# Tier 1 Environmental Assessment

New Jersey Department of Community Affairs

Community Development Block Grant – Disaster Recovery:

Long-Term Recovery and Mitigation Support Grants

*Rehabilitation, Reconstruction, Elevation, and Mitigation (RREM) 2.0 Program*

**Atlantic County and Cape May County, New Jersey**



# Table of Contents

**Tiered Environmental Assessment: Broad Review for RREM 2.0 Program** ..... 1

Introduction ..... 1

Project Location ..... 2

Program Description ..... 5

Environmental Review Record Classification and Tiering Plan ..... 6

**Appendix A: Broad-Level Tiered Environmental Review Tier 1 of a 2-Step Environmental Assessment** ..... 8

Project Information ..... 9

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities and Written Strategies ..... 11

Environmental Assessment Factors ..... 39

Cumulative Impact Analysis ..... 43

Alternatives ..... 43

Summary of Findings and Conclusions ..... 44

Mitigation Measures and Conditions ..... 44

Determination ..... 51

Attachment 1 – Airport Hazards ..... 52

Attachment 2 – Coastal Barrier Resources ..... 56

Attachment 3 – Clean Air ..... 59

Attachment 4 – Coastal Zone Management ..... 118

Attachment 5 – Contamination and Toxic Substances ..... 174

Attachment 6 – Threatened, Endangered, and Migratory Species ..... 251

Attachment 7 – Explosive and Flammable Hazards ..... 666

Attachment 8 – Farmlands Protection ..... 670

Attachment 9 – Floodplain Management ..... 672

Attachment 10 – Historic Preservation ..... 695

Attachment 11 – Noise Abatement and Control ..... 850

Attachment 12 – Sole Source Aquifers ..... 854

Attachment 13 – Wetlands Protection ..... 882

Attachment 14 – Wild and Scenic Rivers ..... 885

Attachment 15 – Essential Fish Habitat ..... 889

**Appendix B: Environmental Site-Specific Review Strategy and Checklist** ..... 915

**Appendix C: Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds for Tiered Projects and Programs, Final Notice and Public Explanation of a Proposed Activity in a Floodplain and Wetland, Confirmation of Public Comments Received, and Affidavits of Publication** ..... 942

**Appendix D: Request for Release of Funds (RROF) and Authority to Use Grant Funds (AUGF)** ..... 943

**Appendix E: Programmatic Agreement** ..... 944

# Tiered Environmental Assessment: Broad Review for RREM 2.0 Program

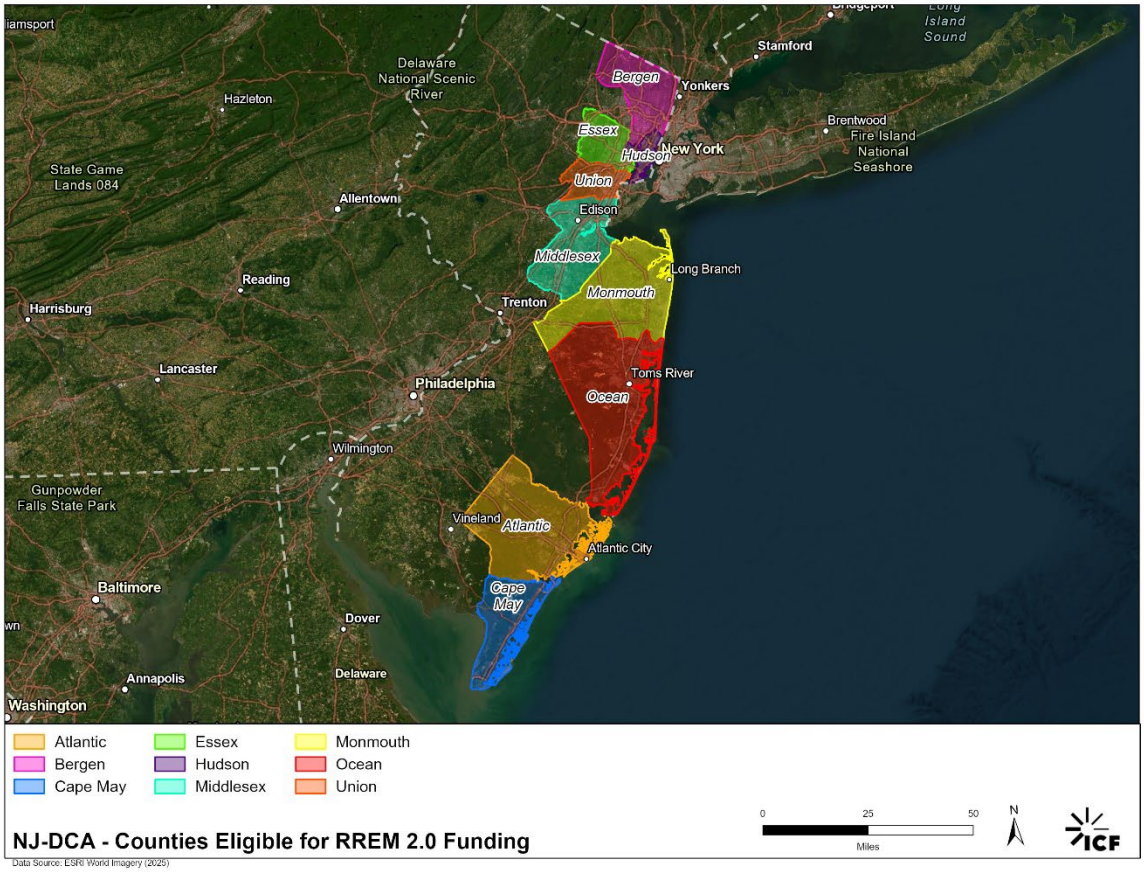
## Introduction

The New Jersey Department of Community Affairs (DCA), acting as the Responsible Entity for the U.S. Department of Housing and Urban Development (HUD) per 24 CFR 58.4, is preparing Tier 1 Environmental Assessments (EAs) for the Reconstruction, Rehabilitation, Elevation, and Mitigation (RREM 2.0) Program in Atlantic, Cape May, Monmouth, and Ocean Counties. Under P.L.2025, c.319 Senate Bill S4812, approved January 20, 2026, DCA is resuming the RREM program to accept grant applications to address unmet recovery and rebuilding needs of Superstorm Sandy-impacted homeowners still requiring financial assistance.

Superstorm Sandy made landfall in New Jersey on October 29, 2012, causing severe wind, storm surge, and rain, causing widespread flooding, particularly in coastal regions. The State of New Jersey received Community Development Block Grant Disaster Recovery (CDBG-DR) funding for long-term recovery and mitigation efforts. $1,356,543,202 was allocated to the Reconstruction, Rehabilitation, Elevation, and Mitigation (RREM) program which assisted eligible homeowners of Sandy-damaged single-family primary residences with reconstruction, rehabilitation, elevation, and related mitigation needed to make homes livable and compliant with floodplain, environmental, and other requirements. DCA completed RREM Tier 1 EAs in 2013, covering the nine most impacted counties: Bergen, Essex, Hudson, Middlesex, Union, Atlantic, Cape May, Monmouth, and Ocean Counties (**Figure 1**). Under P.L.2025, c.319 Senate Bill S4812, approved January 20, 2026, DCA is resuming the RREM as RREM 2.0, allocating $18,100,000 to address remaining unmet recovery and rebuilding needs of Sandy-impacted homeowners.

Since the Sandy Recovery Program Tier 1 EAs are more than five years old, new Tier 1 EAs are required to consider the environmental impacts of the RREM 2.0 program. Five counties overlapped with the Tropical Storm Ida programs (Bergen, Essex, Hudson, Middlesex, and Union). As the program scope for RREM 2.0 was similar to the Ida programs, the environmental impacts were analyzed under a Tropical Storm Ida Tier 1 EA Re-evaluation. Atlantic, Cape May, Monmouth and Ocean Counties did not overlap and are therefore being evaluated under separate EAs. RREM 2.0 activities will be limited to reconstruction, rehabilitation, elevation, and other mitigation activities within the footprint of the existing developed lots for applicants whose homes were damaged by Superstorm Sandy.

**Figure 1: Counties Eligible for RREM 2.0 Funding**




DCA, as the Responsible Entity (RE) for administering CDBG-DR funds for recovery from Superstorm Sandy, is required to complete environmental reviews for actions covered within 24 CFR 58, "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities". The environmental reviews for the proposed actions will be completed in compliance with the National Environmental Policy Act 42 U.S.C. § 4321 which "requires that each federal agency to determine the environmental impacts of its actions."[1] HUD provides guidance on the impact categories which require environmental review compliance with Federal related laws and authorities listed at 24 CFR 50.4, 58.5, and 58.6.

# Project Location

The geographic scope described herein is the area of Atlantic and Cape May Counties in southeast New Jersey (**Figure 2**). According to United States Census Bureau data, Atlantic County's population as of 2025 was estimated to be 278,657 people (U.S. Census 2025). Based on the 2022 National Land Cover Database (NLCD) dataset, the county's total area is approximately 362,612 acres. Land cover types

[1] HUD Exchange: Environmental Assessment. Available at: https://www.hudexchange.info/programs/environmental-review/environmental-assessment/. Accessed: August 2026.

classified by the NLCD are shown in **Table 1** and **Figure 3**. The county has a total area of approximately 566.6 square miles.

According to United States Census Bureau data, Cape May County's population as of 2025 was estimated to be 93,390 people (U.S. Census 2025). Based on the 2022 NLCD dataset, the county's total area is approximately 165,484 acres. Land cover types classified by the NLCD are shown in **Table 1** and **Figure 3**. The county has a total area of approximately 258.6 square miles.

**Table 1: Atlantic and Cape May - County Land Cover Designations**

| **Atlantic County** | | | |
|---|---|---|---|
| **Land Cover Type** | **Acres** | **Land Cover Type** | **Acres** |
| Agricultural | 23,457.0 | Exotic Tree-Shrub | 812.1 |
| Conifer | 65,285.5 | Grassland | 304.3 |
| Conifer-Hardwood | 2,322.8 | Hardwood | 47,808.4 |
| Developed | 23,391.4 | Open Water | 17,061.8 |
| Developed-High Intensity | 3,731.8 | Quarries-Strip Mines-Gravel Pits-Well and Wind Pads | 199.5 |
| Developed-Low Intensity | 12,775.1 | Riparian | 124,529.4 |
| Developed-Medium Intensity | 8,043.2 | Shrubland | 42.9 |
| Developed-Roads | 29,385.3 | Sparsely Vegetated | 649.5 |
| Exotic Herbaceous | 2,811.8 | **Total** | **362,611.8** |
| **Cape May County** | | | |
| Land Cover Type | Acres | Land Cover Type | Acres |
| Agricultural | 3,839.1 | Exotic Tree-Shrub | 206.1 |
| Conifer | 7,189.9 | Grassland | 851.8 |
| Conifer-Hardwood | 1,896.0 | Hardwood | 1,9584 |
| Developed | 10,881.9 | Open Water | 12,956.8 |
| Developed-High Intensity | 3,036.1 | Quarries-Strip Mines-Gravel Pits-Well and Wind Pads | 218.4 |
| Developed-Low Intensity | 6,619.4 | Riparian | 7,5725.2 |
| Developed-Medium Intensity | 4,127.7 | Shrubland | 132.5 |
| Developed-Roads | 15,033.4 | Sparsely Vegetated | 998.3 |
| Exotic Herbaceous | 2,187.4 | **Total** | **165,483.7** |

**Figure 2: Atlantic and Cape May Counties - County Locations Map**

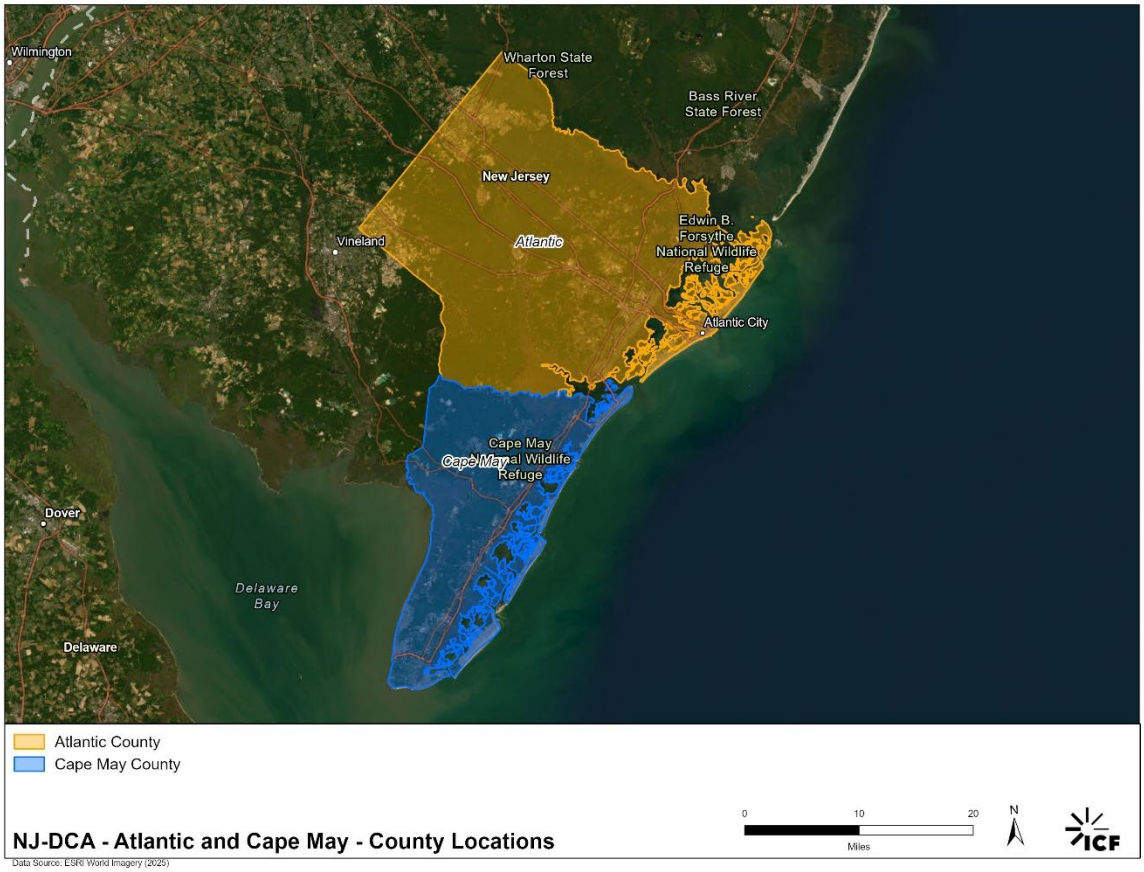
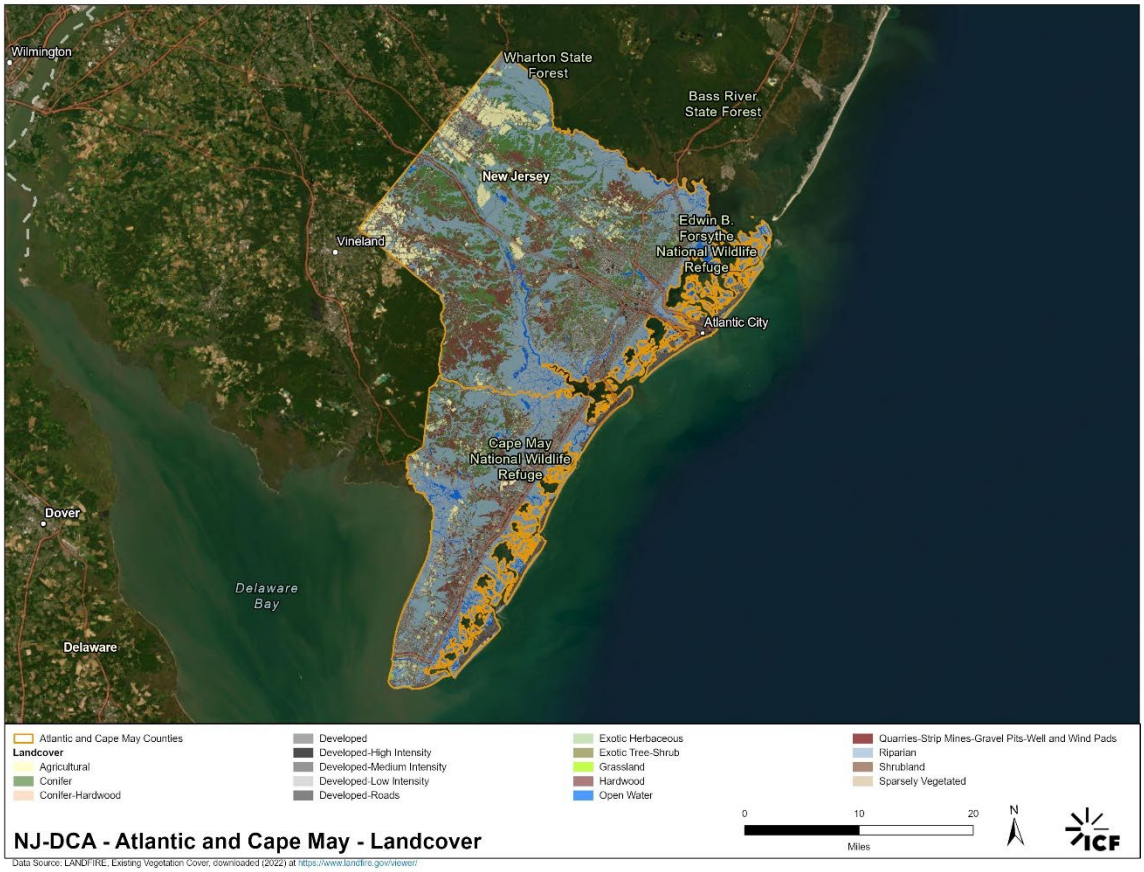


**Figure 3: Atlantic and Cape May - County Landcover**




# Program Description

HUD is providing funding for the RREM 2.0 program covered under this Tier 1 EA for Atlantic and Cape May Counties. This program provides housing assistance for properties impacted from Superstorm Sandy for areas located within or near disaster-impacted communities.

The RREM 2.0 Program provides grants to eligible homeowners for activities necessary to restore their storm-damaged primary residences, including reconstruction, rehabilitation, elevation, and other mitigation activities. The program was originally funded in response to Superstorm Sandy, which made landfall in 2012. Under P.L.2025, c.319 Senate Bill S4812, approved January 20, 2026, DCA is resuming the RREM program to accept grant applications to address unmet recovery and rebuilding needs of Superstorm Sandy-impacted homeowners still requiring financial assistance. RREM 2.0 is funded using remaining Superstorm Sandy CDBG-DR appropriations, and the program's eligible activities are substantially the same as those analyzed in the Ida Tier 1 Environmental Assessments. RREM 2.0 activities will be limited to reconstruction, rehabilitation, elevation, and other mitigation activities within the footprint of the existing developed lots for applicants whose homes were damaged by Superstorm Sandy.

Single family housing projects (1-4 units) that are deemed applicable to RREM 2.0 program will require a site-specific environmental review (further discussed in **Appendix B**). Proposed Actions under the RREM 2.0 program may include:

- Rehabilitation: Renovations would include addressing storm-related damage and bringing the property up to current minimum property standards and compliance with applicable American Disabilities Act requirements. Elevation of the structure would be necessary for activities within the floodplain for which the project cost exceeds 50% of the pre-storm value of the structure. Elevation activities in the 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). Elevation requirements would be determined using the Floodplain of Concern elevation and would be consistent with state and federal requirements. All activities would be limited to the disturbed area of the previously developed lot. Pre-award and pre-application activities are limited to work completed within the same footprint of the damaged structure;
- Reconstruction: The existing structure would be demolished and replaced with a new residential structure consistent with program standards. Elevation of the structure would be necessary for reconstruction activities within the floodplain. Elevation activities in the 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). Elevation requirements would be determined using the Floodplain of Concern elevation and would be consistent with state and federal requirements. All activities would be limited to the disturbed area of the previously developed lot. Pre-award and pre-application activities are limited to work completed within the same footprint of the damaged structure;
- Elevation: The structure would be elevated as per the most recent elevation requirements in accordance with the Flood Hazard Area Control Act rules (N.J.A.C. 7:13). Elevation requirements would be determined using the Floodplain of Concern elevation. All activities would be consistent with state and federal requirements and would be limited to the disturbed area of the previously developed lot. Pre-award and pre-application activities are limited to work completed within the same footprint of the damaged structure; or
- Mitigation: Mitigation would include structural and non-structural measures meant to limit the impacts of future natural disasters and can include structural and utility retrofits to make the building more resistant to floods, grading and slope stabilization, and drainage improvements. All activities would be limited to the disturbed area of the previously developed lot. Pre-award and pre-application activities are limited to work completed within the same footprint of the damaged structure.

# Environmental Review Record Classification and Tiering Plan

The broad review of the proposed actions for the RREM 2.0 program is not exempt or categorically excluded under 24 CFR § 58.34, Exempt activities, and 24 CFR § 58.35, Categorical exclusions. DCA has determined that an Environmental Assessment (EA) is required to analyze the proposed action and its potential environmental impacts per § 58.36, Environmental assessments, and subject to the laws and authorities at 24 § CFR 58.5, 24 § CFR 58.6, and NEPA.

HUD regulations at 24 CFR § 58.15, Tiering, allows responsible entities to tier their environmental reviews and analysis by evaluating impacts at a broader level, such as aggregating projects within two counties, followed by a narrow or focused analysis at a later date at the site-specific review level. The first tier, or broad review, describes the proposed action and identifies the potential environmental effects that may result. The second tier, or site-specific review, then references or summarizes the

issues addressed at the broad review level where compliance with NEPA and HUD's regulations at 24 CFR Part 58 has been demonstrated and provides additional analyses for areas where compliance was not achieved at the broad review level. By tiering the environmental review in this way, the environmental review process is made more efficient and allows the decisionmaker and the public to "eliminate repetitive discussions of the same issues and to focus on the actual issues ripe for decision at each level of environmental review" (40 § CFR 1502.20).

Because project locations are not known at this stage of the tiered review, potential environmental effects at the site-specific level cannot be known. The broad review that follows in **Appendix A** describes NEPA and HUD regulations where compliance can be achieved at the county level, and if compliance cannot be achieved, then a plan to achieve compliance, mitigate impacts when possible, and recommend an alternative to the proposed action when projects are deemed noncompliant at the site-specific review level is described.

Once applicants have been selected for funding, a site-specific review must be completed prior to committing HUD funding to the project. The site-specific review checklist is included in **Appendix B** and will document the individual project site's compliance with NEPA and HUD regulations that could not be achieved at the broad review level. If, after completing the site-specific review checklist, the project site is determined to have no impacts or would be fully mitigated through required mitigation measures, then the ERR is complete and the project can proceed.

# APPENDIX A
# BROAD-LEVEL TIERED ENVIRONMENTAL REVIEW TIER 1 OF A 2-STEP ENVIRONMENTAL ASSESSMENT

# Broad-Level Tiered Environmental Review Tier 1 of a 2-Step Environmental Assessment

## Project Information

**Project Name:** Superstorm Sandy Community Development Block Grant – Disaster Recovery (CDBG-DR) Long-Term Recovery and Mitigation Support Grants Rehabilitation, Reconstruction, Elevation and Mitigation (RREM 2.0) Program

**Responsible Entity (RE):** New Jersey Department of Community Affairs (DCA)

**State/Local Identifier:** New Jersey

**RE Preparer:** ICF

**Certifying Officer:** Samuel Viavattine, Deputy Commissioner

**Grant Recipient** (if different than Responsible Entity):

**Point of Contact:**

**Consultant** (if applicable): ICF

**Point of Contact:** Steven Sherman and Tanner Melendez, ICF Consultants

**Project Location:** Atlantic County and Cape May County, New Jersey

**Direct Comments to:** Samuel Viavattine, Deputy Commissioner
Department of Community Affairs
PO Box 823
Trenton, NJ 08625-0800

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

The State of New Jersey is proposing to use CDBG-DR funds to assist single-family homeowners (1 to 4 residential units within a building) in achieving safe and compliant housing that meets minimum property standards through reconstruction, rehabilitation, elevation and mitigation. Funds will be provided through the Reconstruction, Rehabilitation, Elevation and Mitigation (RREM 2.0) Program.

The project activities include grants to eligible homeowners, under the RREM 2.0 Program, for activities necessary to restore their storm-damaged homes, including rehabilitation, reconstruction, elevation and/or other mitigation activities within the disturbed area of the previously developed parcel. Rehabilitation is to assist owners of homes that were damaged as a result of the storm, but not so severely damaged that reconstruction is required. Elevation and mitigation are to assist owners of homes whose properties were affected by the storm, but who do not request reconstruction or rehabilitation aid. Elevation activities in the floodplain, for non-historic structures, must adhere to the most recent elevation requirements in accordance with the Flood Hazard Area Control Act rules (N.J.A.C. 7:13). Elevation requirements would be determined using the Floodplain of Concern elevation and would be consistent with state and federal requirements. Mitigation would involve structural and non-structural measures meant to limit the impacts of future natural disasters and can include structural and utility retrofits to make the building more resistant to floods, grading and slope stabilization, and drainage improvements. For homes that have been substantially damaged, the cost to rehabilitate is not

reasonable, or the home cannot be rehabilitated in a manner to reasonably accommodate the impacted household, homeowners may be eligible for reconstruction or acquisition at current fair market value and incentivized to relocate.

Homeowners under RREM 2.0 located in the Special Flood Hazard Area (SFHA) or other NJDEP-designated flood risk areas will be required to obtain and maintain flood insurance. DCA will place a permanent flood insurance covenant on the property to ensure that flood insurance is maintained when ownership transfers. Eligible costs also include demolition and removal of the original structure, if needed.

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

Superstorm Sandy made landfall in New Jersey on October 29, 2012, causing severe wind, storm surge, and rain, causing widespread flooding, particularly in coastal regions. The State of New Jersey received Community Development Block Grant Disaster Recovery (CDBG-DR) funding for long-term recovery and mitigation efforts. $1,356,543,202 was allocated to the Reconstruction, Rehabilitation, Elevation, and Mitigation (RREM) program which assisted eligible homeowners of Sandy-damaged single-family primary residences with reconstruction, rehabilitation, elevation, and related mitigation needed to make homes livable and compliant with floodplain, environmental, and other requirements. DCA completed RREM Tier 1 EAs in 2013, covering the nine most impacted counties (Bergen, Essex, Hudson, Middlesex, Union, Atlantic, Cape May, Monmouth, and Ocean). Under P.L.2025, c.319 Senate Bill S4812, approved January 20, 2026, DCA is resuming the RREM as RREM 2.0, allocating $18,100,000 to address remaining unmet recovery and rebuilding needs of Sandy-impacted homeowners.

Since the Sandy Recovery Program Tier 1 EAs are more than five years old, new Tier 1 EAs are required to consider the environmental impacts of the RREM 2.0 program. Five counties overlapped with the Tropical Storm Ida programs (Bergen, Essex, Hudson, Middlesex, and Union). As the program scope for RREM 2.0 was similar to the Ida programs the environmental impacts were analyzed under a Tropical Storm Ida Tier 1 EA Re-evaluation. Atlantic, Cape May, Monmouth and Ocean Counties did not overlap and are therefore being evaluated under separate EAs. RREM 2.0 activities will be limited to reconstruction, rehabilitation, elevation, and other mitigation activities within the footprint of the existing developed lots for applicants whose homes were damaged by Superstorm Sandy.

The purpose of the proposed action is to assist residents and owners of single-family homes whose homes were damaged or destroyed by Superstorm Sandy and the subsequent snowstorm. The project is needed to help provide adequate housing for residents of these homes.

**Approximate size of the project area (2021 National Land Cover Database):**

Atlantic County: 362,611.8 acres

Cape May County: 165,483.7 acres

Total: 528,095.5 acres

**Length of time covered by this review:** 5 years from the date of EA signature

**Level of Environmental Review Determination:**

Environmental Assessment per 24 CFR 58.36.

**Funding Information**

| Grant Number | HUD Program | Program Name | Funding Amount |
|---|---|---|---|
| B-13-DS-34-0001 | CDBG-DR | Rehabilitation, Reconstruction, Elevation and Mitigation (RREM 2.0) Program | $18,100,000 |

**Estimated Total HUD Funded Amount:** $18,100,000

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: $18,100,000 HUD funded plus any additional funds expended by homeowners above and beyond their grant amount.

# Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities and Written Strategies

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6** | | |
| **Airport Hazards**<br>24 CFR Part 51 Subpart D | Yes ☐ No ☒ | Compliance for Airport Hazards (Clear Zones and Runway Protection Zones or Accident Potential Zones) will be achieved through the Site-Specific Review Strategy (**Appendix B**).<br>The restrictions on construction and major rehabilitation of structures in runway protection zones (formerly called runway clear zones) apply to civil airports (24 CFR 51.303). Civil airports are defined as commercial service airports designated in the Federal Aviation Administration's National Plan of Integrated Airport Systems (NPIAS) (24 CFR 51.301(c)) (See **Figure A1-1**). The only New Jersey airports listed as commercial service airports in the current NPIAS are Newark Liberty International Airport in Essex and Union Counties, Atlantic City International Airport in Atlantic County and Trenton Mercer Airport in Mercer County (**Table A1-2**).<br>Runway protection zones extend up to half a mile from the ends of runways along flight paths and become wider as distance from the runway increases. Since Atlantic City International Airport is located in Atlantic County, and there is the potential for a project to be within proximity of the civil airport, compliance will be achieved through site-specific review.<br>HUD regulations also include restrictions on construction and major rehabilitation in clear zones and accident potential zones associated with |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | runways at military airfields (24 CFR 51.303). The only military airfield in New Jersey with clear zones and accident potential zones subject to these restrictions is Joint Base McGuire-Dix-Lakehurst (JBMDL). The clear zones and accident potential zones at the McGuire component of JBMDL are in Burlington County and Ocean County. The zones at the Lakehurst component of JBMDL are in Ocean County. There are no military airfield clear zones or accident potential zones in Atlantic or Cape May Counties.<br>See Airport Hazards supporting documentation in **Attachment 1**. |
| **Coastal Barrier Resources**<br>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | Yes ☒ No ☐ | Compliance is achieved in the Tier I Broad-Level Review as detailed below.<br><br>The designated Coastal Barrier Resources System units in New Jersey are uninhabited and therefore, no project activities would occur on designated coastal barriers or in "otherwise protected areas". The proposed project would have no impact on coastal barrier resources.<br><br>See Coastal Barrier Resources System map in **Attachment 2.** |
| **Flood Insurance**<br>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] | Yes ☐ No ☒ | Because individual project locations have not yet been identified, compliance with flood insurance requirements cannot be completed at the Tier 1 Broad-Level Review. Compliance with flood insurance requirements will be achieved through the Site-Specific Review Strategy (**Appendix B**).<br><br>Atlantic County contains approximately 57,900 acres and Cape May County contains approximately 68,310 acres of FEMA-designated 100-year floodplain, or Special Flood Hazard Area (SFHA) (see **Table A9-1**). Future project activities funded under the New Jersey RREM 2.0 Program will consist of reconstruction, rehabilitation, elevation, mitigation, and associated activities at existing residential properties throughout Atlantic and Cape May Counties. Since project-specific locations are currently unknown, consistency with flood insurance requirements cannot be evaluated until Tier 2 review. |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | Individual project sites within the RREM 2.0 program could be within the FEMA-designated SFHA. Property owners with insurable structures within FEMA-designated SFHA will be required to obtain and maintain flood insurance. This requirement will be recorded as a permanent restrictive covenant on the property to ensure that future owners understand the flood insurance requirements.<br><br>Compliance will be achieved through site-specific review and floodplain mapping, as required.<br><br>See Site-Specific Review Strategy and Checklist, **Appendix B.**<br><br>See floodplain map in **Attachment 9.** |
| **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.5** | | |
| **Clean Air**<br>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 | Yes ☒ No ☐ | Compliance is achieved in the Broad Review as detailed below.<br><br>Emissions associated with project activities are estimated to be well below de minimis thresholds under the General Conformity Rule. Section 176(c) of the Clean Air Act (CAA) requires that any federally funded activity in a nonattainment or maintenance area conforms to the State Implementation Plan (SIP). Conformance with the SIP requires the project activity not:<br>• Cause or contribute to a new violation of any standard in any area;<br>• Increase the frequency or severity of any existing violation of any standard in any area; or<br>• Delay timely attainment of any standard or any required interim emission reduction or other milestones in any area.<br><br>Ozone:<br><br>The State of New Jersey is in nonattainment for the 2015 8-Hour Ozone federal standard of 0.070 parts per million (ppm) and 2008 8-Hour Ozone. New Jersey's nonattainment areas are associated with two larger multi-state nonattainment areas: New York-Northern New Jersey-Long Island and Philadelphia-Wilmington-Atlantic City. Both of New Jersey's nonattainment areas have been classified as |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | either "marginal" or "serious" ozone nonattainment areas.<br><br>Atlantic and Cape May Counties are located within the Philadelphia-Atlantic City, PA-NJ ozone nonattainment area. The area has been classified as "marginal" for the 2008 8-hour ozone National Ambient Air Quality Standard (NAAQS) and "serious" for the 2015 8-hour ozone NAAQS. For purposes of General Conformity evaluation under 40 CFR 93.153, the applicable classification is the "serious" nonattainment designation for the 2015 8-hour ozone NAAQS. The corresponding de minimis thresholds are 50 tons per year for volatile organic compounds (VOC) and 50 tons per year for nitrogen oxides (NOx). See Figure **A3-1** and Figure **A3-2**.<br><br><u>Emissions from proposed project:</u><br>Direct emissions from project activities are associated with mobile sources used during reconstruction, rehabilitation, elevation, and mitigation activities, which include plate compactors, loaders, backhoes, cranes, tractors, and excavators. No or minimal indirect emissions associated with project activities are anticipated.<br><br>Project activities would not delay attainment of NAAQS or contribute to a new or existing violation. Demolition and construction activities may contribute to temporary, short-term emissions of dust proximate to the project site but are not expected to affect air quality. Implementation of Best Management Practices (BMPs) during construction activities would contribute to dust suppression. DCA initiated program-level coordination with NJDEP, including the Office of Permitting and Project Navigation (OPPN) on 08/21/2026, regarding applicable Clean Air Act requirements. Program-level coordination established the framework for future Tier 2 reviews and project-specific evaluations. NJDEP OPPN initially submitted a consultation response letter on 9/22/2026, and a revised consultation response letter was received from OPPN on 10/6/2026. The Air Bureau of Stationary Sources provided the following comments:<br>• Stationary construction equipment or emergency generators may require air |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | pollution permits if it is located on the site for longer than one year (N.J.A.C. 7:27-8.2(d)15).<br>• Any vehicles involved in the project must adhere to the idling standards (less than 3 minutes) in N.J.A.C. 7:27-14 and 15.<br>• Air pollution, including odors that are detectable offsite that are injurious to human health or would result in citizen complaints are prohibited (N.J.A.C. 7:27-5.2).<br>• Dust emissions, either windblown or generated from construction activities, should be controlled to prevent offsite impacts or material tracked onto the roadways (N.J.A.C. 7:27-5.2).<br>• An Air permit may be needed if a generator producing 37 KW or greater will be used for the project (N.J.A.C. 7:27-8.2(c )21).<br>See Figure **A3-3** for consultation with NJDEP for NAAQS and SIP compliance.<br><br><u>Conclusion:</u><br>DCA does not anticipate that project activities would have any significant impact on ozone, and the proposed action is not expected to exceed de minimis thresholds established under 40 CFR 93.153. Therefore, the proposed action is exempt from General Conformity requirements and is in compliance with the CAA. |
| **Coastal Zone Management**<br>Coastal Zone Management Act, sections 307(c) & (d) | Yes ☐ No ☒ | Coastal Zone Management Act (CZMA) compliance cannot be completed at the Tier 1 Broad-Level Review and will be addressed through the Site-Specific Review Strategy (**Appendix B**).<br><br>RREM 2.0 activities may include reconstruction, rehabilitation, elevation, mitigation, and related work at existing residential properties in Atlantic and Cape May Counties. Because project locations, conditions, and scopes are unknown, consistency with the New Jersey Coastal Management Program will be evaluated during Tier 2 review.<br><br>Compliance will be achieved through site-specific review, coastal resource screening, permit review, |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | coastal consistency evaluation, and agency coordination, as appropriate.<br><br>**Affected Environment**<br>Atlantic and Cape May Counties contain coastal resources within New Jersey's federally approved Coastal Management Program including shorelines, tidal waters, estuaries, beaches, dunes, barrier islands, wetlands, tidal marshes, coastal forests, waterfront communities, and related coastal environments.<br><br>Potential RREM 2.0 projects may occur within coastal zone management boundaries. Because project-specific details are not yet known, consistency with the New Jersey Coastal Management Program cannot be determined at Tier 1 and must be evaluated during Tier 2 review.<br><br>**Agency Coordination**<br>DCA initiated program-level coordination with NJDEP, including the Office of Permitting and Project Navigation (OPPN) on 08/21/2026, regarding coastal resources and applicable requirements. Program-level coordination established the framework for future Tier 2 reviews and project-specific evaluations. NJDEP OPPN initially submitted a consultation response letter on 9/22/2026. A revised consultation response letter was received from OPPN on 10/6/2026 Correspondence is included in **Attachment 4**.<br><br>**Tier 2 Site-Specific Review**<br>The New Jersey Coastal Management Program is implemented through the Coastal Zone Management Rules (N.J.A.C. 7:7), which govern the review of activities regulated under the Coastal Area Facility Review Act (CAFRA), Waterfront Development Law, Coastal Wetlands Act, and related coastal permitting programs.<br><br>Prior to commitment of HUD funding, each project site will be evaluated using applicable NJDEP Coastal Management Program mapping, regulations, and guidance, including:<br>• NJDEP Coastal Zone Management regulations and applicable guidance; |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | • NJDEP coastal resource mapping and screening resources, including:<br>  ○ Coastal Zone Management Program Boundaries;<br>  ○ Coastal Area Facility Review Act (CAFRA) jurisdictional boundaries;<br>  ○ Tidally Influenced Municipalities;<br>  ○ New Jersey Tidal Waterways;<br>  ○ Coastal Wetlands mapping;<br>  ○ Waterfront Development jurisdictional areas;<br>  ○ Tidelands Claims mapping; and<br>  ○ Other available coastal resource information.<br>• FEMA Flood Insurance Rate Maps (FIRMs);<br>• Site photographs;<br>• Aerial photography;<br>• Project-specific scopes of work;<br>• Evaluation of proposed activities subject to Coastal Area Facility Review Act (CAFRA), Waterfront Development, Coastal Wetlands, Tidelands, and other applicable Coastal Zone Management requirements and permitting authorities;<br>• Evaluation of potential exemptions, permits, tidelands requirements, and other applicable Coastal Zone Management authorizations;<br>• Reconstruction or new construction of a single-family home constructed before 1994, where the footprint of the existing home has not been expanded since that time, within the same footprint, or reconstruction relocating the footprint landward on the site, will be evaluated during Tier 2 review to determine whether a Coastal Permit by Certification may be available;<br>• Waterfront Development jurisdiction is not represented by a single statewide mapped layer. Consistent with NJDEP Coastal Zone Management regulations, applicability of Waterfront Development jurisdiction will be determined during Tier 2 review using available NJDEP mapping resources, tidal waterways, regulatory guidance, and the |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | NJDEP Upland Waterfront Development Area definitions and regional descriptions, as applicable.<br>• Other available federal, state, and local environmental resource information.<br>Site-specific reviews will also evaluate potential NJDEP Tidelands ownership claims, consistent with NJDEP Coastal Management Program guidance. Tidelands claims apply to lands currently or formerly flowed by the mean high tide of a natural waterbody. Atlantic and Cape May Counties contain mapped tidelands claim areas; therefore, Tidelands Claims mapping will be reviewed during Tier 2 environmental reviews to determine whether proposed activities are located within areas subject to State tidelands ownership or related NJDEP requirements.<br><br>Tier 2 reviews will determine whether a project is in a regulated coastal area, could affect coastal resources, or require CAFRA, Waterfront Development, Coastal Wetlands, Tidelands-related review, or other Coastal Zone Management permits or authorizations. Additional NJDEP coordination will be completed as needed, consistent with the program-level methodology provided to NJDEP.<br>**Projects Generally Consistent with Coastal Management Requirements**<br>Projects may be documented as consistent with applicable Coastal Zone Management requirements when:<br>• Activities are confined to existing developed residential lots and previously disturbed areas;<br>• Work does not adversely affect regulated coastal resources;<br>• No impacts to coastal wetlands, tidal waters, beaches, dunes, or other protected coastal resources are proposed;<br>• Required coastal permits, approvals, and authorizations have been obtained, as applicable; and<br>• Any required additional review for regulated coastal areas has been completed; |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | • The project complies with applicable federal, state, and local coastal management requirements.<br><br>**Projects Potentially Requiring Additional Coastal Review**<br>Projects may require additional review, permitting, or coordination when they involve:<br>• Shoreline stabilization;<br>• Bulkhead installation, replacement, or repair;<br>• Living shoreline projects;<br>• Work within coastal wetlands or tidal wetlands;<br>• Work adjacent to tidal waters;<br>• Dune disturbance or modification;<br>• Beach nourishment or beach modification;<br>• Fill placement;<br>• Dredging;<br>• Canal-front, bayside, beachfront, inlet-front, or waterfront properties where a pathway for impacts to coastal resources exists;<br>• Stormwater discharge modifications; or<br>• Activities requiring NJDEP coastal permits, approvals, or authorizations.<br><br>**Tier 2 Documentation Requirements**<br>Potential documentation to be included within the Tier 2 Environmental Review Record (ERR) includes:<br>• Coastal Zone Management mapping;<br>• FEMA floodplain mapping;<br>• Coastal wetlands mapping;<br>• Site photographs;<br>• Project location maps;<br>• Coastal consistency evaluations;<br>• NJDEP permits determinations;<br>• Coastal permits, approvals, or authorizations, where applicable;<br>• Agency correspondence; and<br>• Avoidance and minimization measures.<br><br>CZMA compliance cannot be completed at the Tier 1 because individual project locations and scopes are unknown. Compliance will be achieved through Tier |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | 2 site-specific review, coastal consistency evaluation, permit review, and agency coordination, as required. Broad-level compliance is anticipated through Tier 2 review procedures, NJDEP coastal mapping, and screening tools, applicable Coastal Zone Management requirements, and NJDEP consultation (as applicable). Site-specific reviews will identify required permits or authorizations before HUD funds or initiation of construction activities.<br><br>See Site-Specific Review Strategy and Checklist, **Appendix B**.<br>See correspondence with OPPN in **Attachment 4**. |
| **Contamination and Toxic Substances**<br>24 CFR Part 50.3(i) & 58.5(i)(2)] | Yes ☐ No ☒ | Because individual project locations have not yet been identified, compliance with Contamination and Toxic Substances requirements cannot be completed at the Tier 1 Broad-Level Review. Compliance will be achieved through the Site-Specific Review Strategy (**Appendix B**).<br><br>Under 24 CFR Part 58.5(i)(2), HUD requires that all property proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.<br><br>**<u>Hazardous Materials</u>**<br>DCA will review NEPAssist and NJDEP's GeoWeb platform for each project site. NEPAssist provides findings from EPA's Superfund List (CERCLIS), National Priorities List (NPL), Toxic Release Inventory, Brownfields, Air Facility Systems, and Hazardous Waste (RCRA) databases. NJDEP's GeoWeb provides Solid & Hazardous Waste Facility and Known Contaminated Site data pulled from state and federal sources, including NEPAssist. See **Figures A5-1** and **A5-2** for maps showing EPA-listed and State-listed toxic and contaminated sites at a county-wide level. Each site-specific review will provide a toxics and contamination site map showing the nearby toxic and contaminated sites in relation to the proposed project. See **Table A5-3** for hazardous facility search radii. Each site-specific review will also include a listing of potentially toxic and contamination sites/facilities within the review radius as well as |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | compliance information. See Site-Specific Review Strategy and Checklist, **Appendix B**. NJDEP OPPN initially submitted a consultation response letter on 9/22/2026. A revised consultation response letter was received from OPPN on 10/6/2026 including additional comments from the Contaminated Site Remediation & Redevelopment program (CSRR). Consistent with the DCA-NJDEP consultation framework, NJDEP CSRR will serve as the lead NJDEP program for consultation, compliance determinations, and technical review of identified contaminated sites under 24 CFR 58.5(i)(2). NJDEP will conduct the toxics review to identify areas of concern along with potential receptors and exposure pathways before submitting a final determination indicating the site outcome to DCA.<br><br>A site inspection would be conducted for each potential site. The site inspection would report any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property.<br><br>**<u>Asbestos, Lead Based Paint and Mold</u>**<br>HUD policy requires all occupied structures proposed for inclusion in HUD-funded programs be free of hazardous materials that could affect occupant health, including lead-based paint, asbestos-containing materials, and mold, at the completion of the project. All activities must comply with applicable federal, state and local laws and regulations regarding asbestos, lead-based paint and mold: National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145;<br>• National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150;<br>• HUD's lead-based paint regulations in 24 CFR Part 35 Subparts A, B, H, J, K and R.<br>• HUD's Interior air quality regulations in 24 CFR Part 982.401 Subpart H.<br>• NJAC 7:26-2.12—Generator requirements for disposal of asbestos containing waste materials; |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | • New Jersey Asbestos Control and Licensing Act, N.J.S.A. 34:5A-32 et seq.<br>**<u>Radon</u>**<br>HUD policy requires that residential structures assisted with HUD funding be free from hazardous levels of radioactive substances that could adversely affect occupant health. County-level radon data published by the Centers for Disease Control and Prevention indicate relatively low average indoor radon concentrations within the RREM 2.0 review area. Average radon concentrations reported between 2013 and 2022 ranged from approximately 0.8 to 1.4 pCi/L in Atlantic County and 0.3 to 1.4 pCi/L in Cape May County. The most recent reported values (2022) were 0.8 pCi/L in Atlantic County and 0.4 pCi/L in Cape May County, both substantially below EPA's recommended action level of 4.0 pCi/L.<br>All reconstruction and new construction activities funded under the program will comply with applicable New Jersey building code requirements, including radon-resistant construction requirements where applicable. Rehabilitation activities will comply with applicable HUD and state radon requirements.<br>Based on the low county-wide radon concentrations, the nature of the proposed activities, and compliance with applicable HUD and state requirements, no significant radon-related impacts are anticipated. Compliance with HUD radon requirements is achieved at the Tier 1 Broad-Level Review.<br><br>Mold can also have an adverse effect on human health and is a very common problem in houses that have been flooded. Mold should not be a problem in houses that are demolished and reconstructed, but could remain in rehabilitated housing if steps are not taken to eliminate mold during the rehabilitation. All residential structures funded under RREM 2.0 must be free of mold attributable to Superstorm Sandy.<br>See Site-Specific Review Strategy and Checklist, **Appendix B**.<br>See Contamination and Toxic Substances supporting documentation in **Attachment 5**. |
| **Endangered Species**<br>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 | Yes ☐ No ☒ | Compliance with the Endangered Species Act (ESA) will be achieved through the Site-Specific Review Strategy (**Appendix B**). |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | Future project activities funded under the RREM 2.0 Program will consist of reconstruction, rehabilitation, elevation, mitigation, and associated activities at existing residential properties throughout Atlantic and Cape May Counties. Since project-specific locations, environmental conditions, and scopes of work are currently unknown, project-specific effects determinations for federally listed species, designated critical habitat, and other NOAA Fisheries trust resources cannot be completed at the Tier 1 Broad-Level Review.<br><br>Atlantic and Cape May Counties contain coastal, freshwater, wetland, maritime forest, beach, dune, estuarine, and marine habitats that may support federally listed, proposed, and candidate species under the jurisdiction of USFWS and NOAA Fisheries.<br><br>**<u>United States Fish and Wildlife Service (USFWS)</u>**<br>The August 27, 2026 USFWS Information for Planning and Consultation (IPaC) Official Species List was reviewed to identify federally listed, proposed, and candidate species that may occur within Atlantic and Cape May Counties. The IPaC species list identified northern long-eared bat, tricolored bat, eastern black rail, piping plover, roseate tern, rufa red knot, bog turtle, monarch butterfly, American chaffseed, Knieskern's beaked-rush, seabeach amaranth, sensitive joint-vetch, and swamp pink. In addition, the review area overlaps proposed critical habitat designated for the rufa red knot. See **Figure A6-2**.<br><br>**Affected Environment**<br>Atlantic and Cape May Counties contain habitats suitable for federally listed, proposed, and candidate species, including coastal beaches, dunes, maritime forests, freshwater wetlands, tidal marshes, forested wetlands, streams, ponds, and associated habitats.<br><br>**Tier 2 Site-Specific Review**<br>Site-specific reviews will evaluate potential impacts to federally listed species, proposed critical habitat, migratory birds, bald and golden eagles, and other sensitive biological resources. Potential tree removal will be reviewed for compliance with applicable USFWS guidance, including seasonal tree-clearing |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | restrictions and other avoidance and minimization measures for federally protected bat species, where applicable.<br><br>For each Tier 2 review, the project location entered into IPaC shall encompass the project's action area, defined as all areas affected directly or indirectly by the proposed Federal action and not merely the immediate construction footprint. The action area shall be established based on the geographic extent of potential direct and indirect effects from the proposed activities.<br><br>Each federally listed or proposed species included on the official IPaC species list shall be evaluated using the current NJFO Project Screening Questions and/or an applicable IPaC determination key. If any species receives a "may affect" determination through the NJFO Project Screening Questions or an IPaC determination key, the project shall be submitted to the NJFO for individualized review before ESA consultation is considered complete. If all species receive a "No Effect" determination or receive a "May Affect, Not Likely to Adversely Affect" determination through an applicable IPaC determination key, no further consultation or coordination with USFWS is required unless re-evaluation is triggered.<br><br>Tree clearing may be required for certain projects. Each Tier 2 environmental review will identify whether tree clearing is proposed and whether federally protected bat species may occur within or adjacent to the project area. For projects involving tree clearing, DCA will implement the most current USFWS guidance for the protection of federally listed bat species.<br><br>Potential tree removal associated with reconstruction, rehabilitation, elevation, or mitigation activities will be evaluated during Tier 2 review. Where applicable, seasonal tree-clearing restrictions and other avoidance and minimization measures identified by USFWS will be implemented. Current USFWS guidance generally includes documenting whether tree clearing is proposed, identifying the species, size, and number of trees |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | proposed for removal, evaluating bat occurrence information, and applying seasonal tree-clearing restrictions where required. Additional coordination with USFWS may be necessary for projects occurring within areas supporting federally protected bat species.<br><br>Detailed review procedures, bat conservation measures, habitat screening methodologies, effects determination approaches, and consultation requirements are provided in the USFWS consultation correspondence and **Appendix B.**<br><br>**<u>National Marine Fisheries Service (NMFS)</u>**<br>**Affected Environment**<br>NMFS Section 7 mapping indicates that Atlantic and Cape May Counties overlap NOAA Fisheries consultation areas and habitats supporting federally protected marine species and Essential Fish Habitat (EFH). Resources identified within the review area include Atlantic sturgeon, shortnose sturgeon, sea turtles, North Atlantic right whale, fin whale, and associated marine and estuarine habitats. See **Figure A6-4.**<br><br>**Tier 2 Site-Specific Review**<br>Project-specific reviews will evaluate potential impacts to federally listed marine species, marine mammals, Essential Fish Habitat (EFH), and other NOAA Fisheries trust resources. In accordance with NOAA Fisheries correspondence, ESA Section 7 consultation and Essential Fish Habitat (EFH) consultation will be conducted during Tier 2 review, as applicable. ESA-listed species and EFH reviews will be evaluated independently because these authorities are administered through separate NOAA Fisheries review processes. NOAA Fisheries consultation resources and technical assistance guidance shall be used during project-specific reviews, as appropriate. Detailed review procedures and consultation requirements are provided in the NOAA Fisheries consultation correspondence and **Appendix B**.<br><br>**<u>New Jersey Department of Environmental Protection (NJDEP) Endangered and Nongame Species Program (ENSP)</u>** |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | **Affected Environment**<br>Atlantic and Cape May Counties contain a variety of habitats that support state-listed threatened and endangered species, including tidal wetlands, freshwater wetlands, maritime forests, beaches, dunes, grasslands, forested habitats, and associated ecological communities. Available NJDEP ENSP resources, including Landscape Project mapping and consultation guidance, will be used to support identification of state-listed species and sensitive habitats during project implementation.<br><br>**Tier 2 Site-Specific Review**<br>State-listed species and habitats will be evaluated during Tier 2 review using applicable NJDEP ENSP resources and guidance. Detailed review procedures, resource screening methodologies, and consultation requirements are provided in the NJDEP ENSP consultation correspondence and **Appendix B.**<br><br>Tier 2 review will use the current version of the NJDEP Landscape Project and applicable Natural Heritage Program information to screen for state-listed animal habitat and state-listed plant occurrences.<br><br>If state-listed animal habitat is mapped within the project area and a Division of Land Resource Protection (DLRP) permit is required, separate consultation with ENSP is generally not required because applicable wildlife mitigation will be addressed through the DLRP permitting process. The environmental review shall be conditioned on compliance with permit requirements and any associated mitigation measures identified through the DLRP permitting process.<br><br>If state-listed animal habitat is mapped within the project area and a DLRP permit is not required, DCA will document a No Effect determination based on site-specific information, including a site inspection where appropriate. If a clear No Effect determination cannot be supported, DCA will consult with ENSP regarding avoidance, minimization, or mitigation measures. |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | If Natural Heritage Program search results identify a state-listed plant within the project area, DCA will document a No Effect determination based on site-specific information, including a site inspection where appropriate. If a clear No Effect determination cannot be supported, DCA will consult with the Natural Heritage Program regarding avoidance, minimization, or mitigation measures.<br><br>On August 21, 2026, DCA submitted a consultation request to the U.S. Fish and Wildlife Service (USFWS) New Jersey Ecological Services Field Office regarding the proposed Tier 2 review methodology and biological resource evaluation process for the RREM 2.0 Program. On October 13, 2026, USFWS approved DCA's proposed tiered review methodology and provided procedures and resources for completing project-specific ESA reviews during Tier 2. Consultation correspondence and the agency's response are included in **Attachment 6.**<br><br>On August 21, 2026, DCA submitted a consultation request to NOAA Fisheries' Greater Atlantic Regional Fisheries Office regarding the proposed Tier 2 review methodology and biological resource evaluation process for the RREM 2.0 Program. The NOAA Fisheries provided a response on September 16, 2026, with tools and resources to assist with the site-specific environmental reviews of the proposed actions. Consultation correspondence and the agency's response are included in **Attachment 6.**<br><br>On August 21, 2026, DCA submitted a consultation request to the NJDEP (ENSPregarding the proposed Tier 2 review methodology and biological resource evaluation process for the RREM 2.0 Program. The NJDEP ENSP provided a response within an NJDEP OPPN letter dated September 22, 2026, with an updated letter dated October 6, 2026, with tools and resources to assist with the site-specific environmental reviews of the proposed actions. Consultation correspondence and the agency's response are included in **Attachment 6**.<br><br>Consistent with the consultation methodology described in the USFWS, NOAA Fisheries, and NJDEP ENSP correspondence, Tier 2 reviews will evaluate |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | project-specific effects to federally and state-listed species, designated critical habitat, and other sensitive biological resources. Where applicable, avoidance and minimization measures, agency recommendations, permit conditions, and any required federal, state, or local approvals identified through the Tier 2 review process will be implemented prior to and during project construction, as appropriate.<br><br>For state-listed species and habitats, applicable NJDEP permit conditions, mitigation measures, avoidance measures, and consultation recommendations identified through ENSP review, Natural Heritage Program review, or DLRP permitting shall be implemented, as applicable.<br><br>See Site-Specific Review Strategy and Checklist, **Appendix B**.<br>See Endangered Species supporting documentation and correspondence in **Attachment 6**. |
| **Explosive and Flammable Hazards**<br>24 CFR Part 51 Subpart C | Yes ☒ No ☐ | Compliance is achieved in the Tier I Broad-Level Review as detailed below.<br><br>Project activities that do not result in an increase in residential density (i.e., increasing the bedrooms in a home, adding rental units, new residential construction) do not require an evaluation of explosive and flammable hazards. The RREM 2.0 program is limited to reconstruction, rehabilitation, elevation, and mitigation on existing developed parcels. The proposed activities will not increase residential density and are therefore exempt from further analysis under 24 CFR Part 51 Subpart C.<br><br>See correspondence with the HUD Office of Environment and Energy in **Attachment 7**. |
| **Farmlands Protection**<br>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658 | Yes ☒ No ☐ | Compliance is achieved in the Tier I Broad-Level Review as detailed below.<br><br>Within Atlantic County and Cape May County, there is significant acreage of land considered “Important Farmland”. The Important Farmland designation includes prime farmland, farmland of local importance, farmland of statewide importance, farmland of statewide importance (if drained), and |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | farmland of unique importance. There are approximately 307,290 acres of Important Farmland within Atlantic County and approximately 140,990 acres of Important Farmland within Cape May County. See **Table A8-1** for acreage of Important Farmland designations within Atlantic and Cape May Counties.<br><br>However, project activities on previously disturbed ground are compliant with the Farmlands Protection Policy Act (FPPA). The RREM 2.0 program is limited to reconstruction, rehabilitation, elevation, and mitigation on existing developed parcels. The proposed activities will be contained within the applicant's pre-storm property and a change in land use will not occur. The proposed activities will not include new construction, acquisition of undeveloped land, conversion, or other activities that could potentially result in a change in land use. The proposed activities will not irreversibly convert farmland to a non-agricultural use and are therefore exempt from further analysis under the Farmland Protection Policy Act.<br><br>See Farmland Classification map in **Attachment 8**. |
| **Floodplain Management**<br>Executive Order 11988, particularly section 2(a); 24 CFR Part 55 | Yes ☐ No ☒ | Compliance with the Executive Order 11988 and 24 CFR Part 55 cannot be completed at the Tier 1 Broad-Level Review.<br><br>Atlantic County contains approximately 57,900 acres of FEMA-designated 100-year floodplain and 2,440 acres within the 500-year floodplain. Cape May County contains approximately 68,310 acres of FEMA-designated 100-year floodplain and 8,220 acres within the 500-year floodplain (see **Table A9-1**). Future project activities funded under the RREM 2.0 program will consist of reconstruction, rehabilitation, elevation, mitigation, and associated activities at existing residential properties throughout Atlantic and Cape May Counties and may be located within the floodplain. Since project-specific locations are currently unknown, consistency with HUD's floodplain management requirements cannot be evaluated until Tier 2 review.<br><br>DCA has determined that project activities associated with RREM 2.0 may be located in or affect the floodplain. Therefore, completion of the 8-step |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | floodplain decision-making process as per 24 CFR 55.20 was required. An Early Notice and Public Review of a Proposed Activity in a Floodplain and Wetland was published in English and Spanish on the DCA website on August 14, 2026. Public comments were accepted through August 30, 2026. No comments were received in response to the Step 2 Early Notice. The 8-step floodplain decision-making process concluded that there is no practicable alternative to implementing the proposed activities within the floodplain in Atlantic and Cape May Counties. Step 7 is the publication of a final floodplain notice, which will be combined with the Notice of Finding of No Significant Impact and the Notice of Intent to Request Release of Funds. The final public notice will be published in accordance with 24 CFR Part 55 for a 15-day public comment period. All comments received during the comment period will be addressed prior to funds being committed to the proposed project. The 8-step process is provided in **Attachment 9**.<br><br>The following mitigation measures will be implemented as part of RREM 2.0 to minimize threat to property, minimize losses from flooding, and benefit the natural and beneficial functions and intrinsic values of the floodplain:<br>• With the exception of historic structures (as defined in 44 CFR 59.1), all proposed reconstruction, substantial improvements (as defined in 44 CFR 59.1), and elevation activities in the 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). Elevation requirements would be determined using the Floodplain of Concern elevation according to the best available mapping data from FEMA and NJDEP.<br>• The elevation of historic structures would be considered on a case-by-case basis.<br>• Structures and insurable property in, or partially in, the 100-year floodplain (or SFHA) shown on the effective FEMA Flood Insurance Rate Map (FIRM), must be covered by flood insurance and the flood |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | insurance must be maintained when ownership transfers [24 CFR 58.6(a)(1)].<br>• In the case of "Coastal High Hazard" areas, a registered professional engineer is to either develop, review or approve, per the associated location, specific Applicant elevation plans that demonstrate the design meets the current standards for Coastal High Hazard zones in FEMA regulation 44 CFR Part 60.3(e) as required by HUD Regulation 24 CFR Part 55.1 (c)(3).<br><br>Compliance will be achieved through site-specific review, floodplain mapping, and review of individual project scopes as required.<br><br>See Site-Specific Review Strategy and Checklist, **Appendix B.**<br><br>See floodplain map, 8-step floodplain decision-making process, and Early Floodplain Notice documentation in **Attachment 9**. |
| **Historic Preservation**<br>National Historic Preservation Act of 1966, particularly sections 106 (54 U.S.C. 306108) and 110 (54 U.S.C. 306101); 36 CFR Part 800 | Yes ☐ No ☒ | Compliance will be achieved during the site-specific review.<br>Because specific project locations are unknown at the Tier 1 stage and actions for activities necessary to restore storm-damaged homes, including rehabilitation, reconstruction, elevation and/or other mitigation activities have the potential to adversely affect historic properties, DCA is using a tiered environmental review and NHPA Section 106 compliance process consisting of a broad program-level Tier 1 review followed by site-specific Tier 2 reviews for individual properties. This approach is consistent with the prior DCA disaster recovery consultation framework and the *Programmatic Agreement among the New Jersey Department of Community Affairs, the New Jersey State Historic Preservation Officer, the Advisory Council on Historic Preservation, the Absentee Shawnee Tribe of Indians of Oklahoma, the Delaware Nation, the Delaware Tribe of Indians, the Shawnee Tribe, and the Stockbridge-Munsee Community Regarding Disaster Recovery Activities in New Jersey* [Programmatic Agreement (PA)]. Once individual project sites are identified, DCA will conduct a review of the proposed activities for each site following the processes |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | outlined within the PA. DCA is pursuing an amendment and extension of the current PA. If the execution of the PA amendment is successful, DCA will follow the processes outlined within the amended agreement. The PA sets forth the procedures for:<br>• Evaluating whether the funded activity has the potential to affect a historic property, regardless of if any are known to exist at the project site;<br>• If activities may have an effect, providing the process for determining whether the property is listed on or eligible for listing on the NRHP;<br>• If the property is listed on or eligible for listing on the NRHP or within a historic district, assessing potential effects of the proposed activities on the characteristics that qualify it for listing on the NRHP or that may contribute to the historic district; and<br>• If effects would be adverse, providing measures to mitigate the effect.<br>Per the PA, the NJ HPO, the National Park Service, the New Jersey Historic Trust, and Certified Local Governments within Atlantic and Cape May Counties, as well as Tribal leaders and Tribal Historic Preservation Officers of the Tribes that have identified areas of interest within the counties (Delaware Nation, Delaware Tribe of Indians, and Stockbridge-Munsee Community) were sent letters describing the proposed Tier 1 and Tier 2 approach on August 20, 2026. The letters requested their review and comment on the proposed approach. On September 1, 2026, the Stockbridge-Munsee Community responded that they had sent the draft amended PA to their legal department for review. They also provided a link to an online map showing their areas of interest. On September 9, 2026, NJ HPO concurred with the proposed approach. NJ HPO Project No. 26-1863-1 and 26-1863-2 will be referenced in any future consultation, correspondence, submissions, or coordination associated with this undertaking. On September 15, 2026, the National Park Service (NPS) requested an extension of the 30-day comment period until Monday, September 28, 2026, and DRM granted the extension on September 16, 2026. On September 29, 2026, NPS responded with a recommendation that the NPS National Historic Landmarks Program office |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | should be contacted if any National Historic Landmarks (NHL) are identified within the Area of Potential Effects (APE) after project locations are confirmed. NPS also offered a couple of online resources for use when researching project locations. On September 24, 2026, the Delaware Nation responded indicating they would like to be a consulting party and requested additional details about potential impacts. They also requested an opportunity to be added to the Programmatic Agreement. On September 28, 2026, the Delaware Nation confirmed their request to be a consulting party, to be included in the PA, and to implement their inadvertent discovery plan in response to the additional information DCA provided after their September 24th email. See **Attachment 10** for the consultation letters and correspondence.<br>See the Site-Specific Review Strategy and Checklist in **Appendix B**.<br>See Programmatic Agreement in **Appendix E**. |
| **Noise Abatement and Control**<br>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B | Yes ☒ No ☐ | Compliance is achieved in the Tier I Broad-Level Review as detailed below.<br><br>HUD has determined that 24 CFR Part 51 Subpart B is not applicable to disaster recovery programs provided that the disaster assistance is provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster. Therefore, project activities that do not increase residential density and involve rehabilitation or reconstruction on the same parcel of land do not require additional review. The RREM 2.0 program is limited to reconstruction, rehabilitation, elevation, and mitigation on existing developed parcels. Therefore, the proposed activities are exempt from further analysis under the Noise Control Act.<br><br>See correspondence with the HUD Office of Environment and Energy in **Attachment 11**. |
| **Sole Source Aquifers**<br>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149 | Yes ☒ No ☐ | Compliance is achieved in the Tier I Broad-Level Review as detailed below.<br><br>Nearly the entire land area of Atlantic and Cape May Counties is located within the New Jersey Coastal Plain Sole Source Aquifer System. However, a |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | Memorandum of Understanding (MOU) between EPA Region II and HUD Region II states that two types of project activities would not create a significant hazard to public health and do not require review for potential impact to sole source aquifers:<br>• Construction of individual new residential structures from one to four units.<br>• Rehabilitation of residential units.<br><br>The proposed action will provide grant funding to eligible single-family homeowners (1-4 residential units) for activities necessary to restore their storm-damaged primary residences, including reconstruction, rehabilitation, elevation, and other mitigation activities within the disturbed area of the previously developed parcel. Therefore, all eligible project activities under the RREM 2.0 program are compliant with the Safe Drinking Water Act of 1974 and are excluded from further review, as per the HUD-EPA Region II MOU.<br><br>See Sole Source Aquifers map and HUD-EPA Region II MOU in **Attachment 12**. |
| **Wetlands Protection**<br>Executive Order 11990, particularly sections 2 and 5 | Yes ☐ No ☒ | Because individual project locations have not yet been identified, compliance with the Executive Order 11990 cannot be completed at the Tier 1 Broad-Level Review.<br><br>Atlantic County contains approximately 136,470 acres of wetlands. Cape May County contains approximately 85,230 acres of wetlands (see **Table A13-1**). Future project activities funded under the RREM 2.0 Program will consist of reconstruction, rehabilitation, elevation, mitigation, and associated activities at existing residential properties throughout Atlantic and Cape May Counties and may be located in or otherwise affect wetlands. Since project-specific locations are currently unknown, consistency with HUD's wetland protection requirements cannot be evaluated until Tier 2 review.<br><br>DCA has determined that project activities associated with RREM 2.0 may be located in or affect wetlands. Therefore, completion of the 8-step decision-making process as per 24 CFR 55.20 was required. An Early Notice and Public Review of a Proposed Activity in a |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | Floodplain and Wetland was published in English and Spanish on the DCA website on August 14, 2026. Public comments were accepted through August 30, 2026. No comments were received in response to the Step 2 Early Notice. The 8-step decision-making process concluded that there is no practicable alternative to implementing the proposed activities within wetlands in Atlantic and Cape May Counties. Step 7 is the publication of a final notice, which will be combined with the Notice of Finding of No Significant Impact and the Notice of Intent to Request Release of Funds. The final public notice will be published in accordance with 24 CFR Part 55 for a 15-day public comment period. All comments received during the comment period will be addressed prior to funds being committed to the proposed project. The 8-step process is provided in **Attachment 9**.<br><br>Project activities would involve rehabilitation, reconstruction, elevation, and/or other mitigation activities of single-family (one to four units) properties on previously disturbed parcels. Though wetland impacts are not considered likely, BMPs for erosion and sedimentation control would be implemented as part of RREM 2.0. The following mitigation measures will be implemented as part of RREM 2.0 to minimize potential impacts to wetlands and benefit the natural and beneficial functions and intrinsic values of the wetland:<br>• Wetlands on or in the vicinity of the project site are to be protected from any unnecessary construction activities or disturbance.<br>• Vegetation and exposed soil are to be reestablished as soon as possible after work has been completed.<br>• Existing drain inlets are to be protected from debris, soil, and sedimentation.<br>• No heavy equipment is to be operated within wetlands.<br><br>Compliance will be achieved through site-specific review, wetland mapping, and review of individual project scopes as required. During each Tier 2 review, a trained wetland professional will evaluate available wetlands mapping, site-specific |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | photographs, the proposed limits of disturbance, and other relevant site information. A site inspection will be conducted when necessary to determine whether freshwater wetlands, freshwater wetland transition areas, coastal wetlands, or other aquatic resources may be affected by the proposed action.<br><br>Where confirmation of freshwater wetland and freshwater wetland transition area boundaries is necessary, a Letter of Interpretation from NJDEP Division of Land Resource Protection may be required to verify resource locations and applicable regulatory requirements. If the proposed work will affect freshwater wetlands or transition areas, practicable alternatives that avoid or minimize impacts must be evaluated. Where disturbance cannot be avoided, all required NJDEP permits and authorizations must be obtained before construction.<br><br>Tier 2 review will determine whether proposed work is located waterward of the mapped 1970 Coastal Wetlands line. Activities subject to the Wetlands Act of 1970 and Coastal Zone Management Rules must obtain the required NJDEP authorization before construction.<br><br>See Site-Specific Review Strategy and Checklist, **Appendix B**.<br><br>See wetland map in **Attachment 13**. |
| **Wild and Scenic Rivers**<br>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c) | Yes ☐ No ☒ | Because individual project locations have not yet been identified and Wild and Scenic Rivers and rivers listed on the Nationwide Rivers Inventory exist within Atlantic and Cape May Counties, compliance with the Wild and Scenic Rivers Act of 1968 cannot be completed at the Tier 1 Broad-Level Review.<br><br>HUD-assisted activities are subject to the requirements of the Wild and Scenic Rivers Act and therefore, the environmental review must evaluate the potential to impact any listed components or potential components of the National Wild and Scenic Rivers System (NWSRS) when the assisted project is within proximity to a listed natural resource. Wild and Scenic Rivers within Atlantic and Cape May Counties include the Maurice Wild and |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | Scenic River and the Great Egg Harbor Wild and Scenic River. There are also a number of rivers listed on the Nationwide Rivers Inventory within Atlantic and Cape May Counties.<br><br>If a project is located near a designated or eligible component of the NWSRS, and the proposed activities qualify as a water resources project that could affect the river's free-flowing condition, consultation with the appropriate federal, state, local, and/or Tribal managing agency is required pursuant to Section 7 of the Wild and Scenic Rivers Act. The consultation will determine whether the project may adversely affect a designated or eligible NWSRS component and identify any necessary avoidance, minimization, or mitigation measures.<br><br>Compliance will be achieved through site-specific review, mapping, and review of individual project scopes as required.<br><br>See Site-Specific Review Strategy and Checklist, **Appendix B**.<br><br>See NWSRS maps in **Attachment 14**. |
| **Essential Fish Habitat**<br>**Magnuson-Stevens Fishery Conservation and Management Act** | Yes ☐ No ☒ | Compliance with the Essential Fish Habitat Magnuson-Stevens Fishery Conservation and Management Act will be achieved through the Site-Specific Review Strategy (**Appendix B**).<br><br>Future project activities funded under the RREM 2.0 Program will consist of reconstruction, rehabilitation, elevation, mitigation, and associated activities at existing residential properties throughout Atlantic and Cape May Counties. Since project-specific locations, environmental conditions, and scopes of work are currently unknown, project-specific effects determinations for federally listed species, designated critical habitat, Essential Fish Habitat (EFH), and other NOAA Fisheries trust resources cannot be completed at the Tier 1 Broad-Level Review.<br><br>The Magnuson-Stevens Fishery Conservation and Management Act applies to ocean fish, including ocean fish that spawn in fresh water or in estuaries (anadromous fish). The act requires protection of |

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| | | essential fish habitat, which is defined as habitat fish need for spawning, breeding, feeding, or growth to maturity.<br><br>**Affected Environment**<br>Atlantic and Cape May Counties contain marine, estuarine, tidal, wetland, and aquatic habitats that support federally managed fisheries and Essential Fish Habitat (EFH). See **Figure A6-5.**<br><br>**Tier 2 Site-Specific Review**<br>Potential impacts to Essential Fish Habitat (EFH) will be evaluated during Tier 2 review. Project-specific reviews will evaluate the potential for impacts to tidal waters, estuarine habitats, coastal wetlands, and other aquatic resources that support federally managed fisheries. Additional coordination with NOAA Fisheries may be required where a pathway for impacts to EFH exists.<br><br>On August 21, 2026, DCA submitted a consultation request to NOAA Fisheries Greater Atlantic Regional Fisheries Office regarding Essential Fish Habitat (EFH) resources that may occur within the review area and the proposed Tier 2 review methodology for the RREM 2.0 Program. The consultation package included the proposed EFH screening methodology and project-specific review procedures that will be used during Tier 2 review. The NOAA Fisheries provided a response on September 16, 2026, with tools and resources to assist with the site-specific environmental reviews of the proposed actions. Consultation correspondence and agency responses are included in **Attachment 6**.<br><br>Consistent with the consultation methodology described in the NOAA Fisheries correspondence, Tier 2 reviews will evaluate project-specific effects to Essential Fish Habitat (EFH), NOAA Fisheries-managed species, designated critical habitat, and other NOAA Fisheries trust resources. Where applicable, avoidance and minimization measures, agency recommendations, permit conditions, and any required federal, state, or local approvals identified through the Tier 2 review process will be implemented prior to and during project construction, as appropriate. |

| | | |
|---|---|---|
| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | **If Yes:** Describe compliance determinations made at the broad level.<br>**If No:** Describe the policy, standard, or process to be followed in the site-specific review. |
| | | Detailed review procedures and consultation requirements are provided in the NOAA Fisheries consultation correspondence and **Appendix B**. |

# Environmental Assessment Factors

[24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes**: Use an impact code from the following list to make the determination of impact for each factor.

**(1)** Minor beneficial impact

**(2)** No impact anticipated

**(3)** Minor Adverse Impact – May require mitigation

**(4)** Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|---|---|---|
| **LAND DEVELOPMENT** | | |
| Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design | 1 | Project activities would include the restoration of storm-damaged homes, including rehabilitation, reconstruction, elevation, and/or other mitigation activities. These mitigation activities include, but are not limited to, structural and utility retrofits to make the building more resistant to floods, grading and slope stabilization, and drainage improvements, which would make the structures compliant with local plans and ordinances.<br>Rehabilitation, reconstruction, and new construction activities would all take place in residentially zoned areas and there would be no changes to land use. There would also be no increase in urban density as a result of project activities, as the projects would enable pre-storm residents to remain in their county. |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|---|---|---|
| | | All construction related to project activities would conform to all local and state regulations governing scale and urban design, and there would be no negative impacts. |
| Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff | 3 | Project activities would be on existing residential lots where slope concerns were addressed during construction. The project parcels have already been assessed for suitability, and they are therefore expected to have suitable slope, erosion, drainage, and stormwater runoff. Construction activities would either avoid sites with slope, erosion, drainage, and storm water runoff issues or provide suitable mitigation as part of local and county requirements. The construction contractor would enact BMPs to prevent any storm water runoff during construction activities. If project activities will disturb more than one acre of land, the applicant shall determine whether coverage under the NJPDES Construction Activity Stormwater General Permit (5G3) is required and shall obtain all required approvals prior to commencement of land-disturbing activities. |
| Hazards and Nuisances including Site Safety and Noise | 3 | Projects would be evaluated during the site-specific review process.<br>The proposed activities would cause temporary increases in noise levels during construction. All construction activities would comply with local and county ordinances for noise. These impacts would be minor and temporary, and with BMPs and local ordinances in place would not be expected to result in significant adverse impacts.<br>Site safety would be evaluated during the site-specific review process, and similar to noise, would require BMPs to comply with local and county ordinances governing construction sites, site safety, and site access. Significant adverse impacts are therefore not expected. |
| Energy Consumption | 2 | Construction activities would include standard tools and equipment for residential construction. Because the homes would be rehabilitated or reconstructed in existing residential areas that include all necessary infrastructure, it is expected that the energy demands from construction and operation of the project sites would be commensurate with pre-storm levels. No impacts are anticipated as a result. |
| **SOCIOECONOMIC** | | |
| Employment and Income Patterns | 1 | The proposed project would help restore the previous employment and income patterns of the affected neighborhoods by assisting displaced residents in returning to their homes. The proposed project will provide a temporary boost to the construction industry and may temporarily increase employment. |
| Demographic Character Changes, Displacement | 1 | The proposed project would help restore the previous demographic character of the affected neighborhoods by assisting homeowners n returning to their homes and neighborhoods. The proposed project would not displace any residents. The project would allow residents displaced by Superstorm Sandy to return to their homes. |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|---|---|---|
| **COMMUNITY FACILITIES AND SERVICES** | | |
| Educational and Cultural Facilities | 1 | The proposed project would help people return to their homes and would therefore tend to restore local school-age populations to pre-storm levels. The project would also have no effect on cultural facilities. |
| Commercial Facilities | 1 | The proposed project would tend to restore the demand for commercial services in the affected neighborhoods to pre-storm levels. Minor short-term benefits would occur as a result of construction activities. |
| Health Care and Social Services | 2 | The proposed project would not expand the housing stock or the number of residents relative to conditions prior to Superstorm Sandy, and would therefore not increase demand on health care relative to pre-storm conditions.<br>The proposed project would help people return to their homes, and would therefore tend to restore the demand on social services to pre-storm levels. |
| Solid Waste Disposal / Recycling | 3 | The proposed project would result in generation of substantial quantities of remodeling, demolition and construction waste. All solid waste generated in Atlantic County, including solid waste type 13C (Construction and Demolition Debris) must be disposed of at an Atlantic County Utilities Authority transfer facility or recycled at an NJDEP site from their list of Approved Class B Recycling Facilities. All solid waste generated from within Cape May County must be disposed of with the Cape May County Municipal Utility Authority, recycled at an NJDEP site from their list of Approved Class B Recycling Facilities, or disposed out of state. |
| Waste Water / Sanitary Sewers | 2 | Project activities would not result in an increase in population and therefore would not impact wastewater and sanitary sewers. Applicants and program contractors will follow all applicable regulations, permits and BMPs to minimize any potential impacts (See Conditions for Approval). |
| Water Supply | 2 | Project activities would not result in an increase in population and therefore would not impact water supply. |
| Public Safety - Police, Fire and Emergency Medical | 2 | Project activities would not result in an increase in population and therefore would not increase demand for police, fire and/or emergency medical services. |
| Parks, Open Space and Recreation | 2 | The proposed project of reconstruction, rehabilitation, elevation and/or mitigation activities for housing structures which are zoned as residential would have no impact on parks, open space and/or recreation. |
| Transportation and Accessibility | 2 | While there may be increases in construction traffic, this increase would be minor and temporary and would not result in impacts to transportation and accessibility due to the proposed project. |
| **NATURAL FEATURES** | | |
| Unique Natural Features,<br>Water Resources | 3 | Unique natural features are primarily geological features that are rare or of special social/cultural, economic, educational, aesthetic, or scientific value. HUD considers development on or near natural features to have the ability to render those features inaccessible to |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|---|---|---|
| | | investigators or visitors, degrade their value, or otherwise limit potential future use and appreciation of those resources. Project activities would involve the rehabilitation or reconstruction of residential structures on previously disturbed residential land, on a scale similar to pre-storm development. Each project site has been evaluated for its potential to impact the surrounding environment and, where necessary, mitigation measures and BMPs have been placed to reduce, avoid, or minimize potential impacts. With this analysis and required mitigation/BMP measures in place, no impacts are anticipated. |
| Vegetation, Wildlife | 2 | The activities associated with the proposed project are not expected to generate long-term adverse impacts on vegetation or wildlife. The proposed project would result in the reconstruction, rehabilitation, elevation and mitigation of residences. Activities would be limited to the disturbed area of the previously developed parcel. Therefore, any impacts to vegetation and wildlife are expected to be the same or less than pre-storm impacts. |
| **ENERGY** | | |
| Energy Efficiency | 2 | The project activities would rehabilitate and reconstruct storm damaged homes in previously developed residential areas with associated energy and water infrastructure. Therefore, there is no expected increase in demand on local infrastructure as a result of project activities. |

**Additional Studies Performed:**

No additional studies were required for the Tier 1 Broad Review. Additional studies may be required in subsequent Tier 2 site-specific reviews.

**Field Inspection (Date and completed by):**

A field inspection was not needed for Tier 1 Broad Review. Field inspections will be completed for each Tier 2 site-specific review.

**Agencies/Regulations Consulted During the Broad Review [40 CFR 1508.9(b)]:**

U.S. Census. 2025. Available at: https://www.census.gov/quickfacts/fact/table/capemaycountynewjersey,atlanticcountynewjersey/PST045225. Accessed: August 2026.

New Jersey State Legislature Bill S4812, Available at: https://www.njleg.state.nj.us/bill-search/2024/S4812. Accessed: August 2026

HUD. HUD Exchange: Environmental Assessment. Available at: https://www.hudexchange.info/programs/environmental-review/environmental-assessment/. Accessed: August 2026.

HUD. HUD Exchange: Related Federal Laws and Authorities. Available at: https://www.hudexchange.info/programs/environmental-review/federal-related-laws-and-authorities/

Accessed: August 2026.

USGS. National Land Cover Database (NLCD). 2022. Available at: https://www.usgs.gov/centers/eros/science/national-land-cover-database
Accessed: August 2026.

Additional sources and agencies consulted are located within **Attachments 1-16**.

**List of Permits Obtained:**

All required and necessary permits will be specified within the Tier 2 site-specific environmental reviews.

**Public Outreach [24 CFR 50.23 & 58.43]:**

An early notice (Early Notice and Public Review of a Proposed Activity in a Floodplain and Wetland) was posted on the DCA website on August 14, 2026, which provided the public a notification and request for comments of the proposed action. No comments were received during the public comment period, and the early notice and affidavit of publication are provided within **Attachment 9**. The Tier 1 Broad Review and the concurrent final notice (Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds for Tiered Projects and Programs, and Final Notice and Public Explanation of a Proposed Activity in a Floodplain and Wetland) will be posted to the DCA website to provide the public an opportunity to review and provide comments on the Tier 1 EA and the proposed action.

## Cumulative Impact Analysis

[24 CFR 58.32]**:**

The proposed programs would not contribute to the adverse cumulative impacts on environmental resources. The proposed RREM 2.0 program would involve the rehabilitation, reconstruction, elevation and/or other mitigation measures of storm-damaged residences. Thus, the proposed program would improve the resiliency of Atlantic County and Cape May County residents which will have a cumulative benefit to the region.

The large number of properties involved creates the potential for cumulative impacts. The proposed activities may have minor and temporary environmental impacts during the construction phase. Potential impacts will be mitigated through the mitigation measures and conditions described below, as well as any identified during the site-specific analysis. If mitigation is not possible, then the proposed activities on the site would not be eligible for funding consideration. Furthermore, the proposed programs would have the long-term benefit of providing safe, affordable and resilient housing to Atlantic County and Cape May County residents.

## Alternatives

[24 CFR 58.40(e); 40 CFR 1508.9]:

RREM 2.0 would provide grants and forgivable loans to eligible owners of single-family (one to four units) homes for activities necessary to restore their storm-damaged properties. The proposed program would assist property owners in achieving safe and code-compliant housing that meets minimum property standards through rehabilitation, reconstruction, elevation, and/or other mitigation activities. No other alternatives were considered, as they would not serve to help the property owner rebuild and rebuild in such a way as to better withstand the next major storm event.

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

Under the No Action Alternative, property owners would not receive financial assistance as part of the RREM 2.0 program to rehabilitate, reconstruct, elevate, or otherwise mitigate their homes to better withstand the next storm event. As a result, their properties would be more vulnerable to future flooding conditions. Thus, the No Action Alternative was not determined to be a practicable alternative because it would not address the State's need for safe, decent, and affordable housing and would not address the purpose and need of the project.

# Summary of Findings and Conclusions

Based upon completion of this Broad Review environmental assessment, environmental review of the RREM 2.0 Program indicates that there will be no significant impact changes to existing environmental conditions across the impact categories, with the possible exception of the subject areas listed below.

- Airport Hazards
- Flood Insurance
- Coastal Zone Management
- Contamination and Toxic Substances
- Endangered Species
- Floodplain Management
- Historic Preservation
- Wetlands Protection
- Wild and Scenic Rivers
- Essential Fish Habitat Magnuson-Stevens Fishery Conservation and Management Act

The above subject areas require site-specific analysis before it can be concluded that the proposed project activities would have no significant environmental impacts on an individual site. The Tier 2 Site-Specific Review Form can be found in **Appendix B**. The Tier 2 must be completed prior to the proposed activities occurring on a particular site.

# Mitigation Measures and Conditions [40 CFR 1505.2(c)]

This section presents mitigation measures adopted by the DCA to reduce, avoid, or eliminate adverse environmental impacts and to avoid noncompliance or nonconformance with the above-listed authorities and factors. These general measures/conditions, along with site-specific conditions identified during implementation of the site-specific strategy (**Appendix B**), will be incorporated by DCA into project contracts, development agreements, and other relevant documents.

**GENERAL ENVIRONMENTAL GRANT CONDITIONS**

1. Acquire all required federal, state, and local permits prior to construction and comply with all permit conditions.

2. If the proposed project will disturb more than one acre of land, the applicant shall determine whether coverage under the NJPDES Construction Activity Stormwater General Permit (5G3) is required and shall obtain all required coverage and approvals prior to commencement of land-disturbing activities.

3. Must meet Green Building Standards as defined by one or more of the following categories: ENERGY STAR; EPA Indoor AirPlus; Leadership and Energy in Environmental Design (LEED); and/or ICC-700 National Green Building Standards.

4. If the scope of work of a proposed activity changes, the application for funding must be revised and resubmitted for reevaluation under NEPA.

**Historic Preservation**

5. All activities must comply with Section 106 of the National Historic Preservation Act per the implementing regulations 36 CFR Part 800. Compliance with Section 106 is achieved through the procedures set forth in the *Programmatic Agreement among the New Jersey Department of Community Affairs, the New Jersey State Historic Preservation Officer, the Advisory Council on Historic Preservation, the Absentee Shawnee Tribe of Indians of Oklahoma, the Delaware Nation, the Delaware Tribe of Indians, the Shawnee Tribe, and the Stockbridge-Munsee Community Regarding Disaster Recovery Activities in New Jersey*.

6. If project activities uncover archaeological deposits, including any Native American pottery, stone tools, bones, or human remains, the project shall be halted, and the applicant shall immediately stop work in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The applicant will inform DCA and DCA will consult with the State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) and Tribes. Work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act.

**Endangered Species and NOAA Fisheries Resources**

7. Prior to construction, all avoidance and minimization measures, agency recommendations, permit conditions, and applicable federal, state, and local approvals identified during Tier 2 review for federally and state-listed species, designated critical habitat, NOAA Fisheries-managed species, and other protected biological resources shall be implemented, as appropriate. Projects shall comply with all applicable Endangered Species Act consultation requirements and any required agency coordination identified through the Tier 2 review process.
8. Projects shall be re-evaluated if the project scope, timing, duration, or location changes; new information reveals that the project may affect federally listed species or designated critical habitat; a new species is listed or new critical habitat is designated; EFH designations are updated; or additional pathways for impacts are identified prior to completion of project activities.
9. For projects involving state-listed species or habitats identified through NJDEP Landscape Project mapping or Natural Heritage Program results, all avoidance, minimization, mitigation measures, permit requirements, and consultation recommendations identified through ENSP, Natural Heritage Program review, or DLRP permitting shall be implemented prior to and during construction, as applicable.

**Migratory Species**

10. If project activities involve clearing or disturbance of potential migratory bird habitat will occur within 50 feet of the construction site between March 15 and September 15, then a nest survey must be undertaken by a qualified biologist. If nests are identified, then a minimum 50-foot buffer from the work area is required until the nest is no longer active. If an active migratory bird nest is incidentally disturbed during clearing, then the contractor shall collect and immediately transport the eggs to a wildlife rehabilitator. The New Jersey Department of Community Affairs shall be notified of this action by the contractor, so the activity is noted in the ERR.

**Floodplain Management and Flood Insurance**

11. All proposed reconstruction, substantial improvements (as defined in 44 CFR 59.1), and elevation activities in the Floodplain of Concern must adhere to the most recent elevation requirements in accordance with the Flood Hazard Area Control Act rules (N.J.A.C. 7:13). Flood elevations would be determined using the Floodplain of Concern elevation, based on the higher of the Advisory Based Flood Elevation (BFE), the effective BFE, or the design flood elevation shown on NJDEP flood maps, and would be consistent with state and federal requirements. Mixed-use structures with no dwelling units and no residents below the Floodplain of Concern elevation must be elevated or floodproofed in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or a successor standard to an elevation determined using the Floodplain of Concern elevation.
12. Structures and insurable property in, or partially in, the 100-year floodplain shown on the effective FEMA Flood Insurance Rate Map (FIRM), must be covered by flood insurance and the flood insurance must be maintained when ownership transfers [24 CFR 58.6(a)(1)].

13. 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)].

14. Applications approved to build within the “Coastal High Hazard” areas (V or VE Zones shown on the current effective FEMA FIRM) must adhere to construction standards, methods, and techniques requiring a registered professional engineer to either develop, review, or approve specific Applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 CFR 60.3(e) as required by HUD Regulation 24 CFR 55.1(c)(3).

15. All activities proposed within a Special Flood Hazard Area must be reviewed and approved by the applicable NFIP-participating municipality. As required under 44 CFR 60.3 and each community’s flood damage prevention ordinance, local floodplain administrators are responsible for determining compliance with NFIP and any applicable higher standards and issuing local floodplain development permits. Therefore, any project actions identified must be coordinated with the appropriate municipal officials to ensure that all NFIP and local ordinance requirements are met and any required local floodplain development permits are obtained prior to implementation.

16. Reconstruction of an existing structure shall not extend into a mapped regulatory floodway. Where an existing structure is located within a regulatory floodway, any modification of the

footprint must be evaluated for compliance with applicable NJDEP Flood Hazard Area Control Act requirements and any required approvals must be obtained prior to implementation.

17. Encroachment into regulated riparian zones will be avoided or minimized to the maximum extent practicable. Where encroachment cannot be avoided, proposed disturbance shall not exceed applicable regulatory limits, and all required NJDEP authorizations shall be obtained before construction.

**Wetlands Protection and Water Quality**

18. Implement and maintain erosion and sedimentation control measures to prevent deposition of sediment and eroded soil in on-site and off-site wetlands and waters and to prevent erosion in onsite and off-site wetlands and waters.
19. Minimize soil compaction by minimizing project ground disturbing activities in vegetated areas, including lawns.
20. Where project activities will disturb more than one acre of land, evaluate the need for coverage under the NJPDES Construction Activity Stormwater General Permit (5G3) and obtain all required permits or approvals prior to commencement of land-disturbing activities.

**Noise Quality**

21. Outfit all heavy equipment with operating mufflers.
22. If applicable, comply with local noise ordinance.
23. If application site is in a high noise area, then use appropriate Green Building Standard methods (see Condition 2) to attenuate.

**Air Quality**

24. Use water or chemical dust suppressant to control excessive dust in exposed areas.
25. Cover the load compartments of trucks hauling dust-generating materials.
26. Wash heavy trucks and construction vehicles before site departure.
27. Reduce vehicle speed on non-paved areas and keep paved areas clean.
28. Retrofit older equipment with pollution controls.
29. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.
30. 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. 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. Stationary storage tanks 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. Tanks, reservoirs, containers, or bins 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. Stationary reciprocating engines with a maximum rated power output of 37 kW or greater, including equipment that may be subject to applicable permitting requirements under 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.)

31. Minimize idling and ensure that all on-road vehicles and non-road construction equipment at 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, 89, 94, 1039, 1051, 1065, 1068).

32. If possible, operate newer on-road diesel vehicles and non-road construction equipment equipped with tier 4 engines or an exhaust retrofit device.

**Hazardous Materials**

33. All activities must comply with applicable federal, state, and county laws and regulations regarding asbestos, including but not limited to the following:

    a. National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145

    b. National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150

    c. NJAC 7:26-2.12-Generator requirements for disposal of asbestos containing waste materials

    d. New Jersey Asbestos Control and Licensing Act, N.J.S.A. 34-5A-32 et seq.

34. 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).

35. 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 35(b)(h)(j).

36. All residential structures must be free of mold attributable to Superstorm Sandy.

37. Radon testing and/or mitigation, as described below, is required for structures not in one of the following categories:

    a. Structures in municipalities NJDEP classifies as having low radon potential

    b. Structures with unenclosed air space between the entire lowest floor and the ground

    c. Structures that have been evaluated by a radon professional and found to require neither testing nor mitigation to ensure that radon is below the standards of 4 picocuries per liter of air and 0.02 working levels, based on a physical inspection of the property, the characteristics of the buildings, and other valid criteria. The radon professional must meet the qualifications in the HUD Office of Multifamily Development Radon Policy, available at http://portal.hud.gov/hudportal/documents/huddoc?id=13-07ml.pdf, and must be a certified radon mitigation specialist under NJAC 7:28-27.

Reconstructed homes that are not in one of these three exempt categories must incorporate the radon-resistant construction techniques listed in NJAC 5:23-10.4. Homes to be rehabilitated that are not in one of the exempt categories must be tested for radon in accordance with accepted standards and the certification requirements in NJAC 7:28-27. All testing must be documented. If the radon level is below the standards of 4 picocuries per liter of air and 0.02 working levels, no further action is required. If the radon level is at or above either of the standards, radon mitigation measures must be implemented, and the home must be retested until radon levels below the standards have been achieved.

38. Comply with all laws, regulations, and industry standards applicable to aboveground and underground storage tanks, including the New Jersey underground storage tank regulations at NJAC 7:14B.

39. Employ spill mitigation measures immediately upon a spill of hazardous material.

**Aboveground Storage Tanks**

40. Construction activities on parcels with aboveground storage tanks (ASTs) between 125 and 1,000 gallons will require compliance with National Fire Protection Association 58 and associated set-back distances.

**Sole Source Aquifers**

41. Comply with all laws, regulations, and industry standards.

42. Storage tanks below the base flood elevation must be watertight and must be anchored to resist floatation and lateral movement during a storm surge or other flood.

43. The total impervious area of a parcel must not be increased significantly. In general, an increase in impervious area of more than 30% will be considered significant. The threshold of significance may be greater than 30% for parcels on which the current impervious area is unusually low and may be less than 30% for parcels on which the current impervious area is unusually high.

**Wild and Scenic Rivers**

44. Comply with any conditions specified by NJDEP and the National Park Service for protection of the Great Egg Harbor River and Maurice River, designated Wild and Scenic Rivers.

**Coastal Zone Management Act**

45. Projects located within regulated coastal areas shall comply with all applicable New Jersey Coastal Zone Management requirements.

46. All required exemptions, permit-by-rule authorizations, general permits, individual permits, coastal wetlands permits, waterfront development permits, CAFRA permits, and other NJDEP approvals shall be obtained prior to commencement of construction activities, as applicable.

47. All permit conditions and avoidance and minimization measures required by NJDEP shall be implemented throughout project construction and operation, as applicable.

**Essential Fish Habitat (EFH)**

48. Prior to construction, all avoidance and minimization measures, agency recommendations, permit conditions, and applicable approvals identified during Tier 2 review for Essential Fish

Habitat (EFH) shall be implemented, as appropriate. Projects that may affect EFH shall comply with applicable Magnuson-Stevens Fishery Conservation and Management Act requirements and any required NOAA Fisheries coordination identified through the Tier 2 review process.

## Determination:

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature: Tanner Melendez Date: 10/22/2026

Name/Title/Organization: Tanner Melendez / Senior Environmental Planner / ICF

Responsible Entity Agency Official Signature:

_____ Date: 10/26/2026

Name/Title: Samuel R. Viavattine, Deputy Commissioner, NJDCA

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

**This document represents the Tier 1 or Broad-Level review *only*. As individual sites are selected, this review must be supplemented by individual Tier 2 or Site-Specific reviews for each site. All laws and authorities requiring site-specific analysis will be addressed in these individual reviews.**