

Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5

Pursuant to 24 CFR 58.35(a)

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

Applicant Name: Lisa Gencarelli

Project Location: 202 Franklin Avenue, Unit 4 (Street Address) Seaside Heights (Municipality) Ocean (County) NJ (State) 08751 (Zip) 20 (Block) 2.04 C.A4 (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.)*

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).
3. Proof of required flood insurance must be provided prior to the approval of CDBG funding and a copy of the proof of insurance shall be maintained with the project environmental review record (ERR).

Construction-Stage Best Management Practices

Air Quality – The project must meet the regulatory requirements of New Jersey’s Air Rules/Air Pollution Control Requirements (RRE0016287MF_RevisedGeneralConformityApplicabilityAnalysis_RREM_TO144). 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.

Hazardous Materials – as the project involves a structure built prior to 1978, the project must meet applicable regulations concerning lead-based paint hazards.

- 1. Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g. asbestos, lead-based paint) or household waste (e.g. construction and demolition debris, pesticides/herbicides, white goods).
- 2. All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to HUD’s lead-based paint regulations in 24 CFR Part 35 Subparts B, H, and J.

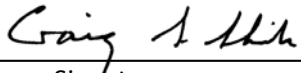
Noise – Time constraints on construction activity in accordance with local ordinances and proper maintenance and documentation of construction equipment in accordance with manufacturer’s specifications to keep unnecessary noise impacts to a minimum.

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:

- This categorically excluded activity/project converts to **EXEMPT** per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR
- This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain “Authority to Use Grant Funds”** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
- This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

CERTIFICATIONS:

Craig S. Shirk
 Gannett Fleming, Inc. _____  _____ January 12, 2015
 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	Reconstruction, Rehabilitation, Elevation, and Mitigation Program	\$31,338.93

Estimated Total HUD Funded Amount:

\$31,338.93

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

HUD funding is up to \$31,338.93 in RREM Grant Funds and the applicant is responsible for any additional private monies as necessary to complete the project.

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

The proposed action will assist in achieving the goals of the Reconstruction, Rehabilitation, Elevation, and Mitigation (RREM) Program to provide safe, decent and affordable housing in the wake of Superstorm Sandy by providing grant funding assistance to eligible homeowners whose primary residence was damaged. The RREM program provides grant awards to eligible homeowners for activities necessary to restore their storm-damaged primary residences including rehabilitation, reconstruction, elevation and/or other mitigation activities within the disturbed area of the previously developed parcels in the floodplain.

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 involves the rehabilitation of a single residential unit within a multi-unit structure in Ocean County at 202 Franklin Avenue, Unit 4, Seaside Heights, NJ 08751. The multi-unit structure was built in 1974 and consists of 12 residential units. The proposed rehabilitation consists of interior repairs to an existing unit with no expansion of structure footprint. Repairs consist of general framing, demolition, electrical, and carpentry finish work associated with flood damage. HUD funding of \$31,338.93 is proposed against an estimated property value for the entire multifamily building of \$818,505.60 *(The estimated property value is derived from the single unit assessment value of \$68,208.80, then multiplied by 12 units)*. HUD funding is less than 50% of pre-storm property value. Based upon the total cost of the structure and the cost of repairs, the project is considered a minor rehabilitation.

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 U.S. Environmental Protection Agency (EPA) Nonattainment Areas Map, Ocean County has been designated a nonattainment area for two NAAQS pollutants (RRE0016287MF_AirQualityMap_RREM_TO144):</p> <ul style="list-style-type: none"> • a moderate attainment area for 8-hour ozone (1997 Standard) • a marginal attainment area for 8-hour ozone (2008 Standard) <p>Additionally, Ocean County is designated as a maintenance area for one NAAQS pollutant criteria:</p> <ul style="list-style-type: none"> • carbon monoxide (1971 Standard) <p><i>Note: EPA revoked the 1979 1-hour ozone standard in 1985, so that NAAQS criteria no longer applies.</i></p> <p>There will be temporary, unavoidable increases in particulate matter levels during construction activities. While air quality will be temporarily affected, the project will adhere to state air quality standards (NJAC 7:27-1 et seq.). Air quality effects will be mitigated to the extent feasible.</p> <p>NJDEP has determined that activities under the CDBG-DR program are covered by the DEP Division of Air Quality memo January 23, 2014 <i>de minimis</i> letter 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 affect air quality (RRE0016287MF_RevisedGeneralConformityApplicabilityAnalysis_RREM_TO144).</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 is not located within a Clear Zone or Accident Potential Zone nor within 15,000 ft. of a military airport or 2,500 ft. of a civilian airport. (RRE0016287MF_AirportClearZonesandAccidentPotentialZonesMap_RREM_TO144)</p> <p>Newark International Airport is approximately 69 miles away, Lakehurst Naval Aviation Center is approximately 21 miles away, and Atlantic City International Airport is approximately 55 miles away. Therefore, there will be no adverse airport hazard effects (RRE0016287MF_AirportHazardsMap_RREM_TO144).</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 within New Jersey, implementing the requirements of the federal Coastal Zone Management Act (CZMA) of 1972 (16 U.S.C. §1451 et seq). Certain activities undertaken in the CAFRA zone are regulated by the NJDEP.</p> <p>The property is in the CAFRA Zone (RRE0016287MF_CoastalZoneManagementActMapCAFRA_RREM_TO144), therefore CAFRA regulations are applicable. However pursuant to N.J.A.C. 7:7-2.1(c)3, rehabilitation/reconstruction of a development damaged or destroyed in a natural event is not regulated provided:</p> <ul style="list-style-type: none"> • The rehabilitation/reconstruction is in compliance with existing municipal, State and Federal law; • The rehabilitation/reconstruction does not enlarge or relocate the footprint of the development; • The rehabilitation/reconstruction does not increase the number of dwelling units; and • The rehabilitation/reconstruction does not increase impervious coverage on the site. <p>Consultation with NJDEP DLUR confirmed that no Waterfront Development permit, CAFRA permit, or Coastal Wetlands permit is required for the proposed project (RRE0016287MF_DEP_DLUR_CoastalJurisdictionalDetermination_RREM_TO144).</p> <p>The project site is not located within the regulated boundaries of the Upland Waterfront Development Zone or Hackensack Meadowlands (RRE0016287MF_CoastalZoneManagementActMapCAFRA_RREM_TO144).</p>
<p>4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The project parcel is not listed on a State or Federal Hazardous Waste sites database and no recognized environmental conditions were identified.</p> <p>According to the NJDEP HUD Environmental Review Tool V 2.1, there are no known contaminated sites within 3,000 feet of the project site (RRE0016287MF_ToxicHazardousandRadioactiveSubstanceMap_RREM_TO144).</p> <p>HUD lead-based paint poisoning prevention rules at 24 CFR Part 35 do apply to the project as the project involves a structure that was built on or before January 1, 1978 [24 CFR 35.115(a)] - the structure was constructed in 1974 (see page 2 of RRE0016287MF_TaxCard_RREM_TO144).</p> <p>The applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g. asbestos, lead-based paint) or household waste (e.g., construction and demolition debris, pesticides/herbicides, white goods). In accordance with 24 CFR Part 35.155(a)(1), any property constructed prior to January 1, 1978 is required to comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to HUD's lead-based paint regulations in 24 CFR Part 35 Subparts B, H, and J.</p> <p>OSHA regulations presume that surfacing materials used in buildings constructed in, or prior to 1980 contain asbestos-containing materials (ACMs) - the structure was built in 1974 (see page 2 of RRE0016287MF_TaxCard_RREM_TO144). An asbestos inspection was performed and no ACMs were detected (RRE0016287MF_Asbestos_Report_RREM_TO144).</p> <p>The property is located in Seaside Heights Borough, Ocean County which has a Tier 3 (low) radon potential. No radon testing or mitigation is required (RRE0016287MF_RadonPotential_RREM_TO144).</p>

<p>5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Consultation with the U.S. Fish and Wildlife Service (USFWS) was performed through a review of the iPaC landscape explorer tool to obtain a preliminary report of federally listed species in the vicinity of the project. The report indicated that piping plover and seabeach amaranth should be considered in the development of the CEST (RRE0016287MF_USFWS_EndangeredSpeciesReview_RREM_TO144)</p> <p>Additionally, USFWS provided a list of migratory birds of concern in the project area to be considered. As the proposed action involves interior rehabilitation of an existing residential unit, the project will not interfere with migratory birds using the project area and vicinity for feeding, roosting and resting. (RRE0016287MF_USFWS_EndangeredSpeciesReview_RREM_TO144).</p> <p>Review of the NJDEP HUD Environmental Review Tool 2.1 map and Centroids layer indicated no federally endangered species or habitat for red knot, piping plover, or northern long-eared bat on or within the vicinity of the project site (RRE0016287MF_EndangeredSpeciesMap_RREM_TO144).</p> <p>Coordination with the NJDEP, Natural Heritage Program (NHP) was completed requesting a search of the Natural Heritage Database, the Landscape Project habitat mapping, and Biotics Database for state endangered and threatened species. The NHP response indicated no federal or state listed species or habitats of concern on or within the vicinity of the project site. (RRE0016287MF_NaturalHeritageDatabase_Response_RREM_TO144).</p> <p>As indicated, based on a review of the NJDEP HUD Environmental Review Tool, no piping plover habitat is found on or within the project site. Seabeach amaranth typically occurs on barrier island beaches just above the high tide line, growing on nearly pure sand substrate. As the project site is an urbanized developed parcel with no natural habitat capable of supporting Seabeach amaranth, no impacts to this species would occur.</p> <p>The project will have No Effect on any 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 additional consultation is required.</p>
<p>6. Environmental Justice [Executive Order 12898]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Executive Order (EO) 12898 requires Federal agencies to consider and address disproportionately high and adverse human health or environmental effects on minority and low-income populations resulting from their actions.</p> <p>The project site is located within areas that include environmental justice (EJ) populations. Census indicates 22.7% minority populations and 25.2% below poverty populations within the area surrounding the project site. (RRE0016287MF_EnvironmentalJusticeMap_PercentMinority_RREM_TO144 and RRE0016287MF_EnvironmentalJusticeMap_PercentPoverty_RREM_TO144).</p> <p>The project would not cause disproportionate adverse effects considering the scope of work entails rehabilitation of an existing unit with no change in structure footprint. (RRE0016287MF_EnvironmentalJustice_Checklist_RREM_TO144).</p>

<p>7. Explosive and Flammable Operations [24 CFR 51C]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>24 CFR Part 51, Subpart C- Siting of HUD-Assisted Projects Near Hazardous Operations Handling Conventional Fuels or Chemicals of an Explosive or Flammable Nature does not apply because HUD funds will be used to rehabilitate an existing structure; where the number of dwelling units is not increasing, and the number of people exposed to hazardous operations is not increasing.</p>
<p>8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly sections 1504(b) & 1541; 7 CFR 658]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project site is a developed parcel with no associated agricultural lands. According to the NJDEP HUD Environmental Review Tool, the subject property is not located on land classified as containing Prime Farmland Soils (RRE0016287MF_FarmlandProtectionMap_RREM_TO144). 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.</p>
<p>9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The proposed project is located in a designated Special Flood Hazard Area "A" Zone (area of special flood hazard with water surface elevations determined) floodplain as indicated on the Preliminary FEMA Flood Insurance Rate Map (FIRM) Map Number 34029C0329G (Panel 329 of 660) for Ocean County, effective March 28, 2014. (RRE0016287MF_FloodplainMgmtandFloodInsuranceNFIPNotInFloodwayMap_RREM_TO144).</p> <p>A 5-Step Floodplain Analysis was completed to comply with EO 11988 and HUD 24 CFR 55 (RRE0016287MF_5StepFloodplainAnalysis_RREM_TO144).The analysis determined there is no practicable alternative to locating the proposed action in the floodplain, due to 1) the local and statewide need for safe, affordable and decent housing in the wake of Superstorm Sandy; 2) the existing placement of the multi-unit structure within the floodplain, whereas relocation would require disruption and displacement of other residential units, 3) the limited scope of the improvements, and 4) no net-change in floodplain impact in comparison with pre-Sandy conditions.</p> <p>Overall, construction of the proposed project would not result in significant adverse impacts to flood levels, flood risk, or the flow of flood waters on the project site or surrounding areas. Implementation of the proposed action would provide necessary improvements with no net-change in floodplain development. Therefore, the proposed project would be compliant with the National Flood Insurance Act of 1968 (44 CFR § 59) and Executive Order 11988 on Floodplain Management (42 FR 26951).</p> <p>The DCA will ensure that the project is constructed as proposed to ensure no adverse floodplain impacts. Implementation of the proposed action may require additional local and state permits, which could place additional design modifications or mitigation requirements on the project. The applicant is required to obtain all required federal, state, and county/local permits prior to commencement of construction and comply with all permit conditions. 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).</p> <p>An individual New Jersey Flood Hazard Area permit is not required for the proposed action, as the repair of a lawfully existing structure qualifies for a permit-by-rule pursuant to N.J.A.C. 7:13-7.2(b)4.</p>

<p>10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project site is within the Historic Property Exemption Zone (“Green Zone”) according to the NJDEP HUD Environmental Review Tool (RRE0016287MF_HistoricPreservationExemptionZone_RREM_TO144). Therefore, Section 106 compliance for above ground resources is complete.</p> <p>This project entails the rehabilitation of a single residential unit within a multi-unit structure constructed in 1974 (see page 2 of RRE0016287MF_TaxCard_RREM_TO144). The project parcel is less than 0.25 acres and there is no proposed change in structure footprint. Project activities are composed of work entirely included in the Tier II Programmatic Allowance (VII.A.1). The project site is also covered under the Tier II Programmatic Allowance I as the site is located on a barrier island and does not have any of the listed exceptions. Therefore, Section 106 compliance for archaeological resources is complete.</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>No increase in the number of dwelling units or density is proposed, therefore 24 CFR 51, Subpart B is not applicable.</p> <p>The only noise expected to result from the project will be temporary construction noise. The project is located in an established residential and commercial urban area, construction is not expected to appreciably increase local noise levels and the noise will cease once construction is complete.</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 project site is located within the boundary of the Coastal Plain Sole Source Aquifer (RRE0016287MF_SoleSourceAquiferMap_RREM_TO144). This project does not involve the acquisition of undeveloped land, change of land use, or new construction, so consultation with EPA is not required. The project site has water and sewer services through the Borough of Seaside Heights Department of Water and Sewers. No adverse impact is anticipated since the project involves the rehabilitation of a unit within a multi-unit structure. (RRE0016287MF_SSAGuidance_RREM_TO144).</p>
<p>13. Wetlands Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Review of the NJDEP HUD Environmental Review Tool 2.1 indicates that no jurisdictional wetlands (federal or state) are located within or adjacent to the project area (RRE0016287MF_WetlandsProtectionMap_RREM_TO144).</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 site is not located within 1/4 mile of a designated Wild and Scenic River (WSR) stream bank or within one mile of a designated WSR or its tributaries; the closest WSR (Great Egg Harbor River) is approximately 44 miles (RRE0016287MF_WildandScenicRiversMap_RREM_TO144). Therefore, consultation with the National Park Service is not required.</p>

24 CFR 58.6 CHECKLIST [24 CFR 50.4, 24 CFR 58.6]

1. AIRPORT RUNWAY CLEAR ZONES AND CLEAR ZONES NOTIFICATION [24 CFR Part 51.303(a)(3), D]

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

No. Cite or attach Source Documentation:

See RRE0016287MF_AirportClearZonesandAccidentPotentialZonesMap_RREM_TO144 and RRE0016287MF_Airport_HazardsMap_RREM_TO144. [Project complies with 24 CFR 51.303(a)(3).]

Yes. Notice must be provided to the buyer. The notice must advise the buyer that the property is in a Runway Clear Zone or Clear Zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information, and a copy of the signed notice must be maintained in the ERR.

2. COASTAL BARRIERS RESOURCES ACT [Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)] Is the project located in a coastal barrier resource area?

No. Cite or attach Source Documentation

The project site is not located within a regulated System unit or an Otherwise Protected Area boundary of the Coastal Barrier Resources Act. Further consultation with the USFWS is not required.

RRE0016287MF_CoastalBarrierResourcesActMap_RREM_TO144. [Proceed with project.]

Yes. Federal assistance may not be used in such an area.

3. FLOOD DISASTER PROTECTION ACT [Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 (42 USC 4001-4128 and 42 USC 5154a)]

Does the project involve acquisition, construction, or rehabilitation of structures located in a FEMA-identified Special Flood Hazard Area (SFHA)?

No. Cite or attach Source Documentation:

[Proceed with project.]

Yes. Cite or attach Source Documentation:

Project is located within a Special Flood Hazard Area. See (RRE0016287MF_FloodplainMgmtandFloodInsuranceNFIPNotInFloodwayMap_RREM_TO144).

Is the community participating in the National Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?

Yes. Flood Insurance under the National Flood Insurance Program must be obtained. If HUD assistance is provided as a grant, insurance must be maintained for the economic life of the project and in the amount of the total project cost (or up to the maximum allowable coverage, whichever is less). If HUD assistance is provided as a loan, insurance must be maintained for the term of the loan and in the amount of the loan (or up to the maximum allowable coverage, whichever is less). A copy of the flood insurance policy declaration must be kept on file in the ERR.

No. Federal assistance may not be used in the Special Flood Hazard Area.

Summary of Findings and Conclusions

Field Inspection (Date and completed by): Field review completed July 28, 2014 by PARS Environmental under contract to Gannett Fleming, Inc.

Summary Statement of Findings and Conclusions:

The proposed project involves the rehabilitation of a single residential unit within a multi-unit structure in Ocean County at 202 Franklin Avenue, Unit 4 Seaside Heights, NJ 08751. The proposed rehabilitation consists of interior repairs to an existing unit with no expansion of structure footprint. Repairs consist of general framing, demolition, electrical, and carpentry finish work associated with flood damage.

Completion of this categorical exclusion environmental review and associated consultation confirms that the proposed project would not have a significant environmental impact and that further assessment is not necessary. HUD funding of the proposed action, with implementation of required mitigation measures and best management construction practices would not have a significant impact on the quality of the human environment.

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.)

No mitigation or project modifications, beyond the following standard project development and construction management practices, are required.

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).
3. Proof of required flood insurance must be provided prior to the approval of CDBG funding and a copy of the proof of insurance shall be maintained with the project environmental review record (ERR).

Construction-Stage Best Management Practices

Air Quality – The project must meet the regulatory requirements of New Jersey’s Air Rules/Air Pollution Control Requirements (RRE0016287MF_RevisedGeneralConformityApplicabilityAnalysis_RREM_TO144). 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.

Hazardous Materials – as the project involves a structure built prior to 1978, the project must meet applicable regulations concerning lead-based paint hazards.

1. Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g. asbestos, lead-based paint) or household waste (e.g. construction and demolition debris, pesticides/herbicides, white goods).

2. All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to HUD’s lead-based paint regulations in 24 CFR Part 35 Subparts B, H, and J.

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.