

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: Sarah (First) Bezar (Last)

-or- _____ (Business/Corporate Name)

Project Location: 9 Empire Drive (Street Address)

Egg Harbor Township* (Municipality) Atlantic (County) NJ (State)

4220 (Block) 19 (Lot)

* Note – The property is located within the Egg Harbor Township municipality; however, the mailing address for the property is Pleasantville.

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 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.*

Noise

1. *Outfit all equipment with operating mufflers.*
2. *Comply with the applicable local noise ordinance.*

Air Quality

Project activities must meet the regulatory requirements of New Jersey's Air Rules and Air Pollution Controls (see RRE0035558MF_AirQualityMemo). In addition, the following must be met:

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).
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 "3-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.

Floodplain Management and Flood Insurance

1. All proposed reconstruction, substantial improvements, and elevation activities in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the Flood Hazard Area Control Act rules (N.J.A.C. 7:13).
2. All structures funded by the CDBG-DR programs, if in, or partially in, the 100-year floodplain shown on the effective FEMA Flood Insurance Rate Map, must be covered by flood insurance and the flood insurance must be maintained for the economic life of the structure [24 CFR 58.6(a)(1)]. This means no funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.
3. No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance, but failed to obtain and maintain the insurance [24 CFR 58.6(b)].

Energy Efficiency

All reconstruction, new construction and rehabilitation projects in the HUD CDBG programs must be designed to incorporate principles of sustainability, including water and energy efficiency, resilience and mitigation of the impact of future disasters.

Hazardous Waste

Based on the 1980 construction date of the building (see RRE0035558MF_TaxCard), Lead Based Paint (LBP) and Asbestos Containing Materials (ACMs) are not considered a concern.

The following must be met:

1. All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the following:
 - National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145

- *National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150*
 - *NJAC 7:26-2.12—Generator requirements for disposal of asbestos containing waste materials*
 - *New Jersey Asbestos Control and Licensing Act, N.J.S.A. 34:5A-32 et seq.*
2. *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).*
 3. *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.*
 4. *Should impacted soils be encountered during construction, they should be excavated and properly disposed of at an off-site permitted disposal facility in accordance with all applicable local, state and federal regulations. In the event that the impacted soils constitute a reportable release, the appropriate information pertaining to the release and the responsible party should be provided to the New Jersey Department of Environmental Protection Hotline, and the impacted media remediated with the oversight of a Licensed Site Remediation Professional (LSRP).*

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:

Gary Doss, Dewberry		12/18/2014
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	CDBG-DR	\$43,876.57*

*** Note – this figure is the sum of the Eligible Work In Place (WIP) and Estimated Cost of Repair (ECR) as shown on the application’s Form 6AD (see "RREM_RRE0035558_Form6AD" within the "Applicant Documents" folder within the "RRE0035558MF_SupportingDocuments" folder).**

Estimated Total HUD Funded Amount: \$43,876.57

Estimated Total Project Cost [24 CFR 58.32(d)]: (HUD and non-HUD funds) \$43,876.57

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

The project is intended to rehabilitate the subject building, which was damaged during Superstorm

Sandy. The project will help the applicant and the community as a whole recover from Superstorm Sandy, thereby assisting in the restoration of the New Jersey shore 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 project will repair flood-related damages incurred as a result of Superstorm Sandy. The majority of work is limited to interior repairs. For a list of damages and proposed repairs, see "RRE0035558_ECR_XCTMT_ASSESSMENT.pdf" within the "Applicant Documents" folder within the "RRE0035558MF_SupportingDocuments" folder. According to the attached Form 6, the property was not substantially damaged; therefore, elevation of the structure above the floodplain is not necessary. According to the Form 6AD (see above) the estimated cost of repair is \$43,876.57. The Form 6AD states that the FEMA estimated home value is \$278,919.20. The cost to repair is less than 50% of the value of the home; therefore, the project is not classified as a substantial rehabilitation (i.e., elevation is not required).

STATUTORY CHECKLIST [24 CFR 50.4, 24 CFR 58.5]

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

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

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

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

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & 58.5	STATUS		Compliance Documentation
	A	B	
<p>1. Air Quality [Clean Air Act, as amended, particularly sections 176(c) & (d), and 40 CFR 6, 51, 93]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project is within Atlantic County, which is shown as being designated a nonattainment or maintenance area for the following National Ambient Air Quality Standard (NAAQS) pollutants (see RRE0035558MF_AirQualityMap):</p> <ul style="list-style-type: none"> • Nonattainment area for 8 hour Ozone standard of 0.08 ppm (1997 standard) • Nonattainment area for 8 hour Ozone standard of 0.075 ppm (2008 standard) • Maintenance area for 8-hour Carbon Monoxide standard of 9ppm <p>Project activities must meet the regulatory requirements of New Jersey’s Air Rules and Air Pollution Controls (see RRE0035558MF_AirQualityMemo). The project will involve rehabilitation of the residence. Temporary impacts to air quality may occur during construction; however, no long-term impacts to air quality are anticipated. The temporary impacts can be mitigated through Best Management Practices (BMPs) including the usage of water or chemical dust suppressant, covering load compartments of trucks carrying dust-generating material, and retrofitting older equipment with pollution controls.</p>
<p>2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Newark Liberty International Airport is located approximately 91 miles to the north of the project. Atlantic City International Airport is located approximately 5 miles to the northwest of the project. The nearest military airfield, Lakehurst Naval Air Station, is located approximately 45 miles north of the project. The project is not within 15,000 feet of a military air field or 2,500 feet from the end of a civilian airport runway. The project is therefore not within an Airport Clear Zone or Accident Potential Zone (see RRE0035558MF_AirportHazardsMap).</p>

<p>3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The property is located within the Coastal Area Facilities Act (CAFRA) zone; however, based on its scope, the project is not subject to CAFRA regulations per N.J.A.C. 7:7-2.1. In addition, no work will be conducted at or below the mean high water line (MHWL); therefore, no Waterfront Development permitting will be required. Furthermore, no coastal wetlands are located in proximity to the project; therefore no impacts to coastal wetlands are anticipated and no coastal wetland permitting is required. See RRE0035558MF_CoastalZoneManagementActMapCAFRA and the NJDEP Division of Land Use Regulation (DLUR) correspondence (RRE0035558MF_DLUR_Response).</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 property is not within 3,000 feet of a mapped toxic or hazardous waste site (see RRE0035558MF_ToxicHazardousandRadioactiveSubstancesMap) and no indications of contamination were observed during the site reconnaissance.</p> <p>According to property tax information (see RRE0035558MF_TaxCard) the property was built in 1980. Based on this construction date, lead-based paint (LBP) and asbestos-containing materials (ACMs) are not considered a concern.</p> <p>The property is located within a Tier 3 Radon Potential zone (see RRE0035558MF_RadonMap) therefore, further assessment regarding indoor radon is not required.</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>The project is not within an area mapped as piping plover, red knot or bat habitat (see RRE0035558MF_EndangeredSpeciesMap). In addition, the property centroid layer does not indicate the presence of federal or state-listed threatened or endangered species (see RRE0035558MF_EndangeredSpeciesCentroid). It is noted, however, that the USFWS Information, Planning and Conservation System (IPaC) results indicated that the general project area may be potential habitat for endangered bat species (see RRE0035558MF_IPaC). The GIS tool did identify bats on nearby parcels; however, the property itself was not identified as containing bats and no suitable bat habitat (i.e., trees greater than or equal to 10 inches in diameter) were observed on the property.</p> <p>In addition, according to the Natural Heritage Program (NHP), no threatened or endangered species or species habitat is located within the project area. The NHP results did indicate possible presence of habitat within 1 mile of the project site; however, because the project activities are limited to the existing parcel, no impact to these nearby species habitat is expected. See RRE0035558MF_NHP_Response.</p>

<p>6. Environmental Justice [Executive Order 12898]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The subject property is located within an area containing environmental justice populations. The subject property's census block is between 30% and 40% minority, although the majority of the surrounding area is shown between 40-100% minority. In addition, the surrounding area is also shown as between 10 and 20% below poverty. See RRE0035558MF_EJMinorityMap, RRE0035558MF_EJPovertyMap and RRE0035558MF_EJChecklist. Based on the scope, the project is not anticipated to have an adverse impact on environmental justice populations. In fact, the project is anticipated to have a short-term benefit to these populations by providing an increased demand for construction-related jobs during the construction phase of the project.</p>
<p>7. Explosive and Flammable Operations [24 CFR 51C]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project will rehabilitate the existing residence, and will not increase the density of development (i.e., will not add to the number of units). Therefore, the project is in compliance with the requirements of 24 CFR Part 51C.</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 property is not mapped within farmland of statewide importance (see RRE0035558MF_FarmlandSoilsProtectionMap). In addition, the project will not involve the conversion of farmland into non-agricultural uses. Therefore, no impact to farmland of statewide importance will occur.</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 property is shown on the GIS map as being within the A zone. Specifically, the attributes within the GIS map show the property as being within the AE zone (see RRE0035558MF_FloodplainMgmtandFloodInsuranceNFIPNotInFloodwayMap), which is a subset of the A zone (100-year floodplain, base flood elevations determined). The FEMA Flood Insurance Rate Map (FIRM) for the property area (FIRM 3400070015B, Panel 15 of 28) notes that the property is within Zone A5. This is an older classification of the 100-year floodplain with base flood elevations determined. The FIRM panel was issued February 16, 1983.</p> <p>Notwithstanding the property's location within the 100-year floodplain, because the project is a rehabilitation of a building that was not substantially damaged, and the repairs are limited to interior work, no flood hazard permits are required (see RRE0035558MF_DLUR_Response).</p> <p>Since no practicable alternatives to locating within the floodplain were identified, a 5-step decision-making process was conducted as outlined in 24 CFR 55. The project is a rehabilitation of a single residence within a multi-unit building. The residence itself was not substantially damaged; therefore, per 24 CFR 55.12(a)(4), public notification of the proposed activity (Step 2), identification and evaluation of practicable alternatives (Step 3) and the determination of no practicable alternative and publication of a final notice (Step 7) of the 8-Step Floodplain process do not need to be conducted.</p> <p>Steps 1, 4, 5 and 6 have been conducted (see folder RRE0035558MF_5Step). Steps 2, 3 and 7 are not required (see</p>

			<p>previous paragraph). Step 8 will consist of the implementation of the proposed action. Implementation may require local and state permits, which could place additional design modifications or mitigation requirements on the project.</p> <p>A copy of the 5-step analysis can be found in the supporting documentation (see folder "5Step").</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 property is not within a historic preservation exemption "Green Zone" (see RRE0035558MF_HistoricPreservationExemptionMap); however, the property is less than 48 years of age and is not in proximity to a historic district. In addition, the project involves a rehabilitation and will only involve work in areas of previously disturbed soils (i.e., within the existing building footprint). Therefore, the project is covered under Tier 2 Programmatic Allowance VII A 1, and consultation with the SHPO is not required.</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>Day/Night Noise Level (DNL) standards are applicable to projects "providing assistance, subsidy or insurance for housing, manufactured home parks, nursing homes, hospitals, and all programs providing assistance or insurance for land development, redevelopment or any other provision of facilities and services which are directed to making land available for housing or noise sensitive development" (24 CFR 51.101(a)(3)). The proposed project is a residence, which is considered a noise sensitive use; therefore the DNL noise standards are applicable. All supporting documents for the DNL calculation, including reports referenced in the discussion below, are within the "HUD_Noise_Assessment" folder, within the Supporting Documentation folder.</p> <p>HUD's noise standards require consideration of noise impacts from all major arterial roadways within 1,000 feet, railroads within 3,000 feet and major airports within 15 miles of a project. The project is noted to be within 1,000 feet of two major arterial roadways: the Atlantic City Expressway (approximately 720 feet to the northeast) and US Route 40 (approximately 220 feet to the north). The project is also within 3,000 feet of a freight railroad spur operated by the Southern Railroad of New Jersey (SRNJ, approximately 530 feet to the north) and is approximately 5 miles to the southeast of the Atlantic City International Airport. Distances from the project to the road and railway noise sources are shown on RRE0035558MF_NoiseMap1, and the distance from the project to the Atlantic City International Airport is shown on RRE0035558MF_NoiseMap2.</p> <p>Noise impacts from the SRNJ freight railroad spur were not incorporated into the calculations for the project's DNL. According to Figure II-6 and Figure II-8 on pages 8 and 9, respectively, of the <i>Southern New Jersey Freight and Logistics Industry Context and Economic Growth Visioning Plan</i>, prepared by the NJDOT in September, 2008, the railroad spur is not currently in use. In addition, according to NJDOT's June 2014 <i>Freight Rail Strategic Plan</i>, this railroad spur, identified as railroad line "106," is currently inactive, although it is also listed as eligible for future rehabilitation (see figure on page 331 of the report). Given the line's current</p>

			<p>inactive status, no current usage data or statistics are available for this freight line, making a noise calculation infeasible. Furthermore, because the freight line is inactive, an analysis of this rail line is unnecessary.</p> <p>Noise impacts from Atlantic City International Airport were also not included in the DNL calculation. No noise statistics or contour maps were publicly available for this airport; however, it is noted that noise contours for airports typically extend directly outward from the airport runways, where airplanes are at their lowest point during takeoff and landing. The Newark Liberty International Airport DNL contour map is provided as an example of this (see "NWK_ContourMap"). Based on this approach, it is noted that the project is not located in an area extending directly outward from the Atlantic City International runways (see RRE0035558MF_NoiseMap2), therefore, the project is not likely to be significantly impacted from this noise source.</p> <p>Based on the information provided above, the DNL calculations were conducted only for US Route 40 and the Atlantic City Expressway. Average Annual Daily Traffic (AADT) numbers were obtained from NJDOT for these two roadways (see "US40 Traffic Count.pdf" and "ACE Traffic Count.pdf"). The DNL calculation requires a breakdown of vehicles into sub-classes (cars, medium trucks and heavy trucks); these ratios were also obtained from the NJDOT (see "Travel Activity by Vehicle Type.pdf"). HUD's DNL calculator was then used, which identified a combined DNL of 66.7 decibels (dB) at the project site (see "DNLCalc1.pdf"). This is above the "Normally Unacceptable" threshold of 65 dB. It is noted, however, that a three-story bank of townhomes is immediately in front of the project, which acts as a barrier between the project and these two roadways (see RRE0035558MF_NoiseMap1). HUD's DNL barrier tool was utilized, which determined that the noise attenuation of this barrier reduced the site's DNL to 62.4 dB (see "DNLCalc2.pdf"). Given that this is lower than the 65 dB threshold, no further assessment or noise mitigation measures need to be incorporated into the project.</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 property is identified within an area underlain by the Coastal Plain Sole Source Aquifer (SSA, see RRE0035558MF_SoleSourceAquiferMap); however, the project involves rehabilitation of the existing structure within its existing footprint, and will not increase impervious cover on the property. In addition, the property is serviced by municipal water and sewer (Egg Harbor Township Municipal Utilities Authority), and the property does not contain and is not proposed to contain any underground or aboveground storage tanks. Therefore, the property is in compliance and consultation with the USEPA Region 2 is not required (see "Sole Source Aquifer Memo").</p>
<p>13. Wetlands Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>No wetlands are mapped on or within 150 feet of the property (see RRE0035558MF_WetlandProtectionMap), and no wetlands were observed during the site reconnaissance. Therefore, the project is not anticipated to impact wetlands.</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 Wild and Scenic Rivers Act of 1968 protects selected rivers in a free-flowing condition (16 U.S.C. 1271) and prohibits federal support for activities that would harm a designated river's free-flowing condition, water quality, or outstanding resource values.</p> <p>Five designated Wild and Scenic rivers are located within the State of New Jersey; the Delaware (Lower) River, Delaware (Middle) River, Great Egg Harbor River, Maurice River and the Musconetcong River. The nearest river is the Great Egg Harbor River. The project is approximately 3 miles to the west of the Great Egg Harbor's 1 mile buffer area (see RRE0035558MF_WildScenicRiversMap). Therefore, consultation with the National Park Service is not required.</p>
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24 CFR 58.6 CHECKLIST [24 CFR 50.4, 24 CFR 58.6]

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

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:

Newark Liberty International Airport is located approximately 91 miles to the north of the project. Atlantic City International Airport is located approximately 5 miles to the west of the project. The nearest military airfield, Lakehurst Naval Air Station, is located approximately 45 miles north of the project. The project is not within 15,000 feet of a military air field or 2,500 feet from the end of a civilian airport runway. The project is therefore not within an Airport Clear Zone or Accident Potential Zone (see RRE0035558MF_AirportHazardsMap). [Project complies with 24 CFR 51.303(a)(3).]

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

2. COASTAL BARRIERS RESOURCES ACT [Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)]

Is the project located in a coastal barrier resource area?

No. Cite or attach Source Documentation:

The nine designated units of the Coastal Barrier Resources System in New Jersey are uninhabited. The 12 "otherwise protected areas" associated with the Coastal Barrier Resources System in New Jersey are also uninhabited. Therefore, no project activities would occur on designated coastal barriers or in "otherwise protected areas," and the proposed project would have no impact on coastal barrier resources. The nearest CBRS unit is NJ-07P which is located approximately 5 miles to the north. See RRE0035558MF_CoastalBarrierResourceActMap.

[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: *See*

RRE0035558MF_FloodplainMgmtandFloodInsuranceNFIPNotInFloodwayMap.

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): *December 3, 2014; conducted by Lawrence Smith, Senior Planner, and Gary Doss, Environmental Planner.*

Summary Statement of Findings and Conclusions: *Based on the findings of this environmental review, the proposed project will have a net benefit on the project area.*

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.)

General

1. *Acquire all required federal, state and 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.*

Noise

1. *Outfit all equipment with operating mufflers.*
2. *Comply with the applicable local noise ordinance.*

Air Quality

Project activities must meet the regulatory requirements of New Jersey's Air Rules and Air Pollution Controls (see RRE0035558MF_AirQualityMemo). In addition, the following must be met:

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).*
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 "3-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.*

Floodplain Management and Flood Insurance

1. *All proposed reconstruction, substantial improvements, and elevation activities in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the Flood Hazard Area Control Act rules (N.J.A.C. 7:13).*
2. *All structures funded by the CDBG-DR programs, if in, or partially in, the 100-year floodplain shown on the effective FEMA Flood Insurance Rate Map, must be covered by flood insurance and the flood insurance must be maintained for the economic life of the structure [24 CFR 58.6(a)(1)]. This means no funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.*
3. *No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance, but failed to obtain and maintain the insurance [24 CFR 58.6(b)].*

Energy Efficiency

All reconstruction, new construction and rehabilitation projects in the HUD CDBG programs must be designed to incorporate principles of sustainability, including water and energy efficiency, resilience and mitigation of the impact of future disasters.

Hazardous Waste

Based on the 1980 construction date of the building (see RRE0035558MF_TaxCard), Lead Based Paint (LBP) and Asbestos Containing Materials (ACMs) are not considered a concern.

The following must be met:

1. *All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the following:*
 - *National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145*
 - *National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150*
 - *NJAC 7:26-2.12—Generator requirements for disposal of asbestos containing waste materials*
 - *New Jersey Asbestos Control and Licensing Act, N.J.S.A. 34:5A-32 et seq.*
2. *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).*
3. *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.*
4. *Should impacted soils be encountered during construction, they should be excavated and properly disposed of at an off-site permitted disposal facility in accordance with all applicable local, state and federal regulations. In the event that the impacted soils constitute a reportable release, the appropriate information pertaining to the release and the responsible party should be provided to the New Jersey*

Department of Environmental Protection Hotline, and the impacted media remediated with the oversight of a Licensed Site Remediation Professional (LSRP).