

Form 2.1 Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5

Pursuant to 24 CFR 58.35(a)

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

Applicant Name CHARLES (First) RAINSFORD (Last)

-or- (Business/Project Name)

Project Location 1301 Haven Ave, Unit A (Street Address)

0508 (Municipality) Cape May (County) NJ (State)

1306 (Block) 4 (Lot)

CONDITIONS FOR APPROVAL

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

The following mitigation measures are required as conditions for approval of the project:

General

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

Air Quality

- 3. Use water or chemical dust suppressant in exposed areas to control dust.*
- 4. Cover the load compartments of trucks hauling dust-generating materials.*
- 5. Reduce vehicle speed on non-paved areas and keep paved areas clean.*
- 6. Retrofit older equipment with pollution controls.*
- 7. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.*
- 8. Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.*
- 9. Obtain an air pollution control permit to construct and a certificate to operate for all equipment subject to N.J.A.C.*

7:27-8.2(c). Such equipment includes, but is not limited to, the following:

- a. Any commercial fuel combustion equipment rated with a maximum heat input of 1,000,000 British Thermal Units per hour or greater to the burning chamber (N.J.A.C. 7:27-8.2(c)1);
 - b. Any stationary storage tank for volatile organic compounds with a capacity of 2,000 gallons and a vapor pressure of 0.02 pounds per square inch or greater (N.J.A.C. 7:27-8.2(c)9);
 - c. Any tank, reservoir, container, or bin with capacity in excess of 2,000 cubic feet used for storage of solid particles (N.J.A.C. 7:27-8.2(c)10); and
 - d. Any stationary reciprocating engine with a maximum rated power output of 37 kW or greater, used for generating electricity, not including emergency generators (N.J.A.C. 7:27-8.2(c)21).
10. Minimize idling and ensure that all on-road vehicles and non-road construction equipment operated at or visiting the project site comply with the applicable smoke and "3-minute idling" limits (N.J.A.C. 7:27-14.3, 14.4, 15.3 and 15.8).
11. Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (less than 15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 86, 89, 94, 1039, 1051, 1065, 1068).
12. Operate, if possible, newer on-road diesel vehicles and non-road construction equipment equipped with tier 4 engines, or equipment equipped with an exhaust retrofit device.

Floodplain Management and Flood Insurance

13. 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)].

Hazardous Materials

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

- National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145
- National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150
- NJAC 7:26-2.12—Generator requirements for disposal of asbestos containing waste materials
- New Jersey Asbestos Control and Licensing Act, N.J.S.A. 34:5A-32 et seq.

15. Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g. asbestos) or household waste (e.g. construction and demolition debris, pesticides/herbicides, white goods).

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

FINDING

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

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

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

FUNDING INFORMATION

Note: Certification signatures can be found at the end of the document.

Grant Number	HUD Program	Funding Amount
B-13-DS-34-0001	Rehabilitation, Reconstruction, Elevation and Mitigation (RREM) Program	\$39,180.90
		\$0.00
		\$0.00

Estimated Total HUD Funded Amount:

\$39,180.90

Estimated Total HUD Funded Amount Description

The Estimated Total HUD Funded Amount accounts for the following improvements: replacement of a missing wall, repair/replacement of drywall, repairs to porch stairs, repair/replacement of exterior doors, painting of interior walls, replacement and painting of interior doors, removal and replacement of carpeting, removal and replacement of blown-in insulation, batt insulation and crawl space moisture protection, removal and replacement of several windows, and the rewiring of electrical and replacement of light fixtures, switches and outlets.

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

\$39,180.90

Estimated Total Project Cost Description

The Estimated Total Project Cost accounts for the following improvements: replacement of a missing wall, repair/replacement of drywall, repairs to porch stairs, repair/replacement of exterior doors, painting of interior walls, replacement and painting of interior doors, removal and replacement of carpeting, removal and replacement of blown-in insulation, batt insulation and crawl space moisture protection, removal and replacement of several

windows, and the rewiring of electrical and replacement of light fixtures, switches and outlets.

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

The purpose of this proposed project is the rehabilitation of a single residential unit (Unit A) within a multifamily structure (5 or more units) located at 1301 Haven Avenue, in Ocean City, Cape May County, New Jersey (Block 1306, Lot 4_C1). The homeowner Reconstruction, Rehabilitation, Elevation and Mitigation (RREM) Program provides up to \$150,000 in grant funding assistance to eligible homeowners. The proposed project is needed to repair damage to the residential unit that occurred as a result of Superstorm Sandy

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

The RREM Program provides up to \$150,000 in grant funding assistance to eligible homeowners. The RREM Program will provide funding to help homeowners repair their primary residence damaged by Superstorm Sandy.

Per 24 CFR 58.35(a)(3)(ii), the proposed action involves the rehabilitation of a single residential unit (Unit A) within a multifamily structure (5 or more units) located at 1301 Haven Avenue, in Ocean City, Cape May County, New Jersey (Block 1306, Lot 4_C1). The multifamily structure, built in 1981 according to property tax records, contains a total of seven units. Given that the extent of the unit rehabilitation is not substantial, building elevation is not required (see RRE0007988MF_ProjectActivityUpdate). The unit subject to the environmental review occupies approximately 0.41 acres of land based on property tax records (see RRE0007988MF_TaxCard). The scope of work includes replacement of a missing wall, repair/replacement of drywall, repairs to porch stairs, repair/replacement of exterior doors, painting of interior walls, replacement and painting of interior doors, removal and replacement of carpeting, removal and replacement of blown-in insulation, batt insulation and crawl space moisture protection, removal and replacement of several windows, and the rewiring of electrical and replacement of light fixtures, switches and outlets. The total estimated cost of repair is \$39,180.90 and is considered minor rehabilitation as the cost of repair is less than 50 percent of the pre-disaster market value of the entire structure, \$927,900, as reported on tax records (see property tax card file RRE0007988MF_TaxCard). Because the unit is located in a residential use structure (5 or more units), the structure, and hence the residential unit subject to the proposed action, will not be elevated. See attached Project Location Map file RRE0007988MF_ProjectLocationMap and photo log file RRE0007988MF_Photolog.

STATUTORY CHECKLIST [24 CFR 50.4, 24 CFR 58.5]

DIRECTIONS - For each authority, check either Box "A" or "B" under "Status."

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

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

IMPORTANT: Compliance documentation consists of verifiable source documents and/or relevant base data.

Appropriate documentation must be provided for each law or authority. Documents may be incorporated by

reference into the ERR provided that each source document is identified and available for inspection by interested parties. Proprietary material and studies that are not otherwise generally available for public review shall be included in the ERR. Refer to HUD guidance for more information.

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & 58.5	STATUS	Compliance Documentation
1. Air Quality [Clean Air Act, as amended, particularly sections 176(c) & (d), and 40 CFR 6, 51, 93]	<input checked="" type="radio"/> A <input type="radio"/> B	<p><i>The proposed project is in compliance. It does not involve any of the applicable activities: major rehabilitation, acquisition of undeveloped land, change of land use, demolition, or new construction.</i></p> <p><i>According to the U.S. Environmental Protection Agency (USEPA), Cape May County has been designated a nonattainment or maintenance area for two National Ambient Air Quality Standards (NAAQS) (see RRE0007988MF_USEPANonAttainmentMaintenanceforNAAQS):</i></p> <ul style="list-style-type: none"> <i>• a moderate nonattainment area for 8-hour ozone (1997 Standard)</i> <i>• a marginal nonattainment area for 8-hour ozone (2008 Standard)</i> <p><i>Emissions associated with the proposed project are estimated to be well below the threshold when compared to the federal General Conformity Rule de minimis thresholds.</i></p> <p><i>There will be temporary, unavoidable increases in particulate matter levels during the proposed repairs and rehabilitation of the building. While air quality may be temporarily affected during improvement activities, the proposed project will adhere to state air quality standards (N.J.A.C. 7:27-1 et seq.). Air quality effects will be mitigated to the extent feasible.</i></p> <p><i>The Division of Air Quality (DAQ) has revised the General Conformity Applicability Analysis for the DCA, HUD Community Development Block Grant for Disaster Recovery (CDBG-DR) for the Hurricane Sandy recovery efforts according to a memorandum from the DAQ dated January 23, 2014 (see RRE0007988MF_RevisedGeneralConformityApplicability). The general conformity analysis is required by the Clean Air Act and Federal Regulation (40 CFR Part 93, (Subpart B)). This revision is due to updated information received from the Sandy Recovery Environmental and Historic Preservation Review Program regarding commercial construction activities associated with the CDBG-DR, which were not assessed in the original environmental assessment. The revised estimated air emissions, including the air emissions related to commercial construction activities, continue to remain well below the Federal General Conformity regulation's de minimis thresholds and are presented to conform to the State Implementation Plan (SIP).</i></p> <p><i>To avoid adverse air quality impacts, compliance with the regulatory requirements of New Jersey's Air Rules continues to remain in effect. Activities must still meet the State's Air Pollution Control requirements, e.g., obtaining permits when necessary, adherence to idling limitations, and implementation of all reasonable measures to mitigate dust and fugitive emissions from demolition and construction.</i></p>

2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]	<input checked="" type="radio"/> A <input type="radio"/> B	<p><i>The proposed project is in compliance. It does not involve any of the applicable activities: major rehabilitation, acquisition for construction, change in land use, increase in density, or new construction.</i></p> <p><i>The restrictions on construction and major rehabilitation of structures in runway protection zones (formerly called runway clear zones) apply to civil airports (24 CFR 51.303). Civil airports are defined as commercial service airports designated in the Federal Aviation Administration's National Plan of Integrated Airport Systems (NPIAS) (24 CFR 51.301(c)). Within the 9 counties most impacted by Superstorm Sandy, the only New Jersey airports 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. Newark Liberty International Airport is located approximately 99 miles to the northeast of the project location, and Atlantic City International Airport is located approximately 12 miles to the north of the project location (see RRE0007988MF_AirportHazardsMap).</i></p> <p><i>HUD regulations also include restrictions on construction and major rehabilitation 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. The clear zones and accidental potential zones associated with the Lakehurst Naval Air Station are located in Burlington County and Ocean County. Consequently, the proposed project is not located within an airport clear zone or the Lakehurst Accident Potential Zone, which is located approximately 51 miles northeast of the proposed project location (see RRE0007988MF_AirportHazardsMap).</i></p>
3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]	<input checked="" type="radio"/> A <input type="radio"/> B	<p><i>The proposed project is in compliance. It does not involve any of the applicable activities: major rehabilitation, acquisition of undeveloped land, change of land use, or new construction.</i></p> <p><i>Per the New Jersey Department of Environmental Protection's (NJDEP) HUD Environmental Review Tool, the proposed project is located within the Coastal Area Facility Review Act zone (see RRE0007988MF_CoastalZoneManagementMap). However, the NJDEP Division of Land Use Regulation (DLUR) has determined that the action does not require permits under the Coastal Permit Program and that no additional consultation or approval is required. DLUR has previously stated that rehabilitation projects without elevation do not require Coastal permits from the State as internal construction and minor external construction (roofing/siding) are not regulated.</i></p> <p><i>The project is not located within the regulated boundaries of the Upland Waterfront Development Zone or the Hackensack Meadowlands and permits pursuant to these applicable statutes are not required (see RRE0007988MF_CoastalZoneManagementMap).</i></p>

4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]	<input type="radio"/> A <input checked="" type="radio"/> B	<p><i>Of the applicable activities, it involves rehabilitation but not acquisition, change of use to residential, demolition, leasing, new construction, or construction or improvements to infrastructure.</i></p> <p><i>HUD policy requires that the proposed site and adjacent areas be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants of the property or conflict with the intended use of the property.</i></p> <p><i>To identify sites near the proposed project location that have hazardous materials, contamination, toxic chemicals, gases and radioactive substances as specified in 24 CFR 58.5(i), a review of the NJDEP's HUD Environmental Review Tool was conducted. This review identified that the project location is within the 3,000-foot radius of one (1) "threatening" site (see RRE0007988MF_ContaminationandToxicSubstancesMap). The site is called Ocean City BP Service Station with a Site ID number reported as 9625. The site was reviewed by NJDEP, which has found this site to be in substantial compliance with NJDEP regulations and is therefore considered under control. No other investigations are required, and the analysis is concluded (see RRE0007988MF_NJDEPResponse).</i></p> <p><i>The parcel may be within the 3,000 foot radius of a Hazardous Waste cleanup site, Landfill, solid waste cleanup site or Hazardous Waste facility that handles hazardous materials or toxic substances; however, all sites that were determined by NJDEP to be "non-threatening" to the potential HUD project are not depicted on the map. Only sites determined to be "threatening" by the NJDEP are depicted on the map.</i></p> <p><i>The site reconnaissance performed on April 17, 2015, revealed no visible recognized environmental conditions (RECs) in the vicinity of the proposed project. There were no obstacles to identification of RECs. In addition, the proposed project site is not listed on a State or Federal Hazardous Waste sites database (see RRE0007988MF_ContaminationandToxicSubstancesMap).</i></p> <p><i>All solid waste materials must be managed and transported in accordance with the state's solid and hazardous waste rules.</i></p> <p>Asbestos</p> <p><i>The multifamily structure containing the damaged unit was constructed in 1981 (based on tax records); because the structure was constructed after 1980, asbestos is not expected to be present and is not a potential concern.</i> <i>In addition, a limited survey for asbestos-containing materials (ACMs) was conducted by the LEW Corporation on January 19, 2015. No ACMs were identified during the survey; however, roofing could not be safely sampled and should be considered presumed ACM (see RRE0007988MF_AsbestosSurveyReport).</i></p> <p>Lead</p> <p><i>The multifamily structure containing the damaged unit was constructed in 1981 (based on tax records); because the structure was constructed after 1978, lead-based paint is not expected to be present and is not a potential concern.</i> <i>In addition, review of a Lead-Safe Housing Rule – Applicability form for the project site indicates that the property was not built prior to 1978 (see RRE0007988MF_LeadSafeHousingApplicability).</i></p> <p>Radon</p> <p><i>No testing or mitigation is required for structures that are in areas with ranks of Tier 3 or Tier 2. The project is located in a Tier 3 area; therefore, no radon testing or mitigation is required (see RRE0007988MF_RadonPotentialMap).</i></p>
---	---	---

5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]	<input checked="" type="radio"/> A <input type="radio"/> B	<p><i>The proposed project is in compliance. It does not involve any of the applicable activities: demolition, major rehabilitation, new construction, acquisition of undeveloped land, or change of land use.</i></p> <p><i>The environmental review considered potential impacts of the HUD-assisted project to threatened and endangered (T and E) species and, for animals, critical habitats. The review evaluated potential impacts not only to any listed, but also to any proposed or candidate endangered or threatened species and critical habitats. Projects that affect T and E species or critical habitats require consultation with the U.S. Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service (NMFS), in compliance with the procedure of Section 7 of the Endangered Species Act.</i></p> <p><i>The NJDEP ArcGIS Screening Tool Centroid layer indicates that federally and state-listed T and E species are not documented on the project site. Review of the individual NJDEP HUD Environmental Review Tool layers for piping plover, red knot and bats (northern long-eared bat) indicate that piping plover, red knots and bats are not present on the project site or immediately surrounding properties (see RRE0007988MF_EndangeredSpeciesMap). As a result, coordination with the NJDEP Division of Fish and Wildlife, Endangered Species Program (ENSP) was not required.</i></p> <p><i>As the proposed project involves minor rehabilitation to an existing structure that will remain within the same footprint and not disturb any vegetation, protected species, or critical habitat, consultation with the NJDEP State Forestry Services – Natural Heritage Program (NHP) regarding plant species and use of the USFWS IPaC landscape explorer tool were not required.</i></p>
6. Environmental Justice [Executive Order 12898]	<input checked="" type="radio"/> A <input type="radio"/> B	<p><i>The proposed project is in compliance. It does not involve any of the applicable activities: major rehabilitation, acquisition, change of land use, demolition, new construction, or an adverse impact or condition with respect to an environmental issue.</i></p> <p><i>The thresholds for minority and low-income populations in New Jersey are 48.52 percent (urban areas) and 18.58 percent, respectively. The project area covers Census blocks that include environmental justice communities. The project area contains Census tracts and blocks with minimal environmental justice communities, i.e., both minority populations and populations below poverty level ranging from approximately 0 percent to 10 percent (see RRE0007988MF_EnvironmentalJusticeMapPercentMinority and RRE0007988MF_EnvironmentalJusticeMapPercentBelowPoverty).</i></p> <p><i>The project would not generate adverse resource or health effects or adversely impact residential, commercial, or community facilities or services that may be of importance to environmental justice communities. The project would not generate disproportionately high and adverse environmental impacts on environmental justice communities (see RRE0007988MF_EnvironmentalJusticeChecklist).</i></p>
7. Explosive and Flammable Operations [24 CFR 51C]	<input checked="" type="radio"/> A <input type="radio"/> B	<p><i>The proposed project is in compliance. It does not involve any of the applicable activities: a residential project involving new construction, rehabilitation where unit density is increased, change of land use to residential, vacant buildings made habitable or any project for industrial, commercial, institutional or recreational use, when the activity is new construction or change of land use.</i></p> <p><i>The definition of “HUD-assisted project” at 24 CFR 51.201 is predicated on whether the proposed project increases the number of people exposed to hazardous operations. Therefore, the environmental review for grants to rehabilitate or mitigate housing that existed prior to the disaster is not required to apply the acceptable separation distance (ASD) standards in 24 CFR Part 51C where the number of dwelling units is not increased and the activities are limited to the existing footprint. As a result of the project’s proposed action (rehabilitation without elevation), the number of dwelling units would not increase, and the activities would be limited to the existing footprint of the damaged unit.</i></p>

8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly sections 1504(b) & 1541; 7 CFR 658]	<input checked="" type="radio"/> A <input type="radio"/> B	<p><i>The proposed project is in compliance. It does not involve any of the applicable activities: acquisition of undeveloped land, conversion of undeveloped land, new construction or site clearance.</i></p> <p><i>Review of the NJDEP's HUD Environmental Review Tool indicated that the property involved in the proposed project does not include prime farmland or farmland of unique importance as identified by the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS, formerly the Soil Conservation Service) or farmland of statewide importance (see RRE0007988MF_FarmlandProtectionMap).</i></p>
9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]	<input type="radio"/> A <input checked="" type="radio"/> B	<p><i>The proposed project is in compliance. Of the applicable activities, it involves rehabilitation or repair, but does not include acquisition, disposition, financing or leasing existing building, building construction or construction of or improvements to infrastructure.</i></p> <p><i>The presence of a Special Flood Hazard Area (100-year floodplain, zones A or V) was determined by using the NJDEP's HUD Environmental Review Tool. Per the screening tool, it has been determined that the entire proposed action is located in a 100-year floodplain, i.e., Zone AE, with the Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Map (FIRM) layer applied. The FEMA Preliminary FIRMs layer is the first "best available information" in the screening tool (see RRE0007988MF_FloodplainManagementMap).</i></p> <p><i>Per the FEMA National Flood Insurance Program FIRM Map for City of Ocean City, New Jersey, Cape May County, Panel 2 of 4, Community-Panel Number 345310 0002 C, dated September 5, 1984, the entire proposed project is located within Zone A7, identified as areas of 100-year flood where base elevations and flood hazard factors have been determined (see RRE0007988MF_FIRM3453100002C).</i></p> <p><i>Per 24 CFR 58.35(a)(3)(ii), the proposed action involves the rehabilitation of a single residential unit (Unit A) within a multifamily structure (5 or more units). The building contains a total of 7 units. Given the extent of the unit rehabilitation is not substantial, building elevation is not required. NFIP flood insurance is required. A 5-step floodplain analysis was conducted to determine whether the proposed project would have adverse effects on the floodplain. Per 24 CFR 55.12(a)(3), since the proposed project involves only minor, interior rehabilitation to existing multifamily housing, no alternative beyond the No Action alternative was considered. The results of the 5-step floodplain analysis indicated that there is no practicable alternatives to the proposed project (see RRE0007988MF_5-StepFloodplainAnalysis).</i></p> <p><i>Per DLUR, a Flood Hazard Area permit is not required for the proposed project. DLUR has previously stated that rehabilitation projects do not required Flood Hazard Area permits from the State as internal construction and minor external construction are not regulated.</i></p>
10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]	<input checked="" type="radio"/> A <input type="radio"/> B	<p><i>The proposed project is in compliance. Of the applicable activities, it involves rehabilitation and repair but not acquisition, demolition, disposition, ground disturbance or new construction.</i></p> <p><i>The applicant proposes to complete limited rehabilitation to the exterior and interior of a front porch-foyer area and to repair damaged interior walls in a condominium unit constructed in 1981 (per tax records; see RRE0007988MF_TaxCard). The proposed undertaking has been reviewed by a Secretary of the Interior-qualified historic preservation professional, archeologist Christopher L. Borstel, Ph.D., RPA. The building is less than 48 years old and is not situated in or adjacent to any identified historic property or district. No further review for potential architectural resource issues is required pursuant to Programmatic Agreement (PA) Tier II Allowance VII.A.2. The property, covering an area of less than 5 acres, is situated on Peck Island, a barrier island, and is not situated within any documented or potential area of archeological sensitivity or known archeological site (see RRE0007988MF_HistoricPreservationMap). In addition, the undertaking is not anticipated to involve any substantive ground disturbance. No further review for potential archeological resource issues is required pursuant to PA Tier II Allowance I. The application is therefore in compliance with Section 106 of the National Historic Preservation Act (NHPA) and related laws and regulations.</i></p>

11. Noise Abatement and Control [Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR 51B]	<input checked="" type="radio"/> A <input type="radio"/> B	<p><i>The proposed project is in compliance. It does not involve any of the applicable activities: acquisition, conversion, or new construction for residential or other noise-sensitive developments such as hospitals, nursing homes, day care, community centers, etc. and does not involve reconstruction or rehabilitation projects where residential density is being increased.</i></p> <p><i>Per HUD directive, 24 CFR Part 51B is not applicable to a disaster recovery program, including rehabilitation and mitigation that meets the requirements for exclusion in 24 CFR 51.101(a) (3). The regulation states that HUD noise policy does not apply to "assistance that has the effect of restoring facilities substantially as they existed prior to the disaster." The proposed rehabilitation of the residential structure without increasing the existing footprint would restore housing substantially as it existed prior to Superstorm Sandy.</i></p>
12. Sole Source Aquifers [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]	<input checked="" type="radio"/> A <input type="radio"/> B	<p><i>The proposed project is in compliance. It does not involve any of the applicable activities: acquisition of undeveloped land, change of land use, or new construction.</i></p> <p><i>Review of the NJDEP's HUD Environmental Review Tool indicated that the proposed project is located in an area of a sole source aquifer. The New Jersey Coastal Plain aquifer system underlies the proposed project site (see RRE0007988MF_SoleSourceAquifersMap).</i></p> <p><i>A 1996 letter from USEPA to HUD regarding project requiring sole source aquifer review by USEPA (see RRE0007988MF_USEPASoleSourceAquiferReviewofHUDProjects) states that the following activities would not create a significant hazard to public health and are therefore generally excluded from sole source aquifer review:</i></p> <ul style="list-style-type: none"> <i>• rehabilitations or improvements to infrastructure already in place, such as water and sewer line replacement, fire hydrant installations, curb cuts, building renovations that do not involve significant expansion, street light and sign installment, road repavement, etc.</i> <p><i>The proposed action involves the rehabilitation of a single residential unit (Unit A) within a multifamily structure (5 or more units). The building contains a total of 7 units. Because the extent of the unit rehabilitation is not substantial, building elevation is not required. The proposed project would fall under the exclusion of "building renovations that do not involve significant expansion." In addition, the proposed project will be serviced by existing water and sewer systems operated by New Jersey American Water.</i></p>
13. Wetlands Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]	<input checked="" type="radio"/> A <input type="radio"/> B	<p><i>The proposed project is in compliance. It does not involve any of the applicable activities: acquisition of undeveloped land, change of land use, new construction, or reconstruction on an expanded building footprint.</i></p> <p><i>A review of the NJDEP HUD Environmental Review Tool indicated that no coastal or freshwater wetlands are present on or adjacent to the proposed project site (see RRE0007988MF_WetlandsProtection Map).</i></p>
14. Wild and Scenic Rivers [Wild and Scenic Rivers Act of 1968, particularly section 7(b) & (c); 36 CFR 297]	<input checked="" type="radio"/> A <input type="radio"/> B	<p><i>The proposed project is in compliance. It does not involve any of the applicable activities: major rehabilitation, acquisition of undeveloped land, change in land use, or new construction.</i></p> <p><i>New Jersey has 262.7 river miles designated as segments of the National Wild and Scenic Rivers System, including portions of the Delaware River, Great Egg Harbor River, Maurice River, and Musconetcong River. Designated rivers also include specific segments of tributaries to these rivers as referenced in the Act. The nearest Wild and Scenic River, the Great Egg Harbor River, is located approximately 0.89 miles to the west of the proposed project site (see RRE0007988MF_WildandScenicRiversMap). The project is not located within ¼ mile of a Wild and Scenic River stream bank. The project is located within a one-mile radius of a designated Wild and Scenic River; however, based on the nature of the proposed action (rehabilitation of the interior of a residence without elevation), the proposed project would not affect Wild and Scenic Rivers.</i></p>

24 CFR 58.6 CHECKLIST [24 CFR 50.4, 24 CFR 58.6]

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

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

☒ **No.** Cite or attach Source Documentation: [Project complies with 24 CFR 51.303(a)(3)]

The project site is not within any runway protection zones (formerly called runway clear zones) at airports subject to 24 CFR 58.6 or clear zones at military airfields subject to 24 CFR 58.6. Documentation supporting this finding is presented as RRE0007988MF_AirportHazardsMap.

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

2. COASTAL BARRIERS RESOURCES ACT [Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)]

Is the project located in a coastal barrier resource area?

☒ **No.** Cite or attach Source Documentation: [Proceed with Project]

The nine designated units of the Coastal Barrier Resources System in New Jersey are uninhabited. The 12 "otherwise protected areas" associated with the Coastal Barrier Resources System in New Jersey are also uninhabited. The proposed project activities will not occur on designated coastal barriers or in "otherwise protected areas," and the proposed project would have no impact on coastal barrier resources. Documentation supporting this finding is presented as RRE0007988MF_USFWSCoastalBarriersResourcesMap.

☐ **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 presence of a Special Flood Hazard Area (100-year floodplain, zones A or V) was determined by using NJDEP's HUD Environmental Review Tool. It has been determined that the entire proposed action is located in a 100-year floodplain, i.e., zone AE, with the FEMA Preliminary FIRMs layer applied. The FEMA Preliminary FIRMs layer is the first "best available information" in the screening tool. Documentation supporting this finding is presented as RRE0007988MF_FloodplainManagementMap.

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

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

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

☐ **N/A**

Summary of Findings and Conclusions

Field Inspection (Date and completed by):

Field inspection conducted on April 17, 2015, by Vadim Petrov, Tetra Tech (see RRE0007988MF_FieldInspectionReport and RRE0007988MF_Photolog).

Summary Statement of Findings and Conclusions:

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

Required Mitigation and Project Modification Measures: [24 CFR 58.40(d), 40 CFR 1505.2(c), 40 CFR 1508.20]

(Recommend feasible ways in which the proposal or its external factors should be modified in order to minimize adverse environmental impacts and restore or enhance environmental quality.)

The following mitigation measures are required as conditions for approval of the project:

General

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

Air Quality

3. *Use water or chemical dust suppressant in exposed areas to control dust.*
4. *Cover the load compartments of trucks hauling dust-generating materials.*
5. *Reduce vehicle speed on non-paved areas and keep paved areas clean.*
6. *Retrofit older equipment with pollution controls.*
7. *Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.*
8. *Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.*
9. *Obtain an air pollution control permit to construct and a certificate to operate for all equipment subject to N.J.A.C. 7:27-8.2(c). Such equipment includes, but is not limited to, the following:*
 - a. *Any commercial fuel combustion equipment rated with a maximum heat input of 1,000,000 British Thermal Units per hour or greater to the burning chamber (N.J.A.C. 7:27-8.2(c)1);*
 - b. *Any stationary storage tank for volatile organic compounds with a capacity of 2,000 gallons and a vapor pressure of 0.02 pounds per square inch or greater (N.J.A.C. 7:27-8.2(c)9);*
 - c. *Any tank, reservoir, container, or bin with capacity in excess of 2,000 cubic feet used for storage of solid particles (N.J.A.C. 7:27-8.2(c)10); and*
 - d. *Any stationary reciprocating engine with a maximum rated power output of 37 kW or greater, used for generating electricity, not including emergency generators (N.J.A.C. 7:27-8.2(c)21).*
10. *Minimize idling and ensure that all on-road vehicles and non-road construction equipment operated at or visiting the project site comply with the applicable smoke and "3-minute idling" limits (N.J.A.C. 7:27-14.3, 14.4, 15.3 and 15.8).*
11. *Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (less than 15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 86, 89, 94, 1039, 1051, 1065, 1068).*
12. *Operate, if possible, newer on-road diesel vehicles and non-road construction equipment equipped with tier 4 engines, or equipment equipped with an exhaust retrofit device.*

Floodplain Management and Flood Insurance

13. *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)].*

Hazardous Materials

14. *All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the following:*
 - *National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145*
 - *National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150*
 - *NJAC 7:26-2.12—Generator requirements for disposal of asbestos containing waste materials*

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

15. Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g. asbestos) or household waste (e.g. construction and demolition debris, pesticides/herbicides, white goods).

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

CERTIFICATIONS

Joey Gawarzewski, TetraTech

2015-05-20 10:10:57

Preparer Agency and Name

Completion Date

RE Certifying Officer Name

RE Certifying Officer Signature

RE CO Signature Date