Form 2.1 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, Charles Richman, Acting Commissioner

Applicant Name Auricle (First) Communications (Last)

-or- (Business/Project Name)

Project Location 43 Montgomery Street, (Street Address)

Jersey City (Municipality) Hudson (County) NJ (State)

70 (Block) 35 (Lot)

FINDING

○ This categorically excluded activity/project converts to **EXEMPT** per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR

◉ This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain "Authority to Use Grant Funds"** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR

○ This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

FUNDING INFORMATION

Grant Number	HUD Program	Funding Amount
B-13-DS-34-0001	*Stronger New Jersey Small Business Loan (SBL)*	*$395,450.00*
		$0.00

		$0.00

Estimated Total HUD Funded Amount:

$395,450.00

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

$395,450.00

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

The purpose of this project is to renovate WFMU Radio Station, located at 43 Montgomery Street, Jersey City, New Jersey (see SBL618330_ProjectLocationMap and SBL618330_TaxCard), to repair decayed structure on the building's third floor and to enclose that floor's balcony, creating a larger equipment room and additional production space for WFMU's educational radio operation.

The existing building is a 4-story plus mezzanine brick and wood structure of 10,000 square feet built in 1905, according to the applicant. A review of historic aerial photography shows the structure was built prior to 1954 (see SBL618330_HistoricAerialPhotograph). The structure has a footprint that measures 25-feet by 100-feet and has a concrete-lined basement. The project is needed to repair portions of a water-damaged masonry and wood section of the building's 3rd floor and to transform this underutilized space into a much-needed larger equipment room and audio production space for WFMU.

The Stronger New Jersey Business Loan (SBL) program provides loans to small businesses and non-profits that were impacted by Superstorm Sandy for rehabilitation and reconstruction projects to expand businesses within storm-impacted communities and contribute to economic revitalization throughout New Jersey.

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 is the major rehabilitation of WFMU Radio Station. The cost of the rehabilitation is currently projected at $395,450. According to tax records, the value of the structure is $410,000 (see SBL618330_TaxCard). Because the cost of the project is more than 50% of the value of the structure, the rehabilitation is considered "major."

The rehabilitation will include removing and replacing structurally deficient material in the portion of the 3rd floor roof that is not covered by the building's 4th floor, which is set back from the 3rd floor by 10 feet, as well as removing a curved plexiglass window structure that separates the enclosed portion of the 3rd floor from the 3rd floor balcony, replacing leaking masonry, and re-routing the 3rd and 4th floor fire escapes appropriately. The footprint of the building's 3rd floor balcony will be enclosed to create more space within the building for production and broadcast equipment.

A temporary repair of the water infiltration was implemented by a contractor in 2010: a protective plywood, steel rod and waterproof membrane was applied to the 3rd floor's outer surface and masonry. Because this temporary repair will not last beyond 5 years, renovation is the only sustainable solution for the water-damaged structure.

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

1. Air Quality [Clean Air Act, as amended, particularly sections 176(c) & (d), and 40 CFR 6, 51, 93]	◉ A ○ B	*The proposed project is in compliance. Of the applicable activities, the project involves major rehabilitation, but not acquisition of undeveloped land, change of land use, demolition, or new construction.* *According to the U.S. Environmental Protection Agency (USEPA), Hudson County has been designated a nonattainment or maintenance area for five National Ambient Air Quality Standards (NAAQS) (see SBL618330_USEPANonAttainmentMaintenanceforNAAQS):* *• a moderate attainment area for 8-hour ozone (1997 Standard)* *• a marginal attainment area for 8-hour ozone (2008 Standard)* *• a moderate (greater than 12.7 parts per million) maintenance area for carbon monoxide* *• a maintenance area for particulate matter (PM2.5) (2006 Standard)* *• a maintenance area for particulate matter (PM2.5) (1997 Standard)* *Emissions associated with the proposed project are estimated to be well below the threshold when compared to the federal General Conformity Rule de minimis thresholds.* *There will be temporary, unavoidable increases in particulate matter levels during the proposed repairs and rehabilitation of the building. While air quality may be temporarily affected during improvement activities, the proposed project will adhere to state air quality standards (N.J.A.C. 7:27-1 et seq.). Air quality effects will be mitigated to the extent feasible.* *The Division of Air Quality (DAQ) has revised the General Conformity Applicability Analysis for the DCA, HUD Community Development Block Grant for Disaster Recovery (CDBG-DR) for the Hurricane Sandy recovery efforts according to a memorandum from the DAQ dated January 23, 2014 (see SBL618330_RevisedGeneralConformityApplicability). The general conformity analysis is required by the Clean Air Act and Federal Regulation (40 CFR Part 93, Subpart B). This revision is due to updated information received from the Sandy Recovery Environmental and Historic Preservation Review Program regarding commercial construction activities associated with the CDBG-DR, which were not assessed in the original environmental assessment. The revised estimated air emissions, including the air emissions related to commercial construction activities, continue to remain well below the Federal General Conformity regulation's de minimis thresholds and are presented to conform to the State Implementation Plan (SIP).* *To avoid adverse air quality impacts, compliance with the regulatory requirements of New Jersey's Air Rules continues to remain in effect. Activities must still meet the State's Air Pollution Control requirements, e.g., obtaining permits when necessary, adherence to idling limitations, and implementation of all reasonable measures to mitigate dust and fugitive emissions from demolition and construction.*
2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]	◉ A ○ B	*The proposed project is in compliance. Of the applicable activities, the proposed project involves major rehabilitation, but not new construction, acquisition for construction, change in land use, or increase in density.* *Because the proposed project is in Hudson County, it is too far away from the airports of interest to be a concern, and an Airport Hazards Map was not required.*
3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]	◉ A ○ B	*The proposed project is in compliance. Of the applicable activities, it involves major rehabilitation, but not new construction, acquisition of undeveloped land, or change of land use.* *Per the New Jersey Department of Environmental Protection's (NJDEP) HUD Environmental Review Tool, the proposed project is not located within the Hackensack Meadowlands, Coastal Area Facility Review Act (CAFRA) Zone, or Upland Waterfront Development Zone, and is not within 150 feet of a mean high water line (see SBL618330_CoastalZoneManagementMap).*

4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]	○ A ◉ B	*Of the applicable activities, it involves rehabilitation, but not demolition, new construction, acquisition, change of use to residential, leasing, or construction or improvements to infrastructure.* *HUD policy requires that the proposed site and adjacent areas be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants of the property or conflict with the intended use of the property.* *To identify sites near the proposed project location that have hazardous materials, contamination, toxic chemicals, gases and radioactive substances as specified in 24 CFR 58.5(i), a review of the NJDEP's HUD Environmental Review Tool was conducted. This review identified that the project location is within the 3,000-foot radius of one "threatening" site. (see SBL618330_ContaminationandToxicSubstancesMap). The parcel is within the 3,000-foot radius of a "threatening" site. The site is called Brentwood Optical Corp. The Site ID number is 19399. The site was reviewed by NJDEP, which has found this site to be in substantial compliance with NJDEP regulations and is therefore considered under control. No other investigations are required, and the analysis is concluded (see SBL618330_NJDEPResponse).* *The parcel may be within the 3,000-foot radius of a Hazardous Waste cleanup site, Landfill, solid waste cleanup site or Hazardous Waste facility that handles hazardous materials or toxic substances; however, all sites that were determined by NJDEP to be "non-threatening" to the potential HUD project are not depicted on the map. Only sites determined to be "threatening" by the NJDEP are depicted on the map. The site reconnaissance performed on March 21, 2015, revealed no visible recognized environmental conditions (RECs) in the vicinity of the proposed project. There were no obstacles to identification of RECs. In addition, the proposed project site is not listed on a State or Federal Hazardous Waste sites database.* *All solid waste materials must be managed and transported in accordance with the state's solid and hazardous waste rules.* *Asbestos* *As the project structure was constructed before 1978, asbestos is assumed to be present and is a potential concern. All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the 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 at 40 CFR 61.150; and 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. Tetra Tech will conduct a survey of the affected areas will be completed prior to commencement of project activities to determine if the building has any asbestos-containing materials that may be disturbed by the project. The survey findings will determine which specific asbestos regulations apply to the project activities and must be adhered to.* *Lead* *As the project structure was constructed before 1981, lead-based paint is assumed to be present and is a potential concern. 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. Tetra Tech will conduct a survey of the affected areas prior to commencement of project activities to determine if lead-based painted materials that may be disturbed by the project are present within the structure. The survey findings will determine which specific lead-based paint regulations apply to the project activities and must be adhered to.* *Radon* *No testing or mitigation is required for structures that are in areas with ranks of Tier 3 or Tier 2. The project is located in a Tier 3 area and therefore, no radon testing or mitigation is required (see SBL618330_RadonPotentialMap).*

5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]	◉ A ○ B	*The proposed project is in compliance. Of the applicable activities, it involves major rehabilitation, but not demolition, new construction, acquisition of undeveloped land, or change of land use.* *The environmental review considered potential impacts of the HUD-assisted project to threatened and endangered (T and E) species and, for animals, critical habitats. The review evaluated potential impacts not only to any listed, but also to any proposed or candidate endangered or threatened species and critical habitats. Projects that affect T and E species or critical habitats require consultation with the U.S. Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service (NMFS), in compliance with the procedure of Section 7 of the Endangered Species Act.* *Review of the individual NJDEP HUD Environmental Review Tool layers for piping plover, red knot and bats (northern long-eared bat) indicate that piping plover, red knots and bats are not present on the project site or immediately surrounding properties The NJDEP ArcGIS Screening Tool Centroid layer indicates that federally listed T and E species are not documented on the subject property, but that state-listed T and E species are documented on the subject property (see SBL618330_EndangeredSpeciesMap). As a result, consultation with the NJDEP Division of Fish and Wildlife, Endangered Species Program (ENSP) was required and completed. ENSP responded and advised that the agency has no concerns with the project (see SBL618330_ENSPResponse).* *Consultation with the NJDEP State Forestry Services – Natural Heritage Program (NHP) determined, in the Table 1: On Site Data Request Search Results under the Rare Plants/Ecological Communities Possibly On Site category, that no rare plant species, ecological communities or rare wildlife species or wildlife habitat are documented on the project site. In Table 2: Vicinity Data Request Search Results, under the Rare Wildlife Species or Wildlife Habitat Within the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.1 Species Based Patches, NHP determined that four foraging habitats (glossy ibis, little blue heron, snowy egret, and tricolored heron), one urban nest (Peregrine Falcon), and one migration corridor – adult sighting (shortnose sturgeon) – are located within the immediate vicinity (one quarter mile) of the proposed project (see SBL618330_NaturalHeritageProgramResponse). The project will not impact these species because the project activities do not threaten their habitats.* *The USFWS IPaC landscape explorer tool was used to generate a list of any federally listed endangered species on the project site or in the project vicinity (see SBL618330_IPaCResults). Results of this screening indicate that no critical habitats and no T and E species are located on the project site or in the project vicinity. In addition, the IPaC tool identified 29 migratory birds of concern on or within the vicinity of the proposed project site. Because tree cutting and vegetation removal are not part of the proposed project activity, the project will not affect migratory birds.*
6. Environmental Justice [Executive Order 12898]	◉ A ○ B	*The proposed project is in compliance. Of the applicable activities, it involves major rehabilitation, but not demolition, new construction, acquisition, change of land use, or an adverse impact or condition with respect to an environmental issue.* *The thresholds for minority and low-income populations in New Jersey are 48.52 percent (urban areas) and 18.58 percent, respectively. The project proposed project is located within Census tracts and blocks with environmental justice communities, i.e., minority populations ranging from approximately 40 percent to 100 percent and populations below poverty level ranging from approximately 10 percent to 20 percent (see SBL618330_EnvironmentalJusticeMap_PercentMinority and SBL618330_EnvironmentalJusticeMap_PercentBelowPoverty).* *The project would not generate adverse resource or health effects or adversely impact residential, commercial, or community facilities or services that may be of importance to environmental justice communities. The project would not generate disproportionately high and adverse environmental impacts on environmental justice communities (see SBL618330_EnvironmentalJusticeChecklist).*

7. Explosive and Flammable Operations [24 CFR 51C]	◉ A ○ B	*The proposed project is in compliance. It does not involve any of the applicable activities: residential project involving new construction, rehabilitation where density is increased, change of land use to residential, vacant buildings made habitable, or a project for industrial, commercial, institutional or recreational use, when the activity is new construction or change of land use.* *The definition of "HUD-assisted project" at 24 CFR 51.201 is predicated on whether the proposed project increases the number of people exposed to hazardous operations.* *Because the proposed project will create additional work space, it is assumed that the number of employees that may potentially be exposed to hazardous operations may increase. Review of aerial photography and field reconnaissance of the project location and its surrounding areas (up to a one-mile radius) did not identify any large (greater than 100-gallon capacity) stationary aboveground storage tanks containing explosive or flammable materials within a one-mile radius of the project or any stationary aboveground storage tanks containing explosive or flammable materials within 1,000 feet of the project (see SBL618330_ExplosiveandFlammableOperationsMap). Therefore, the proposed project and its activities are in compliance.*
8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly sections 1504(b) & 1541; 7 CFR 658]	◉ A ○ B	*The proposed project is in compliance. It does not involve any of the applicable activities: new construction, acquisition of undeveloped land, conversion of undeveloped land or site clearance.* *Review of the NJDEP's HUD Environmental Review Tool indicated that the property involved in the proposed project does not include prime farmland or farmland of unique importance or farmland of statewide importance (see SBL618330_FarmlandProtectionMap).*
9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]	◉ A ○ B	*The proposed project is in compliance. Of the applicable activities, it involves rehabilitation or repair, but not building construction, acquisition, disposition, financing or leasing existing building or construction of or improvements to infrastructure.* *The absence of a Special Flood Hazard Area (100-year floodplain, zones A or V) was determined by using the NJDEP's HUD Environmental Review Tool with the Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Map (FIRM) layer applied. The proposed project is not located within a floodway (see SBL618330_FloodplainManagementMap).*
10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]	◉ A ○ B	*The proposed project is in compliance. Of the applicable activities, it involves rehabilitation and repair, but not demolition, new construction, acquisition, disposition, or ground disturbance.* *The proposed project includes limited rehabilitation to the interior, roof, and rear of a commercial building constructed in 1905 (per applicant information) and at least before 1954 according to a review of historic aerial photography (see SBL618330_HistoricAerialPhotograph). It is located in a historic property exemption zone (Green Zone) defined by a joint FEMA- NJ Historic Preservation Office (NJHPO) survey in Jersey City (HPO Project #13-0590-1 [Log No. C2013-180]; HPO concurrence date: 3/22/2013) (see SBL618330_HistoricPreservationExemptionZoneMap; while the mapped Green Zone does not exactly match the property boundary, it is assumed that this occurrence is a mapping error). No further review for potential architectural resource issues is required pursuant to Programmatic Agreement (PA) Tier II Allowance VII.A.2. The property is situated within an area of archeological concern identified by the NJHPO and identified as NJHPO archeological sensitivity Grid Square FB90. However, review of the Area of Potential Effects (APE) pursuant to PA Stipulation II.C.2 and evaluation of the proposed undertaking by Secretary of the Interior (SOI)-qualified archeologist Christopher L. Borstel, Ph.D., RPA, determined that the activity does not involve any substantial potential for below-ground disturbance. Therefore, the undertaking has no potential cause effects to archeological properties (if present), and in accordance with 36 CFR 800.3(a)(1), the responsible federal "agency official has no further obligations under section 106." No additional review for archeological resource issues is required. The application is therefore in compliance with Section 106 of the National Historic Preservation Act (NHPA) and related laws and regulations.*

11. Noise Abatement and Control [Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR 51B]	◉ A ○ B	*The proposed project is in compliance. It does not involve any of the applicable activities: acquisition, conversion, or new construction for residential or other noise-sensitive developments such as hospitals, nursing homes, day care, community centers, etc. and does not involve reconstruction or rehabilitation projects where residential density is being increased.* *Per HUD directive, 24 C.F.R. Part 51B is not applicable to a disaster recovery program, including reconstruction, rehabilitation, elevation and mitigation that meets the requirements for exclusion in 24 CFR 51.101(a) (3). The regulation states that HUD noise policy does not apply to "assistance that has the effect of restoring facilities substantially as they existed prior to the disaster." The proposed project involves the rehabilitation of a commercial establishment damaged during Superstorm Sandy.*
12. Sole Source Aquifers [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]	◉ A ○ B	*The proposed project is in compliance. It does not involve any of the applicable activities: new construction, acquisition of undeveloped land or change of land use.* *Review of the NJDEP's HUD Environmental Review Tool indicated that the proposed project is not located in an area of a sole source aquifer (see SBL618330_SoleSourceAquifersMap).*
13. Wetlands Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]	◉ A ○ B	*The proposed project is in compliance. It does not involve any of the applicable activities: new construction, acquisition of undeveloped land, change of land use, or reconstruction on an expanded building footprint.* *A review of the NJDEP HUD Environmental Review Tool indicated that no coastal or freshwater wetlands are present on or adjacent to the proposed project site (see SBL618330_WetlandsProtection Map).*
14. Wild and Scenic Rivers [Wild and Scenic Rivers Act of 1968, particularly section 7(b) & (c); 36 CFR 297]	◉ A ○ B	*The proposed project is in compliance. Of the applicable activities, it involves major rehabilitation, but not new construction, acquisition of undeveloped land, or change in land use.* *A review of the NJDEP HUD Environmental Review Tool indicated that the nearest Wild and Scenic River, the Musconetcong River, is located approximately 41 miles to the west of the proposed project site (see SBL618330_WildandScenicRiversMap). Therefore, the project is not located within ¼ mile of a Wild and Scenic River stream bank, is not within a one-mile radius of a designated Wild and Scenic River, and would not affect Wild and Scenic Rivers.*

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: [Project complies with 24 CFR 51.303(a)(3)]]

Because the proposed project is in Hudson County, it is too far away from the airports of interest to be a concern.

☐ **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: [Proceed with Project]

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 area also uninhabited. The proposed project activities will not occur on designated coastal barriers or in "otherwise protected areas," and the proposed project would have no impact on coastal barrier resources (see SBL618330_CoastalBarrierResourcesMap).

☐ **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]

The absence of a Special Flood Hazard Area (100-year floodplain, zones A or V) was determined by using the NJDEP's HUD Environmental Review Tool with the Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Map (FIRM) layer applied. The proposed project is not located within a floodway (see SBL618330_FloodplainManagementMap).

☐ **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.**

○ **N/A**

Summary of Findings and Conclusions

Field Inspection (Date and completed by):

Field inspection conducted on March 21, 2015, by Thomas Flis, Tetra Tech (see SBL618330_FieldInspectionReport and SBL618330_Photolog).

Summary Statement of Findings and Conclusions:

Based upon completion of this environmental review of the proposed project, there will be no significant changes to existing environmental conditions across the impact categories implemented by HUD in response to the National Environmental Policy Act of 1969.

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.

Air Quality
3. Use water or chemical dust suppressant in exposed areas to control dust.
4. Cover the load compartments of trucks hauling dust-generating materials.
5. Reduce vehicle speed on non-paved areas and keep paved areas clean.
6. Retrofit older equipment with pollution controls.
7. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.
8. Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.
9. 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:
• 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);
• 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);
• 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
• 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).
10. 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).
11. Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (less than 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).
12. 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
13. Flood insurance under the National Flood Insurance Program insurance must be obtained and 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).

Hazardous Materials
14. 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.
15. 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).
16. 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.

CERTIFICATIONS

Joe Fischl, TetraTech	2015-05-01 11:43:11
Preparer Agency and Name	Completion Date

RE Certifying Officer Name	RE Certifying Officer Signature	RE CO Signature Date