

**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 Consumer Affairs, Richard Constable III, Commissioner

Applicant Name: _____ (First) _____ (Last)

-or- **Pleasantville Housing and Redevelopment Corp** (Business/Corporate Name)

Project Location: 103 Tremont, 230 Park Ave, 126 Maple Ave, 511 Chestnut St. (Street Address)

Pleasantville (Municipality) Atlantic (County) NJ (State)

36 (Block), 28 (Lot)

51 (Block), 11 (Lot)

362 (Block), 11 (Lot)

365 (Block), 4 (Lot)

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:

Laura Sliker, Louis Berger
Preparer Name and Agency


Preparer Signature

3/26/2014
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-34-001	NEP	\$894,395

Estimated Total HUD Funded Amount: \$894,395

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

The total project cost is estimated at \$928,395.00 with NEP program funds in the amount of \$894,395 and private funds (Developer Loan to project) in the amount \$34,000.

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

The purpose of this project is for the new construction of four new homes on vacant scattered lots to provide quality affordable rental opportunities to low to moderate income households in the City of Pleasantville, NJ.

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 project involves the purchase of four separate lots and the construction of 4 single family homes to be made available to low to moderate income households for rent. The four building lots are all located in the same neighborhood but are not contiguous. No demolition is necessary, the lots are vacant. Construction will include excavation for footings and foundations. The construction of the homes is intended to be consistent with the appearance of the surrounding homes in the neighborhood.

The new homes will be approximately 1250 square feet with three bedrooms and 1.5 bathrooms. Amenities will include: gas heat, central air, garbage disposal, dishwasher, front porch, rear patio, private yard and off street parking. The sites are served by public drinking water supply and public sewer. Trash pick-up is through the City.

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>	A		<p>The proposed project is located in Atlantic County with the following air quality status: Nonattainment for the ozone (1997 and 2008). Only Atlantic City proper is in maintenance for CO.</p> <p>(See: <i>NEP0067_AirQualityMap.pdf</i>) Source: http://www.epa.gov/airquality/greenbk/</p> <p>The NJDEP Division of Air Quality has issued a Memorandum stating that the activities under the CDBG-DR Program are below the Federal General Conformity regulation’s de minimis thresholds and are presumed to conform to the SIP. (See <i>Air Quality Gen Conf Memo from 1/23/2014</i>, in Supporting Documentation folder).</p>
<p>2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	A		<p>The proposed project is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport.</p> <p>Atlantic City International Airport clear zone is approximate 4.3 miles, Lakehurst Naval Air Station is approximately 44 miles and Newark Liberty International Airport is approximately 92 miles from the project area.</p> <p>(See <i>NEP0067_AirportClearZoneMap.pdf</i>) Source: NJDEP HUD Environmental Review GIS Tool 2.1</p>

<p>3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]</p>	<p>A</p>	<p>All four parcels are located within the Coastal Zone. NJDEP Coastal Jurisdictional Determination has determined that no coastal zone permits are required.</p> <p>See files in <i>NEP0067_Coastal Jurisdictional Determination</i> folder dated 02/07/14 in Supporting Documentation and <i>NEP0067_CoastalZoneManagementActMapCAFRA.pdf</i> Source: NJDEP HUD Environmental Review GIS Tool 2.1</p>
<p>4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p>A</p>	<p>During desktop review, the parcel was found to be within the 3,000 ft. radius of the following “threatening” sites on the map.</p> <ul style="list-style-type: none"> • Pleasantville Amoco Service Station ID# 19,003 (affects all four parcels) • Haddon Avenue Groundwater Contamination ID# 64,416 (just over 3,000 ft away from 103 Tremont) <p>The sites were cleared and are no longer considered a threat (See spreadsheet <i>NEP0067_Toxics_Response_Spreadsheet_NEP_TO2006</i> and email correspondence <i>NEP0067_Toxics_Response_Email_NEP_TO2006.pdf</i> for responses dated 1/7/14 and 2/18/14.</p> <p>The parcel may be within the 3,000 foot radius of additional Hazardous Waste cleanup sites, Landfills, solid waste cleanup sites or Hazardous Waste facilities that handle hazardous materials or toxic substances, however, all sites that were determined by NJDEP to be “non-threatening” to the potential HUD project are not depicted on the map.</p> <p>(See <i>NEP0067_ToxicHazardousRadioactiveSubstancesMap.pdf</i>) Source: NJDEP HUD Environmental Review GIS Tool 2.1</p> <p>The property is in a municipality designated as a Tier 3 municipality for radon potential. No further action required, provided the applicant complies with DCA construction codes. (See <i>NEP0067_MunicipalityRadonTierTable_NEP_TO2006.pdf</i>) Source: http://www.nj.gov/dep/rpp/radon/ctytiera.htm#01</p>

<p>5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]</p>	<p>B</p>	<p>Determination of No Effect: There are no state or federally listed threatened or endangered species identified on the project sites. There is potential Northern long-eared bat habitat (Federally proposed species) directly adjacent to the site at 230 Park Avenue. ENSP has determined that the project will have no impact on this habitat at 230 Park Avenue under the condition that <u>NO trees are removed during the time period between 4/1 and 9/30 and the removal will not exceed one acre.</u></p> <p>(See <i>NEP0067_EndangeredSpeciesMap.pdf</i> and <i>NEP0067LandscapeProjectMap</i>) Sources: January 29, 2014 Letter from NJDEP, Natural Heritage Program, <i>NEP0067_NHD Response 14-3907445-4788.pdf.</i>, <i>NEP0067_ENSP_BATS_PatrickWoernerEmail022414.pdf.</i>, NJDEP HUD</p>
<p>6. Environmental Justice [Executive Order 12898]</p>	<p>A</p>	<p>Demographic (minority/poverty) indicators reveal that the study area in which the proposed project is located experiences higher minority levels than the city and county in which it is located. However, the proposed project is residential in nature, and is not expected to have an adverse environmental impact or pose an environmental Justice concern.</p> <p>(See: <i>NEP0067_EJ Checklist.pdf</i> in Supporting Documentation folder) Sources: ESRI Community Analyst, US Census Bureau 2010, EPA EJView.</p>
<p>7. Explosive and Flammable Operations [24 CFR 51C]</p>	<p>B</p>	<p>Eight ASTs were identified within the project area, five of which do not meet the ASD and require mitigation. Please see descriptions and conditions in <i>NEP0067_ASTDescriptions_NEP_TO2006.pdf</i> in Supporting Documentation folder.</p>
<p>8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly sections 1504(b) & 1541; 7 CFR 658]</p>	<p>A</p>	<p>The property is located on mapped farmland of statewide importance. The land use of the project area is currently developed or urban therefore the project is exempt from the Farmland Conversion Impact Rating (Form AD-1006) analysis.</p> <p>(See <i>NEP0067_FarmlandProtectionMap.pdf</i> and <i>NEP0067FarmlandSoilsDeterminationEmail022714.pdf</i>) Source: NJDEP HUD Environmental Review GIS Tool 2.1</p>
<p>9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]</p>	<p>A</p>	<p>The property is not located within the Special Flood Hazard Area.</p> <p>(See <i>NEP0067_FloodplainMgmtFloodInsuranceMap.pdf</i>) Source: NJDEP HUD Environmental Review GIS Tool 2.1</p>

<p>10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]</p>	<p>A</p>	<p>The proposed project sites are not located in the green zone. However, the Project received SHPO concurrence on June 9, 2005 through prior environmental review. See <i>NEP0067_PreviousSHPO_NEP_TO2006.pdf</i> in Supporting Documentation file. The SHPO form refers to properties within the Woodland Terrace community. The community includes all 4 parcels within NEP0067.</p> <p>(See <i>NEP0067_HistoricPreservationExemptionZoneMap.pdf</i>) Source: NJDEP HUD Environmental Review GIS Tool 2.1</p>
<p>11. Noise Abatement and Control [Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR 51B]</p>	<p>A</p>	<p>Analysis of the proposed project site resulted in an estimated DNL of 60.1 dBA. This is within the range of typical noise levels for suburban residential areas and below the 65 dBA DNL threshold for land use compatibility.</p> <p>See files in <i>NEP0067 Noise Analysis</i> folder in Supporting Documentation Folder and <i>NEP0067NoiseScreeningMap.pdf</i>.</p>
<p>12. Sole Source Aquifers [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]</p>	<p>B</p>	<p>The grantee proposes new construction that is located within the Coastal Plains Sole Source Aquifer designated by the EPA. As the property's land use is in a residential/urbanized area will be served by public drinking water supply and public sewer, it is not anticipated that the proposed project would create a significant hazard to public's health by adversely impacting groundwater so long as the development does not result in more than 75% of impervious cover. Also, during construction of the new residence, the grantee must utilize appropriate Soil Erosion Sediment Control Best Management Practices in accordance with state requirements for protecting the drinking water system provided by the aquifer.</p> <p>See <i>Memo-1996 EPA-Sole Source Aquifer Review</i> in Supporting Documentation folder.</p>
<p>13. Wetlands Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<p>A</p>	<p>The proposed project is not located on or near wetlands.</p> <p>(See <i>NEP0067_WetlandsProtectionMap.pdf</i>) Source: NJDEP HUD Environmental Review GIS Tool 2.1</p>
<p>14. Wild and Scenic Rivers [Wild and Scenic Rivers Act of 1968, particularly section 7(b) & (c); 36 CFR 297]</p>	<p>A</p>	<p>The project is not located within one mile of a listed wild and scenic river.</p> <p>(See <i>NEP0067_WildScenicRiversMap.pdf</i>) Source: NJDEP HUD Environmental Review GIS Tool 2.1</p>

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: NJDEP HUD Environmental Review GIS Tool 2.1
(See NEP0067 AirportClearZoneMap.pdf)

[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: Coastal Barrier Resources System (CBRS), USFWS, 2010.
(See NEP0067 CoastalBarrierResourcesActMap.pdf)

[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: NJDEP HUD Environmental Review GIS Tool2.1
(See NEP0067 FloodplainMgmtFloodInsuranceMap.pdf)

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): William Oakes and Mark Freed, December 23, 2013.

Summary Statement of Findings and Conclusions:

It is the finding of this environmental review record, that the proposed project requires additional compliance steps with regards to Explosive and Flammable Operations [24 CFR 51C] and the Safe Drinking Water Act of 1974. The project must comply with mitigation as described below.

Required Mitigation and Project Modification Measures:

The proposed project is not located within an acceptable separation distance from five above-ground storage tanks (ASTs). The project is not eligible to move forward unless mitigation is provided in accordance with the mitigation measures listed in 24 CFR 51.205.

The grantee proposes new construction that is located within the Coastal Plains Sole Source Aquifer designated by the EPA. In order to comply with the Safe Drinking Water Act of 1974, the project may not result in more than 75% impervious ground cover. In addition, during construction of the new residence, the grantee must utilize appropriate Soil Erosion Sediment Control Best Management Practices in accordance with state requirements for protecting the drinking water system provided by the aquifer.