

ENVIRONMENTAL ASSESSMENT

Determinations and Compliance Findings for HUD-Assisted Projects

24 CFR Part 58

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

Applicant Name: _____ (First) _____ (Last)

-or- 127 Valley Road Condominium Development (Business/Corporate Name)

Project Location: 127 Valley Road (Street Address)

Township of Montclair (Municipality) Essex (County) New Jersey (State)

1509 (Block) 40 (Lot)

Conditions for Approval [40 CFR 1505.2(c)]: (List all mitigation and project modification measures required by the Responsible Entity to eliminate or minimize adverse environmental impacts. These conditions must be included in project contracts and other relevant documents as required. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.)

General

1. *Acquire all required federal, state and local permits prior to commencement of construction and comply with all permit conditions.*
2. *If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for reevaluation under the National Environmental Policy Act.*

Historic Preservation

In consultation with the New Jersey State Historic Preservation Office (SHPO), it was determined that it could be assumed that an adverse impact to archaeological resources would exist and standard mitigation treatment measures could be applied to the property pursuant to Stipulation IIC(3)(c) of the Programmatic Agreement. This standard mitigation treatment enables DCA to set aside \$6,000 per property for activities involving ground disturbance that will have an adverse effect on archaeological resources. The funds would be placed into a mitigation account and used to complete public interpretation and historical context statements and narratives as specified in Standard Mitigation Treatments D and E of the Programmatic Agreement.

Noise

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

Air Quality

Project activities must meet the regulatory requirements of New Jersey's Air Rules and Air Pollution

Controls (see NEP0233_AirQualityGenConformanceMemo_NEP_TO2012). In addition, the following must be met:

1. *Use water or chemical dust suppressant in exposed areas to control dust.*
2. *Cover the load compartments of trucks hauling dust-generating materials.*
3. *Wash heavy trucks and construction vehicles before they leave the site.*
4. *Reduce vehicle speed on non-paved areas and keep paved areas clean.*
5. *Retrofit older equipment with pollution controls.*
6. *Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.*
7. *Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.*
8. *Obtain an air pollution control permit to construct and a certificate to operate for all equipment subject to N.J.A.C. 7:27-8.2(c). Such equipment includes, but is not limited to, the following:*
 - a. *Any commercial fuel combustion equipment rated with a maximum heat input of 1,000,000 British Thermal Units per hour or greater to the burning chamber (N.J.A.C. 7:27-8.2(c)1);*
 - b. *Any stationary storage tank for volatile organic compounds with a capacity of 2,000 gallons and a vapor pressure of 0.02 pounds per square inch or greater (N.J.A.C. 7:27-8.2(c)9);*
 - c. *Any tank, reservoir, container, or bin with capacity in excess of 2,000 cubic feet used for storage of solid particles (N.J.A.C. 7:27-8.2(c)10); and*
 - d. *Any stationary reciprocating engine with a maximum rated power output of 37 kW or greater, used for generating electricity, not including emergency generators (N.J.A.C. 7:27-8.2(c)21).*

(Note: One or two family dwellings and dwellings of six or less family units, one of which is owner occupied, are exempt pursuant to NJSA 26:2C-9.2.)
9. *Minimize idling and ensure that all on-road vehicles and non-road construction equipment operated at or visiting the project site comply with the applicable smoke and "3-minute idling" limits (N.J.A.C. 7:27-14.3, 14.4, 15.3 and 15.8).*
10. *Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (<15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 86, 89, 94, 1039, 1051, 1065, 1068).*
11. *Operate, if possible, newer on-road diesel vehicles and non-road construction equipment equipped with tier 4 engines, or equipment equipped with an exhaust retrofit device.*

Energy Efficiency

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

Soil and Water Quality

Obtain Hudson-Essex and Passaic Soil Conservation District Soil Erosion and Sediment Control Plan Certification. The following requirements will also be met.

1. *Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in waters and to prevent erosion in wetlands and waters.*
2. *Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.*

FINDING:

- Finding of No Significant Impact (FONSI) [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.)

CERTIFICATIONS:

Gary Doss, Dewberry		6/12/2014
Preparer Name and Agency	Preparer Signature	Preparer Completion Date
RE Certifying Officer Name	RE Certifying Officer Signature	RE CO Signature Date

Funding Information:

Grant Number	HUD Program	Funding Amount
B-13-DS-34-0001	CDBG-DR	\$413,407

Estimated Total HUD Funded Amount: \$413,407

Estimated Total Project Cost [24 CFR 58.32(d)]: (HUD and non-HUD funds) \$1,988,852

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]: *The project is intended to provide housing for six families at or below 70% of the Area Median Income (AMI) of Essex County. The project will subdivide a lot that currently contains a single-story retail building and vacant land. The vacant portion of the property will be redeveloped into three residential duplexes (two three-bedroom units and four two-bedroom units). This project will help alleviate the shortage of affordable housing caused by Superstorm Sandy.*

Description of the Proposed Project [24 CFR 50.12 & 58.32, 40 CFR 1508.25]: (Include all contemplated actions that are logically either geographically or functionally a composite part of the project, regardless of the source of funding. As appropriate, attach maps, site plans, renderings, photographs, budgets, and other descriptive information.) *The project will subdivide a lot that currently contains a single-story retail building and vacant land. The vacant portion of the property will be redeveloped into three residential duplexes (two three-bedroom units and four two-bedroom units). The retail building on the property is accessible from Valley Road to the west and will remain; the proposed residences will be accessible from the intersection of Talbot and Dey Streets, which borders the property to the northeast. See project site plans included in the applicant documents.*

Existing Conditions and Trends [24 CFR 58.40(a)]: (Describe the existing conditions of the project area and its surroundings, and the trends likely to continue in the absence of the project.) *The project is within an area of predominantly residential (single-family and duplex) development. Retail development is located along Valley Road, which runs north/south and borders the project property's western boundary. In the absence of this project, the rear portion of the property will remain vacant.*

PART I: STATUTORY CHECKLIST [24 CFR 50.4, 24 CFR 58.5]

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

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

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

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

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & §58.5	STATUS A B		Compliance Documentation
<p>1. Air Quality [Clean Air Act, as amended, particularly sections 176(c) & (d), and 40 CFR 6, 51, 93]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project is within Essex County, which is shown as being designated a nonattainment or maintenance area for five National Ambient Air Quality Standard (NAAQS) pollutants (see NEP0233_AirQualityMap_NEP_TO2012).</p> <ul style="list-style-type: none"> • Nonattainment area for 8 hour Ozone standard of 0.08 ppm (1997 standard) • Nonattainment area for 8 hour Ozone standard of 0.075 ppm (2008 standard) • Nonattainment area for PM2.5 standard of 15 µg/m3 (1997 annual standard) • Nonattainment area for PM2.5 standard of 35 µg/m3 (2006 24-hours standard) • Maintenance area for 8-hour Carbon Monoxide standard of 9ppm <p>The project activities must meet the regulatory requirements of New Jersey’s Air Rules and Air Pollution Controls (see NEP0233_AirQualityGenConformanceMemo_NEP_TO2012). The project will involve construction of six residences; temporary impacts to air quality may occur during construction, however, no long-term impacts to air quality are anticipated. The temporary impacts can be mitigated through Best Management Practices (BMPs) including the usage of water or chemical dust suppressant, covering load compartments of trucks carrying dust-generating material, and retrofitting older equipment with pollution controls.</p>

<p>2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The nearest civilian airport, Newark Liberty International Airport, is located approximately eight miles south of the project area. The nearest military air field, Lakehurst Naval Air Station, is located approximately 55 miles to the south of the project area. Atlantic City International Airport is located approximately 96 miles to the south. The project is not within 15,000 feet of a military air field or 2,500 feet of the end of a civilian airport runway. The project area is therefore not within an Airport Clear Zone or Accident Potential Zone (see NEP0233_AirportHazardsMap_NEP_TO2012).</p>
<p>3. Coastal Zone Management [Coastal Zone Management Act sections 307(c)& (d)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project area is not within the Coastal Zone Management Act area (see NEP0233_CoastalZoneManagementActMap_NEP_TO2012).</p>
<p>4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Five hazardous waste sites were identified within 3,000 feet of the proposed project (J&L Exxon Service Station 35331, Site ID 46475; Delta Service Station, Site ID 8729; Ferraras Auto Body INC, Site ID 8757; YMCA of Montclair, Site ID 53982; and The Salvation Army, Site ID 366873). According to correspondence with NJDEP, these sites were determined not to pose a threat to the subject property and were subsequently removed from the NJDEP GIS tool. See NEP0233_ToxicHazardousandRadioactiveSubstancesMap_NEP_TO2012 and DEP correspondence within supporting documentation.</p> <p>During the site reconnaissance, approximately six vent and fill ports were observed to the rear of the building, indicating the possible presence of underground storage tanks (USTs) on the property. Furthermore, portions of the building tenant space were identified as containing automotive historic uses in Sanborn Fire Insurance maps provided by the applicant. Upon further investigation by NJDEP, it was determined that no additional Phase I or Phase II environmental investigations would be warranted. See DEP correspondence in supporting documentation.</p> <p>The portion of the property that is proposed for development is undeveloped; therefore, Lead-Based Paint (LBP) and Asbestos-Containing Materials (ACM) are not a concern. The existing buildings on the property will not be impacted by the construction.</p> <p>The property is within an area designated as Tier II for indoor radon potential (see NEP0233_RadonMap_NEP_TO2012). Tier II areas have a moderate potential for indoor radon; therefore, further assessment regarding Radon is not warranted at this time.</p>
<p>5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>According to the USFWS website, no federally-listed threatened or endangered species are located on the project site. Furthermore, according to consultation with the NJDEP NHP, no state or federally listed threatened or endangered species or critical species habitat is located on the project site (see NHP correspondence and NEP0233_EndangeredSpeciesMap_NEP_TO2012).</p>

<p>6. Environmental Justice [Executive Order 12898]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project will involve the construction of six affordable housing units on vacant lots. The project is located within areas of environmental justice populations (greater than 40% minority). See NEP0233_EnvironmentalJusticeMinorityMap_NEP_TO2012 and NEP0233_EnvironmentalJusticePovertyMap_NEP_TO2012. No disproportionate adverse effect is anticipated from the project (see NEP0233_EnvironmentalJusticeChecklist_NEP_TO2012). In fact, the project is anticipated to benefit these populations by providing additional affordable housing.</p>
<p>7. Explosive and Flammable Operations [24 CFR 51C]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>A review of aerial photographs did not identify large above-ground storage tanks (ASTs) within a one-mile radius of the project area and no ASTs were observed in the vicinity of the project area during site reconnaissance (see NEP0233_AST_ASD_CalculationMap_NEP_TO2012).</p>
<p>8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly section 1504(b) & 1541; 7 CFR 658]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project is located within a densely developed urban area and will involve the development of a partially developed lot into residences. No agricultural land will be converted to non-agricultural use as part of the proposed project. The project area is located in areas classified as Urban Land Boonton Complex (USBOOB). This is land that has been previously developed; the proposed project will therefore not affect farmland (see NEP0233_FarmlandProtectionSoilsMap_NEP_TO2012).</p>
<p>9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Pursuant to 24 CFR 55 and Executive Order 11988, the proposed project must be evaluated to determine potential effects on floodplains. The project is located in Zone X as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panels 34013C0103F and 34013C0104F (Effective June 4, 2007) and on NEP0233_FloodplainMgmtandFloodInsuranceNFIP NotInFloodwayMap_NEP_TO2003. Zone X is defined as areas determined to be outside of the 500-year floodplain. Therefore the project will not involve work within the 100-year or 500-year floodplains and no further assessment is warranted at this time.</p>

<p>10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>According to county tax board information, the building on the property was constructed in 1925. According to the DEP HUD Environmental Review tool, the property is not within a Historic Preservation Exemption “Green” Zone (see NEP0233_HistoricPreservationExemptionZoneMap_NEP_TO2012). The project proposes to construct three duplex residences on the rear portion of the property. According to historic research, this portion of the property has not been developed; therefore, the potential for archaeological impacts exists.</p> <p>In consultation with the New Jersey State Historic Preservation Office (SHPO), it was determined that it could be assumed that an adverse impact to archaeological resources would exist and standard mitigation treatment measures could be applied to the property pursuant to Stipulation IIC(3)(c) of the Programmatic Agreement. This standard mitigation treatment enables DCA to set aside \$6,000 per property for activities involving ground disturbance that will have an adverse effect on archaeological resources. The funds would be placed into a mitigation account and used to complete public interpretation and historical context statements and narratives as specified in Standard Mitigation Treatments D and E of the Programmatic Agreement.</p> <p>The applicant and local municipality were informed of this decision by email dated April 1, 2014. The period for comment extended 15 days. During this time, no comments were received. Therefore, the standard mitigation measures apply to the project.</p> <p>See SHPO correspondence and email notices in the supporting documentation.</p>
<p>11. Noise Abatement and Control [Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR 51B]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>A noise assessment in accordance with HUD 24 CFR 51b and HUD Noise Guidebook (1991) was completed to consider noise exposure. Existing noise sources within the vicinity of the project included the New Jersey Transit (NJ Transit) Montclair-Boonton Line, which is approximately 2,700 feet to the east of the project (see NEP0233_NoiseAbatementandControlMap_NEP_TO2012). No major roadway noise sources were within 1,000 feet of the project.</p> <p>According to calculations completed on the Department of Housing and Urban Development (HUD) Day/Night Noise Level (DNL) tool, the noise impact from the NJ Transit railroad is approximately 34 decibels (dB), which is below the HUD DNL Guidance of 65 dB. See DNL calculations within supporting documentation.</p> <p>It is noted that the project is within 15 miles of Newark Liberty International Airport; however, the property is outside of the 60 dB noise contour for the airport. Therefore, noise impacts from this source are considered negligible. See NEP0233_NewarkLibertyDNLContoursMap_NEP_TO2012.</p> <p>It is anticipated that construction activities will be a temporary noise impact. This impact can be mitigated through the use of BMPs such as installation of mufflers on equipment and performing construction during daytime.</p>

<p>12. Sole Source Aquifers [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The site is not located within a U.S. EPA designated sole source aquifer watershed area (see NEP0233_SoleSourceAquiferMap_NEP_TO2012.pdf). Additionally, the property is currently serviced by municipal potable water and sewage provided by the Montclair Water Bureau and Sewer Utility.</p>
<p>13. Wetland Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Federally mapped wetlands and waters of the U.S. are not present within or adjacent to the project site (see NEP0233_WetlandsProtectionMap_NEP_TO2012). There will be no encroachments to any Section 404/10 regulated areas; therefore the project is in compliance with EO 11990, and there will be no effects on wetlands as a result of the project.</p>
<p>14. Wild and Scenic Rivers [Wild and Scenic Rivers Act of 1968, particularly section 7(b) & (c); 36 CFR 297]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The Wild and Scenic Rivers Act of 1968 protects selected rivers in a free-flowing condition (16 U.S.C. 1271) and prohibits federal support for activities that would harm a designated river's free-flowing condition, water quality, or outstanding resource values.</p> <p>Five designated Wild and Scenic rivers are located within the State of New Jersey; the Delaware River (Lower), Delaware River (Middle), Great Egg Harbor River, Maurice River and the Musconetcong River. The proposed project is not located within a one-mile radius of any of these rivers or their tributaries (see NEP0233_WildandScenicRiversMap_NEP_TO2012). Therefore, consultation review by the National Park Service is not required.</p>

PART II: ENVIRONMENTAL ASSESSMENT CHECKLIST

[24 CFR 58.40; 40 CFR 1508.8 & 1508.27]

For each impact category, evaluate the significance of the effects of the proposal on the character, features, and resources of the project area. Enter relevant base data and credible, verifiable source documentation to support the finding. Note names, dates of contact, telephone numbers, and page references. Attach additional material as appropriate. **All conditions, attenuation, or mitigation measures have been clearly identified.**

Impact Codes:

- (1) no impact anticipated
- (2) potentially beneficial
- (3) potentially adverse- requires documentation
- (4) requires mitigation
- (5) significant/potentially significant adverse impact requiring avoidance or modification which may require an Environmental Impact Statement

Impact Categories	Impact Code	Impact Evaluation, Source Documentation and Mitigation or Modification Required
Land Development		
Conformance with Comprehensive and Neighborhood Plans	2	The project is within the Valley-Van Vleck Business District as identified within the Township of Montclair Master Plan Draft, dated 2013. An overall finding of the master plan is that housing prices within the township are increasing but income levels are remaining constant. A goal of the master plan is to include a greater diversity in housing types in future development. The proposed project will accomplish this by creating six affordable housing units. Site plans will need to be submitted to the Township of Montclair for site plan approval.
Land Use Compatibility and Conformance with Zoning	2	According to the Zoning Map of Montclair (dated June 1999) the property is within two zones; the western developed area of the property is zoned Neighborhood Commercial (N-C) and the eastern vacant portion of the property is zoned Two-Family Zone (R-2). Based on the type of proposed development (i.e. residential duplexes) and fact that there will be no alterations to the existing retail structure, the project is in conformance with existing zoning.
Urban Design- Visual Quality and Scale	2	The project will develop three residential buildings on a vacant portion of a partially developed lot. The proposed residential buildings will be of similar size and scale to those already located within the project area.
Slope	1	The project area is located in an existing residential neighborhood and will not impact steep slopes.
Erosion	1	The project is not located on steep slopes or near bodies of water. Temporary impacts from construction and excavation can be mitigated through the use of BMPs (i.e., silt fences).

Soil Suitability	1	The project is located within a densely developed urban area and will involve the development of a partially developed lot into residences. No agricultural land will be converted to non-agricultural use as part of the proposed project. The project area is located in areas classified as Urban Land Boonton Complex (USBOOB). This is land that has been previously developed; the proposed project will therefore not affect soil suitability (see NEP0233_FarmlandProtectionSoilsMap_NEP_TO2012).
Hazards and Nuisances, Including Site Safety	2	The project parcel is currently a partially vacant lot within a developed area. The redevelopment of the vacant portion of the property into affordable housing will eliminate nuisances associated with vacant urban lots, thereby enhancing the local neighborhood.
Drainage/Storm Water Runoff	1	The new residential units will utilize the city's existing storm water and sewer system which is maintained by the Montclair Water Bureau and Sewer Utility. Based on the scale of the proposed project, any impact on storm water runoff is anticipated to be negligible. Furthermore, the site plan approval process will address any drainage/stormwater runoff concerns.
Noise-Effects of Ambient Noise on Project & Contribution to Community Noise Levels	1	<p>A noise assessment in accordance with HUD 24 CFR 51b and HUD Noise Guidebook (1991) was completed to consider noise exposure. Existing noise sources within the vicinity of the project included the New Jersey Transit (NJ Transit) Montclair-Boonton Line, which is approximately 2,700 feet to the east of the project (see NEP0233_NoiseAbatementandControlMap_NEP_TO2012). No major roadway noise sources were within 1,000 feet of the project.</p> <p>According to calculations completed on the Department of Housing and Urban Development (HUD) Day/Night Noise Level (DNL) tool, the noise impact from the NJ Transit railroad is approximately 34 decibels (dB), which is below the HUD DNL Guidance of 65 dB. See DNL calculations within supporting documentation.</p> <p>It is noted that the project is within 15 miles of Newark Liberty International Airport; however, the property is outside of the 60 dB noise contour for the airport. Therefore, noise impacts from this source are considered negligible. See NEP0233_NewarkLibertyDNLContoursMap_NEP_TO2012.</p> <p>It is anticipated that construction activities will be a temporary noise impact. This impact can be mitigated through the use of BMPs such as installation of mufflers on equipment and performing construction during daytime.</p>
Energy Consumption	1	PSE&G provides energy to the Township of Montclair. The HUD CDBG-DR program goals include new construction meeting the 2009 Residential International Building Code and requiring compliance with the EPA Energy Star program. The project will create three duplexes (a total of six residential units); based on the number of units and energy efficiency to which they will be built, the project impact will be negligible. Based on the scale of the project, it is anticipated that PSE&G will be able to support the additional residential units.

Socioeconomic Factors																																																																																						
Demographic Character Changes	1	<p>According to 2010 census data, the proposed project is located within a high diversity area. The project will construct a total of six affordable housing units on the property and is not expected to impact the demographic character of the project area.</p> <table border="1" data-bbox="766 359 1523 1350"> <thead> <tr> <th rowspan="2">Subject</th> <th colspan="2">Montclair</th> <th colspan="2">New Jersey</th> </tr> <tr> <th>Number</th> <th>Percent</th> <th>Number</th> <th>Percent</th> </tr> </thead> <tbody> <tr> <td>Total Population</td> <td>37,669</td> <td>100.0</td> <td>8,791,894 (r43702)</td> <td>100.0</td> </tr> <tr> <td>Median Age (Years)</td> <td>39.9</td> <td>(X)</td> <td>39.0</td> <td>(X)</td> </tr> <tr> <td>White</td> <td>23,416</td> <td>62.2</td> <td>6,029,248</td> <td>68.6</td> </tr> <tr> <td>Black or African American</td> <td>10,230</td> <td>27.2</td> <td>1,204,826</td> <td>13.7</td> </tr> <tr> <td>American Indian and Alaska Native</td> <td>59</td> <td>0.2</td> <td>29,026</td> <td>0.3</td> </tr> <tr> <td>Asian</td> <td>1,434</td> <td>3.8</td> <td>725,726</td> <td>8.3</td> </tr> <tr> <td>Native Hawaiian and Other Pacific Islander</td> <td>9</td> <td>0.0</td> <td>3,043</td> <td>0.0</td> </tr> <tr> <td>Some Other Race</td> <td>826</td> <td>2.2</td> <td>559,722</td> <td>6.4</td> </tr> <tr> <td>Two or More Races</td> <td>1,695</td> <td>4.5</td> <td>240,303</td> <td>2.7</td> </tr> <tr> <td>Hispanic Total Population</td> <td>2,810</td> <td>7.5</td> <td>1,555,144</td> <td>17.7</td> </tr> <tr> <td>Average Household Size</td> <td>2.47</td> <td>(X)</td> <td>2.68</td> <td>(X)</td> </tr> <tr> <td>Average Family Size</td> <td>3.15</td> <td>(X)</td> <td>3.22</td> <td>(X)</td> </tr> <tr> <td>Total Housing Units</td> <td>15,911</td> <td>100.0</td> <td>3,553,562 (r21676)</td> <td>100.0</td> </tr> <tr> <td>Occupied Housing Units</td> <td>15,089</td> <td>94.8</td> <td>3,214,360 (r7446)</td> <td>90.5</td> </tr> <tr> <td>Vacant Housing Units</td> <td>822</td> <td>5.2</td> <td>339,202</td> <td>9.5</td> </tr> </tbody> </table> <p>Note: Hispanic populations may be of more than one race.</p>	Subject	Montclair		New Jersey		Number	Percent	Number	Percent	Total Population	37,669	100.0	8,791,894 (r43702)	100.0	Median Age (Years)	39.9	(X)	39.0	(X)	White	23,416	62.2	6,029,248	68.6	Black or African American	10,230	27.2	1,204,826	13.7	American Indian and Alaska Native	59	0.2	29,026	0.3	Asian	1,434	3.8	725,726	8.3	Native Hawaiian and Other Pacific Islander	9	0.0	3,043	0.0	Some Other Race	826	2.2	559,722	6.4	Two or More Races	1,695	4.5	240,303	2.7	Hispanic Total Population	2,810	7.5	1,555,144	17.7	Average Household Size	2.47	(X)	2.68	(X)	Average Family Size	3.15	(X)	3.22	(X)	Total Housing Units	15,911	100.0	3,553,562 (r21676)	100.0	Occupied Housing Units	15,089	94.8	3,214,360 (r7446)	90.5	Vacant Housing Units	822	5.2	339,202	9.5
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Asian	1,434	3.8	725,726	8.3																																																																																		
Native Hawaiian and Other Pacific Islander	9	0.0	3,043	0.0																																																																																		
Some Other Race	826	2.2	559,722	6.4																																																																																		
Two or More Races	1,695	4.5	240,303	2.7																																																																																		
Hispanic Total Population	2,810	7.5	1,555,144	17.7																																																																																		
Average Household Size	2.47	(X)	2.68	(X)																																																																																		
Average Family Size	3.15	(X)	3.22	(X)																																																																																		
Total Housing Units	15,911	100.0	3,553,562 (r21676)	100.0																																																																																		
Occupied Housing Units	15,089	94.8	3,214,360 (r7446)	90.5																																																																																		
Vacant Housing Units	822	5.2	339,202	9.5																																																																																		
Displacement	2	<p>The project involves construction of residences on a vacant portion of a parcel. No displacement of residents is anticipated. Upon completion of the project, the addition of six affordable housing units will help alleviate shortages in housing caused by Superstorm Sandy.</p>																																																																																				

Employment and Income Patterns	2	2008 and 2012 census data shows that the Township of Montclair has a lower percentage of people below the poverty line than the state as a whole. The project will create six affordable housing units on the property, representing a benefit to low income populations.				
			Montclair		New Jersey	
		Subject	Number	Percent	Number	Percent
		Population 16 years and over	28,876	(X)	6,985,329	(X)
		In Labor Force	20,280	70.2	4,672,338	66.9
		Civilian Labor Force	20,280	70.2	4,663,005	66.8
		Employed	18,866	65.3	4,219,677	60.4
		Unemployed	1,414	4.9	443,328	6.3
		Armed Forces	0	0.0	9,333	0.1
		Not in labor force	8,596	29.8	2,312,991	33.1
		Civilian Employed Population 16 Years and Over	20,280	(X)	4,219,677	(X)
		Median Household Income (dollars)	94,940	(X)	71,637	(X)
		Mean Household Income (dollars)	153,351	(X)	96,602	(X)
		Median Family Income (dollars)	133,102	(X)	87,389	(X)
		Mean Family Income (dollars)	198,371	(X)	112,730	(X)
Per Capita Income (dollars)	59,936	(X)	35,928	(X)		
Percentage of People Whose Income in the Past 12 Months is Below Poverty Level	(X)	7.1	(X)	9.9		

Community Facilities and Services

Educational Facilities	1	The project is located within the Montclair Public School district. The school district includes five elementary schools, three middle schools and one high school. Each school has a specific magnet theme. Residents may apply to attend any school in the system regardless of where they live. The addition of six residences is not anticipated to increase the school enrollment beyond the capacity of the school district.
Commercial Facilities	2	The proposed creation of additional housing will benefit businesses in the Township of Montclair by increasing numbers of consumers in close proximity to commercial and retail centers.
Health Care	1	There are three hospitals in close proximity to the project area (Clara Maass Medical Center, St. Mary's Hospital and Mountainside Hospital). Based on the availability of health care facilities, the proposed project is not anticipated to significantly affect health care.
Social Services	1	Essex County social services are located at 50 South Clinton Street in the City of East Orange, approximately four miles south of the project area. Based on the scale of the project, it is not anticipated to impact social services.

Solid Waste Disposal/Recycling	1	The Montclair Township Department of Community Services collects solid waste/recycling in the project area. Due to its scale, the project's impact on waste/recycling disposal will be negligible. Based on the proposed scope of the project, it is anticipated that the existing waste disposal/recycling system will be able to support the additional residential units.
Waste Water/Sanitary Sewers	1	The project area receives municipal sewerage services from the Montclair Water Bureau and Sewer Utility. The project will create three duplexes (a total of six residential units); based on the scale of the project, the impact to the sewer system will be negligible.
Water Supply	1	The project area receives municipal water services from the Montclair Water Bureau and Sewer Utility. The project will create three duplexes (a total of six residential units); based on the scale of the project, the impact to the water supply system will be negligible.
Public Safety: <ul style="list-style-type: none"> • Police • Fire • Emergency Medical 	1	The project will create three duplexes (a total of six residential units); based on the scale of the project, the impact to public safety services system will be negligible.
Parks, Open Space & Recreation: <ul style="list-style-type: none"> • Open Space • Recreation 	1	<p>The following local parks and recreational facilities are located within the vicinity of the project area:</p> <ul style="list-style-type: none"> • Graz Park, located approximately 1,800 feet to the west. The park features landscaped areas, a walking path and seating. • Rand Park, located approximately 2,000 feet to the east. The park features landscaped areas, a walking path, and tennis courts. <p>Based on the scope of work, no adverse impact to parks, open space or recreational facilities is anticipated.</p>
Cultural Facilities	1	<p>The following local libraries and museums are located within the vicinity of the project area:</p> <ul style="list-style-type: none"> • Montclair Public Library, located at 50 South Fullerton Avenue. The library features public access computers, children's programs and meeting and exhibit spaces. • Montclair Art Museum, located at 3 South Mountain Avenue. The museum features children's art classes, exhibit space and public/private events rental space. <p>In consultation with the New Jersey State Historic Preservation Office (SHPO), it was determined that it could be assumed that an adverse impact to archaeological resources would exist and standard mitigation treatment measures could be applied to the property pursuant to Stipulation IIC(3)(c) of the Programmatic Agreement. For a complete discussion, please refer to Section 10 of the Statutory Checklist above.</p>
Transportation & Accessibility	1	The proposed project will create six new residences and may have a minor impact on transportation. However, the project is located in a developed area with an existing roadway network as well as a public transportation system. I-280, a major east/west route, is located approximately two and a half miles to the south, and the Garden State Parkway, a major north/south route, is located approximately two miles to the east. In addition, the NJ Transit system's passes within proximity to the project; the Walnut Street Station (Montclair-Boonton Line) is located approximately ½ mile to the east.

Natural Features		
Water Resources	1	The site is not located within a U.S. EPA designated sole source aquifer watershed area (see NEP0233_SoleSourceAquiferMap_NEP_TO2012.pdf). Additionally, the property is currently serviced by municipal potable water and sewage provided by the Montclair Water Bureau and Sewer Utility.
Surface Water	1	There are no surface water bodies in the vicinity of the project area. No impacts to surface waters are anticipated.
Unique Natural Features & Agricultural Lands	1	No unique natural features or agricultural lands are located within the project area. Therefore, no impact to these resources is anticipated.
Vegetation and Wildlife	1	According to the NJDEP HUD GIS tool, no federally-listed threatened or endangered species are located on the project site. Furthermore, according to consultation with the NJDEP NHP, no state or federally listed threatened or endangered species or critical species habitat is located on the project site (see NHP correspondence and NEP0233_EndangeredSpeciesMap_NEP_TO2012).

PART III: 58.6 CHECKLIST [24 CFR 50.4, 24 CFR 58.6]

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

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

No. Cite or attach Source Documentation:

The nearest civilian airport, Newark Liberty International Airport, is located approximately eight miles south of the project area. The nearest military air field, Lakehurst Naval Air Station, is located approximately 55 miles to the south of the project area. Atlantic City International Airport is located approximately 96 miles to the south. The project area is therefore not within an Airport Clear Zone or Accident Potential Zone. [Project complies with 24 CFR 51.303(a)(3).]

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

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

No. Cite or attach Source Documentation: *The nine designated units of the Coastal Barrier Resources System in New Jersey are uninhabited. The 12 "otherwise protected areas" associated with the Coastal Barrier Resources System in New Jersey are also uninhabited. Therefore, no project activities would occur on designated coastal barriers or in "otherwise protected areas," and the proposed project would have no impact on coastal barrier resources.*

[Proceed with project.]

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

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

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

No. Cite or attach Source Documentation: *See attached map.*

[Proceed with project.]

Yes. Cite or attach Source Documentation:

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

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

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

Summary of Findings and Conclusions

Additional Studies Performed: (List the reports, studies, or analyses performed for this assessment, and attach studies or summaries.) *None*

Field Inspection (Date and completed by): *February 24, 2014, conducted by Gary Doss, Environmental Planner and Michelle Measday, Senior Environmental Scientist*

List of Sources, Agencies, and Persons Consulted [40 CFR 1508.9(b)]: (List sources, agencies, and persons consulted for this assessment.)

Agencies Consulted:

*Township of Montclair Planning Department
US Environmental Protection Agency
NJDEP Office of Natural Lands Management*

Reference Materials:

Montclair Township Draft Master Plan. March 21, 2013.

New Jersey Department of Community Affairs. "Frequently Asked Questions About the Disaster Recovery Action Plan" Retrieved January 2014.

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U.S. Census Bureau American Community Survey. Retrieved December 2013 and January 2014.

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U.S. Department of Housing and Urban Development Noise Assessment Guidelines, Retrieved December 2013 and January 2014.

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U.S. Environmental Protection Agency. EJ View Mapper. Retrieved January 2014.

<http://epamap14.epa.gov/ejmap/entry.html>

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<http://www.epa.gov/region2/water/aquifer/>

U.S. Federal Emergency Management Agency. Map Service Center. Retrieved December 2013.

<https://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1>

U.S. Fish and Wildlife Service. *Endangered Species*. U.S. Fish and Wildlife Service, New Jersey Field Office. Retrieved January, 2014, from <http://www.fws.gov/northeast/njfieldoffice/Endangered/>

U.S. National Parks Service. *National Wild and Scenic Rivers System*. Retrieved December 2013. <http://www.rivers.gov/new-jersey.php>

Lists of Permits Required:

Local Construction Permits

Road access/opening- local/county road

Hudson-Essex and Passaic Soil Conservation District Soil Erosion and Sediment Control Plan Certification

Site Plan Approval

Public Outreach [24 CFR 50.23 & 58.43]:

In accordance with HUD regulations, a Public Notice will be published in the local newspaper, The Star Ledger, and a Spanish translation of the notice will be published in Reporte Hispano. Any substantive comments received will be incorporated into the EA.

Cumulative Impact Analysis [24 CFR 58.32]: *According to the Council on Environmental Quality (CEQ) regulations, cumulative impacts represent the “impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7).” To the extent reasonable and practical, this EA considered the combined effect of the proposed project and other actions occurring or proposed in the vicinity of the proposed project site.*

Essex County and the entire New Jersey coast are undergoing recovery efforts after Superstorm Sandy caused extensive damages. The recovery efforts in the area include rehabilitation, demolition, reconstruction, and new construction. These projects and the proposed project may have a cumulative temporary impact on air quality, noise, traffic and surface water during construction activities, but will have a net long-term benefit to those areas within New Jersey that were significantly impacted by Superstorm Sandy. No other cumulative effects are anticipated.

Project Alternatives Considered [24 CFR 58.40(e), 40 CFR 1508.9]: *(As appropriate, identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment for each alternative and the reasons for rejecting it.) The property is currently partially developed with a retail shopping center. The remainder of the property is undeveloped land. Since this portion of the property is currently zoned residential and undeveloped, no other project alternatives were considered.*

No Action Alternative [24 CFR 58.40(e)]: *In the No Action Alternative, the vacant portion of the parcel would remain vacant. The No Action Alternative would not meet the Purpose and Need, as it would not help alleviate the shortage of affordable housing caused by Superstorm Sandy.*

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

Required Mitigation and Project Modification Measures: [24 CFR 58.40(d), 40 CFR 1505.2(c), 40 CFR 1508.20] (Recommend feasible ways in which the proposal or its external factors should be modified in order to minimize adverse environmental impacts and restore or enhance environmental quality.)

General

1. *Acquire all required federal, state and local permits prior to commencement of construction and comply with all permit conditions.*
2. *If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for reevaluation under the National Environmental Policy Act.*

Historic Preservation

In consultation with the New Jersey State Historic Preservation Office (SHPO), it was determined that it could be assumed that an adverse impact to archaeological resources would exist and standard mitigation treatment measures could be applied to the property pursuant to Stipulation IIC(3)(c) of the Programmatic Agreement. This standard mitigation treatment enables DCA to set aside \$6,000 per property for activities involving ground disturbance that will have an adverse effect on archaeological resources. The funds would be placed into a mitigation account and used to complete public interpretation and historical context statements and narratives as specified in Standard Mitigation Treatments D and E of the Programmatic Agreement.

Noise

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

Air Quality

Project activities must meet the regulatory requirements of New Jersey's Air Rules and Air Pollution Controls (see NEP0233_AirQualityGenConformanceMemo_NEP_TO2012). In addition, the following must be met:

1. *Use water or chemical dust suppressant in exposed areas to control dust.*
2. *Cover the load compartments of trucks hauling dust-generating materials.*
3. *Wash heavy trucks and construction vehicles before they leave the site.*
4. *Reduce vehicle speed on non-paved areas and keep paved areas clean.*
5. *Retrofit older equipment with pollution controls.*
6. *Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.*
7. *Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.*
8. *Obtain an air pollution control permit to construct and a certificate to operate for all equipment subject to N.J.A.C. 7:27-8.2(c). Such equipment includes, but is not limited to, the following:*
 - a. *Any commercial fuel combustion equipment rated with a maximum heat input of 1,000,000 British Thermal Units per hour or greater to the burning chamber (N.J.A.C. 7:27-8.2(c)1);*
 - b. *Any stationary storage tank for volatile organic compounds with a capacity of 2,000 gallons and a vapor pressure of 0.02 pounds per square inch or greater (N.J.A.C. 7:27-8.2(c)9);*

- c. Any tank, reservoir, container, or bin with capacity in excess of 2,000 cubic feet used for storage of solid particles (N.J.A.C. 7:27-8.2(c)10); and
- d. Any stationary reciprocating engine with a maximum rated power output of 37 kW or greater, used for generating electricity, not including emergency generators (N.J.A.C. 7:27-8.2(c)21).

(Note: One or two family dwellings and dwellings of six or less family units, one of which is owner occupied, are exempt pursuant to NJSA 26:2C-9.2.)

- 9. Minimize idling and ensure that all on-road vehicles and non-road construction equipment operated at or visiting the project site comply with the applicable smoke and "3-minute idling" limits (N.J.A.C. 7:27-14.3, 14.4, 15.3 and 15.8).
- 10. Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (<15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 86, 89, 94, 1039, 1051, 1065, 1068).
- 11. Operate, if possible, newer on-road diesel vehicles and non-road construction equipment equipped with tier 4 engines, or equipment equipped with an exhaust retrofit device.

Energy Efficiency

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

Soil and Water Quality

Obtain Hudson-Essex and Passaic Soil Conservation District Soil Erosion and Sediment Control Plan Certification. The following requirements will also be met.

- 1. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in waters and to prevent erosion in wetlands and waters.
- 2. Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.