

ENVIRONMENTAL ASSESSMENT

Determinations and Compliance Findings for HUD-Assisted Projects

24 CFR Part 58

Responsible Entity: New Jersey Department of Community Affairs, Charles A. Richman, Acting Commissioner

Applicant Name: Sandra (First) Wadel (Last)

Project Location: 1935 Ocean Avenue (Street Address)

Toms River Township (Municipality) Ocean (County) New Jersey (State)

1016 (Block) 15 (Lot)

Conditions for Approval:

(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

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.

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

Coastal Zone Management

The NJDEP Department of Land Use Regulation has approved a permit for the proposed action on January 29, 2015. The permit expires January 28, 2020. All construction activities must comply with the conditions set forth in the DLUR permit. The proposed action must adhere to the approved plans provided to the DLUR. If changes are made to the plans, these must be re-submitted to the DLUR for review prior to construction activities. The DLUR permit is not effective and no construction is approved to commence until the applicant has satisfied all pre-construction conditions as set forth within the approved DLUR permit. Issuance of, and compliance with this permit, does not relieve the applicant of the responsibility of obtaining any other required State, Federal or local permits or approvals as required by law.

Floodplain Management

The proposed action, reconstruction and elevation of a multi-unit residential structure, is considered a "Substantial Improvement" per 24 CFR 55.2(b)(10). The structure is required to meet all applicable construction requirements in accordance with the National Flood Insurance Program and all local floodplain ordinances.

The final "Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds and Notice and Public Explanation of a Proposed Activity in the 100-Year Floodplain" will be published in accordance with 24 CFR Part 55 for a minimum 15-day comment period. All comments received during the comment period will be responded to and fully

addressed prior to funds being committed to the proposed project, in compliance with Executive Order 11988 or 24 CFR Part 55. Implementation of the proposed action may require additional local and state permits, which could place additional design modifications or mitigation requirements on the project.

All structures in the 100-year floodplain shown on the effective FEMA Flood Insurance Rate Map, must be covered by flood insurance and the flood insurance must be maintained for the economic life of the structure [24 CFR 58.6(a)(1)]. Proof of flood insurance, in accordance with 24 CFR 58.6(a), must be provided to the Department of Community Affairs in order for this site to remain eligible for this program. 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)].

In addition to the typical construction Best Management Practices (BMPs) and good housekeeping practices, the DLUR has issued a permit, # 1507-14-0029.1 CAF140001, dated January 29, 2015 that imposes further conditions for the project. This permit was authorized under and in compliance with applicable Rules on Coastal Zone Management N.J.A.C. 7:7E-1.1 et seq., as amended. The applicable conditions as required by Sections 10 and 11 of the CAFRA statute (N.J.S.A. 13:19-1 et seq.) and the Rules on Coastal Zone Management will be met to the satisfaction of the Bureau of Coastal Regulation. This permit was issued following DLUR's review of the approved site plan and its associated attachments as listed in the permit. Pre-construction, special and standard conditions as set forth in relation to preserving floodplains, drainage control, and minimization of the potential of adverse impact to lives and property, include:

- i. Prior to commencement of construction, a silt fence shall be erected along the limits of disturbance of the development with a 10-foot return on each end; the fence is to remain in place until construction has been completed;
- ii. All excavated and dredged material, if any, shall be disposed in a lawful manner. The material shall be placed outside of any flood hazard area, riparian zone, regulated water, freshwater/coastal wetlands and adjacent transition area, and in such a way as to not interfere with the positive drainage of the receiving area;
- iii. Foundations, slabs footings and walls of the proposed structure shall be designed to resist uplift and lateral loads associated with hydrostatic pressure from flooding to the specified design flood elevation;
- iv. Lowest finished floor elevation shall be 11.36 feet NAVD;
- v. Area below the lowest finished floor shall remain open and accessible to the passage of flood waters at all times;
- vi. Use of plastic under newly landscaped or gravel areas is prohibited; all sub gravel liners must be made of filter cloth or other permeable material; and
- vii. Proper site maintenance includes prohibition to cause or permit any unreasonable interference with the free flow of a regulated feature or dumping of any materials, equipment, debris or structures within or adjacent to the regulated area. Upon completion, all excess materials, debris, equipment, silt fences and other temporarily soil erosion and sediment control devices shall be removed.

Drainage/Storm Water Runoff & Water Resources

The proposed project should implement controls as needed to prevent erosion and adverse impacts to receiving waters from storm water runoff both during and after project activities. All runoff from paved and improved areas should be directed into the municipal storm drainage system in accordance with local building code and permit requirements. During project activities, storm water runoff impacts will be mitigated to the greatest extent feasible through BMPs which may include the installation of natural vegetation, brush barriers, silt fences or hay bales to help filter runoff as necessary.

Erosion

A Soil Erosion and Sediment Control Certification was issued for the proposed action on May 12, 2014. The proposed action is subject to the conditions and control efforts listed in the certification, which includes a required pre-construction meeting with the District prior to the start of soil disturbance activities. Failure to comply with any of the conditions listed may result in the issuance of a Stop Construction Order.

Fire

The proposed project is anticipated to reconstruct and elevate the previously existing structure to code that complies with all required federal, state and local permit conditions. Additionally, the Toms River Bureau of Fire Prevention has approved the application and plan for the proposed site. All conditions included in the approval must be adhered to in order to remain in compliance, including obtaining a building permit within one year of the date of the application (May 1, 2014) or as required by Toms River Municipal Land Use Code, whichever the shorter period of time. Any modifications to the plans shall be resubmitted to the Toms River Fire Bureau (RRE0003694MFFirePreventionApproval20140501).

Noise

The proposed project must comply with applicable local noise ordinances. During project activities, noise will be a temporary impact that will be mitigated to the extent feasible and will be controlled by Best Management Practices including turning off idling equipment, minimizing noise impulses, avoiding scheduling activities requiring loud equipment during nighttime hours and on weekends, inspecting all equipment at periodic intervals to ensure proper maintenance, and ensuring that all equipment has manufacturers' recommended noise abatement measures. During project activities, noise will need to meet applicable city, state, and federal codes, and will need to comply with local noise ordinances.

Waste Water & Sanitary Sewers

The proposed project will be served by municipal water and sewer. Wastewater from the proposed project site will drain into a public sanitary sewer pipeline operated by the Toms River Municipal Utilities Authority. The Toms River Municipality Authority provided instruction on the application/approval process on February 10, 2014. The site plan was reviewed and approved on May 20, 2014. All statements and conditions set forth in the approval letter attached must be obeyed in order for the project to remain in compliance. See all statements and conditions to be adhered to in RRE0003694MFTomsRiverMunicipalUtilities20140520.

Wetland Protection

If the structure stays within the previous footprint or the structure is relocated farther away from the wetland, using best management practices, there should be no adverse impact on the wetlands and no wetland permit or transition area waiver is required. If the existing structure is located within a transition area, it should not be relocated closer to the wetland. In addition, if the existing structure is located outside a transition area, it should not be relocated to a transition area.

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.)
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CERTIFICATIONS:

Morgan A. Richardson, URS
Preparer Name and Agency


Preparer Signature

4/15/2015
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	Reconstruction, Rehabilitation, Elevation and Mitigation (RREM) Program	Up to \$150,000 per RREM applicant

Estimated Total HUD Funded Amount:

This project qualifies for up to \$150,000 per unit in RREM funding.

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

The estimated work in place is approximately \$4,945.68 per unit. The cost to reconstruct and elevate will be approximately \$120.48 per sq. ft. per unit.

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

The purpose of the proposed action is to assist residents in reconstructing, repairing, elevating, or mitigating their homes that were damaged or destroyed by Superstorm Sandy and the subsequent snowstorm. The project is needed to help provide safe and adequate housing for residents of these storm ravaged communities.

Description of the Proposed Project [24 CFR 50.12 & 58.32, 40 CFR 1508.25]: (Include all contemplated actions that are logically either geographically or functionally a composite part of the project, regardless of the source of funding. As appropriate, attach maps, site plans, renderings, photographs, budgets, and other descriptive information.)

The proposed project will include the reconstruction and elevation of a multi-unit residential structure containing twenty-three units. The damaged structure was demolished post-storm, and has not yet been reconstructed. The subject property is approximately 0.568 acres in size and is located at 1935 Ocean Avenue, Toms River Township, New Jersey. The structure was determined to be a total loss and demolished; therefore, the proposed project is considered to be substantial improvement. The previous building consisted of multiple individually-owned condominiums connected by common areas. The proposed project will assist owners of individual units, who meet LMI standards, through reimbursement of demolition costs and funding for reconstruction activities including elevation. The entire structure was damaged beyond repair and has been demolished. The estimated work in place is approximately \$4,945.68 per unit. The cost to reconstruct the twenty-three-unit building will be shared amongst the individual owners of each unit. The cost to reconstruct and elevate will be approximately \$120.48 per sq. ft. of unit. Each RREM applicant may be eligible for up to \$150,000 in RREM funds toward their portion of the reconstruction costs; any remaining costs will be the responsibility of the unit owner. Finally, because the structure has been demolished and removed from the property, project activities will not include lead-based paint abatement. Currently, the owners of two of the units within the building have applied for assistance. However, this environmental review will evaluate potential direct and indirect impacts associated with the reconstruction and elevation of this multi-unit residential structure. As such, this environmental review would be applicable to additional units applying for assistance within the effective period of this review.

The previously existing structure's and each individual unit's Ocean County property records do not list a date of construction for the structure (see RRE0003694MFTaxCard1 and RRE0003694MFTaxCard2 as examples). Aerial imagery shows that prior to 1940, there was no development on the parcel or surrounding area. What appears to be a single-family structure was constructed on the property and others similar to it on nearby parcels between 1940 and 1956. On

the project parcel, this structure was replaced with the twenty-three-unit structure between 1963 and 1972, placing the date of construction of the demolished structure between these dates (RRE0003694MFHistoricAerials taken from <http://www.historicaerials.com/>).

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 proposed project site is currently a vacant lot. The original structure on the lot was demolished post-storm due to extensive damages. It has not yet been reconstructed. Presently, there is a chain-link fence surrounding the entire perimeter of the lot. The surrounding areas include predominantly residential buildings including both single-family and multi-unit residences.

Without the reconstruction of individual units, and subsequently the entire building, the parcel will remain vacant. This would continue to be a break in the visual scale of the community. There is also potential for the lot to become overgrown, which could be cause for safety concerns. Additionally, without the reconstructed building, the residents that originally resided in the location would not return. This could cause both social and economic strain on the local community.

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		Compliance Documentation
	A	B	
<p>§58.5</p> <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 proposed project is in compliance. According to the U.S. EPA, Ocean County is designated as Nonattainment or Maintenance for 3 NAAQS Pollutants (see RRE0003694MF AirQuality):</p> <ul style="list-style-type: none"> • 8-Hour Ozone (1997 Standards) • 8-Hour Ozone (2008 Standards) • Carbon Monoxide (1971 Standards) <p>While Ocean County is also identified as being within a 1-hour ozone nonattainment area, all 1-hour ozone areas were revoked as of June 15, 2005, and as such are excluded from the pollutant count on the NAAQS map (see RRE0003694MFAirQuality). Therefore, a general conformity analysis in accordance with the Clean Air Act and 40 CFR Part 93, Subpart B was completed. However, according to the Department of Environmental Protection Division of Air Quality, the revised estimated air emissions (which take into account both residential and commercial construction activities) continue to remain well below the Federal General Conformity regulation’s de minimis thresholds and are presumed to conform to the State Implementation Plan (SIP) (see RRE0003694MFAirQualityAssessmentMemo). Additionally, temporary air quality impacts associated with construction of the proposed project will be mitigated to</p>

		<p>the greatest extent feasible and will adhere to all local and state air quality standards. All activities must still meet the State’s Air Pollution Control requirements.</p>
<p>2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project is in compliance. The Airport Hazards (Runway Clear Zones and Accident Potential Zones) regulations apply to HUD programs that provide assistance for residential and community development and/or redevelopment (24 CFR 51.302). 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)). The only New Jersey airports, within the nine counties most impacted by Superstorm Sandy, listed as commercial service airports in the current NPIAS are Newark Liberty International Airport in Essex and Union Counties and Atlantic City International Airport in Atlantic County. 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. Additionally, these runway protection zones are uninhabited and therefore, not applicable to the proposed action. HUD regulations related to Airport Hazards also apply to residential and community development and/or redevelopment in clear zones and accident potential zones associated with 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 the Lakehurst Naval Air Station.</p> <p>The nearest runway protection zones at Atlantic City International Airport and Newark Liberty International Airport are located approximately 43 miles and 49 miles, respectively, from the proposed project site (see RRE0003694MFAirportClearZonesMap). The nearest clear zones and accidental potential zones at the Lakehurst Naval Air Station are located approximately 13 miles from the proposed project site (see RRE0003694MFAirportClearZonesMap). While the proposed project activities—the reconstruction and elevation of a multi-unit residential structure—are considered to be applicable activities, the project is in compliance because none of the above-mentioned runway clear zones or accident potential zones overlap the proposed project site.</p>
<p>3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]</p>	<p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed project is in compliance. The project site is located in the Coastal Area Facility Review Act (CAFRA)</p>

			<p>boundary (see RRE0003694MF Coastal Zone Management Act/Map/CAFRA). Plans for the proposed action were submitted to the NJDEP Department of Land Use Regulation (DLUR) for review. A DLUR permit was approved on January 29, 2015. The permit grants permission to “reconstruct a 23 unit, two-story condominium building with associated parking, landscaping, utilities and related site improvements as shown on the approved site plan”. The permit expires January 28, 2020. All construction activities must comply with the conditions set forth in the DLUR permit (see RRE0003694MFDLURPermit). The proposed action must adhere to the approved plans provided to the DLUR (see approved plans in RRE0003694MFPreliminaryFinalSitePlan). If changes are made to the plans, these must be re-submitted to the DLUR for review prior to construction activities. Furthermore, the DLUR permit is not effective and no construction is approved to commence until the applicant has satisfied all pre-construction conditions as set forth within the approved DLUR permit. Issuance of, and compliance with this permit, does not relieve the applicant of the responsibility of obtaining any other required State, Federal or local permits or approvals as required by law.</p>
<p>4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p>Toxics</p> <p>The proposed project is in compliance. The subject property may be within 3,000 feet of a Hazardous Waste cleanup site, Landfill, solid waste cleanup site or Hazardous Waste facility that handles hazardous materials or toxic substances, however, all sites that have been reviewed and determined by NJDEP to be “non-threatening” to the potential HUD project have been removed from the dataset depicted on the map. Only sites determined to be “threatening” by the NJDEP would be visible on the map; however no “threatening” sites are within 3,000 feet of the project parcel (see RRE0003694MFToxicHazardousandRadioactiveSubstances Map). Additionally, the subject property is NOT listed on a State or Federal Hazardous Waste sites database. Site reconnaissance revealed no visible RECs in the vicinity of the potential HUD project that would conflict with the intended use of the property or health and safety of the occupants (see RRE0003694MFFieldAssessment).</p>

		<p>The structure's and each individual unit's Ocean County property records do not list a date of construction for the structure (see RRE0003694MFTaxCard1 and RRE0003694MF TaxCard2 as examples). Aerial imagery shows that prior to 1940, there was no development on the parcel or surrounding area. What appears to be a single-family structure was constructed on the property and others similar to it on nearby parcels between 1940 and 1956. On the project parcel, this structure was replaced with the twenty-three-unit structure between 1963 and 1972, placing the date of construction of the demolished structure between these dates (RRE0003694MFHistoricAerials taken from http://www.historicaerials.com/). Therefore, there are no prior uses that would represent a potential hazard to the health and well-being of the inhabitants of the property.</p> <p>Lead Based Paint</p> <p>The proposed project is in compliance. The previously existing structure has been demolished, and the lot is currently vacant. In accordance with 24 CFR Part 35:115(a)(1), given that the new structure has not yet been constructed, "a residential property for which construction was completed on or after January 1, 1978," is exempt from a Lead-Based Paint Assessment.</p> <p>Asbestos</p> <p>The proposed project is in compliance. The multi-unit structure was damaged beyond repair and has been demolished by a contractor under contract with the homeowner's association. Demolition of an existing structure is a permitted activity and as such is required to obtain proper permits from Toms River Township in accordance with N.J.A.C. 5:23-8.6(a) NJ Uniform Construction Code and the Asbestos Hazard Abatement Subcode, prior to the start of any demolition activities. As part of the permit/inspection process, all demolition activities would also be required to conform to the Asbestos Hazard Abatement Subcode.</p> <p>Based upon the requirement to obtain and comply with all permit criteria, demolition of the previously-existing</p>
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		<p>residential structure was determined to be in compliance with the Asbestos Hazard Abatement Subcode (see New Jersey Administrative Code (NJAC) 5:23-8). Additionally, the property is currently vacant and all demolition debris has been removed from the property; therefore, further project activities will not require assessment for, or mitigation of asbestos containing materials.</p> <p>Radon</p> <p>The proposed project, reconstruction and elevation of a multi-unit residential structure containing twenty-three units, is in compliance. The proposed action site is located in Toms River Township. According to the New Jersey Department of Environmental Protection Radon Map, Toms River Township in Ocean County is located in a Tier 3 Zone, which is classified as Low Potential for Radon (see RRE0003694MFRadonPotentialMap). In accordance with N.J.A.C. 5:23-10.1, “standards and procedures to ensure that construction techniques that minimize radon entry and that facilitate any post-construction radon removal that is required shall be incorporated in the construction of all buildings in Use Groups E and R in tier one areas and are permitted to be incorporated elsewhere in New Jersey.” Therefore, in areas of Low Radon potential (Tier 3), compliance with these construction techniques is not required; however, the incorporation of proper construction techniques will reduce the risk of possible radon exposure.</p>
<p>5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project, reconstruction and elevation of a multi-unit residential structure, is in compliance. A desktop review of the NJDEP HUD Environmental Review Tool, Threatened and Endangered Species layer indicates the proposed project site is not within an area of threatened and endangered species including the piping plover, red knot, and bat species (see RRE0003694MFEndangered Species Map). Additionally, a desktop review of the HUD Parcel-Centroids shows there are no state-listed or federally-listed endangered species associated with this project site (see RRE0003694MFCentroidsMap). Therefore, consultation with NJ Department of Environmental Protection, Division of Fish and Wildlife, Endangered and Nongame Species Program is not required. No further</p>

		<p>review for threatened and endangered animal species is required.</p> <p>The proposed action is not anticipated to affect threatened and endangered plant species. A request for review was submitted to the Natural Heritage Program (NHP) on February 27, 2015 (see RRE0003694MFNHPConsultation). The review indicated that no threatened or endangered plant species were located on or in the immediate vicinity of the project site. The NHP review did indicate some animal species that may be on or within the vicinity of the project site based on a search of species based patches; however, the animal species that have been determined to be of concern for this program were screened via a desktop GIS review as described above. The USFWS iPaC Landscape Tool was also consulted. The results indicated three flowering plant species which should be considered in an effects analysis for the proposed project (see RRE0003694MFUSFWSiPaCLandscapeExplorerTool). However, the entire parcel, as seen in the attached site map (see RRE0003694MFSiteLocationMap), is located within an urban developed area, and the site is currently paved and/or graveled with no vegetation growth. Refer to the site photographs included in the Field Assessment (RRE0003694MFFieldAssessment). Because of the location of the site (which is within a developed urban landscape with the lack of vegetation growth in and around the site), there will be no effect on threatened and endangered plant species.</p>
<p>6. Environmental Justice [Executive Order 12898]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project is in compliance. The blocks in the area surrounding the proposed action site consist of 0-10% minority populations (see RRE0003694MFEJMinorityDemographics). The population at or below poverty level in the tracts near the proposed action site is 0-10% and 20-30% (see RRE0003694MFEJPovertyDemographics). The population density in the area near the proposed action site is between 1,000-5,000 people / sq. mi. (see RRE0003694MFEJPopDensityDemographics). These demographics are consistent with the surrounding community. The proposed project involves the reconstruction and elevation of a multi-unit structure, and in accordance with the requirements of the program would not alter the existing demographics of the immediate area.</p>

		<p>The overall impacts of the project would be beneficial to the local community by addressing the shortage of affordable housing in communities most impacted by the storm and returning blighted buildings to viability. Therefore, disproportionate adverse effects would not occur.</p> <p>Additional Source: RRE0003694MFEJChecklist</p>
<p>7. Explosive and Flammable Operations [24 CFR 51C]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed action is in compliance with 24 CFR Part 51 Subpart C. The proposed project, the reconstruction and elevation of a multi-unit residential structure, does not increase residential density, change land use to residential, make a vacant building habitable, involve new construction, or involve a change of land use. Therefore, the proposed project is not an applicable activity and will not require a map or distance determination. Additionally, the proposed project will not include the installation of any ASTs on the subject parcel; thus, it will not create a potential hazard to nearby residents or businesses.</p>
<p>8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly section 1504(b) & 1541; 7 CFR 658]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project is in compliance. The proposed project site is not located in an area of prime/unique farmlands or within a farmland of statewide importance (see RRE0003694MFPrimeFarmlandSoilsMap). Additionally, as defined in 7 CFR 658.2, "Farmland" does not include land already in or committed to urban development or water storage. Additionally, assistance and actions related to the purchase, maintenance, renovation, or replacement of existing structures and sites converted prior to the time an application for assistance from a federal agency, including assistance and actions related to the construction of minor new ancillary structures (such as garages or sheds) do not involve conversion of farmland to nonagricultural uses and are exempt from the requirements of 7 CFR 658. Therefore, the proposed action, which includes reconstruction and elevation of a multi-unit residential structure containing twenty-three units, does not meet the definition of "Farmland".</p>
<p>9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]</p>	<p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), Panel 329 of 611, Map Number 34029C0329F, effective September 29, 2006 as well as the NJDEP HUD Review Tool DFIRM shows that the 0.568-acre parcel is partially located within the Flood Zones "VE" (0.106 acres) and "X" (0.457 acres) with a very small portion</p>

		<p>at the west border located in zone "AE" (0.005 acres). The Floodplain Zones VE and AE are part of the FEMA-designated Special Flood Hazard Area (SFHA) (see RRE0003694MFFIRM and RRE0003694MFD FIRM). However, the newer FEMA preliminary FIRM data provided by the NJDEP HUD Review Tool, places the entire 0.568 acres of the parcel within an SFHA Zone A (the map legend reference incorporates all "A" categories, including, in this case "AO") (see RRE0003694MFPreliminaryFIRM and RRE0003694MFPreliminaryFIRMAO). Therefore, the proposed action is subject to 24 CFR 55.20.</p> <p>The proposed project includes reconstruction and elevation of a multi-unit residential structure containing twenty-three units. The structure was determined to be a total loss and has been demolished post-storm; therefore, the proposed project is considered to be "substantial improvement" as defined in 24 CFR 55.2(b)(10). It will be considered major construction which does not meet the criteria under 24 CFR 55.12 to convert to a 5-Step Floodplain Analysis. Therefore, the 8-Step Decision Making Process, as required under 24 CFR 55.20, was initiated. Steps 1 through 6 of the 8-step floodplain decision making process have been completed for the proposed project site (see RRE0003694MF Floodplain8-Step). A 15-day "Notice for Early Public Review of a Proposed Activity in the 100-Year Floodplain" was published in The Star-Ledger and El Diario on March 13, 2015 (see RRE0003694MFEarlyFPEnglishAffidavit and RRE0003694MFEarlyFPSpanishAffidavit). Additionally, the notice was posted to DCA's website (http://www.nj.gov/dca/divisions/sandyrecovery/review) and also electronically sent to State and Federal agencies (see RRE0003694MF AgencyEmail) for further review. The 15-day period expired on March 30, 2015. Comments received and responded to include:</p> <ul style="list-style-type: none"> i) if there was a plan to submit the project to DLUR for a coastal consult and a response that included a permit received from DLUR (see RRE0003694MFEarlyFPCComment NJDEP and RRE0003694MFEarlyFPCCommentDLUR); ii) the lack of project information in the web link (see RRE0003694MFEarlyFPCCommentNJOceanCo). NJDEP was notified and project information was submitted to the planning department in which there were no further
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		<p>comments;</p> <p>iii) no additional comments from NOAA since the property is entirely in uplands and did not involve in-water work (see RRE0003694MFEarlyFPCommentNMFS); and</p> <p>iv) DCA did not receive any public comments on this notice (see RRE0003694MFEarlyFPNoCommentDCA1 and RRE0003694MFEarlyFPNoCommentDCA2).</p> <p>The final “Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds and Notice and Public Explanation of a Proposed Activity in the 100-Year Floodplain” will be published in accordance with 24 CFR Part 55 for a minimum 15-day comment period. The notice shall state the reasons why the project must be located in the floodplain, provide a list of alternatives considered, and list all mitigation measures to be taken to minimize adverse impacts and preserve natural and beneficial floodplain values. All comments received during the comment period will be responded to and fully addressed prior to funds being committed to the proposed project, in compliance with Executive Order 11988 or 24 CFR Part 55. Implementation of the proposed action may require additional local and state permits, which could place additional design modifications or mitigation requirements on the project.</p> <p>The proposed action will not require a Flood Hazard Area Control Act permit. Pursuant to N.J.A.C. 7:13-7.2(a)3, the reconstruction and elevation of a structure above the flood hazard area design flood elevation qualifies for a Permit-by-Rule. The proposed project must comply with all permit requirements as well as all federal, state, and local construction standards (see Required Mitigation and Project Modification Measures).</p> <p>The DLUR has issued a permit, # 1507-14-0029.1 CAF140001, dated January 29, 2015 authorized under and in compliance with applicable Rules on Coastal Zone Management N.J.A.C. 7:7E-1.1 et seq., as amended. The permit sets forth applicable findings as required by Sections 10 and 11 of the CAFRA statute (N.J.S.A. 13:19-1 et seq.), and the Rules on Coastal Zone Management will be met to the satisfaction of the Bureau of Coastal Regulation. The</p>
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		<p>proposed project must comply with all permit requirements as well as all federal, state, and local construction and elevation standards (see Required Mitigation and Project Modification Measures and RRE0003694MFDLURPermit).</p> <p>The reconstructed structure is required to meet all applicable construction and elevation requirements in accordance with the National Flood Insurance Program (NFIP) and all local floodplain ordinances. As required by NFIP, flood insurance must be obtained and maintained for the economic life of the structure in order for this site to remain eligible for this program.</p>
<p>10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project complies with Section 106 of the National Historic Preservation Act. The property was exempt from the Section 106 review for above-ground historic buildings given the allowances contained within the Programmatic Agreement exempts the requirement for a Section 106 review for above-ground historic buildings if it falls within the Historic Preservation Exclusion “Green” Zone that was defined by staff of FEMA and the NJHPO through windshield surveys conducted soon after the storm. That exemption / allowance is stated within Stipulation II.D.1 of the Programmatic Agreement and Appendix B (see RRE0003694MFProgrammaticAgreement). The joint FEMA / NJHPO survey that designated this location as not having above-ground historic preservation concerns was Toms River Township, NJHPO project number 13-0311-1 and was conducted on December 31, 2012; its NJHPO chronological log number for it is L2012-148. Its position within this zone is shown in the enclosed map (see RRE0003694MFHistoric PreservationExemptionZoneMap).</p> <p>The Programmatic Agreement also states that an archaeological investigation of the project area is not required when it is a reconstruction located on a barrier island, the property is less than 5 acres in area and there are no known archaeological sites nearby (see RRE0003694MF ProgrammaticAgreement). The application parcel is 0.568 acres in area, is located on a northern New Jersey barrier island and there are no known sites located in the area based on NJHPO records. As the proposed activity is permitted under the PA allowances, consultation with Native American Tribes was not needed. All activities must comply with</p>

		<p>Section 106 of the National Historic Preservation Act per the implementing regulations 36 CFR Part 800.</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>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project is in compliance. Per HUD directive, 24 C.F.R. Part 51B is not applicable to a disaster recovery program, including reconstruction, rehabilitation, elevation and mitigation that meets the requirements for exclusion in 24 CFR 51.101(a)(3). That regulation states that HUD noise policy does not apply to “assistance that has the effect of restoring facilities substantially as they existed prior to the disaster.” The proposed reconstruction and elevation of a multi-unit residential structure would restore housing substantially as it existed prior to Superstorm Sandy.</p>
<p>12. Sole Source Aquifers [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project is in compliance with 40 CFR 149. The project site is located in Ocean County and is within the New Jersey Coastal Plain Aquifer System, which underlies the entire southern half of the state (see RRE0003694MF SoleSourceAquifersMap). In accordance with the Environmental Protection Agency (EPA) Sole Source Aquifer (SSA) Review of HUD Projects letter dated August 13, 1996, actions located “in urbanized areas, single or multi-unit housing developments, community centers and schools that will use existing public water and sewer” do not have the potential to create a ‘significant hazard to public health’ by adversely impacting ground water either during construction or after completion and facility is in operation, and are not subject to EPA SSA review (see RRE0003694MF Memo1996EPASoleSourceAquiferReviewofHUDProjects). Public, municipal water and sewer services are provided by New Jersey American Water and Toms River Municipal Utilities Authority, respectively. Therefore, the proposed project is not anticipated to have an adverse effect on sole source aquifers.).</p>
<p>13. Wetland Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed action is in compliance. A desktop review of the NJDEP Wetlands Protection Map and field data indicates that mapped/potential wetlands are located approximately 85 feet east of the parcel (see RRE0003694MFWetlandsProtectionMap and RRE0003694MFFieldAssessment). However, the structure will be built across a paved roadway from the mapped wetland associated with the beached area east of the site. If the structure stays within the previous footprint or the structure is relocated farther away from the wetland, using best management practices, there should be no adverse</p>

			<p>impact on the wetlands and no wetland permit or transition area waiver is required. If the existing structure is located within a transition area, it should not be relocated closer to the wetland. In addition, if the existing structure is located outside a transition area, it should not be relocated to a transition area.</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 proposed project is in compliance with 16 U.S.C. 1271 et seq. The nearest designated segment of the National Wild and Scenic Rivers System (NWSRS) to the proposed project site is Great Egg Harbor River, which is located 44 miles southwest of the proposed project site (see RRE0003694MFWildScenicRiversMap). The proposed project site is NOT located within 1 mile of a Wild and Scenic River (WSR), or within ¼ mile of the stream bank of a WSR. Protected resources also include specific segments of tributaries to these rivers as referenced in the Act, as well as river segments registered in the Nationwide Rivers Inventory. There are currently no rivers within the state under study for possible inclusion into the Wild and Scenic River System. The proposed project site is not within proximity of a NSWRS resource, and will have no direct and adverse effects on designated components or potential components of the NWSRS.</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	1	<p>The proposed project site is located on a barrier island which lies in the extreme eastern portion of Toms River Township. This area of the township is predominantly zoned for residential use. There are scattered portions set aside for general businesses; however, these areas are located mainly along the main road that traverses the barrier island—State Highway 35. This can be seen on the zoning map for the Toms River Township (see RRE0003694MFTomsRiverZoningMap). The proposed project site consists of a vacant lot that was previously developed for multi-unit residential usage. Additionally, it is located in a multi-unit zone (see RRE0003694MFTomsRiverZoningMap).</p> <p>The proposed project activities involve the reconstruction and elevation of a multi-unit residential structure. The proposed project will involve no change in land use. Additionally, the project activities are in conformance with the land uses specified for a multi-unit zoning designation as per the Toms River Township master plan. The project activities will serve to return the parcel to its intended use as a multi-unit dwelling. Therefore, the proposed project is not anticipated to have any impact on the surrounding community.</p>

		Source: Toms River Township Master Plan website
Land Use Compatibility and Conformance with Zoning	1	The zoning map for the Toms River Township, adopted on July 18, 2014 (see RRE0003694MFTomsRiverZoningMap), shows that the proposed project parcel is zoned for multi-unit residences (MF-16). Therefore, because the proposed project site is not changing from its pre-storm use as a multi-unit residential structure, the proposed project is not anticipated to have any impact on the surrounding community.
Urban Design- Visual Quality and Scale	2	<p>Based on a site inspection of the proposed project site and a review of 2014 high-resolution imagery, the project site is surrounded predominantly by single-family and multi-unit residences. However, to the immediate east of the property, there is a boardwalk area, the beach, and associate parking spaces.</p> <p>The proposed project site consists of a vacant lot. The previously existing multi-unit residential structure was demolished post-storm due to extensive damages. If the site is allowed to remain a vacant lot, it is likely to remain as a break in the visual scale of the community. Therefore, the proposed project activities would serve to improve upon the current condition and appearance of the project site.</p> <p>Sources: Google Maps 2014 high-resolution imagery; Site inspection by URS Corporation on March 12, 2015</p>
Slope	1	<p>The field assessment performed on March 12, 2015 did not indicate previous slides or slumps in project areas or cracking in current paved areas (see RRE0003694MFFieldAssessment). The topographic map for the proposed project area indicates that the site is mostly flat and does not experience a noticeable change in elevation (see RRE0003694MFTopographicMap). These findings were supported by the USDA NRCS custom soil report (see RRE0003694MFNRCS CustomSoilResourceReport), which shows that the proposed site sits on Urban land-Hookson complex. This complex is typically associated with slopes between 0% to 10%.. Optimal slope suitability for residential use is between 0% and 6% while slopes between 6% and 12% are considered satisfactory. Therefore, it has been concluded that the proposed project will not significantly affect or be affected by slope conditions.</p> <p>Sources: Topographic Elevation Contour Maps wetbsite; Site Inspection by URS Corporation on March 12, 2015; Meoching, Howard, Inventory and Evaluation of Soils for Urban Development (St. Paul HRA C.P. District 6 – North End), Ramsey</p>

		<p>Soil and Water Conservation District; Kiefer, Ralph W. "Terrain Analysis for Metropolitan Fringe Area Planning." Journal of the Urban Planning Division, Proceedings of the American Society of Civil Engineers, December 1967.</p>
<p>Erosion</p>	<p>4</p>	<p>The proposed project activities will not be affected by erosion or sedimentation conditions. The proposed project site is not located on land with a steep slope, and site photographs do not show evidence of erosion or sedimentation near the proposed project site (see RRE0003694MFFieldAssessment). The site map (RRE0003694MFSiteLocationMap) shows that the proposed project site is on a previously-developed parcel across a paved roadway, west of a beachfront. Due to the proximity to water, the site may be considered to be an erosion sensitive area. However, a Soil Erosion and Sediment Control Certification was issued for the proposed action on May 12, 2014. The proposed project is subject to the conditions and control efforts listed in the certification (see RRE0003694MFSoilErosionandSedimentControlCertification), which includes a required pre-construction meeting with the Ocean County Soil Conservation District prior to the start of soil disturbance activities. Failure to comply with any of the conditions listed may result in the issuance of a Stop Construction Order.</p> <p>Source: Standards for Soil Erosion and Sediment Control in New Jersey, 7th Edition January 2014</p>
<p>Soil Suitability</p>	<p>1</p>	<p>The approximately 0.568 acre project site consists of an Urban land-Hooksan complex as determined by referencing the Web Soil Survey Information provided by the United States Department of Agriculture (see RRE0003694MFNRCSCustomSoilResourceReport). Within the project area, approximately 65% is categorized as Urban land, which is described as being covered by man-made material underlain by disturbed and natural soil material. Approximately 20% of the project area is categorized as Hooksan soil. Hooksan soil is excessively drained, has a 0 to 5 percent slope, and has a very low potential for flooding. The other minor components of the soil complex include frequently to very frequently flooded soils including Beaches, Transquaking, and Appoquinimink, each only approximating 5% of the project area. Additionally, the lack of distress and/or cracking on the currently paved areas of the proposed project site (see photos in RRE0003694MFFieldAssessment), as well as the fact that the structure was previously situated on the site, leads to the conclusion that the soils in the area are stable and capable of supporting the multi-unit residential structure.</p>

Hazards and Nuisances, Including Site Safety	1	The proposed project site is currently a vacant lot enclosed with chain link fencing (see RRE0003694MFFieldAssessment). There are not currently any hazards or nuisances on the proposed project site that would negatively affect nearby residences. The proposed project involves the reconstruction and elevation of a multi-unit residential structure. During project activities, fencing should be maintained to protect people from attractive nuisances. Construction and staging areas as well as construction activities may pose a temporary and unavoidable safety hazard to workers and nearby pedestrians. It is anticipated that staging areas and construction activities will take place on the project parcel, and that construction will abide by municipal and state safety regulations and code. It is expected that no hazards will exist upon project completion.
Drainage/Storm Water Runoff	1	The Atlantic Ocean is located across the street and along the entire frontage of the proposed project site (see RRE0003694MF SiteLocationMap). Due to the proximity to the Atlantic Ocean, the project is located adjacent to an adequate receiving body for drainage and stormwater runoff. Additionally, during construction, the proposed project activities would incorporate controls to prevent erosion and adverse impacts to nearby mapped wetlands and receiving waters from storm water runoff. This may be accomplished through the installation of silt fences or hay bales. Therefore, drainage and storm water runoff is not anticipated to be an issue at the site upon completion of the construction activities.
Noise- Effects of Ambient Noise on Project & Contribution to Community Noise Levels	4	The proposed project was originally a multi-unit residential structure before being demolished post-storm, and it will be reconstructed as an elevated multi-unit residential structure. The proposed project is not exposed to any unacceptable ambient noise levels, nor would the project significantly alter community noise levels. During project activities, noise will be a temporary impact that will be mitigated to the extent feasible and will be controlled by Best Management Practices including turning off idling equipment, minimize noise impulses, avoiding scheduling project activities during nighttime hours and on weekends, inspecting all equipment at periodic intervals to ensure proper maintenance, and ensuring that all equipment has manufacturers' recommended noise abatement measures (see Required Mitigation and Project Modification Measures). Noise levels during project activities will be within applicable city, state and federal codes and will comply with local noise ordinances.
Energy Consumption	1	The proposed project would not have unusual energy needs,

		<p>and is not expected to have significant impact on energy consumption. The proposed project involves the reconstruction and elevation of a multi-unit residential structure. The new structure will be built to meet local building codes and must meet applicable minimum HUD building standards. Some energy will be consumed during the implementation of the project; however, this energy consumption will be temporary during the course of repairs and improvements.</p>
<p>Socioeconomic Factors</p>		
<p>Demographic Character Changes</p>	<p>1</p>	<p>According to the U.S. Census Bureau, the median household income in Toms River Township between 2009 and 2013 was \$73,209. In Toms River Township between 2009 and 2013, 6.3% of the population were at or below the poverty level. This is consistent with tracts near the proposed action site which show populations of 0-10% and 20-30% at or below the poverty level (see RRE0003694MFEJPovertyDemographics and RRE0003694MFSocioeconomicTable).</p> <p>The minority population for Toms River Township in 2010 was 15.3%. This is slightly higher than the blocks in the area surrounding the proposed action site which consist of 0-10% minority populations (see RRE0003694MFEJMinorityDemographics and RRE0003694MFSocioeconomic Table).</p> <p>The Reconstruction, Rehabilitation, Elevation, and Mitigation Program seeks to repair or replace pre-storm housing. Therefore, this project is not expected to have a noticeable impact on the demographic character of the area.</p>
<p>Displacement</p>	<p>2</p>	<p>The proposed project involves the reconstruction and elevation of a multi-unit residential structure that was damaged by Superstorm Sandy and whose residents were displaced. This project will restore housing for previously displaced residents.</p>
<p>Employment and Income Patterns</p>	<p>1</p>	<p>According to the U.S. Census Bureau, the median household income in Toms River Township between 2009 and 2013 was \$73,209 whereas the median income in Ocean County as a whole was \$61,136 during this time period (see RRE0003694MFSocioeconomicTable). The proposed project involves the reconstruction and elevation of a multi-unit structure. The Reconstruction, Rehabilitation, Elevation, and Mitigation Program seeks to repair or replace pre-storm housing. Therefore, this project is not expected to have a noticeable impact on employment and income patterns in the area.</p>

Community Facilities and Services		
Educational Facilities	1	<p>This project will have minimal impact on the school districts. The proposed project site is in the Toms River Regional Schools District which includes three highschools, three intermediate schools and twelve elementary schools. Toms River High School East is located at 1225 Raider Way, Toms River, NJ 08753 and is 6.3 driving miles from the proposed project site. Toms River Intermediate East is located at 1519 Hooper Avenue, Toms River, NJ 08753 which is roughly 9.1 driving miles from the project site. Lastly, the closest elementary school is East Dover Elementary which is located at 725 Vaughn Avenue, Toms River, NJ 08753 (approximately 6.6 driving miles from the project site). Additionally, educational facilities in the Seaside Heights and Central Regional Schools Districts offer schools that may be closer to the site, though additional fees may apply for enrollment out of the Toms River District.</p> <p>Sources: Toms River Regional Schools District website; Seaside Heights School District website; Central Regional School District website; Google Maps</p>
Commercial Facilities	1	<p>The proposed project involves the reconstruction and elevation of a multi-unit residential structure, which will have minimal impact to commercial facilities as a result of project implementation. Commercial facilities are sufficiently available in the area near the project site. Jerry's Farm Market is approximately a 0.5 mile driving distance from the project site, located at 1758 Route 35, Seaside Heights, NJ. Nearby, there is an A&P Food Store located at 5 Ortley Plaza, Ortley Beach, , which is located approximately 0.8 miles driving distance from the project site. A CVS Pharmacy is approximately 0.8 miles driving distance from the project site, located at 1600 Route 35, Seaside Heights, NJ. A Kohl's Department Store, approximately 9.1 miles driving distance from the project site, is located at 1 Route 37 West, Toms River, NJ.</p> <p>Source: Google Maps</p>
Health Care	1	<p>This proposed project will not increase the number of residential units beyond what previously existed on the property, therefore it will have minimal impact on the health care facilities of Toms River Township and Ocean County. The project site is approximately 9.0 miles from Community Medical Center, the nearest full-service hospital which serves the entire northern Ocean County area. The hospital is located at 99 Route 37 West, Toms River, NJ. Additionally, doctor offices and urgent care facilities are sufficiently accessible to future residents of the project site.</p> <p>Sources: Website for Barnabas Health; Google Maps</p>

<p>Social Services</p>	<p>1</p>	<p>The proposed project will not increase the number of residential units that were previously on the property, therefore it will have minimal impact on social service related facilities of Toms River Township and Ocean County. The project site is located near several social service type facilities and driving distances to these agencies/facilities is not anticipated to be an issue. The Ocean County Board of Social Services is located at 1027 Hooper Avenue, Toms River, NJ, a driving distance of approximately 7.8 driving miles from the project site. This office provides assistance for Electronic Benefits Transfer (EBT), which has replaced welfare checks and food coupons for families in need. There are also General Assistance (GA) Programs, Medicaid, Adult Protective Services, and Homeless Services available. There is a Salvation Army Community Center located at 1738 Route 37, Toms River, NJ, a driving distance of approximately 5.1 driving miles from the project site. Services available from The Salvation Army Ocean County Citadel include, but are not limited to after school programs, clothing distribution, emergency disaster services, feeding programs, homeless shelters, senior services, and veterans/military personnel services.</p> <p>Sources: Ocean County Department Board of Social Services website; The Salvation Army Ocean County Citadel website; Google Maps</p>
<p>Solid Waste Disposal/Recycling</p>	<p>1</p>	<p>The proposed project will reconstruct and elevate a previously existing multi-unit residential structure. Additionally, the proposed residential project will not generate an abnormal amount of solid waste after completion of construction activities. It has been confirmed that collection and disposal/recycling services will be provided by the Toms River Township Department of Public Works.</p> <p>Source: Toms River Township Department of Public Works website</p>
<p>Waste Water/Sanitary Sewers</p>	<p>4</p>	<p>The proposed project is not anticipated to negatively impact the sanitary sewer system of Ocean County nor the county's wastewater treatment plant as the project will not expand the housing stock relative to conditions prior to Superstorm Sandy. The proposed project will be served by municipal water and sewer. Wastewater from the proposed project site will drain into a public sanitary sewer pipeline operated by the Toms River Municipal Utilities Authority. The Toms River Municiple Authority provided instruction on the application/approval process on February 10, 2014 (see RRE0003694MFTomsRiver</p>

		<p>MunicipalUtilities20140210). The site plan was reviewed and approved on May 20, 2014 (see RRE0003694MFTomsRiver MunicipalUtilities20140520). All statements and conditions set forth in the approval letter attached must be obeyed in order for the project to remain in compliance. See all statements and conditions to be adhered to in RRE0003694MFTomsRiver MuncialUtilities20140520.</p>
<p>Water Supply</p>	<p>1</p>	<p>Water will be supplied by New Jersey American Water (see RRE0003694MFAmericanWater). This project will not increase water consumption relative to conditions prior to Superstorm Sandy and is not anticipated to have any impact on the water supply of Toms River.</p>
<p>Public Safety:</p> <ul style="list-style-type: none"> • Police • Fire • Emergency Medical 	<p>4</p>	<p>Police</p> <p>The Toms River Police Department serves the project site. The Department is located at 255 Oak Ave, Toms River, NJ 08753, which is 8.5 miles driving distance from the proposed project site. The closest police departments to project site are the Seaside Heights Police Department, located at 116 Sherman Avenue #1, Seaside Heights, NJ and the Lavallette Police Department, located at 125 Washington Avenue, Lavallette, NJ. Driving distances to both Departments are approximately 1.2 miles. The Toms River Police Department will defer to these closer Departments as needed to serve residents. This project will not expand the housing stock relative to conditions prior to Superstorm Sandy and is anticipated to have minimal impact on the nearby police facilities.</p> <p>Sources: Toms River Police Department Website; Google Maps</p> <p>Fire</p> <p>The Seaside Heights Volunteer Fire Department Station 44 and the Lavallette Fire Company are the closest fire stations serving the project site. The fire stations are located at 116 Sherman Avenue, Seaside Heights, NJ and 125 Washington Avenue, Lavallette, NJ 08735, respectively. The driving distances from the proposed project site to both fire Departments is approximately 1.2 miles. This project will have adequate fire protection and will not expand the housing stock relative to conditions prior to Superstorm Sandy. The proposed project is anticipated to reconstruct and elevate the previously existing structure to code that complies with all required federal, state and local permit conditions. Additionally, the Toms River Bureau of Fire Prevention has approved the application and plan for the proposed site. All conditions included</p>

		<p>in the approval must be adhered to in order to remain in compliance, including obtaining a building permit within one year of the date of the application (May 1, 2014) or as required by Toms River Municipal Land Use Code, whichever the shorter period of time. Any modifications to the plans shall be resubmitted to the Toms River Fire Bureau (RRE0003694MFFirePreventionApproval 20140501).</p> <p>Source: Google Maps</p> <p>Emergency Medical</p> <p>The project site is approximately 9 driving miles from Community Medical Center, the nearest 24-hour emergency medical facility. The hospital is located at 99 Route 37 West, Toms River, NJ. This project will have adequate emergency medical services and will not expand the housing stock relative to conditions prior to Superstorm Sandy. Therefore, the proposed project is anticipated to have minimal impact on nearby hospitals and emergency services.</p> <p>Sources: Website for Barnabas Health; Google Maps</p>
<p>Parks, Open Space & Recreation:</p> <ul style="list-style-type: none"> • Open Space • Recreation 	<p>1</p>	<p>Open Space</p> <p>Based on a site inspection of the project site and surrounding properties and a review of 2014 high-resolution imagery, there is a mixture of open space and developed properties in all directions from the site. The nearest being the public beach which is across the roadway, approximately 80 feet east of the site. Approximately 0.5 miles south on the public beach, a large boardwalk featuring shopping, restaurants, and recreational activities is available. The proposed project is not anticipated to have a significant impact to these resources.</p> <p>Sources: Seaside Heights Area Boardwalk Information website; Google Maps</p> <p>Recreation</p> <p>There are several recreational facilities reasonably near the project site. The boardwalk and beach are approximately 0.5 miles south and 80 feet east of the site, respectively. Casino Pier and Breakwater Beach Waterpark, an amusement park and water park</p>

		<p>located at 800 Ocean Terrace, Seaside Heights, NJ, has reopened for business and is approximately 0.8 miles from the site (approximately 1.2 driving miles). Cattus Island County Park is approximately 6.9 driving miles from the site and features walking trails, a butterfly garden, a playground, fishing, and scenic overlooks. The proposed project is not anticipated to have a significant impact to these resources.</p> <p>Sources: Ocean County Department of Parks and Recreation website; Casino Pier and Breakwater Beach Waterpark website; Google Maps</p>
<p>Cultural Facilities</p>	<p>1</p>	<p>There are several cultural facilities reasonably near the project site. The closest public library to the project site is the Upper Shores Library located at 112 Jersey City Avenue, Lavallette, NJ. The library is approximately 0.8 miles from the project site. The Ocean County Historical Society Museum, located at 26 Hadley Avenue, Toms River, NJ, and is approximately 7.4 miles from the project site. The John F. Peto Studio Museum, featuring local art, is located at 102 Cedar Avenue, Island Heights, NJ, approximately 6.8 miles from the project site. The Ocean County Artists Guild is located at 22 Chestnut Avenue, Island Heights, NJ, approximately 6.0 miles from the project site. The Garden State Philharmonic, located at 1 College Drive, Toms River, NJ, is approximately 10 miles from the site. The proposed project is not anticipated to have a significant impact to these resources.</p> <p>Sources: Ocean County Tourism website; Upper Shores Library website; John F. Peto Studio Museum website; Google Maps</p>
<p>Transportation & Accessibility</p>	<p>1</p>	<p>The proposed project site is located close to public transportation access points to service the potential needs of future residents. The Ocean County Department of Transportation Services county transit system, Ocean Ride, provides transportation services to the local area via local bus routes. Specifically, the Tom’s River Connection bus route operates Monday through Saturday with stops in Lavallette and Seaside Heights. Persons wishing to ride the bus may also flag the driver to request a boarding or stop at a safe location along the scheduled bus route. The Ocean County Department of Transportation Services also offers the Reserve-A-Ride Program. Reserve-A-Ride provides door-to-door, non-emergency medical transportation service to seniors (age 60 and over) and person with disabilities. This service is offered by advanced registration basis primarily to destinations within Ocean County.</p>

		Sources: Ocean County Transportation Services website; Google Maps
Natural Features		
Water Resources	1	<p>The proposed project would not pose a significant threat to groundwater or other water resources. The project will be consistent with the applicable regulations for Wetlands Protection, Coastal Zone Management, Floodplains Management, Sole Source Aquifers, and Wild and Scenic Rivers, which are protective of water resources of the state (see above sections).</p> <p>The New Jersey Division of Land Use Regulation (DLUR) approved permit for the proposed action on January 29, 2015. The permit grants permission to “reconstruct a 23 unit, two-story condominium building with associated parking, landscaping, utilities and related site improvements as shown on the approved site plan”. The permit expires January 28, 2020. All construction activities must comply with the conditions set forth in the DLUR permit (see RRE0003694MFDLURPermit). The proposed action must adhere to the approved plans provided to the DLUR (see approved plans in RRE0003694MFPreliminaryFinalSitePlan). If changes are made to the plans, these must be re-submitted to the DLUR for review prior to construction activities. Furthermore, the DLUR permit is not effective and no construction is approved to commence until the applicant has satisfied all pre-construction conditions as set forth within the approved DLUR permit.</p> <p>Additionally, this project does not require direct withdrawals from groundwater or surface water resources; furthermore, municipal water service, provided by New Jersey American Water, is available at this site. In order for the proposed action to be in compliance with applicable regulations set forth for the protection of EPA designated sole source aquifers, water utilized and sourced from within the proposed action site must be provided by a public, municipal source. Provided that all construction activities comply with the conditions set forth in the DLUR permit and that the project is consistent with the applicable regulations for Wetlands Protection, Coastal Zone Management, Floodplains Management, Sole Source Aquifers, and Wild and Scenic Rivers, then there are no expected adverse impacts to water resources.</p>
Surface Water	1	The proposed project is not anticipated to have a significant effect on any surface water body. The nearest surface water body is the Atlantic Ocean which borders the entire frontage of the proposed action site. The nearest federally designated Wild and Scenic River, Great Egg Harbor River, is approximately 44

		<p>miles southwest of the proposed action site (see RRE0003694MFWildScenicRiversMap).</p> <p>Sources: National Wild and Scenic Rivers System website; Google Maps</p>
<p>Unique Natural Features & Agricultural Lands</p>	<p>1</p>	<p>There are no unique natural features in the vicinity of the project site. According to the National Registry of Natural Landmarks, the only Natural Landmark in Ocean County is the 64 acre Manahawkin Bottomland Hardwood Forest located southwest of the proposed action site. The proposed project will not impact this state owned natural landmark. Additionally, no portions of the proposed action site are considered prime farmlands or farmlands of statewide or unique importance; all portions of the proposed action site are in or committed to urban development, and are not defined as "Farmland" in 7 CFR 658.2. Therefore, the project will have no impact to agricultural lands.</p> <p>Source: National Park Service National Natural Landmarks website</p>
<p>Vegetation and Wildlife</p>	<p>1</p>	<p>The proposed project involves the reconstruction and elevation of a multi-unit residential structure, with no change in land use. The activities associated with the proposed project are anticipated to restore and improve the project site for its originally intended use prior to Superstorm Sandy. The proposed action is not anticipated to affect threatened and endangered plant species. A request for review was submitted to the Natural Heritage Program (NHP) on February 27, 2015 (see RRE0003694MFNHPConsultation). The review indicated that no threatened or endangered plant species were located on or in the immediate vicinity of the project site. A desktop review of the NJDEP HUD Environmental Review Tool, Threatened and Endangered Species layer indicates the proposed action site is not within an area of threatened and endangered species including the piping plover, red knot, and bat species (see RRE0003694MFEndangeredSpeciesMap). Additionally, desktop review of the HUD Parcel-Centroids shows there are no state-listed or federally-listed endangered species associated with this project site (see RRE0003694MFCentroidsMap). Therefore, consultation with NJ Department of Environmental Protection, Division of Fish and Wildlife, Endangered and Nongame Species Program is not required and no further review for threatened and endangered animal species is required. The entire parcel, as seen in the attached site map (see RRE0003694MFSiteLocation Map), is located within an urban development, and the site is currently paved and/or graveled, with no vegetation growth.</p>

		Therefore, there is no anticipated impact to vegetation or wildlife interests within or nearby to the proposed action site.
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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 proposed action does not involve the sale or acquisition of property located within a Civil Airport Runway Clear Zone or a Military Airfield Clear Zone. The runway protection zones associated with Newark Liberty International Airport and Atlantic City International Airport are located approximately 49 miles and 43 miles (respectively) from the proposed project site, and are therefore not applicable to the proposed project. The nearest applicable military airfield clear zone is located at the Lakehurst Naval Air Station, approximately 13 miles from the proposed project site, and is therefore also not applicable to the proposed project (see RRE0003694MFAirportClearZonesMap). [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 and twelve "otherwise protected areas" that comprise the Coastal Barrier Resources System in New Jersey are part of the John H. Chafee Coastal Barrier Resources System and are undeveloped coastal barriers and other areas located on the coasts of the United States. The nearest component of the Coastal Barrier Resource System is approximately 3.43 miles south of the project action site. Therefore, the proposed action is not within any designated coastal barrier unit or "otherwise protected area," and would have no impact on coastal barrier resources (see RRE0003694MFCoastalBarrierResourcesActMap). [Proceed with project.]

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

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

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

No. Cite or attach Source Documentation: _____ [Proceed with project.]

Yes. Cite or attach Source Documentation: The proposed project site is largely located within the Flood Zones "VE" (0.106 acres) and "X" (0.457 acres) with a sliver at the west border located in zone "AE" (0.005 acres). The Floodplain Zones VE and AE are part of the FEMA-designated Special Flood Hazard Area (SFHA) (see RRE0003694MFFIRM and RRE0003694MFD FIRM). The FEMA Preliminary FIRM data provided by the NJDEP HUD Review Tool (see RRE0003694MFPreliminaryFIRM and RRE0003694MFPreliminaryFIRMAO) shows the entire 0.568 acre parcel within an SFHA Zone A (the map legend reference incorporates all "A" categories, including, in this case "AO"). Therefore, flood insurance is required for participation in this program in accordance with 24 CFR 58.6(a). Proof of flood insurance must be provided to the Department of Community Affairs in order for this site to remain eligible for this program (see Required Mitigation and Project Modification Measures).

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.)

A floodplains 8-Step Process was performed.

Field Inspection (Date and completed by):

The field inspection was completed on 3/12/2015 by Malik Rasool. The property location was confirmed by the parcel location. Mr. Rasool inspected the parcel, which was a vacant lot, and noted no Recognized Environmental Conditions (RECs) (see RRE0003694MFFieldAssessment).

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

Barnabas Health website:

<http://www.barnabashealth.org/>

Casino Pier and Breakwater Beach Waterpark website:

<http://casinopiernj.com/>

Central Regional School District website:

<http://www.centralreg.k12.nj.us/>

DCA website:

<http://www.nj.gov/dca/divisions/sandyrecovery/review>

Google Maps website:

<https://www.google.com/maps>

Historic Aerials website:

<http://www.historicaerials.com/>

John F. Peto Studio Museum website:

<http://petomuseum.org/>

Kiefer, Ralph W. "Terrain Analysis for Metropolitan Fringe Area Planning." Journal of the Urban Planning Division, Proceedings of the American Society of Civil Engineers, December 1967.

Meoching, Howard, Inventory and Evaluation of Soils for Urban Development (St. Paul HRA C.P. District 6 – North End), Ramsey Soil and Water Conservation District

National Park Service, National Registry of Natural Landmarks website:

<http://www.nature.nps.gov/nnl/>

National Wild and Scenic Rivers System website:

<http://rivers.gov/>

Ocean County Department Board of Social Services website:

<http://www.co.ocean.nj.us/SocialServices/>

Ocean County Department of Parks and Recreation website:

<http://www.co.ocean.nj.us/OC Parks/>

Ocean County Tourism website:

<http://www.oceancountytourism.com/>

Ocean County Transportation Services website:

<http://www.co.ocean.nj.us/Transportation/>

Seaside Heights Area Boardwalk Information website:

<http://www.seasideheights.net/boardwalk.htm>

Seaside Heights School District website:

<http://www.sshschool.org/>

Standards for Soil Erosion and Sediment Control in New Jersey, 7th Edition, January 2014:

<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>

The Salvation Army Ocean County Citadel website:

<http://newjersey.salvationarmy.org/NewJersey/oceancounty>

Toms River Police Department website:

<http://trpolice.org/>

Toms River Regional Schools District website:

<http://www.trschools.com/>

Toms River Township Department of Public Works website:

<http://tomsrivertownship.com/index.php/Department-of-Public-Works/>

Toms River Township Master Plan:

http://www.tomsrivertownship.com/downloads/engineering/MASTER_PLAN.pdf

Topographic Elevation Contour Maps website:

<http://www.mytopo.com/>

Upper Shores Library website:

<http://www.lavallette.org/organizations/library.html>

Lists of Permits Required:

Toms River Bureau of Fire Prevention requires that a building permit be obtained within one year from the date of approval (May 1, 2014) for the approval to still be valid.

Additionally, a DLUR permit was approved on January 29, 2015. The permit grants permission to “reconstruct a 23 unit, two-story condominium building with associated parking, landscaping, utilities and related site improvements as shown on the approved site plan”. The permit expires January 28, 2020. All construction activities must comply with the conditions set forth in the DLUR permit.

A Soil Erosion and Sediment Control Certification was issued for the proposed action on May 12, 2014. The proposed action is subject to the conditions and control efforts listed in the certification, which includes a required pre-construction meeting with the District prior to the start of soil disturbance activities. Failure to comply with any of the conditions listed may result in the issuance of a Stop Construction Order.

Public Outreach [24 CFR 50.23 & 58.43]:

This project is being funded under the Reconstruction, Rehabilitation, Elevation, and Mitigation Program (administered by the Department of Community Affairs). During the initial stages of the program, public outreach was conducted on a program-wide basis by the Department of Community Affairs.

Additionally, a “Notice for Early Public Review of a Proposed Activity in a 100-Year Floodplain” was published in The Star-Ledger and El Diario on March 13, 2015, providing information on the project activities and funding. The notice was addressed to the public and interested individuals/entities, sent electronically to interested Federal, State, and local agencies, posted to DCA’s website, and invited their involvement and comments. The 15-day comment period ended on March 30, 2015. All comments received during the comment period have been duly responded (see RRE0003694MFFloodplain8-Step). The Department of Community Affairs will publish a combined “Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds and Notice and Public Explanation of a Proposed Activity in the 100-Year Floodplain” in The Star-Ledger and El Diario with a 15-day comment period. All comments received during the comment period will be responded to and fully addressed prior to funds being committed to the proposed project.

Cumulative Impact Analysis [24 CFR 58.32]:

The proposed project involves the reconstruction of a multi-unit residential structure in Toms River Township, Ocean County, New Jersey. The surrounding area is comprised of previously constructed single-family and multi-unit residential buildings, many of which were also impacted by the storm. The rebuilding of this community has been a gradual, ongoing process; thus any negative effects that might result from the reconstruction of this multi-unit residential structure will be temporary and negligible. Additionally, project activities are not anticipated to contribute to any cumulative effects on the surrounding environmental resources.

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.)

DCA considered the following alternatives to the proposed project:

Reconstruction and elevation of the multi-unit residential structure in accordance with all applicable local, state and federal floodplain requirements. The proposed project includes the reconstruction and elevation of a twenty-three-unit residential structure that previously consisted of multiple individually-owned condominiums connected by common areas. Following Superstorm Sandy, the structure was determined to be a total loss and has been demolished. Construction has not started and the parcel currently remains vacant. This proposed project will greatly assist the targeted owners who meet low-moderate income status and will further protect them from future storm surges as the proposed action will require elevation and the construction of the structure to meet current minimum property standards with the use of better and higher quality building materials. Thus, funding this project would provide safe and affordable housing for the owners, prevent future loss of life, and enhance housing opportunities for low and moderate income residents of Toms River Township. Additionally, it would also provide added rare amenities for low-moderate

income owners to reside next to the beach with a view of the Atlantic Ocean from the property grounds and from some of the units.

Relocating future residents by acquiring an existing twenty-three-unit or similarly sized residential structure outside the 100-Year Floodplain. The parcel is located in Toms River Township in which almost the entire city is within the SFHA. Acquiring an existing twenty-three-unit or similarly sized structure outside of the 100-year Floodplain would be extremely difficult and cost prohibitive due to limited land that is not in the SFHA and the remote possibility of finding another residential structure of the same capacity outside the floodplain. Toms River Township is a densely developed community, and the majority of the land area is within the SFHA. Thus, undeveloped properties in residential areas are severely limited and costly to acquire. By relocating the residents and, subsequently, not reconstructing the twenty-three-unit residential structure, the resulting project activities would contribute to a continued shortage of safe and affordable housing in the areas most impacted by the storm. This would ultimately not meet the purpose of the RREM Program. Additionally, the owners for the units would have to leave their community where they presumably work and have established neighborhood ties and social networks. Furthermore, relocating would be a financial burden, as the residents are also targeted to be low-to-moderate income and likely do not have the means to relocate farther away from their place of employment. Therefore, relocation would be contrary to the purpose and function of the proposed project and would not further efforts to restore safe housing in the current community.

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

The “No Action Alternative” means that the proposed project would not utilize federal funds for the reconstruction and elevation. Even though the structure would likely be rebuilt by the homeowner’s association, it would not be targeted for the previous low-moderate income unit owners. This would not address the vital housing needs of the area for low-moderate income residents and would not aid in the recovery of this neighborhood of Toms River Township. Alternatively, applicants may seek alternative funding such as a bank loan to proceed with the buy-in for their portion of demolition, reconstruction, and elevation costs; however this would likely represent a hardship for the applicants. Additionally, reconstruction and elevation of the structure in the absence of federal funding may not require the structure to meet the most stringent applicable construction and elevation requirements, which are intended to minimize risks to human life and property. Therefore, the “No Action Alternative” would not meet the need to restore residential property, nor would it result in structures within the floodplain being protected from flood hazards.

Summary Statement of Findings and Conclusions:

This project will address the need for safe and affordable residential housing for low to moderate income families in Toms River Township, New Jersey and aid in community and economic recovery. By incorporating the recommended mitigation measures and best management practices, meeting all required project conditions and complying with all required federal, state and local permit requirements, adverse impacts from this project would be minimal. Therefore, it has been determined that the proposed project will not result in a significant impact on the quality of the human or natural environment.

Required Mitigation and Project Modification Measures:(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

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.

Acquire all required federal, state and local permits prior to commencement of construction and comply with all permit

conditions.

Coastal Zone Management

The NJDEP Department of Land Use Regulation has approved a permit for the proposed action on January 29, 2015. The permit expires January 28, 2020. All construction activities must comply with the conditions set forth in the DLUR permit. The proposed action must adhere to the approved plans provided to the DLUR. If changes are made to the plans, these must be re-submitted to the DLUR for review prior to construction activities. The DLUR permit is not effective and no construction is approved to commence until the applicant has satisfied all pre-construction conditions as set forth within the approved DLUR permit. Issuance of, and compliance with this permit, does not relieve the applicant of the responsibility of obtaining any other required State, Federal or local permits or approvals as required by law.

Floodplain Management

The proposed action, reconstruction and elevation of a multi-unit residential structure, is considered a "Substantial Improvement" per 24 CFR 55.2(b)(10). The structure is required to meet all applicable construction requirements in accordance with the National Flood Insurance Program and all local floodplain ordinances.

The final "Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds and Notice and Public Explanation of a Proposed Activity in the 100-Year Floodplain" will be published in accordance with 24 CFR Part 55 for a minimum 15-day comment period. All comments received during the comment period will be responded to and fully addressed prior to funds being committed to the proposed project, in compliance with Executive Order 11988 or 24 CFR Part 55. Implementation of the proposed action may require additional local and state permits, which could place additional design modifications or mitigation requirements on the project.

All structures in the 100-year floodplain shown on the effective FEMA Flood Insurance Rate Map, must be covered by flood insurance and the flood insurance must be maintained for the economic life of the structure [24 CFR 58.6(a)(1)]. Proof of flood insurance, in accordance with 24 CFR 58.6(a), must be provided to the Department of Community Affairs in order for this site to remain eligible for this program. 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)].

In addition to the typical construction Best Management Practices (BMPs) and good housekeeping practices, the DLUR has issued a permit, # 1507-14-0029.1 CAF140001, dated January 29, 2015 that imposes further conditions for the project. This permit was authorized under and in compliance with applicable Rules on Coastal Zone Management N.J.A.C. 7:7E-1.1 et seq., as amended. The applicable conditions as required by Sections 10 and 11 of the CAFRA statute (N.J.S.A. 13:19-1 et seq.) and the Rules on Coastal Zone Management will be met to the satisfaction of the Bureau of Coastal Regulation. This permit was issued following DLUR's review of the approved site plan and its associated attachments as listed in the permit. Pre-construction, special and standard conditions as set forth in relation to preserving floodplains, drainage control, and minimization of the potential of adverse impact to lives and property, include:

- viii. Prior to commencement of construction, a silt fence shall be erected along the limits of disturbance of the development with a 10-foot return on each end; the fence is to remain in place until construction has been completed;
- ix. All excavated and dredged material, if any, shall be disposed in a lawful manner. The material shall be placed outside of any flood hazard area, riparian zone, regulated water, freshwater/coastal wetlands and adjacent transition area, and in such a way as to not interfere with the positive drainage of the receiving area;
- x. Foundations, slabs footings and walls of the proposed structure shall be designed to resist uplift and lateral loads associated with hydrostatic pressure from flooding to the specified design flood elevation;
- xi. Lowest finished floor elevation shall be 11.36 feet NAVD;

- xii. Area below the lowest finished floor shall remain open and accessible to the passage of flood waters at all times;
- xiii. Use of plastic under newly landscaped or gravel areas is prohibited; all sub gravel liners must be made of filter cloth or other permeable material; and
- xiv. Proper site maintenance includes prohibition to cause or permit any unreasonable interference with the free flow of a regulated feature or dumping of any materials, equipment, debris or structures within or adjacent to the regulated area. Upon completion, all excess materials, debris, equipment, silt fences and other temporarily soil erosion and sediment control devices shall be removed.

Drainage/Storm Water Runoff & Water Resources

The proposed project should implement controls as needed to prevent erosion and adverse impacts to receiving waters from storm water runoff both during and after project activities. All runoff from paved and improved areas should be directed into the municipal storm drainage system in accordance with local building code and permit requirements. During project activities, storm water runoff impacts will be mitigated to the greatest extent feasible through BMPs which may include the installation of natural vegetation, brush barriers, silt fences or hay bales to help filter runoff as necessary.

Erosion

A Soil Erosion and Sediment Control Certification was issued for the proposed action on May 12, 2014. The proposed action is subject to the conditions and control efforts listed in the certification, which includes a required pre-construction meeting with the District prior to the start of soil disturbance activities. Failure to comply with any of the conditions listed may result in the issuance of a Stop Construction Order.

Fire

The proposed project is anticipated to reconstruct and elevate the previously existing structure to code that complies with all required federal, state and local permit conditions. Additionally, the Toms River Bureau of Fire Prevention has approved the application and plan for the proposed site. All conditions included in the approval must be adhered to in order to remain in compliance, including obtaining a building permit within one year of the date of the application (May 1, 2014) or as required by Toms River Municipal Land Use Code, whichever the shorter period of time. Any modifications to the plans shall be resubmitted to the Toms River Fire Bureau (RRE0003694MFFirePreventionApproval20140501).

Noise

The proposed project must comply with applicable local noise ordinances. During project activities, noise will be a temporary impact that will be mitigated to the extent feasible and will be controlled by Best Management Practices including turning off idling equipment, minimizing noise impulses, avoiding scheduling activities requiring loud equipment during nighttime hours and on weekends, inspecting all equipment at periodic intervals to ensure proper maintenance, and ensuring that all equipment has manufacturers' recommended noise abatement measures. During project activities, noise will need to meet applicable city, state, and federal codes, and will need to comply with local noise ordinances.

Waste Water & Sanitary Sewers

The proposed project will be served by municipal water and sewer. Wastewater from the proposed project site will drain into a public sanitary sewer pipeline operated by the Toms River Municipal Utilities Authority. The Toms River Municipality Authority provided instruction on the application/approval process on February 10, 2014. The site plan was reviewed and approved on May 20, 2014. All statements and conditions set forth in the approval letter attached must be obeyed in

order for the project to remain in compliance. See all statements and conditions to be adhered to in RRE0003694MFTomsRiverMunicipalUtilities20140520.

Wetland Protection

If the structure stays within the previous footprint or the structure is relocated farther away from the wetland, using best management practices, there should be no adverse impact on the wetlands and no wetland permit or transition area waiver is required. If the existing structure is located within a transition area, it should not be relocated closer to the wetland. In addition, if the existing structure is located outside a transition area, it should not be relocated to a transition area.