

ENVIRONMENTAL ASSESSMENT

Determinations and Compliance Findings for HUD-Assisted Projects

24 CFR Part 58

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

Applicant Name: A & A Construction, Inc. (Business/Corporate Name)

Project Location: 85 – 89 West Alpine Street (Street Address) Newark (Municipality) Essex (County) NJ (State) 07114 (Zip) 2678 (Block) 20, 21, 22 (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 county/ 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 (NEPA).

Section 106 Compliance

The New Jersey State Historic Preservation Office (HPO) has determined that a “No Historic Properties Adversely Affected” finding is applicable to the project, provided that the proposed project design employs context sensitive design with regard to effects to the eligible West Alpine Streetscape Historic District situated across West Alpine Street from the project (NEP0086_SHPO_Response_NEP_TO2005 and NEP0086_AdjacentHistoricDistrictMap_NEP_TO2005).

Construction-Stage Best Management Practices

Air Quality – The project must meet the regulatory requirements of New Jersey’s Air Rules/Air Pollution Control Requirements (NEP0086_RevisedGeneralConformityApplicabilityAnalysis_NEP_TO2005). The Contractor will implement the following Best Management Practices (BMPs) aimed to reduce air quality effects during construction:

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).

(Note: One- or two- family dwellings and dwellings of six or less family units, one of which is owner-occupied, are exempt pursuant to NJSA 26:2C-9.2.)
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 “three-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.

Noise – Time constraints on construction activity in accordance with local ordinances and proper maintenance and documentation of construction equipment in accordance with manufacturer’s specifications to keep unnecessary noise impacts to a minimum.

Soils and Water Resources –The construction activities will comply with the New Jersey Standards for Soil Erosion and Sediment Control. The contractor will install and maintain erosion and sedimentation control measures and appropriate best management practices prior to and throughout construction, and in compliance with the contract project drawings.

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:

Kristen J. Maines
 Gannett Fleming, Inc.
 Preparer Name and Agency

Preparer Signature

October 14, 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-34-0001	NJDCA Neighborhood Enhancement Program	\$453,952.00

Estimated Total HUD Funded Amount:

\$453,952.00

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

\$1,025,284.00

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

The purpose of the project is to construct three new two-family homes on vacant lots at 85-89 West Alpine Street in the City of Newark, New Jersey. The proposed action would assist in achieving the goals of the Neighborhood Enhancement Program (NEP) by investing in a “threatened but viable” neighborhood to provide additional affordable housing opportunities through rebuilding and reuse of a vacant and blighted site.

The project site is within the Newark Urban Enterprise Zone (NEP0086_NewarkUEZParcelsMap_NEP_TO2005), which provides economic incentives for revitalization efforts in economically-disadvantaged urban centers.

In comparison with the state, Newark exhibits depressed per capita and median household income levels coupled with elevated unemployment and poverty rates.

Economic Measure	City of Newark	New Jersey
Per capita income	\$17,161	\$35,928
Median household income	\$34,387	\$71,637
Poverty level	28.0%	9.9%
Unemployment rate	17.8%	9.5%

Source: 2008-2012 American Community Survey

The proposed project will serve an ethnically diverse community within the city and rents will not exceed 80% of the Area Median Income (AMI), meeting the standards of the program. The project site is zoned R-3 Third Residential District. The property is currently vacant and has been undeveloped since at least 1988. It is surrounded by other residential uses. The property in its undeveloped state is a nuisance and unattractive feature in the community.

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 would involve the construction of three residential structures, each accommodating two housing units for a total of six residential units. Each three-story house will have first and second floor apartments, plus a ground floor recreational area, garage space, storage and laundry facilities. Each unit will have one on-site parking space.

Each three-story house will be constructed on a narrow, deep lot. The average rear yard area is approximately 300 square feet. Each house will be 3,158 square feet and have a ground floor, and first and second floor apartments comprising 1,579 square feet respectively. The ground floor level will have a designated recreational area, garage space and storage and laundry facilities.

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 property is located within an urban area and is currently vacant with no structures. A six-foot fence surrounds the perimeter. The surrounding and abutting properties are mainly multi-family residential uses. The neighborhood consists of predominantly single family and multi-family residential uses, with some institutional uses (Newark Fire Station, Malcom X Shabazz High School).

PART I: STATUTORY CHECKLIST [24 CFR 50.4, 24 CFR 58.5]

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

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

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

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

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & §58.5	STATUS		Compliance Documentation
	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>According to the USEPA Nonattainment Areas Map, Essex County has been designated a nonattainment or maintenance area for five NAAQS pollutants (NEP0086_AirQualityMap_NEP_TO2005):</p> <ul style="list-style-type: none"> • Severe nonattainment for 8 hour Ozone (1997 standard) • Moderate nonattainment for 8-hour ozone (1997 standard) • Marginal nonattainment for 8 hour Ozone (2008 standard) • Nonattainment for PM_{2.5} (1997 standard) • Nonattainment for PM_{2.5} (2006 standard) <p>NJDEP has determined that activities under the CDBG-DR program are below the <i>de minimus</i> thresholds of the Federal General Conformity regulations and are presumed to conform to the State Implementation Plan. The project will meet applicable emission standards and regulations contained in the State Air Pollution Control Code, and will not have an adverse effect on the air quality (NEP0086_RevisedGeneralConformityApplicabilityAnalysis_NEP_TO2005).</p>
<p>2. Airport Hazards Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project site is not located within any Clear Zones or Accident Potential Zones (NEP0086_AirportClearZonesandAccidentPotentialZonesMap_NEP_TO2005) or within 15,000 feet of a military airport or 2,500 feet of a civilian airport (NEP0086_AirportHazardsMap_NEP_TO2005), so no airport hazard effects would occur.</p> <p>Atlantic City International Airport is approximately 117 miles; Lakehurst Naval Air Station is approximately 62 miles; and Newark Liberty International Airport is approximately 5,500 feet (one mile) from the project site.</p> <p>The proposed project is located more than 2,500 feet from the clear zone at the Newark Liberty International Airport and is therefore in compliance with the civilian airport clear zone requirements of 24 CFR 51D (NEP0086_AirportClearZonesandAccidentPotentialZonesMap_NEP_TO2005).</p>

<p>3. Coastal Zone Management [Coastal Zone Management Act sections 307(c)& (d)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The New Jersey Coastal Area Facility Review Act (CAFRA) of 1973 established the CAFRA zone and boundaries, implementing the federal Coastal Zone Management Act (CZMA) of 1972 (16 U.S.C. § 1451 et seq). Certain activities undertaken within the CAFRA zone are regulated by NJDEP. The project site does not lie within the CAFRA zone; therefore regulations of the CZMA sections 307(c) & (d) are not applicable. The project is not located within the regulated boundaries of the Upland Waterfront Development Zone or Hackensack Meadowlands (NEP0086_CoastalZoneManagementActMap_NEP_TO2005).</p>
<p>4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project site is not included in a State or Federal Hazardous Waste sites database and no recognized environmental conditions were identified.</p> <p>The project site may be within the 3,000-foot radius of a Hazardous Waste cleanup site, Landfill, solid waste cleanup site or Hazardous Waste facility that handles 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 NJ HUD Environmental Review Tool 2.1 map. Only sites determined to be “threatening” by the NJDEP are depicted on the map (NEP0086_ToxicHazardousandRadioactiveSubstancesMap_NEP_TO2005).</p> <p>NJDEP initially identified three potentially “threatening” sites within 3,000 feet of the project area. These sites are:</p> <ul style="list-style-type: none"> • Crown Gas & Diesel Service Station (ID#57125) • Ventura Motors (ID#8601) • Newark City Police Department South District (ID#47613) <p>However, based on further review NJDEP has determined these sites to be “non- threatening” (NEP0086_ToxicSite_Response_NEP_TO2005).</p> <p>HUD lead-based paint poisoning prevention rules do not apply as the property is vacant and does not include a residential property for which construction was completed on or before January 1, 1978 [24 CFR 35.115(a)]. Asbestos-related regulations at 40 CFR Part 61M and associated NJ Department of Health and NJ Department of Environmental Protection regulations do not apply to the project as the property does not contain any structures that would potentially contain asbestos-containing material.</p> <p>The property is located in Newark in Essex County which is designated as a having a Tier 3 radon potential (low) (NEP0086_RadonPotential_NEP_TO2005). No radon testing or mitigation is required.</p> <p>Initial field reconnaissance in December 2013 identified multiple soil piles on the property of unknown origin and composition (NEP0086_SoilPiles_Lot1, NEP0086_SoilPiles_Lot2 and NEP0086_SoilPiles_Lot3). Subsequently, the property owner tested and removed the soil piles. Follow-up inspection by NJDEP confirmed site clean-up (NEP0086_DEPSiteInspection_NEP_TO2005). DEP has formally cleared the site regarding contamination concerns and will not require further testing. (NEP0086_DEPSiteContaminationClearance1_NEP_TO2005, NEP0086_DEPSiteContaminationClearance2_NEP_TO2005, and NEP0086_SoilTestingResults_NEP_TO2005)</p>

<p>5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p>Consultation with the US Fish and Wildlife Service (USFWS) was completed through a review of the iPaC landscape explorer tool to obtain a preliminary USFWS species list for the project area (NEP0086_USFWS_EndangeredSpeciesReview_NEP_TO2005). The report identified no federally threatened species potentially within the project vicinity.</p> <p>Review of the HUD Environmental Review Tool 2.1 did not indicate the presence of piping plover, red knot, or northern long-eared bat habitat on or adjacent to the project site (NEP0086_EndangeredSpeciesMap_NEP_TO2005). The centroid query showed no potential involvement with federal or state listed endangered species.</p> <p>Consultation with the NJDEP Natural Heritage Program (NHP) requested a search of the Natural Heritage Database, the Landscape Project habitat mapping, and Biotics Database. The NHP response indicated no records of rare plant and animal species and ecological communities on the site (NEP0086_NaturalHeritageDatabase_Response_NEP_TO2005).</p> <p>The project will have no effect on federal or state-listed species. Based on coordination with federal and state agencies and assessment of effects, compliance with the ESA is complete and no consultation is required.</p>
<p>6. Environmental Justice [Executive Order 12898]</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p>Executive Order (EO) 12898 requires Federal agencies to consider and addresses disproportionately high and adverse human health or environmental effects on minority and low-income populations.</p> <p>Minority population percentage in the vicinity of the project is approximately 88%, which is higher than the overall percentage of 74% for the City of Newark (NEP0086_EnvironmentalJusticeMap_PercentMinority_NEP_TO2005).</p> <p>Low-income population percentage in the vicinity of the project is 27.3%, which is comparable with the overall percentage of 28% of the City of Newark (NEP0086_EnvironmentalJusticeMap_PercentPoverty_NEP_TO2005).</p> <p>The project would not generate adverse resource or health effects or adversely impact residential, commercial, or community facilities or services which may be of importance to environmental justice populations. The proposed project is anticipated to benefit environmental justice populations by providing affordable housing and redeveloping a blighted and unsafe property.</p> <p>Thus, the project would not generate disproportionately high and adverse environmental impacts on environmental justice populations (NEP0086_EnvironmentalJustice_Checklist_NEP_TO2005).</p>
<p>7. Explosive and Flammable Operations [24 CFR 51C]</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p>An above ground storage tank (AST) suspected of containing a flammable or explosive substance was observed within one mile of the proposed action.</p> <p>AST 1 consists of a diesel fuel storage tank at a City of Newark Division of Motors facility at 106 Pennsylvania Avenue, Newark. The AST is approximately 5,000 gallons (NEP0086_AST1_NEP_TO2005). The acceptable separation distance (ASD) for a tank of this size and nature is 540.74 feet. The actual distance calculated from the project site was 3,032.09 feet (NEP0086_AST_ASD_DistanceCalculationMap_NEP_TO2005). Upon measurement, the distance exceeds the ASD. The project is in compliance with the requirements of 24 CFR 51C and no further action is necessary.</p>

<p>8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly section 1504(b) & 1541; 7 CFR 658]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project area is urbanized with no associated agricultural lands. According to the NJDEP HUD Environmental Review Tool, the project area is not located on land classified as containing Prime Farmland Soils (NEP0086_FarmlandProtectionMap_NEP_TO2005). The soils on the property are not designated as agricultural land or prime agricultural soils and the project is located in the Census-designated New York-Newark, NY-NJ-CT urbanized area. Therefore, the requirements of the federal Farmland Protection Policy Act (FPPA) are not applicable to the project.</p>
<p>9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Pursuant to 24 CFR 55 and EO 11988, the proposed project was evaluated to determine potential effects of the project proposed within a floodplain. The project site is not located within a Special Flood Hazard Area (100-year floodplain) and therefore the project would have no effect on floodplains and meets the requirements of 24 CFR 55 and EO 11988 (NEP0086_FloodplainMgmtandFloodInsuranceNFIPNotinFloodwayMap_NEP_TO2005).</p>
<p>10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The site is not included within the Historic Property Exemption Zone (“Green Zone”) according to the NJDEP HUD Environmental Review Tool (NEP0086_HistoricPreservationExemptionZoneMap_NEP_TO2005). Coordination with the New Jersey State Historic Preservation Office (HPO) was conducted to determine potential effects to cultural resources under Section 106 of the National Historic Preservation Act. The HPO determined that a “No Historic Properties Adversely Affected” finding was applicable, provided that the proposed project design employs context sensitive design with regard to effects to the eligible West Alpine Streetscape Historic District situated across West Alpine Street from the project (see NEP0086_SHPO_Response_NEP_TO2005 and NEP0086_AdjacentHistoricDistrictMap_NEP_TO2005).</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>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project is not within 1,000 feet of a major (arterial) roadway or 3,000 feet of a railroad. The project site is within 15 miles of a civilian airport (Newark Liberty International). However, the project site is outside of the 60 dB contour of Newark Liberty International so the project site would not experience noise impacts above 65 db and would meet the general acceptability noise standards for new construction at 24 CFR 51 (NEP0086_NoiseAbatementandControl_NEP_TO2005). The only noise expected from the project will be temporary construction noise that will cease once construction is complete. The project is located in an urban area and the construction will not require any significant noise-creating activities (i.e. blasting, pile driving, etc.) so construction noise is not expected to appreciably add to existing levels. Construction stage noise effects can be mitigated through the use of best management practices (BMPs) such as installation of equipment mufflers and adherence to local construction noise regulations, including time of day restrictions.</p>
<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 site is not located within a U.S. EPA-designated sole source aquifer watershed area (NEP0086_SoleSourceAquifersMap_NEP_TO2005). Additionally, the proposed project would be served by public water and wastewater service through the Newark City Department of Water and Sewer Utilities and not involve groundwater withdrawals. Review of the action by the U.S. EPA under the Safe Drinking Water Act is not required.</p>

<p>13. Wetland Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Federally mapped wetlands and waters of the U.S. are not present within or adjacent to the project site (NEP0086_WetlandsProtectionMap_NEP_TO2005). There will be no encroachments to any Section 404/10 regulated areas; therefore the project is in compliance with EO 11990, and there will be no effects on wetlands as a result of the project.</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 project is not located within 1/4 mile of a designated Wild and Scenic River (WSR) stream bank and will have no adverse effect on protected WSRs. The closest designated WSR (Great Egg Harbor River) within the Sandy impacted area of New Jersey is approximately 83 miles from the project site. Additionally, the project site is not located within a one-mile radius of a WSR or its tributaries (NEP0086_WildandScenicRiversMap_NEP_TO2005). Therefore, consultation and review by National Park Service is not required.</p>

PART II: ENVIRONMENTAL ASSESSMENT CHECKLIST

[24 CFR 58.40; 40 CFR 1508.8 & 1508.27]

For each impact category, evaluate the significance of the effects of the proposal on the character, features, and resources of the project area. Enter relevant base data and credible, verifiable source documentation to support the finding. Note names, dates of contact, telephone numbers, and page references. Attach additional material as appropriate. **All conditions, attenuation, or mitigation measures have been clearly identified.**

Impact Codes:

- (1) no impact anticipated
- (2) potentially beneficial
- (3) potentially adverse- requires documentation
- (4) requires mitigation
- (5) significant/potentially significant adverse impact requiring avoidance or modification which may require an Environmental Impact Statement

Impact Categories	Impact Code	Impact Evaluation, Source Documentation and Mitigation or Modification Required
Land Development		
Conformance with Comprehensive and Neighborhood Plans	2	Redevelopment of this vacant and blighted site contributes toward meeting the Healthy and Safe Neighborhoods goals of the 2012 Newark Master Plan (<i>Newark Master Plan: Our City, Our Future, 2012</i>), specifically associated with 1) housing options and 6) addressing vacancy and abandonment (http://www.ci.newark.nj.us/userimages/downloads/Newark_Master_Plan_FINAL_Vol_I(1).pdf).
Land Use Compatibility and Conformance with Zoning	1	Adjacent properties consist of residential (multi- and single-family) uses. The proposed dwelling units will be compatible with surrounding land uses and meet the intent of the R-3 Residential District zoning.
Urban Design- Visual Quality and Scale	1	The three proposed three-story structures would be similar in size and scale to nearby structures and have been designed to blend in with the visual characteristics of the surrounding neighborhood.
Slope	1	The parcel is a previously developed and a vacant urban lot which is relatively level. No construction or excavation would occur involving steep slope areas.
Erosion	1	The parcel is a previously developed and a vacant urban lot which is relatively level. No construction or excavation would occur involving steep slope areas. Standard erosion and sedimentation controls would be implemented prior to and during construction.
Soil Suitability	1	The project site contains soils classified as Urban land. The proposed use is compatible with the characteristics of the site soils and would not convert farmland soils to non-agricultural use. No soil limitations for the proposed action are identified.
Hazards and Nuisances, Including Site Safety	2	The area is urbanized with no natural hazards. The redevelopment of the existing vacant lot would improve neighborhood safety issues associated with the vacant lot.

Drainage/Storm Water Runoff	1	The project would tie into existing municipal stormwater collection system and would not affect the capacity of the City's system.
Noise-Effects of Ambient Noise on Project & Contribution to Community Noise Levels	1	Other than noise effects during construction which are temporary and short-term, the proposed project is not expected to generate permanent or long-term noise effects on the surrounding area/neighborhood. Construction noise would consist of typical urban build construction activities (i.e., heavy equipment operation) and would be temporary in nature and cease once the project is complete. Very limited additional traffic is anticipated as a result of the project.
Energy Consumption	1	<p>The site would be served by natural gas/electric service and municipal water and wastewater utilities. Adequate capacity exists to service the proposed project and no adverse effects are anticipated.</p> <p>Increased energy efficiency results in lower energy costs, improved building performance, lower maintenance costs, and enhanced financial stability for the homeowner and reduced pollution and energy demand. HUD published a Federal Register Notice (71 FR 11470) on March 7, 2006 implementing program performance measures related to energy efficiency for new and rehabilitated housing units funded through CDBG grants. Additionally, a HUD strategic priority is to increase energy efficiency in affordable housing developments.</p> <p>Promotion of energy efficiency for HUD CDBG programs is based on the federal Energy Star Program. The Energy Star Program is managed jointly by the Environmental Protection Agency and U.S. Department of Energy and provides specific standards for energy efficiency and performance for building materials (e.g. insulation systems, high-performance doors and windows) and consumer products (e.g. certified lighting and appliances, HVAC systems). HUD Community Planning and Development Notice CPD-13-01 (April 2013) provides procedural guidance for Energy Star Certification. Detailed program guidance is provided in "Building Energy Star Qualified Homes and Incorporating Energy Efficiency and "Green" Building Practices in HOME-funded Affordable Housing (HUD-2008-09, October 2008)."</p> <p>Grant projects are required to meet the energy-efficiency standards imposed by HUD associated with the specific funding program. Some energy will be consumed in implementing the proposed project; however, the project will not substantially expand the housing stock relative to conditions prior to Superstorm Sandy and will therefore not increase long-term energy consumption.</p>

Socioeconomic Factors

Demographic data from the 2010 U.S. Census indicate Newark is a generally younger and much more racially diverse community than the state as a whole. Housing characteristics are typical of a dense urban area, with a higher percentage of rental housing units. Newark exhibits a substantially greater proportion of vacant housing units within its housing stock than the state.

General Population and Housing Characteristics, 2010

Subject	Newark City		New Jersey	
	Number	Percent	Number	Percent
Total population	277,140	100.0	8,791,894	100.0
Median age (years)	32.3	na	39.0	na
White	72,914	26.3	6,029,248	68.6
Black or African American	145,085	52.4	1,204,826	13.7
American Indian and Alaska Native	1,697	0.6	29,026	0.3
Asian	4,485	1.6	725,726	8.3
Native Hawaiian and Other Pacific Islander	118	0.0	3,043	0.0
Some Other Race	42,181	15.2	559,722	6.4
Two or More Races	10,660	3.8	240,303	2.7
Hispanic or Latino	93,746	33.8	1,555,144	17.7
Average household size	2.76	na	2.68	na
Average family size	3.36	Na	3.22	na
Total housing units	109,520	100.00	3,553,562	100.0
Occupied housing units	94,542	86.3	3,214,360	90.5
Vacant housing units	14,978	13.7	339,202	9.5
Renter occupied housing units	73,633	77.9	1,111,895	34.6

Demographic Character Changes

1

Displacement

1

No residential or commercial displacements/relocations are anticipated as a result of the project.

<p>Employment and Income Patterns</p>	<p>2</p>	<p>U.S. Census American Community Survey for the latest 5-year average (2008-2012) show employment and income characteristics in Newark are substantially lagging the state. Across the board, income levels are much lower in comparison with the state, with higher unemployment and poverty.</p> <p>The proposed project will provide additional affordable housing opportunities for city residents.</p> <p style="text-align: center;">Selected Economic Characteristics, 2008-2012</p> <table border="1" data-bbox="703 485 1471 1150"> <thead> <tr> <th rowspan="2">Subject</th> <th colspan="2">Newark city</th> <th colspan="2">New Jersey</th> </tr> <tr> <th>Estimate</th> <th>Percent</th> <th>Estimate</th> <th>Percent</th> </tr> </thead> <tbody> <tr> <td>Population 16 years and over</td> <td>213,425</td> <td>na</td> <td>6,985,329</td> <td>na</td> </tr> <tr> <td> In labor force</td> <td>132,730</td> <td>62.2</td> <td>4,672,338</td> <td>66.9</td> </tr> <tr> <td> Civilian labor force</td> <td>132,614</td> <td>62.1</td> <td>4,663,005</td> <td>66.8</td> </tr> <tr> <td> Employed</td> <td>108,958</td> <td>51.1</td> <td>4,219,677</td> <td>60.4</td> </tr> <tr> <td> Unemployed</td> <td>23,656</td> <td>11.1</td> <td>443,328</td> <td>6.3</td> </tr> <tr> <td> Armed Forces</td> <td>116</td> <td>0.1</td> <td>9,333</td> <td>0.1</td> </tr> <tr> <td> Not in labor force</td> <td>80,695</td> <td>37.8</td> <td>2,312,991</td> <td>33.1</td> </tr> <tr> <td> Civilian employed population 16 years and over</td> <td>132,614</td> <td>na</td> <td>4,219,677</td> <td>na</td> </tr> <tr> <td> Percent Unemployed</td> <td>na</td> <td>17.8</td> <td>na</td> <td>9.5</td> </tr> <tr> <td> Median household income (dollars)</td> <td>\$34,387</td> <td>na</td> <td>\$71,637</td> <td>na</td> </tr> <tr> <td> Mean household income (dollars)</td> <td>\$46,953</td> <td>na</td> <td>\$96,602</td> <td>na</td> </tr> <tr> <td> Median family income (dollars)</td> <td>\$38,896</td> <td>na</td> <td>\$87,389</td> <td>na</td> </tr> <tr> <td> Mean family income (dollars)</td> <td>\$51,579</td> <td>na</td> <td>\$112,730</td> <td>na</td> </tr> <tr> <td> Per capita income (dollars)</td> <td>\$17,161</td> <td>na</td> <td>\$35,928</td> <td>na</td> </tr> <tr> <td> Percentage of people with income below poverty level</td> <td>na</td> <td>28.0</td> <td>na</td> <td>9.9</td> </tr> </tbody> </table>	Subject	Newark city		New Jersey		Estimate	Percent	Estimate	Percent	Population 16 years and over	213,425	na	6,985,329	na	In labor force	132,730	62.2	4,672,338	66.9	Civilian labor force	132,614	62.1	4,663,005	66.8	Employed	108,958	51.1	4,219,677	60.4	Unemployed	23,656	11.1	443,328	6.3	Armed Forces	116	0.1	9,333	0.1	Not in labor force	80,695	37.8	2,312,991	33.1	Civilian employed population 16 years and over	132,614	na	4,219,677	na	Percent Unemployed	na	17.8	na	9.5	Median household income (dollars)	\$34,387	na	\$71,637	na	Mean household income (dollars)	\$46,953	na	\$96,602	na	Median family income (dollars)	\$38,896	na	\$87,389	na	Mean family income (dollars)	\$51,579	na	\$112,730	na	Per capita income (dollars)	\$17,161	na	\$35,928	na	Percentage of people with income below poverty level	na	28.0	na	9.9
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Community Facilities and Services

<p>Educational Facilities</p>	<p>1</p>	<p>Pre-K through 8th grade students would attend Belmont Runyon School at 1 Belmont Runyon Way, approximately 0.5 mile from the proposed building site. Students in grades 9 - 12 would attend Malcolm X Shabazz High School at 80 Johnson Ave, approximately 0.3 mile from the proposed site. Students in the Newark Public Schools district also have access to a number of charter and specialized schools to meet a variety of educational needs. Adding six housing units will not increase school enrollment demand beyond the capacity of the educational system.</p>
<p>Commercial Facilities</p>	<p>1</p>	<p>Several small grocery stores and ATM locations are within walking distance of the proposed building site. Additional shopping and retail establishments in proximity to the proposed building site include:</p> <ul style="list-style-type: none"> • Clinton Plaza, 660 Clinton Ave, Newark – 0.7 mi • Lyons Plaza, 467 Lyons Ave, Newark – 1.5 mi • Springfield Shopping Center, 400 Springfield Ave, Newark – 1.3 mi
<p>Health Care</p>	<p>1</p>	<p>Full service medical facilities, including emergency medicine, are available at Newark Beth Israel Medical Center (201 Lyons Ave, Newark - 1.2 mi) and St. Michael’s Medical Center (111 Central Ave, Newark - 1.9 mi). Additional non-emergency medical care is available at Newark Community Health Center (444 William St, East Orange - 1.3 mi).</p>

<p>Social Services</p>	<p>1</p>	<p>Many social service agencies and organizations are located within Newark to serve the needs of residents. Three of the major agencies are:</p> <ul style="list-style-type: none"> • St. James Social Services, 604 MLK Blvd, Newark – 1.1 mi • Turning Point Community Services, 1011 Grove St, Irvington – 1.5 mi • Essex County Department of Citizen Services, 18 Rector St, Newark – 2.5 mi. <p>The property is posted with a sign indicating that the property has been cleaned and restored by the City of Newark’s Clean and Green Team and co-sponsored by The Office of Reentry, an Office which serves as a referral source to community-based organizations and other resources in partnership with the New Jersey Institute for Social Justice and the Newark Conservancy.</p> <p>Given that the proposed project will not result in a substantial demographic change for the area, social services would not be adversely affected by increased demand.</p>
<p>Solid Waste Disposal/Recycling</p>	<p>1</p>	<p>Trash and recycling services are provided by the City of Newark Division of Sanitation</p>
<p>Waste Water/Sanitary Sewers</p>	<p>1</p>	<p>Wastewater services are provided by the Newark City Department of Water and Sewer Utilities.</p>
<p>Water Supply</p>	<p>1</p>	<p>Water service would be provided by the Newark City Department of Water and Sewer Utilities.</p>
<p>Public Safety:</p> <ul style="list-style-type: none"> • Police • Fire • Emergency Medical 	<p>1</p>	<p>The Newark Police Department Precinct 5 is located at 254 West Bigelow St approximately 0.4 mile from the proposed site. Precinct 4 is located at 10 17th Avenue approximately 0.8 mile from the site. City of Newark Fire Department Engine 10-12 is located at 360 Clinton Ave approximately 0.2 mile from the proposed site. The redevelopment of this vacant lot to six residential units would not substantially affect the existing or future demand for emergency services in the area.</p>
<p>Parks, Open Space & Recreation:</p> <ul style="list-style-type: none"> • Open Space • Recreation 	<p>1</p>	<p>Several neighborhood and local scale recreation facilities are within walking distance of the proposed building site:</p> <ul style="list-style-type: none"> • Terrell James Park, 40 Johnson Ave – 1,200 feet from site. This small park includes a children play area and basketball court. • Schleifer Memorial Park, 177 Elizabeth Ave – 2,500 feet from site. This local park provides an area for passive relaxation. • Mildred Helms Park, 534-544 Clinton Ave – 3,600 feet from site. This unique park offers a children’s play area and walking track within a natural landscaped area.
<p>Cultural Facilities</p>	<p>1</p>	<p>Review of the proposed building site by the New Jersey Historic Preservation Office for compliance determined that the site is adjacent to a NRHP-eligible historic district. The West Alpine Streetscape Historic District is situated across West Alpine Street, southwest of the project site. Consultation with NJHPO indicated that no historic properties would be adversely affected if context sensitive design elements are implemented.</p> <p>Cultural facilities within the vicinity of the project include:</p> <ul style="list-style-type: none"> • Clinton Branch Library – 739 Bergen St, 0.5 mile • City Without Walls (art gallery) – 6 Crawford St, 1.1 miles • Newark Museum (art/science) – 49 Washington St, 2.2 miles

Transportation & Accessibility	1	Local bus transit is provided by NJ Transit. Bus routes 13, 27, 39, 62, 70 and 113 pass within 1.0-mile of the proposed site. Six bus stops are located with 0.5 mile of the proposed site.
Natural Features		
Water Resources	1	The proposed project for residential construction would not affect ground water resources; the proposed development would be serviced by municipal potable water via a public water supply system. No ground water withdrawals are proposed. Therefore, pursuant to the Safe Drinking Water Act (SDWA), the proposed project would not affect drinking water sources and ground water wells.
Surface Water	1	No state or federal regulated wetlands or waters of the US are on or adjacent to project site as determined by review of NJDEP HUD Environmental Review GIS tool mapping and verified by field investigation. Therefore the proposed project will not affect surface water resources.
Unique Natural Features & Agricultural Lands	1	Prime Farmlands include all those soils in Land Capability Class I and selected soils from Land Capability Class II. The soils associated with the property are not designated as agricultural land or prime agricultural soils. According to NRCS-web soil survey, the subject property is comprised of soil map unit BowrC identified as Boonton-Urban Land, redstone substratum with 8-15% slopes. According to the Soil Survey of Essex County NJ, the Boonton Urbanland soil unit is comprised of 50% Booton soils and 40% urbanland; the majority of its land surface may be covered by pavement, concrete buildings, and other structures underlain by disturbed soil fill material. This soil type has a slow to moderately rapid permeability and a water table greater than 6 feet below the surface. Its Land Capability Classification (non-irrigated) is 8s whereby soils in this class have limitations for plant/crop production mainly due its shallow, droughty and stone constituents. The proposed project would not affect unique natural features and agricultural lands pursuant to the Farmland Protection Policy Act (FPPA).
Vegetation and Wildlife	1	The proposed project is for construction of three two-family residences. There would be no clearing of existing woodlands or tree removal. There are no identified or known wildlife habitats within or adjacent to the site; therefore, the project would not alter or adversely affect any vegetation communities or wildlife habitats.

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: See attached map. [Project complies with 24 CFR 51.303(a)(3).]

See NEP0086 AirportHazardsMap_NEP_TO2005 and
NEP0086_AirportClearZonesandAccidentPotentialZonesMap_NEP_TO2005.

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 project site is not located within or adjacent to a System unit or an Otherwise Protected Area (OPA) boundary of the Coastal Barriers Resources Act. Further consultation with the USFWS is not needed (See NEP0086_CoastalBarrierResourcesSystemMap_NEP_TO2005).

[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:

The project site does not lie within a FEMA identified floodplain or flood way and would not involve construction or rehabilitation within any special flood hazard areas (See NEP0086_FloodplainMgmtandFloodInsuranceNFIPNotInFloodwayMap_NEP_TO2005).

[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

Additional Studies Performed: (*List the reports, studies, or analyses performed for this assessment, and attach studies or summaries.*)

No additional studies were performed by DEP. The property owner performed additional soil testing associated with removal of soil piles from the property (see NEP0086_SoilTestingResults_NEP_TO2005).

Field Inspection (Date and completed by): Field inspection completed on December 17, 2013 by AK Environmental, LLC under contract to Gannett Fleming, Inc. Follow-up field inspection conducted by NJDEP on August 19, 2014.

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

Agencies/Persons Consulted

Mr. Shawn Bulger, NJDEP, Compliance and Enforcement, Quality Assurance Team

Mr. William Linder, NJDEP, Site Remediation Program

Ms. Kim McEvoy, NJDEP, Site Remediation Program

Reference Documents/Data Sources

City of Newark, 2012. Master Plan.

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U.S. Fish and Wildlife Service, Coastal Barrier Resources System Mapper. August 2014. <http://www.fws.gov/cbra/Maps/Mapper.html>

Lists of Required Permits:

City of Newark Site Plan Approval

SCS Chapter 251 Soil Erosion and Sediment Control Plan Certification

Public Outreach [24 CFR 50.23 & 58.43]:

In accordance with HUD regulations, a Public Notice of proposed action and funding will be published in the Newark Star Ledger, and a Spanish translation of the notice will be published in Reporte Hispano. Any substantive comments received will be addressed and incorporated into the final EA.

Cumulative Impact Analysis [24 CFR 58.32]:

The proposed project will not contribute to adverse cumulative effects on environmental resources. Recognizing the effects of past urbanization, no present or reasonably foreseeable future public or private sector actions were identified which are anticipated to substantially contribute to further adverse cumulative environmental effects. Essex County and much of the New Jersey coastal area are undergoing recovery efforts from the damage inflicted by Superstorm Sandy. Recovery efforts in the region include rehabilitation, demolition, reconstruction and new construction of private and public structures and infrastructure. Cumulatively, recovery projects in combination with the proposed action may have a temporary impact on air quality, noise, traffic, and surface waters during construction activities, but will have a net long-term benefit to the human environment at the local and regional level.

Project Alternatives Considered [24 CFR 58.40(e), 40 CFR 1508.9]: *(As appropriate, identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment for each alternative and the reasons for rejecting it.)*

No other action alternatives were considered. The project entails development of replacement housing to assist in disaster recovery and neighborhood revitalization in the city of Newark. The proposed project would have no significant environmental impacts.

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

Under the No Action Alternative, fewer affordable housing opportunities would be available for impacted residents and the subject property would remain as a vacant and blighted property in the community. The No Action Alternative would not meet the Purpose and Need, as it would not help provide affordable housing opportunities nor contribute to the revitalization of this city neighborhood.

Summary Statement of Findings and Conclusions:

Based upon the analysis documented in this EA, construction of the proposed action complies with the requirements of applicable statutory authorities and would have no significant impact on the environment. The proposed improvements would provide a net benefit to Newark and the local neighborhood by providing new, safe and efficient affordable housing opportunities and redevelopment of a longstanding vacant and blighted property.

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.)*

The following measures are required as conditions for approval of the project:

General

1. Acquire all required federal, state, and county/ 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 (NEPA).

Section 106 Compliance

The New Jersey State Historic Preservation Office (HPO) has determined that a “No Historic Properties Adversely Affected” finding is applicable to the project, provided that the proposed project design employs context sensitive design with regard to effects to the eligible West Alpine Streetscape Historic District situated across West Alpine Street from the project (NEP0086_SHPO_Response_NEP_TO2005 and NEP0086_AdjacentHistoricDistrictMap_NEP_TO2005).

Construction-Stage Best Management Practices

Air Quality – The project must meet the regulatory requirements of New Jersey’s Air Rules/Air Pollution Control Requirements (NEP0086_RevisedGeneralConformityApplicabilityAnalysis_NEP_TO2005). The Contractor will implement the following Best Management Practices (BMPs) aimed to reduce air quality effects during construction:

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).

(Note: One- or two- family dwellings and dwellings of six or less family units, one of which is owner-occupied, are exempt pursuant to NJSA 26:2C-9.2.)

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 “three-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.

Noise – Time constraints on construction activity in accordance with local ordinances and proper maintenance and documentation of construction equipment in accordance with manufacturer’s specifications to keep unnecessary noise impacts to a minimum.

Soils and Water Resources –The construction activities will comply with the New Jersey Standards for Soil Erosion and Sediment Control. The contractor will install and maintain erosion and sedimentation control measures and appropriate best management practices prior to and throughout construction, and in compliance with the contract project drawings.