

DETERMINATION OF LEVEL OF REVIEW

Applicant Name: Malusa & Sons, Inc. (dba Nino's Family Restaurant) Program Year: 2015

Project Location: 423 East Magnolia Ave, Wildwood, NJ 08260

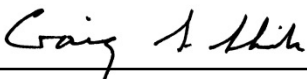
Project Description (*Attach additional descriptive information, as appropriate to the activity, including narrative, maps, photographs, site plans, budgets and other information.*):

The objective of this grant application is to provide funding to assist in the relocation of the existing Nino's Family Restaurant to a new location at 423 East Magnolia Avenue in the City of Wildwood, Cape May County. The existing Nino's Family Restaurant in North Wildwood suffered severe storm damages during Superstorm Sandy and the structure was deemed unsuitable for restoration. The proposed relocation of the restaurant would utilize an existing, vacant restaurant in Wildwood. The new Nino's Family restaurant will be located in the City of Wildwood, adjacent to Wildwood Boardwalk and the beach. The building was constructed in 1945 and resides on a 0.1033-acre parcel. The planned improvements include: removal and replacement of two signs; removal of existing siding, corners, and window trim and replacement with stucco and brick; new interior brick and stucco wall in lobby; painting of the ceiling and lobby area; renovations to bathrooms; installation of lighting fixtures; new restaurant equipment; and new table tops, chairs, and small wares.

The subject project has been reviewed pursuant to HUD regulations 24 CFR Part 58, "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities," and the following determination with respect to the project is made:

- Exempt** from NEPA review requirements per 24 CFR 58.34(a)(____)
- Categorically Excluded NOT Subject** to §58.5 authorities per 24 CFR 58.35(b)(____)
- Categorically Excluded SUBJECT** to §58.5 authorities per 24 CFR 58.35(a)(3)(iii) (A Statutory Checklist for the §58.5 authorities is attached.)
- An **Environmental Assessment** (EA) is required to be performed. (An Environmental Assessment performed in accordance with subpart E of 24 CFR Part 58 is attached.)
- An **Environmental Impact Statement** (EIS) is required to be performed.

The ERR (see §58.38) must contain all the environmental review documents, public notices and written determinations or environmental findings required by Part 58 as evidence of review, decision making and actions pertaining to a particular project. Include additional information including checklists, studies, analyses and documentation as appropriate.

<u>Craig S. Shirk</u> Preparer Name	 Signature
<u>Program Director, Gannett Fleming, Inc.</u> Title	<u>April 2, 2015</u> Completion Date For DLR