

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 : _____ (First) _____ (Last)

-or- O.C.E.A.N. Inc. (Business/Corporate Name)

Project Location: "Pierce's Woods" end of Nolan Ave (Street Address)

Berkeley Township (Municipality) Ocean (County) NJ (State)

Parcels:

Block 569, Lot 1 (existing lots 1-6)

Block 569, Lot 7 (existing lots 7-12)

Block 569, Lot 15 (existing lots 15-19 and 32)

Block 573, Lot 9 (existing lots 9 and 40-44)

Block 573, Lot 24 (existing lots 24-29)

Block 573, Lot 34 (existing lots 34-39)

Conditions for Approval [40 CFR 1505.2(c)]:

The approval of funding for this project is contingent upon several State and local approvals prior to construction, as follows:

- Application for and issuance of septic system permits from Ocean County
- Connection to the Berkeley Township Municipal water supply
- Development of an Erosion and Sediment Control Plan through the Ocean County Soil Conservation District
- Stormwater Discharge Permit for Small Construction must be obtained from NJDEP
- \$6,000 per property, for a total of \$36,000, shall be put into an account to mitigate the anticipated adverse effects of the proposed ground disturbing activities. The funds will go towards completing public interpretation and historical context statements and narratives as specified in Standard Mitigation Treatments D and E of Appendix C of the Programmatic Agreement.

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:

Laura Sliker, Louis Berger  8/4/2014
 Preparer Name and Agency Preparer Signature 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	NEP	\$833,784

Estimated Total HUD Funded Amount: \$833,784

Estimated Total Project Cost [24 CFR 58.32(d)]: (HUD and non-HUD funds) \$1,533,484

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

The purpose of this project is to provide affordable housing by constructing six single-family homes at Pierce’s Woods in Berkeley Township, NJ. The homes are to be available to victims of Superstorm Sandy.

Description of the Proposed Project [24 CFR 50.12 & 58.32, 40 CFR 1508.25]:

The project involves the new construction of six 3-bedroom, single-family homes on wooded lots totaling 2.04 acres in Pierce’s Woods. The homes are proposed as one-story and between 1,200 and 1,500 square feet in size. According to the Appendix A of the application package, the sites will be served by public drinking water and septic systems on each lot. Natural gas is available in the area.

The project is also known as “Pinewald Estates.” The developer received approval to subdivide into 34 lots and improve roads to the site from the Berkeley Township Planning Board in a Resolution dated April 2008. Since that time, the lots have been combined to form larger lots, each measuring 0.34 acres. See map in Supporting Documentation folder, *NEP0226_RoadwayImpPlan_NEP_TO2007.pdf*.

Existing Conditions and Trends [24 CFR 58.40(a)]:

The project area is wooded and undeveloped and provides habitat for many species including the potentially endangered Northern Long Eared bat. The forested area provides for soil retainage which aids in flood prevention by reducing soil erosion, water runoff and sediment deposit after storms as well as providing carbon storage which reduces greenhouse gases. Adjacent to the project site the area has been developed in a suburban residential manner.

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	
1. Air Quality [Clean Air Act, as amended, particularly sections 176(c) & (d), and 40 CFR 6, 51, 93]	A		The proposed project is located in Ocean County with the following air quality status: Nonattainment for ozone (1997 and 2008) and Maintenance for CO. See <i>NEP0226_AirQualityMap.pdf</i> . Source: http://www.epa.gov/airquality/greenbk/ 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 memorandum, <i>NEP0226_AirQualityGenConfMemo_NEP_TO2007.pdf</i> .

<p>2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	<p>A</p>	<p>The proposed project is not located within 2,500 feet of the end of a civil airport runway or 15,000 feet of the end of a military airfield runway.</p> <p>Lakehurst Naval Air Station is located approximately 10.30 miles from the site.</p> <p>Atlantic City Airport is located approximately 35.4 miles from the site.</p> <p>Newark International Airport is located approximately 54 miles from the site.</p> <p>See <i>NEP0226_AirportHazardsMap.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>The project is located within the Coastal Areas Facilities Act (CAFRA) coastal zone as defined by the State's Coastal Zone Management Program.</p> <p>See <i>NEP0226_CoastalZoneManagementActMapCAFRA.pdf</i> Source: NJDEP HUD Environmental Review GIS Tool 2.1</p> <p>The project has been reviewed by the NJDEP Department of Land Use Regulation and it has been determined that no coastal permits will be required. As detailed in the Coastal Jurisdictional Determination, a CAFRA permit is not required as the development is greater than 500' from the mean high water line and consists of less than 25 dwelling units. A Coastal Wetlands permit is not required based on absence of Coastal Wetlands.</p> <p>See <i>NEP0226_NJDEPCoastalJurisdictionalDetermination.pdf</i> Source: NJDEP Division of Land Use Regulation</p>

<p>4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p>A</p>	<p>Desktop review revealed no hazardous waste cleanup site, landfill, solid waste clean-up site, or hazardous waste facility that handles hazardous materials or toxic substances located within 3000 feet of the site of the proposed project. All sites that were previously determined by NJDEP to be “non-threatening” to the potential HUD project are not depicted on the map. The proposed project site is not listed on a State of Federal Hazardous Waste sites database.</p> <p>See <i>NEP0226_ToxicHazardousandRadioactiveSubstancesMap.pdf</i> Source: NJDEP HUD Environmental Review GIS Tool 2.1</p> <p><u>Lead-Based Paint and Asbestos</u>: The project involves new construction on wooded lots; therefore, Lead-Based Paint and Asbestos are not a concern.</p> <p><u>Radon</u>: The property is in a municipality designated as Tier 3 for radon potential. No further action required, provided the applicant complies with DCA construction codes. (See <i>NEP0226_RadonTier_NEP_TO2007.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>A</p>	<p>The project site has the potential for occurrence of Northern Long Eared (NLE) bat, a Federally Proposed Endangered species.</p> <p>Following consultation with the USFWS regarding the potential presence of NLE bat, it has been determined that clearing the project area will not adversely affect the NLE bat population. No acoustic testing or mitigation is required.</p> <p>See correspondence in Supporting Documentation folder titled <i>NEP0226_EndangeredSpecies</i>, specifically <i>NEP0226_FWSFinalDetermination_NEP_TO2007.pdf</i> regarding the final determination of no effect. It should be noted that this correspondence indicates that clearing ~1-2 acres will not have an adverse effect on the NLE bat habitat, which is comparable to the actual project area of 2.04 acres.</p> <p>No other state or federally listed species were identified in the immediate vicinity of the project area. See <i>NEP0226_EndangeredSpeciesActMap.pdf</i>, <i>NEP0226_LandscapeProjectMap.pdf</i> Source: NJDEP HUD Environmental Review GIS Tool 2.1</p>

<p>6. Environmental Justice [Executive Order 12898]</p>	<p>A</p>	<p>The project area does not experience higher minority or poverty population when compared to the county. No environmental justice issues are expected as a result of the proposed project.</p> <table border="1" data-bbox="756 348 1520 533"> <thead> <tr> <th data-bbox="756 348 1065 457">Geography</th> <th data-bbox="1065 348 1300 457">Percent Minority (by blockgroup)</th> <th data-bbox="1300 348 1520 457">Percent Below Poverty (by tract)</th> </tr> </thead> <tbody> <tr> <td data-bbox="756 457 1065 495">Berkeley Township, NJ</td> <td data-bbox="1065 457 1300 495">10.59%</td> <td data-bbox="1300 457 1520 495">1.587%</td> </tr> <tr> <td data-bbox="756 495 1065 533">Ocean County, NJ</td> <td data-bbox="1065 495 1300 533">13.39%</td> <td data-bbox="1300 495 1520 533">9.024%</td> </tr> </tbody> </table> <p>See data in Supporting Documentation folder titled: - <i>NEP0226_EJAnalysis</i> Source: EPA EJView; Demographics ACS 2010</p>	Geography	Percent Minority (by blockgroup)	Percent Below Poverty (by tract)	Berkeley Township, NJ	10.59%	1.587%	Ocean County, NJ	13.39%	9.024%
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<p>7. Explosive and Flammable Operations [24 CFR 51C]</p>	<p>A</p>	<p>Desk top aerial photo review revealed an AST within 1 mile of the potential HUD project. The field visit confirmed the tank contained propane and was approximately 1,000 gallons in size. The ASD for a tank of this size and nature is 276.54 feet (ASDPPU). The actual distance calculated by the desk top tool was 3,000 feet. Upon measurement, the distance exceeded the necessary Acceptable Separation Distance (ASD). No further action is required.</p> <p>See photograph <i>NEP0226_EA_AST.pdf</i> and location of the tank on <i>NEP0226_ASTMap.pdf</i>. Source: NJDEP HUD Environmental Review GIS Tool 2.1</p>									
<p>8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly section 1504(b) & 1541; 7 CFR 658]</p>	<p>A</p>	<p>The property is located on land designated as farmland of statewide importance. The proposed site was evaluated by NRCS using the Form AD-1006 and was found to have a score of less than 160, which indicates a low level of consideration for farmland protection and would be a suitable site with low farmland impact. It should be noted that Form AD-1006 references the site as comprising 2.1 acres, which was a value determined from via mapping. The actual acreage of the affected project area is slightly less, at 2.04 acres, and will not have any impact greater than what was evaluated by NRCS. No further analysis required.</p> <p>See <i>NEP0226_FarmlandProtectionMap.pdf</i>, <i>NEP0226_AD1006_NEP_TO2007.pdf</i>, and other supporting documentation in Supporting Documentation folder titled <i>NEP0226_FarmlandProtection</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>NEP0226_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>This project has been determined to be assumed to have adverse archaeological effects. See SHPO concurrence, located in the Supporting Documentation Folder titled <i>NEP0226_HistoricPreservation</i>: <i>NEP0226_SHPOAdverseConcurrence_NEP_TO2007.pdf</i>.</p> <p>As such, \$6,000 per property has been set aside by DCA for each of the six properties associated with this property into a mitigation account. This funding will go towards completing public interpretation and historical context statements and narratives as specified in Standard Mitigation Treatments D and E of Appendix C of the Programmatic Agreement. The applicant and mayor of Berkeley Township were provided notification and a 15-day comment period. No comments were received. See copies of the notifications and SHPO concurrence, located in the Supporting Documentation Folder titled <i>NEP0226_HistoricPreservation</i>, <i>NEP0226_SHPOAdverseConcurrence_NEP_TO2007.pdf</i>.</p> <p>It should be noted that the acreage and number of lots were incorrectly referenced as 5.78 acres and 34 lots (See: <i>NEP0226_SHPOResponse</i>), instead of the actual 2.04 acres and 36 lots, respectively. However, the correct location of proposed project is referenced and as the proposed project area falls within HPO’s Archaeological Site Sensitivity Grid, would not affect the determination.</p> <p>See <i>NEP0226_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>The project does not involve new stationary noise sources and the effect of six single-family residences on mobile source noise generation is negligible. The predicted combined DNL of 44.1 dBA is within the “acceptable” range per the HUD noise criteria and below the 65 DNL criterion.</p> <p>See <i>NEP0226_NoiseScreening_NEP_TO2007.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 on the Coastal Plains sole source aquifer (SSA) designated by the EPA.</p> <p>EPA has reviewed the project regarding its potential effect on the sole source aquifer (see <i>NEP0226_SSA_EPAREsponse_NEP_TO2007.pdf</i>) and indicated that the project is acceptable provided the following conditions are met:</p> <ul style="list-style-type: none"> - Percolation tests are performed by a certified engineer to determine if soil replacement or mounding will be required. This testing has been completed (see <i>NEP0226_SoilTestingCorrespondence_NEP_TO2007.pdf</i>). - The applicant must be issued septic systems permits from Ocean County prior to the start of construction. - Drinking water for the project is provided by the Berkeley Township Municipal Utilities Authority. The original project proposed individual wells as the potable water source. However, the Berkeley Township MUA has indicated that individual wells are not acceptable and that connection to the Township municipal water supply is required. See <i>NEP0226_BTMUALetter_NEP_TO2007.pdf</i>. <p>These conditions must be met to satisfy compliance with the Safe Drinking Water Act of 1974 and are conditions for EPA approval regarding this construction within a designated SSA area. EPA also provided recommendations to minimize environmental impacts from this project.</p> <p>See <i>NEP0226_SoleSourceAquiferMap.pdf</i> Source: NJDEP HUD Environmental Review GIS Tool 2.1 See other supporting materials in Supporting Documentation folder titled <i>NEP0226_SoleSourceAquifer</i>.</p>
<p>13. Wetland Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<p>A</p>	<p>No NJDEP mapped coastal or freshwater wetlands were identified on the site. Wetlands are located approximately 475 feet to the north of the proposed project location. Provided the applicant maintains best management practices, there should be no impacts to these off-site wetlands or the transition area.</p> <p>See <i>NEP0226_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 and the project will not have an effect upon the natural, free flowing or scenic qualities of such a river.</p> <p>See <i>NEP0226_WildandScenicRiversMap.pdf</i> Source: NJDEP HUD Environmental Review GIS Tool 2.1</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	1	Municipal approval for subdivision and road improvements was granted in 2008. Conditions detailed therein must be met before building permits can be issued. <i>Source: project files Board Resolution, Berkeley Township</i>
Land Use Compatibility and Conformance with Zoning	1	The proposed project is located in the R-150 Zone which allows for affordable housing. Local approvals are required prior to development. <i>Source: Zoning Map Township of Berkeley 2011</i>
Urban Design- Visual Quality and Scale	1	The proposed project will alter the natural environment through clearing of dense forest thereby changing the existing visual quality of the area. The project is residential in nature, consistent with the adjacent residential development. <i>Source: Project application and site reconnaissance</i>
Slope	1	A topographic survey is located in the project file. The site is currently undeveloped and is relatively flat. <i>Source: Project application</i>
Erosion	3	The site is heavily wooded and site clearance will be required. A soil erosion and sediment control plan must be developed, approved and implemented prior to ground disturbance. <i>Source: Project application and site reconnaissance</i>

<p>Soil Suitability</p>	<p style="text-align: center;">3</p>	<p>A soil certification letter dated June 27, 2013 from older environmental studies at the site (see <i>NEP0226_SoilCertLetter20130627_NEP_TO2007.pdf</i>) states that the soil is composed of clean sands or a well graded imported backfill and is able to support bearing pressures of 2,000 pounds per square inch (psi).</p> <p>Three soils types are noted to be present within the site area according to a Custom Soil Resource Report generated for the project area in July 2014 (See <i>NEP0226_NRCSCustomSoilReport_NEP_TO2007.pdf</i>):</p> <ul style="list-style-type: none"> • DocB: Downer loamy sand • LakB: Lakehurst sand • WobB: Woodmansie sand <p>All soil types reference in both reports have a “very limited” septic tank rating, indicating that the soil has one or more features that are unfavorable for septic systems. Unfavorable properties of these soils include depth to saturated zone, filtering capacity, seepage, and ponding. As a result of this finding, the project applicant has subsequently provided soil surveys and septic design based on those survey results to support a septic permit application to Ocean County for the permitting of the six individual septic systems See discussion below regarding “wastewater and sanitary sewers.”</p> <p>It should be noted that the 2014 NRCS Custom Soil Report indicates the area of interest comprises 2.1 acres, which was a value determined from via mapping (See: <i>NEP0226_NRCSCustomSoilReport_NEP_TO2007.pdf</i>). The actual acreage of the affected project area is slightly less, at 2.04 acres.</p> <p>See files in Supporting Documentation folder titled <i>NEP0226_Soils-Septic</i>, specifically <i>NEP0226_NRCSCustomSoilReport_NEP_TO2007.pdf</i> and Plot Plans for the six parcels.</p> <p><i>Source: Project application file and United States Department of Agriculture Natural Resource Conservation Service.</i></p>
<p>Hazards and Nuisances, Including Site Safety</p>	<p style="text-align: center;">1</p>	<p>The site is currently wooded and undeveloped. It is adjacent to a suburban community. No major natural hazards or nuisances are known to occur. Desktop review revealed no hazardous sites located within 3,000 feet of the site of the proposed project.</p> <p><i>Source: Project application and site reconnaissance</i></p>

<p>Drainage/Storm Water Runoff</p>	<p>3,4</p>	<p>The site is located approximately ½ mile to the north of the Cedar Creek watershed which drains to Barnegat Bay. The Barnegat Bay Watershed is located in NJDEP Watershed Management Area 13.</p> <p>The applicant proposes to construct an infiltration basin for the treatment of increased storm water resulting from the proposed project. Storm water on site will be collected by a series of inlets and drainage pipes which will discharge to the infiltration basin. The proposed design will store and infiltrate completely the 2 and 10 year design storm. The infiltration basin has been designed to reduce the outflow for the 100 year storm to less than 80% of the pre development rates of runoff.</p> <p>The project will require a Storm Water Discharge Permit for Small Construction from NJDEP which requires the development of an Erosion and Sediment Control Plan through the Ocean County Soil Conservation District. Applicant must be able to obtain this permit as a condition of the approval of this application for funding.</p> <p><i>Source: NEP0226_SSA_ApplicantResponse_NEP_TO2007.pdf in Supporting Documentation folder titled NEP0226_SoleSourceAquifer and NEP0226_Stormwater_20140723_NEP_TO2007.pdf in Supporting Documentation Folder</i></p>
<p>Noise- Effects of Ambient Noise on Project & Contribution to Community Noise Levels</p>	<p>1</p>	<p>A noise analysis has been performed and the predicted combined DNL at the site is 44.1 dBA; which is well within the “acceptable” range per the HUD noise criteria. The project is residential in nature and is not expected to contribute to community noise levels, outside of the construction period.</p> <p><i>Source: HUD Noise Guidebook. See noise analysis in file.</i></p>
<p>Energy Consumption</p>	<p>1</p>	<p>The application for funding states that natural gas is currently present in the area will be utilized for heating proposed homes. The developer is encouraged to implement Energy Star performance and environmentally sustainable construction standards into its design.</p> <p><i>Source: Project application</i></p>
<p>Socioeconomic Factors</p>		
<p>Demographic Character Changes</p>	<p>1</p>	<p>The demographics within the proposed project area do not indicate low income or disadvantaged populations. The project is residential in nature, consisting of single-family homes consistent with the adjacent neighborhood.</p> <p><i>Source: EPA EJView, ESRI Community Analyst forecasts 2013; US Census Bureau 2010</i></p>
<p>Displacement</p>	<p>1</p>	<p>No residential or commercial displacement will occur as a result of the proposed project.</p> <p><i>Source: Project application</i></p>

Employment and Income Patterns	1	No new permanent jobs will be created by the proposed project. The addition of six additional homes to the area is not expected to create a disproportionate strain on the local job market. <i>Source: Project application</i>
Community Facilities and Services		
Educational Facilities	1	The proposed project consists of six, 3-bedroom single-family homes and is not expected to strain the capacity of the Central Regional School District. <i>Source: Project application</i>
Commercial Facilities	1	Various commercial services are available on Route 9 in Lanoka Harbor at the Lacey Mall and in the surrounding commercial area which is 4.4 miles from the site. <i>Source: Google Maps</i>
Health Care	1	The Community Medical Center in Toms River is located 8.4 miles from the site via the Garden State Parkway. <i>Source: Google Maps</i>
Social Services	1	The Community Services of Ocean County is located 3.3 miles from the project site in Lanoka Harbor. The United Way is located 8 miles from the project site in Toms River. <i>Source: NJ.com and Google Maps</i>
Solid Waste Disposal/Recycling	1	The project funding application states that residential trash pick-up will be provided by Berkeley Township Public Works. <i>Source: Project application</i>
Waste Water/Sanitary Sewers	3, 4	<p>Public sewer is not available at the site; the applicant proposes individual subsurface septic systems for each of the homes. As stated above under soils discussion, all soil types found at the site have a “very limited” septic tank rating, indicating that the soil has one or more features that are unfavorable for septic systems. Unfavorable soil properties of these soils include depth to saturated zone, filtering capacity, seepage, and ponding.</p> <p>As a result of this finding, the applicant has subsequently provided soil surveys and septic design based on those survey results to support a septic permit application to Ocean County for the permitting of the six individual septic systems. The approval of funding for this project is therefore conditioned on the applicant applying for the septic system permits and Ocean County issuing these permits prior to start of construction.</p> <p>See files in Supporting Documentation folder titled <i>NEP0226_Soils-Septic</i>, specifically <i>NEP0226_NRCSCustomSoilReport_NEP_TO2007.pdf</i>, <i>NEP0226_SSAPreliminaryApproval_NEP_TO2007</i>, and Plot Plans for the six parcels. <i>Source: Project application file and United States Department of Agriculture Natural Resource Conservation Service (NRCS).</i></p>

<p>Water Supply</p>	<p>3,4</p>	<p>The applicant proposes to construct individual potable wells for each of the homes. However, the Berkeley Township MUA has indicated that individual wells are not acceptable and that connection to the Township municipal water supply is required. Therefore, compliance with this requirement is a condition of approval. See Supporting Documentation folder titled <i>NEP0226_SoleSourceAquifer</i></p> <p>Applicant must obtain a Statement of Utilities that conditions a connection to the municipal water supply system. The Statement of Utilities must be issued before any construction can commence and all conditions within the Statement of Utilities must be satisfied to maintain CDBG-DR funding eligibility.</p> <p><i>See materials in Supporting Documentation folder titled: NEP0226_SoleSourceAquifer</i></p>
<p>Public Safety:</p> <ul style="list-style-type: none"> • Police 	<p>1</p>	<p>The Berkeley Township Police Department is located 4 miles from the site on Pinewald-Keswick Road. <i>Source: Google Maps</i></p>
<ul style="list-style-type: none"> • Fire 	<p>1</p>	<p>Bayville Volunteer Fire Department is located 1.2 miles from the site on Veterans Boulevard. <i>Source: Google Maps</i></p>
<ul style="list-style-type: none"> • Emergency Medical 	<p>1</p>	<p>The Community Medical Center in Toms River is located 8.4 miles from the site via the Garden State Parkway. <i>Source: Google Maps</i></p>
<p>Parks, Open Space & Recreation:</p> <ul style="list-style-type: none"> • Open Space 	<p>1</p>	<p>Double Trouble State Park offers an outstanding example of the Pine Barrens ecosystem and a window into the Pine Barrens history. The park provides the protection and interpretation of over 8000 acres of significant natural, cultural, and recreational resources representative of the Pinelands National Reserve. <i>Source:</i> http://www.state.nj.us/dep/parksandforests/parks/double.html</p>
<ul style="list-style-type: none"> • Recreation 	<p>1</p>	<p>The Township Recreation Area is located approximately 1.82 miles from the site. Cedar Creek Park is located ½ mile from the site. The Barnegat Branch Trail is a County “rail to trail” project that is located ½ mile from the site. <i>Source: Google Earth</i></p>
<ul style="list-style-type: none"> • Cultural Facilities 	<p>3,4</p>	<p>The project is proposed to be built upon lands that are within the NJ State Historic Preservation Office’s Archaeological Site Sensitivity Grid. The NJ SHPO has concurred that these properties are to be treated as eligible and has approved the DCA’s proposed implementation of the standard mitigation treatment to set aside \$6,000 per property into a mitigation account to be applied toward a community-wide historic preservation study or other preservation related use.</p> <p>See supporting documentation in Supporting Documentation folder titled <i>NEP0226_HistoricPreservation</i></p>

Transportation & Accessibility	1	The proposed project is located in a rural area and there is no public transportation available. The site is located approximately 2.5 miles from the Garden State Parkway. <i>Source: Google Earth and Google Maps</i>
Natural Features		
Water Resources	3	The grantee proposes new construction that is located on the Coastal Plains sole source aquifer designated by the EPA. Connection to the municipal water supply is required and wells are not permitted. <i>Source: NJDEP HUD Environmental Review GIS Tool 2.1</i>
Surface Water	3	The site is located approximately ½ mile to the north of the Cedar Creek watershed which drains to Barnegat Bay. The Barnegat Bay Watershed is located in NJDEP Watershed Management Area 13. A Stormwater Discharge Permit for Small Construction from NJDEP must be obtained as a condition for project funding. <i>Source: NJDEP HUD Environmental Review GIS Tool 2.1</i> http://www.nj.gov/dep/watershedrestoration/wma13_info.html http://www.state.nj.us/dep/parksandforests/parks/double.html
Unique Natural Features & Agricultural Lands	1	The proposed project would be built upon land that is mapped as farmland of statewide importance. However, following further consultation and evaluation, the impact was determined to have a low rating. <i>Source: NEP0226_FarmlandProtectionMap.pdf, NEP0226_AD1006_NEP_TO2007.pdf, and other supporting documentation in Supporting Documentation folder titled NEP0226_FarmlandProtection.</i> <i>Source: NJDEP HUD Environmental Review GIS Tool 2.1</i>
Vegetation and Wildlife	3	The site is located within mapped habitat of the Northern Long-Eared Bat which is a proposed federally listed species. It has been determined that no species will be impacted and no mitigation is required. <i>See NEP0226_FWSFinalDetermination_NEP_TO2007.pdf</i> <i>Source: USFWS and ENSP email correspondence 6/3/2014</i>

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: NJDEP HUD Environmental Review GIS Tool 2.1
See NEP0226 AirportHazardsMap.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 NEP0226 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 NEP0226 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

Additional Studies Performed:

Field Inspection: William J. Oakes III and Mark Freed, January 9, 2014.

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

Berkeley Township and Remington Vernick engineers were consulted on the status of road construction on 1/7/2014 prior to field inspection.

John Battisti- Berkeley Township Zoning Officer 732-244-7400

Tamara Goble- Berkeley Township Zoning Board Secretary

Ernie Peters 5/6/2014. Municipal engineer and township planning board engineers. 732-286-9220

Ryan Anderson, Division of Land Use Regulation, NJDEP

Edwin Muñiz, Natural Resources Conservation Service, United States Department of Agriculture

Brian McLendon (via Laura Henne) NJDEP Division of Water Quality

Stephen Gould, U.S. Environmental Protection Agency

Lists of Permits Required:

Septic system permits from Ocean County

Stormwater Discharge Permit for Small Construction from NJDEP

Public Outreach [24 CFR 50.23 & 58.43]:

A combined Public Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds will be published in the source(s) as directed.

Cumulative Impact Analysis [24 CFR 58.32]:

The cumulative impact of the proposed project on the surrounding environment is one of decreased habitat due to deforestation. Habitat will be lost for the federally proposed endangered Northern Long-Eared bat and habitat fragmentation will impact all species in the area. Deforestation also results in less foliage and ground cover to absorb rainfall, resulting in increased potential for flooding and decreased opportunity for decreasing greenhouse gasses through carbon storage.

Project Alternatives Considered [24 CFR 58.40(e), 40 CFR 1508.9]:

Other than the no-action alternative, no other project alternatives were considered.

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

Under the no action alternative, homes would not be constructed and the lots would remain wooded and undeveloped.

Summary Statement of Findings and Conclusions:

It is the finding of this environmental review record that the proposed project requires additional steps and/or permits in order to comply with the regulations pertaining to The Safe Drinking Water Act of 1974 and the National Historic Preservation Act of 1966. The project must mitigate as described below.

Required Mitigation and Project Modification Measures: [24 CFR 58.40(d), 40 CFR 1505.2(c), 40 CFR 1508.20]

The approval of funding for this project is conditioned on the following requirements and approvals:

- Application for and issuance of septic system permits from Ocean County prior to the start of construction
- The Berkeley Township MUA has indicated that individual wells are not acceptable and that connection to the BT municipal water supply is required. Therefore, compliance with this requirement is a condition of approval.
- Development of an Erosion and Sediment Control Plan through the Ocean County Soil Conservation District
- A Stormwater Discharge Permit for Small Construction must be obtained from NJDEP
- \$6,000 per property, for a total of \$36,000, shall be put into an account to mitigate the anticipated adverse effects of the proposed ground disturbing activities. The funds will go towards completing public interpretation and historical context statements and narratives as specified in Standard Mitigation Treatments D and E of Appendix C of the Programmatic Agreement.