposed action site. Therefore, none of these clear zones are applicable to the proposed project (see NCR40029AirportClearZonesMap).</p>
<p>3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]</p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>	<p>The proposed project activities include the reconstruction and improvement of five different roads and associated drainage inlets as well as storm water system improvements (drainage enhancement) at 455 16th Street. The entire portion of all proposed action sites are located in the Hackensack Meadowlands as shown in the Coastal Zone Management Act Map (see NCR40029CoastalZoneManagementActMapNJMD). Therefore, a Coastal Jurisdictional Determination is required. The proposed project was submitted to the NJDEP Department of Land Use Regulation (DLUR) for review on November 24, 2014 (see NCR40029DLURConsultation) and the New Jersey Meadowlands Commission (NJMC) on November 19, 2014 (see NCR40029MeadowlandsCoastalZoneConsultation). In the determination letter dated December 12, 2014, the DLUR determined that the proposed project will require a Hackensack Meadowlands Commission Water Quality Certificate. The DLUR also required that the drainage enhancement portion of the proposed project located at Block 92, Lots 1 and 2 (455 16th Street) will require a Waterfront Development (In-Water) permit due to work being performed below the mean high water line. Lastly, the DLUR determined that the re-paving elements of the project qualify for a Flood Hazard Control Act permit-by-rule pursuant to N.J.A.C 7:13-7.2(d)1 (see NCR40029DLURResponse).</p> <p>A determination from the NJMC was received on January 13, 2015. The NJMC determined that the proposed drainage</p>

		<p>project located at Block 92, Lot 1 (455 16th Street) may be subject to a detailed zoning certificate review pursuant to N.J.A.C 19:4-1.1 et seq. Additionally, based upon the project scope provided, the Commission recommended that the NJDEP issue a determination that the subject proposal is consistent with the State’s Coastal Zone Management Program (CZMP) (see NCR40029Meadowlands CoastalZoneDetermination). If the Waterfront Development permit is issued by DLUR as required above, this will also include the consistency determination from NJDEP. Therefore, as stated by the DLUR on January 14, 2015 (see NCR40029DLURConsultation), if the proposed project qualifies for and receives the Waterfront Development Permit and Water Quality Certificate, the project will be consistent with the State’s CZMP. Additionally, the proposed project must comply with all applicable Flood Hazard Control Act permit-by-rule requirements. Issuance of the Water Quality Certificate and Waterfront Development permit, as well as compliance with the permit-by-rule does not relieve the applicant of the responsibility of obtaining any other required State, Federal or local permits or approvals as required by law.</p>
<p>4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Toxics:</p> <p>The proposed project action is in compliance. The proposed project activities include the reconstruction and improvement of five different roads—Kero Road, Jomike Court, Barell Avenue, Eastern Way, and Starke Road—and associated drainage inlets within the Borough of Carlstadt, Bergen County, New Jersey. Additionally, storm water system improvements will be completed at 455 16th Street.</p> <p>Activities at the Kero Road project location (NCR40029a) will involve street repaving (approximately 110,000 square feet) from the intersection of Kero Road and Washington Avenue through the end of Kero Road (cul-de-sac). The proposed pavement to be repaved can be seen in the street photos for NCR40029a found within NCR40029aFieldAssessment. Cracked and broken pavement can be seen in photographs NCR40029a_EA_Street_2, NCR40029a_EA_Street_3, NCR40029a_EA_Street_6, and NCR40029a_EA_Street_7.</p>

		<p>Activities at the Jomike Court project location (NCR40029b) will involve street repaving (approximately 52,000 square feet) of Jomike Court, southeast of Washington Avenue (intersects with Washington Avenue at start and end points). The proposed repaving will occur as seen in the street photographs for NCR40029b found within NCR40029bFieldAssessment. A storm water inlet can be seen in photograph NCR40029b_EA_Street_1. A manhole cover and pile of trash bags and trash can be seen in photograph NCR40029b_EA_Street_4. Cracked pavement can be seen in photographs NCR40029b_EA_Street_3, NCR40029b_EA_Street_4, NCR40029b_EA_Street_7, and NCR40029b_EA_Street_8.</p> <p>Activities at the Barell Avenue project location (NCR40029c) will involve street repaving (approximately 92,000 square feet) from the intersection of Barell Avenue and Washington Avenue through the south end of Barell Avenue. The proposed repaving will occur as seen in the street photographs for NCR40029c found within NCR40029cFieldAssessment. Broken and cracked pavement can be seen in photographs NCR40029c_EA_Street_1, NCR40029c_EA_Street_2, NCR40029c_EA_Street_3, and NCR40029c_EA_Street_4.</p> <p>Activities at the Eastern Way project location (NCR40029d) will involve street repaving (approximately 32,400 square feet) from the intersection of Eastern Way and Moonachie Avenue through the south end of Eastern Way. The proposed repaving will occur as seen in the street photographs for NCR40029d found within NCR40029dFieldAssessment. Cracked and broken pavement can be seen in photographs NCR40029d_EA_Street_2, NCR40029d_EA_Street_3, and NCR40029d_EA_Street_4.</p> <p>Activities at the Starke Road project location (NCR40029e) will involve street repaving (approximately 144,000 square feet) from the intersection of Starke Road and Gotham Parkway to the Carlstadt - Moonachie municipal line as well as the reconstruction of three handicap ramps. The proposed repaving will occur as seen in the street photographs for NCR40029e found within</p>
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		<p>NCR40029eFieldAssessment. Cracked and damaged pavement can be observed in photographs NCR40029e_EA_Street_2, NCR40029e_EA_Street_3, NCR40029e_EA_Street_4, and NCR40029e_EA_Street_8.</p> <p>Activities at the 455 16th Street project location (NCR40029f) will involve storm water system improvements with associated soil erosion and sediment control as well as associated excavation and concrete reconstruction. The storm sewers onsite can be seen in the four detail photographs for NCR40029f found within NCR40029fFieldAssessment. Site reconnaissance revealed two aboveground storage tanks on the proposed project parcel. The ASTs are shown in photographs NCR40029f_EA_AST_1, NCR40029_EA_AST_2, and NCR40029f_EA_Street_3. A dumpster was observed onsite. It can be seen in photograph NCR40029f_EA_Street_7. There were no indications of site contamination (soil staining, odors, stressed vegetation, etc.) associated with the broken/cracked pavement, manhole, trash, ASTs, or dumpster areas at any of the above six project sites. Therefore, no visible Recognized Environmental Conditions (RECs) were observed in the vicinity of the potential HUD project.</p> <p>A 3,000 foot radius search was conducted and submitted to NJDEP for each of the six proposed action sites. At the time of consultation, several hazardous/“threatening” sites were identified within the 3,000-foot radius of the six proposed actions sites, NCR40029a-f, in which NJDEP responded by clearing all the hazardous sites in question (see NCR40029HazardousSitesClearance 11.13.2014 and NCR40029HazardousSitesClearance 11.26.2014). However, based on recent updates to the NJDEP toxics database, a total three hazardous sites currently remain within the 3,000-foot radius of the proposed actions sites, specifically, NCR40029a-d (see NCR40029ToxicHazardousandRadioactive SubstancesMap). Note that some of the same hazardous sites reoccur within 3,000 feet of the various project sites as seen below. NCR40029a IS within the 3,000 foot radius of two “threatening” sites. The sites are DOVER DIESEL SERVICE CORP (Site ID 19257) and J LANDAU & CO INC (Site</p>
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		<p>ID 64010). NCR40029b IS within the 3,000 foot radius of one “threatening” site. The site is J LANDAU & CO INC (Site ID 64010). NCR40029c IS within the 3,000 foot radius of one “threatening” site. The site is also J LANDAU & CO INC (Site ID 64010). NCR40029d IS within the 3,000 foot radius of three “threatening” sites. The sites are DOVER DIESEL SERVICE CORP (Site ID 19257), MELNOR INDUSTRIES INC (Site ID 11633) and J LANDAU & CO INC (Site ID 64010). There are no “threatening” sites identified within 3,000 feet of NCR40029e and NCR40029f. As discussed, all of the above listed sites have been cleared by NJDEP in their correspondences dated 11/13/2014 and 11/26/2014 and are no longer considered threatening to the proposed project (see NCR40029ToxicHazardousandRadioactive SubstancesMap, NCR40029HazardousSitesClearance 11.13.2014, and NCR40029HazardousSitesClearance 11.26.2014). Some of the toxics sites that were previously determined by NJDEP referenced in the 11-13-2014 and 11-26-2014 clearance documents to be “non-threatening” to the potential HUD project discussed above are no longer depicted on the maps. The proposed action sites are not listed in a State or Federal Hazardous Waste sites database. Based on historical imagery, URS assesses that the proposed action sites consisted of undeveloped land prior to the mid-1950’s. The roads of NCR40029a, NCR40029b, NCR40029c, NCR40029d, and NCR40029e were paved between 1954 and 1970, and the structure and parking lot on NCR40029f’s parcel was constructed between 1970 and 1979 (HistoricAerials.com). Based on this information, there is no indication that prior land use at the six proposed action sites would have adversely impacted the sites.</p> <p><u>Lead Based Paint:</u></p> <p>The proposed project is in compliance 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. Per 24 CFR Part 35 Subpart B, Sec. 35.115(a)(7), the proposed project is exempt because it involves replacement and reconstruction of infrastructure and drainage, which is considered “property or part of a property that is not used and will not be used for human residential habitation.” Similarly, 24 CFR Part 35 Subparts H and J do not apply to</p>
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			<p>the proposed project as it does not involve the rehabilitation of a residential dwelling unit or property.</p> <p><u>Asbestos:</u></p> <p>The proposed project is in compliance. The Asbestos National Emission Standards for Hazards Air Pollutants (NESHAP) regulation establishes a national work practice standard that is designed to limit emissions of asbestos from a variety of activities, including demolition and renovation activities. According to 40 CFR Part 61, Subpart M, a facility must be thoroughly inspected prior to construction activities; however, the proposed project does not involve renovation or demolition of a commercial, institutional, industrial, public, or residential structure, installation, or building. While a commercial structure exists on the parcel for NCR40029f, project activities for this site will be limited to within the municipal easement (see Wetlands map at the back of NCR40029USACEConsultation) and include <u>storm water system improvements with associated soil erosion and sediment control as well as associated excavation and concrete reconstruction. Project activities at NCR40029 will</u> not be conducted on or inside any building on the parcel. Therefore, asbestos is not anticipated to have any impact on project activities at any of the six project sites.</p> <p><u>Radon:</u></p> <p>The proposed project is in compliance for radon. The proposed project includes the reconstruction and improvement of five different roads and associated drainage inlets as well as storm water system improvements (drainage enhancement) at 455 16th Street. The project will not involve any structures intended for human habitation. Therefore, a radon potential map is not needed and there will be no impact of radon on the project.</p>
<p>5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The proposed project is in compliance. Consultation with the NJDEP Natural Heritage Program (NHP) regarding plant species was required for the proposed project due to the construction intent. A request for review was submitted to the Natural Heritage Program on November 19, 2014 (see NCR40029</p>

		<p>NaturalHeritageConsultation). The review indicated that no threatened or endangered plant species were located on or in the immediate vicinity of the proposed action site. This was confirmed using the USFWS Landscape Tool (see NCR40029USFWSiPaCLa1ndscapeToolResults). Based on these findings, it has been concluded that the proposed project will have no effect on threatened and endangered plant species. The NHP review did indicate 8 bird species based patches that may be on the proposed project site(s) (Table 1) and within the vicinity of the proposed project sites(s) (Table 2). Species include the Bald Eagle, Common Nighthawk, Glossy Ibis, Little Blue Heron, Northern Harrier, Peregrine Falcon, Snowy Egret and Yellow-crowned Night-heron. Centroids data could not be applied to the project type because it is a streetscape project that involves multiple adjacent land parcels for which there is no applicable centroids data. Additionally, review of the NJDEP HUD Environmental Review Tool, Threatened and Endangered Species layer indicated that while piping plovers and red knots will not be affected by the proposed project, portions of the project, including areas at NCR40029d, NCR40029e and NCR40029f, intersect bat sensitivity layers (see NCR40029EndangeredSpeciesMap). Therefore, due to lack of centroid data and proximity to bat sensitivity layers, consultation with the NJ Department of Environmental Protection, Division of Fish and Wildlife, Endangered and Nongame Species Program was required for possible effects on bats as well as any other threatened and endangered animal species. In the response received on December 16, 2014, the ENSP biologist concluded that the Northern Long-Eared Bat will not be affected (see NCR40029NJDEPENSPConsultation). Additionally, NCR40029NJFWSBatMunicipalityList shows that while the Indiana and Northern Long-Eared Bat are known to potentially occur in Bergen County, the Borough of Carlstadt is not listed as a city with Hibernation or Maternity Occurrences for these species. These findings were confirmed by the NHP and USFWS Landscape Tool findings. The ENSP Biologist also concluded that “since this project requires a permit, other endangered and threatened wildlife concerns will be addressed in accordance with the normal Division of Land Use Regulation review process” (see NJDLUR determination in</p>
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		<p>NCR40029DLURResponse and NCR40029NJDEP ENSPConsultation). Therefore, no additional review is required for threatened and endangered species if the conditions set forth in the NJDLUR determination letter (see NCR40029DLURResponse) are met.</p> <p>Source: http://www.fws.gov/northeast/njfieldoffice/pdf/battowns.pdf</p>
<p>6. Environmental Justice [Executive Order 12898]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project is in compliance. The tracts in the area surrounding the proposed action sites (NCR40029a-f) have minority populations of 0-10%, 10-20%, 30-40%, and 40-100% (see NCR40029EJMinorityDemographics). The population at or below poverty level in the tracts near the proposed action sites (NCR40029a-f) is 0-10% (see NCR40029EJPovertyDemographics). The population density in the area near the proposed action sites (NCR40029a-f) is between 200-1000 and 1,000-5,000 people / sq. mi (see NCR40029EJPopDensityDemographics). These demographics are consistent with the surrounding community. The proposed project involves reconstruction and improvements to public roadways, sewage, and drainage systems and in accordance with the requirements of the program would not alter the existing demographics of the immediate area. The overall impacts of the proposed project would be beneficial to the local community, by improving the ease of transportation and reducing the damage to local homes and businesses from flooding. Additionally, the proposed action sites (NCR40029a-f) are already developed as public roadway, sewage and drainage systems and would not expose the public to an adverse environmental impact. Overall, the environmental impacts of the proposed action would be beneficial, and significant adverse effects would not occur.</p> <p>Additional Source: NCR40029EJChecklist</p>
<p>7. Explosive and Flammable Operations [24 CFR 51C]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project is in compliance with 24 CFR Part 51 Subpart C. The proposed project involves reconstruction and improvements to public roadways, sewage, and drainage systems. In accordance with 24 CFR 51.201, a HUD-assisted project is defined as “the development, construction, rehabilitation, modernization or conversion with HUD subsidy, grant assistance, loan, loan guarantee, or</p>

		<p>mortgage insurance, of any project which is intended for residential, institutional, recreational, commercial or industrial use. For purposes of this subpart the terms “rehabilitation” and “modernization” refer only to such repairs and renovation of a building or buildings as will result in an increased number of people being exposed to hazardous operations by increasing residential densities, converting the type of use of a building to habitation, or making a vacant building habitable.” Therefore this is not an applicable activity and a map or distance determination is not required.</p> <p>Site reconnaissance revealed two above ground storage tanks on the 455 16th Street proposed action site (NCR40029f). The ASTs are shown in photographs NCR40029f_EA_AST_1, NCR40029f_EA_AST_2, and NCR40029f_EA_Street_3 located within NCR40029FieldAssessment. However, the proposed action sites (NCR40029a-f) were already developed for use as public roadway, sewage, and drainage systems. Additionally the proposed action does not involve conversion of the type of use of any building to habitation or the installation of any additional aboveground storage tanks. Thus, the proposed action will not result in an increase in the number of persons exposed to a potential explosive or flammable hazard, as defined by HUD. Therefore, this proposed action is exempt from mitigation requirements.</p>
<p>8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly sections 1504(b) & 1541; 7 CFR 658]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed action sites (NCR40029a-f) are in compliance. The proposed project involves the reconstruction and improvement of five different roads—Kero Road (NCR40029a), Jomike Court (NCR40029b), Barell Avenue (NCR40029c), Eastern Way (NCR40029d), and Starke Road (NCR40029e)—and associated drainage inlets within the Borough of Carlstadt. Additionally, storm water system improvements will be completed at 455 16th Street (NCR40029f). Proposed action sites NCR40029a, b, d and f are not in an area of prime or unique farmlands or within a farmland of statewide importance. Small portions of both NCR40029c and NCR40029e are characterized as prime farmland (see NCR40029PrimeFarmlandSoilsMap). However, the project activities in both locations will remain within the existing public right of way. According to the Borough of Carlstadt Zoning Map created in November of</p>

		<p>2010, the project areas for NCR40029c and NCR40029e are labeled as zone LIA and zone LIB respectively. The legend states that Zone LIA is zoned for Light Industrial A use and Zone LIB is zoned for Light Industrial B use (see NCR40029ZoningMap). Therefore, in accordance with 7 CFR 658.2, this project does not meet the definition of “farmland,” which does not include land already in or committed to urban development.</p>
<p>9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]</p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p>The proposed action sites (NCR40029a-f) are either partially within or entirely within a Floodplain Zone AE, which is part of the FEMA-designated Special Flood Hazard Area (see NCR40029FIRM). The proposed project involves reconstruction and improvements to five different roads – Kero Road, Jomike Court, Barell Avenue, Eastern Way, and Starke Road. Additionally storm water system improvements will be completed at 455 16th Street. Starke Road and 455 16th Street are located entirely within a Floodplain Zone AE, as shown on the Federal Emergency Management Agency’s Flood Insurance Rate Map (FIRM), Panel 254 of 332, Map Number 34003C0254G, effective September 30, 2005 (see NCR40029FIRM). Kero Road, Jomike Court, Barrell Avenue, and Eastern Way are located partially within a Floodplain Zone AE, as shown on the Federal Emergency Management Agency’s Flood Insurance Rate Map (FIRM), Panel 258 of 332, Map Number 34003C0258G, effective September 30, 2005 (see NCR40029FIRM). The NJDEP HUD Review Tool FEMA Preliminary FIRM layer also indicates that the sites are all either entirely in or partially in a Floodplain Zone A (the map legend reference incorporates all “A” categories, including “AE”) (see NCR40029FEMAPreliminaryFIRM).</p> <p>The proposed project involves the reconstruction and improvements of several roads throughout the Borough of Carlstadt, which does not meet the criteria under 24 CFR 55.12 to convert to a 5-Step Floodplain Analysis. Therefore, the 8-Step Decision Making Process, as required under 24 CFR 55.20, was initiated. Steps 1-6 of the 8-step floodplain decision making process have been completed for the proposed action sites (NCR40029a-f) (see NCR40029Floodplain8-Step). A 15-day “Notice for Early Public Review of a Proposed Activity in the 100-Year Floodplain” was published in The Record and El Diario on February 6, 2015 (see NCR40029Floodplain8-Step, Attachment 1). Additionally,</p>

		<p>the notice was sent electronically to interested Federal, State, local agencies and posted to DCA’s website http://www.nj.gov/dca/divisions/sandyrecovery/review/ for further review (see NCR40029Floodplain8-Step, Attachment 2). The 15-day comment period expired on February 21, 2015. The New Jersey Department of Environmental Protection, Division of Land Use Regulation responded via email affirming compliance with Permit-By-Rule as well as a request from James Cannon with the United States Army Corp of Engineers, New York District to be included in projects located in Bergen and Hudson Counties; however, no formal comments resulted. DCA received no public comments on this notice (see NCR40029Floodplain8-Step, Attachment 3). The final “Notice of Intent to Request Release of Funds and Notice and Public Explanation of a Proposed Activity in the 100-Year Floodplain” as required in Step 7 of the 8-Step process will be published in The Record and El Diario. Any comments received will be taken into consideration and responded to prior to project implementation. Step 8 is implementation of the project.</p> <p>The proposed project must comply with all applicable construction requirements in accordance with all local floodplain ordinances. Additionally, according to the New Jersey Department of Environmental Protection, Division of Land Use Regulation, “this project will take place within a tidal floodplain regulated under the Flood Hazard Area Control Act rules at N.J.A.C. 7:13-1.1. The repaving elements of the project appear to qualify for a Flood Hazard Area permit-by-rule pursuant to N.J.A.C. 7:13-7.2(d)1. The Flood Hazard Area elements of the drainage project will be reviewed under the Waterfront Development permit application. A separate Flood Hazard Area permit application is not required” (see NCR40029DLURReponse). The proposed project must comply with all permit requirements as well as all federal, state and local construction standards (see Required Mitigation and Project Modification Measures).</p> <p>Details associated with Steps 7 and 8 of the 8-step review process are provided below:</p> <p><u><i>Step 7: Determination of No Practicable Alternative</i></u></p> <p><i>A final public notice will be published in accordance with 24 CFR Part 55 for a minimum 7-day comment period.</i></p>
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		<p><i>The notice shall state the reasons why the project must be located in the floodplain, provide a list of alternatives considered, and all mitigation measures to be taken to minimize adverse impacts and preserve natural and beneficial floodplain values. All comments received during the comment period will be responded to and fully addressed prior to funds being committed to the proposed project, in compliance with Executive Order 11988 or 24 CFR Part 55.</i></p> <p><u>Step 8: Implement the Proposed Action</u> <i>Implementation of the proposed action may require additional local and state permits, which could place additional design modifications or mitigation requirements on the project.</i></p> <p>Additional Sources: 24 CFR Part 55; Executive Order 11988</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 proposed project complies with Section 106 of the National Historic Preservation Act. The undertaking includes reconstruction and improvements at sections of five Hurricane Sandy-damaged roads and their associated drainage infrastructure within the Borough of Carlstadt, Bergen County, New Jersey. The specific Areas of Potential Effects include:</p> <ul style="list-style-type: none"> • Kero Road - approximately 110,000 square feet of roadway from the intersection with Washington Avenue through the end of Kero Road cul-de-sac; • Jomike Court - approximately 52,000 square feet of roadway southeast of Washington Avenue; • Barell Avenue - approximately 92,000 square feet of roadway from the intersection with Washington Avenue through to the south end of Barell Avenue; • Eastern Way - approximately 32,400 square feet of roadway from the intersection with Moonachie Avenue through to the south end of Eastern Way; • Starke Road - approximately 144,000 square feet of roadway from the intersection with Gotham Parkway to the Carlstadt - Moonachie municipal line, as well as the reconstruction of three handicap ramps. <p>Additionally, storm water system improvements will be</p>

		<p>completed at 455 16th Street within the same community (NCR40029f). The improvements will involve soil erosion and sediment controls installed through associated excavation and concrete reconstruction activities.</p> <p>The six proposed action sites listed above were exempt from Section 106 review requirements for above-ground concerns through allowances contained within the Programmatic Agreement (NCR40029Programmatic Agreement). Stipulation II.D.1 in the main document and Stipulation VII.A.2 in Appendix B exempt Section 106 review for above-ground structures and buildings if they fall within the Historic Preservation Exclusion “Green” Zone that was defined by staff of FEMA and the NJHPO through windshield surveys conducted soon after the storm. The survey that designated the six proposed project areas as not having above-ground historic preservation concerns was Carlstadt Borough, NJHPO project number 13-0608-1, conducted on March 4, 2013. The NJHPO chronological log number for that survey is C2013-15. The locations of the proposed action sites within this zone are shown on the enclosed map (see NCR40029HistoricPreservationExemptionZoneMap). The six proposed action sites listed above are also exempt from Section 106 review requirements for archaeological concerns through other allowances listed within the Programmatic Agreement. Appendix B Tier II Stipulations IV.A.1, IV.A.3, and IV.A.5 state that road and infrastructure facilities are exempt when the proposed activities will substantially conform to the original footprint and/or are located within previously disturbed soils (NCR40029ProgrammaticAgreement). These allowances apply to the road repaving, handicap ramp and curb replacements, storm water system improvements and culvert system upgrades proposed at proposed action sites (NCR40029a-f).</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>The proposed project is in compliance. Per HUD directive, 24 C.F.R. Part 51B states that the HUD noise policy must be taken into consideration when projects involve noise sensitive land uses. The regulation [24 CFR 51.101(a)(2)] specifically states that it applies “when noise sensitive land development is proposed in noise exposed areas”. The proposed action is not considered a noise sensitive land</p>

			use.
<p>12. Sole Source Aquifers [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project is in compliance with 40 CFR 149. The proposed action sites (NCR40029a-f) are located in Bergen County. The nearest contingents of the Environmental Protection Agency (EPA) Sole Source Aquifer (SSA) System to the proposed action sites are the Ridgewood Aquifer, situated to the north of the proposed action sites, and the Buried Valley Aquifer, situated to the west of the proposed action sites. However, there are no contingents of the EPA designated SSA system which underlie any of the proposed action sites (see NCR40029SoleSourceAquifersMap). Therefore, the proposed project will not impact any sole source aquifers.</p>
<p>13. Wetlands Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The proposed project is in compliance. A desktop review of the NJDEP Wetlands Protection Map and field data indicates that mapped/potential Wetlands are located adjacent to all NCR40029 project areas with the exception of NCR40029a and NCR40029d (see NCR40029WetlandsProtectionMap and NCR40029FieldAssessment). Due to the presence of mapped/potential wetlands near the other project areas, the USACE, New York District was consulted on December 16, 2014 (see NCR40029USACEConsultation). The USACE determined on January 9, 2015 that if construction activities remain “out of any Corps jurisdictional waters of the United States including wetlands, then it would appear that there are no regulated jurisdictional activities associated with the proposal.” Therefore, if construction activities remain within the footprint of existing roadway surfaces, storm water inlets and storm water systems, using best management practices, there should be no adverse impact to wetlands. No clearing, grubbing, grading or construction activities (including staging areas) should be carried out outside of the existing footprints where mapped wetlands exist (see NCR40029WetlandsProtectionMap). Additionally, BMPs (as listed in the Mitigation section below) should be in place between all construction activities and mapped wetlands in order to minimize any potential impacts to wetlands. If construction activities will be carried out outside of the current footprints, additional coordination with USACE will be required.</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 proposed action is in compliance with 16 U.S.C. 1271 et seq. The nearest designated segment of the National Wild and Scenic Rivers System (NWSRS) to the proposed action sites (NCR40029a-f) is the Musconetcong River, which is located 37 miles west of the nearest proposed action site (NCR40029f) (see NCR40029WildScenicRiversMap). There are currently no rivers within the state under study for possible inclusion into the NWSRS. Protected resources also include specific segments of tributaries to these rivers as referenced in the Wild and Scenic Rivers Act, as well as river segments registered in the Nationwide Rivers Inventory. The proposed action sites are not located within ¼ mile of a Wild and Scenic River stream bank or within 1 mile of a designated Wild and Scenic River. Therefore, the proposed action will have no adverse effects on any of these resources.</p>
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24 CFR 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), D]**

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

No. Cite or attach Source Documentation: The proposed project does not involve the sale or acquisition of property located within a Civil Airport Runway Clear Zone or a Military Airfield Clear Zone. The only New Jersey airports listed as commercial service airports in the current NPIAS are Newark Liberty International Airport in Essex and Union Counties and Atlantic City International Airport in Atlantic County. The shortest distances between the nearest proposed action site (NCR40029b) and the runway protection zones associated with Newark Liberty International Airport and Atlantic City International Airport are 9.2 miles and 97 miles respectively. Additionally, these runway protection zones are uninhabited and therefore, not applicable to the project. The only military airfield in New Jersey with clear zones and accident potential zones subject to these restrictions is the Lakehurst Naval Air Station. The shortest distance between the nearest proposed action site (NCR40029b) and the runway protection zones associated with Lakehurst Naval Air Station is 53 miles (see NCR40029AirportClearZonesMap).

[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 and twelve "otherwise protected areas" that comprise the Coastal Barrier Resources System in New Jersey are part of the John H. Chafee Coastal Barrier Resources System and are undeveloped coastal barriers and other areas located on the coasts of the United States. The nearest component of the Coastal Barrier Resource System is approximately 16.01 miles southeast of the proposed action sites. Therefore, the proposed action would have no impact on coastal barrier resources (see NCR40029CoastalBarrierResourcesMap).

[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: While each of the six the proposed action sites are located at least

partially within an SFHA Floodplain Zone AE, the proposed streetscape project involves the reconstruction and improvement of five roads—Kero Road (NCR40029a), Jomike Court (NCR40029b), Barell Avenue (NCR40029c), Eastern Way (NCR40029d), and Starke Road (NCR40029e) and their associated drainage inlets within the Borough of Carlstadt as well as storm water system improvements at 455 16th Street (NCR40029f). Project activities do not include acquisition, construction, or rehabilitation of structures located in a FEMA-identified SFHA. [Proceed with project.]

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

Field Inspection (Date and completed by):

Proposed action site NCR40029a:

The field inspection was completed 11/13/2014 by Brian Rodriguez. The property location was confirmed by neighboring houses. Mr. Rodriguez inspected the proposed action site and noted no Recognized Environmental Concerns (RECs). See NCR40029aFieldAssessment located within NCR40029FieldAssessment for further details.

Proposed action site NCR40029b:

The field inspection was completed 11/13/2014 by Brian Rodriguez. The property location was confirmed by neighboring houses. Mr. Rodriguez noted the presence of wetlands observed immediately southeast of the proposed action site. He inspected the proposed action site and noted no Recognized Environmental Concerns (RECs). See NCR40029bFieldAssessment located within NCR40029FieldAssessment for photos and further details.

Proposed action site NCR40029c:

The field inspection was completed 11/13/2014 by Brian Rodriguez. The property location was confirmed by neighboring houses. Mr. Rodriguez noted the presence of wetlands observed immediately east of the proposed action site. He inspected the proposed action site and noted no Recognized Environmental Concerns (RECs). See NCR40029cFieldAssessment located within NCR40029FieldAssessment for photos and further details.

Proposed action site NCR40029d:

The field inspection was completed 11/13/2014 by Brian Rodriguez. The property location was confirmed by neighboring houses. Mr. Rodriguez inspected the proposed action site and noted no Recognized Environmental Concerns (RECs). See NCR40029dFieldAssessment located within NCR40029FieldAssessment for further details.

Proposed action site NCR40029e:

The field inspection was completed 11/13/2014 by Brian Rodriguez. The property location was confirmed by neighboring houses. Mr. Rodriguez noted the presence of wetlands observed immediately west of the proposed action site. He inspected the proposed action site and noted no Recognized Environmental Concerns (RECs). See NCR40029eFieldAssessment located within NCR40029FieldAssessment for photos and further details.

Proposed action site NCR40029f:

The field inspection was completed 11/13/2014 by Brian Rodriguez. The property location was confirmed by neighboring houses. Mr. Rodriguez noted two Aboveground Storage Tanks (ASTs) observed along the north face of the building. He noted the presence of wetlands observed west and north of the proposed action site. He inspected the proposed action site and noted no Recognized Environmental Concerns (RECs). See NCR40029fFieldAssessment located within NCR40029FieldAssessment for photos and further details.

Summary Statement of Findings and Conclusions:

The proposed project activity complies with environmental requirements for funding. The following mitigation measures are recommended to minimize any potential adverse environmental impacts and to ensure compliance is maintained.

Required Mitigation and Project Modification Measures:

(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.)

Coastal Zone Management

The NJDEP Department of Land Use Regulation has determined that a Hackensack Meadowlands Commission Water Quality Certificate is required for the proposed project and, if the proposed project qualifies for and receives the Waterfront Development Permit and Water Quality Certificate, the NJDEQ will issue a determination that project will be consistent with the State's CZMP. Additionally, the drainage enhancement portion of the proposed project located at 455 16th Street (Block 92, Lots 1 and 2) will require a Waterfront Development (In-Water) permit due to work being performed below the mean high water line. Lastly, the re-paving elements of the project qualify for a Flood Hazard Control Act permit-by-rule pursuant to N.J.A.C 7:13-7.2(d)1 and must comply with all permit requirements. Issuance of the Water Quality Certificate and Waterfront Development permit, as well as compliance with the permit-by-rule does not relieve the applicant of the responsibility of obtaining any other required State, Federal or local permits or approvals as required by law.

Endangered Species

The NJ Department of Environmental Protection, Division of Fish and Wildlife, Endangered and Nongame Species Program concluded that the conditions set forth by the NJDLUR and Hackensack Meadowlands Commission (see Coastal Zone Management conditions above) should be met in order to address endangered and threatened wildlife concerns through the normal Division of Land Use Regulation review process. No additional review is required for threatened and endangered species if the conditions set forth by the DLUR and Hackensack Meadowlands Commission are met.

Floodplain Management

The proposed project is required to comply with all applicable construction requirements in accordance with all local floodplain ordinances.

The project qualifies for New Jersey Flood Hazard Control Act, Permit-by-Rule N.J.A.C. 7:13-7.2(d)1 provided the permit conditions are met.

N.J.A.C. 7:13-7.2(d)1 applies to specified activities associated with roadways and parking areas listed therein. The repaving and/or resurfacing of a lawfully existing paved roadway or paved parking area outside a floodway, provided:

- i. The surface of the existing roadway or parking area is raised by no more than three inches. Multiple repaving and/or resurfacing is permissible provided the cumulative impact of the activity does not result in raising the pavement by more than three inches;
- ii. The existing roadway is not expanded; and
- iii. No vegetation is cleared, cut or removed in a riparian zone.

Wetlands

Construction activities must remain within the footprints of existing roadway surfaces, storm water inlets and storm water systems, and employ using best management practices (BMPs). No clearing, grubbing, grading or construction activities (including staging areas) should be carried out outside of the existing footprints where mapped wetlands exist (see NCR40029WetlandsProtectionMap). Additionally, BMPs should be in place between all construction activities and mapped wetlands in order to minimize any potential impacts to wetlands. See list of BMPs below that should be incorporated into the project plans. If construction activities will be carried out outside of the current footprints, additional coordination with USACE will be required.

- All construction activities must adhere to the latest requirements of the governing authority using methods that do not adversely impact the wetland and preserve the natural and beneficial values of the property and surrounding area.
- Construction activities should stay within the existing footprints, using best management practices that include, but are not limited to, the following:

- Cover the load compartments of trucks hauling dust-generating materials;
 - Wash heavy trucks and construction vehicles before they leave the site in a catchment container, as to not drain into the adjacent desktop mapped wetlands;
 - Reduce vehicle speed on non-paved areas and keep paved areas clean;
 - Retrofit older equipment with pollution controls;
 - Re-vegetate graded areas in a timely fashion;
 - Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment in any wetlands adjoining the site;
 - Establish and follow specified procedures for proper management of contaminated materials discovered or generated during construction; and
 - Maintain a spill kit on-site during construction and employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.
- Best management practices should be in place between the designated wetland areas and construction activities in order to minimize any potential impacts to wetlands located near the existing footprints.
 - No clearing (including removal of trees and vegetation) or construction activities (including staging areas) should be carried out on the desktop mapped wetlands within the parcel site (NCR40029f).