

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, Richard Constable III, Commissioner

Applicant Name: Richard Lang
(First) (Last)

or _____
(Business/Corporate Name)

Project Location: 1201 Ocean Avenue, Apartment 86
(Street Address)
Sea Bright Monmouth New Jersey
(Municipality) (County) (State)
7.01 17 & 15
(Block) (Lots)

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 (<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, lead-based paint) 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)).
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CERTIFICATIONS:

Thomas Flis, Tetra Tech

Preparer Name and Agency



Preparer Signature

February 5, 2015

Preparer Completion Date

RE Certifying Officer Name

RE Certifying Officer Name

RE Certifying Officer Name

Funding Information:

Grant Number	HUD Program	Funding Amount
B-13-DS-34-0001	NJ Rehabilitation, Reconstruction, Elevation and Mitigation (RREM) Program	\$6,143.59

Estimated Total HUD Funded Amount:

The estimated total HUD funded amount is \$6,143.59.

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

The estimated total project cost is \$6,143.59.

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

The purpose of this project is to rehabilitate a single-family residence that is located on the first floor of a two-story, multi-unit, multi-family apartment building, located in Sea Bright, a borough in Monmouth County, New Jersey. Through the US Department of Housing and Urban Development (HUD) New Jersey Reconstruction, Rehabilitation, Elevation, and Mitigation (RREM) Program, the owner will rehabilitate the residence. The proposed project is needed to repair damage to the apartment 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 proposed project is as approved by New Jersey Department of Community Affairs (DCA) and HUD for repair of direct physical damages as a result of the storm dated October 29, 2012, or as required by HUD housing quality standards. The proposed project is the minor rehabilitation of a single-family apartment that is located on the first floor of a two-story, multi-unit, multi-family, condominium building that comprises 17 total units. The proposed project comprises two lots (17 & 15) in block 7.01, located at 1201 Ocean Avenue, Apartment 86, Sea Bright, New Jersey. Because the subject property is on the first floor of a two-story structure with other properties on the second floor, the Project Location Map (see attached file RRE0022516MF_ProjectLocationMap_RREM_TO145) depicts the footprints of the two lots as triangles with tangential orientation, rather than as their actual shapes of quadrangles with an adjacent orientation and a common boundary. The structure in which the subject property is located was constructed in 1974, per tax records. Although the tax card for the primary lot (Lot 17) does not indicate a year built, the tax card for the additional lot (Lot 15) indicates the year built as 1974, as do all of the tax cards for the other units located in the same structure. See attached file RRE0022516MF_Tax_Card_RREM_TO145.

The project is considered to be minor rehabilitation based on the cost of the project (\$6,143.59) relative to the pre-disaster market value of the entire building (\$1,909,800, the sum of the 2012 improvement values of

all units in the building [see attached file RRE0022516MF_Tax_Card_RREM_TO145]), i.e. the cost of the project is approximately 0.3 % of the pre-disaster market value of the entire building.

The scope of work for the rehabilitation includes repair and replacement of smoke and carbon monoxide detectors, ceiling fans, toilets and other plumbing, as well as installation of air/moisture barrier house wrap and caulking. Because the unit is located in a multi-family structure, the structure, and hence the residential unit subject to the proposed action, will not be elevated. See attached project location map file RRE0022516MF_ProjectLocationMap_RREM_TO145; property tax card file RRE0022516MF_Tax_Card_RREM_TO145; and photolog file RRE0022516MF_Photolog_RREM_TO145.

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	
1. Air Quality [Clean Air Act, as amended, particularly sections 176(c) & (d), and 40 CFR 6, 51, 93]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed project is in compliance. It does not involve any of the applicable activities: acquisition of undeveloped land, change of land use, demolition, major rehabilitation, or new construction. According to the U.S. Environmental Protection Agency (USEPA), Monmouth County has been designated or includes a nonattainment or maintenance area for five National Ambient Air Quality Standards (NAAQS): <ul style="list-style-type: none"> • a moderate nonattainment area for 8-hour ozone (1997 Standard) • a marginal nonattainment area for 8-hour ozone (2008 Standard) • a non-classified maintenance area for carbon monoxide • a maintenance area for particulate matter (PM2.5) (2006 Standard) • a maintenance area for particulate matter (PM2.5) (1997 Standard)

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & 58.5	STATUS		Compliance Documentation
	A	B	
			<p>(See attached file RRE0022516MF_USEPA_NonAttainment-MaintenanceforNAAQS_RREM_TO145.)</p> <p>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.</p> <p>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.</p> <p>(See attached file RRE0022516MF_RevisedGeneralConformityApplicability_RREM_TO145.)</p>
<p>2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project is in compliance. It does not involve any of the applicable activities: acquisition for construction, change in land use, increase in density, major rehabilitation, or new construction.</p> <p>Because the proposed project is in Monmouth County, it is far outside any of the applicable clear zones or accident potential zones.</p>
<p>3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project is in compliance. Of the applicable activities, it does not involve acquisition of undeveloped land, change of land use, major rehabilitation, or new construction.</p> <p>Per the New Jersey Department of Environmental Protection (NJDEP) HUD Environmental Review Tool, the proposed project is located within the Coastal Area Facility Review Act (CAFRA) zone, and within the Mean High Water Line (MHWL) Buffer Zone. (See attached file RRE0022516MF_CoastalZoneManagementMapCAFRA_RREM_TO145.)</p> <p>The proposed project activity is rehabilitation without elevation, and the structure will therefore remain with the existing footprint. In accordance with the Coastal Permit Program rules (N.J.A.C. 7:7) and the Coastal Zone Management rules (N.J.A.C. 7:7E), for actions in the CAFRA zone that stay within the existing footprint, the Coastal Zone Management review is concluded, as confirmed by a Jurisdictional Determination by the New Jersey Division of Land Use Regulation (DLUR). (See attached file RRE0022516MF_DLUR_CoastalJDFloodHazardJD_RREM_TO145.)</p>
<p>4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The proposed project is in compliance. 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.</p> <p>HUD policy requires that the proposed site and adjacent areas be</p>

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & 58.5	STATUS A B		Compliance Documentation
			<p>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.</p> <p>In order 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 proposed project site is not within the 3,000-foot radius of a “threatening” site. (See attached file RRE0022516MF_ContaminationandToxicSubstancesMap_RREM_TO145.)</p> <p>The project site is not listed on a State or Federal Hazardous Waste sites database.</p> <p>The site reconnaissance performed on December 11, 2014, revealed no visible recognized environmental conditions (RECs) in the vicinity of the proposed project. There were no obstacles to identification of RECs.</p> <p><u>Asbestos</u></p> <p>The structure in which the Subject Property is located was constructed in 1974 (see attached file RRE0022516MF_Tax_Card_RREM_TO145). Because the structure was constructed before 1980, asbestos may be present and is a potential concern.</p> <p>In September 2014, Creative Environment Solutions Corp. (CES) conducted a visual asbestos survey of the subject property. The asbestos survey report states, “At the time of the inspection, CES did not visually identify any suspect asbestos-containing materials. As such, no bulk samples were taken.” However, the survey report indicates that 1,900 square feet of drywall and joint compound are assumed to be ACMs. (See attached file RRE0022516MF_AsbestosInspectorReport_RREM_TO145.)</p> <p>All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the 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 at 40 CFR 61.150; and 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. No reports documenting the performance of asbestos-containing materials surveys and/or inspections were provided for the proposed project.</p>

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & 58.5	STATUS A B		Compliance Documentation
			<p><u>Lead</u></p> <p>In September 2014, CES conducted a survey for a lead hazard risk assessment of the subject property using an x-ray fluorescence (XRF) spectrometer. The survey report indicates that no lead-based paint (LBP) was identified on the interior or exterior of the subject property. The report further indicates that because no LBP was identified on the interior or exterior, no dust hazards or soil hazards were identified, respectively. (See attached file RRE0022516MF_LeadRiskAssessmentReport_RREM_TO145.)</p> <p><u>Radon</u></p> <p>According to the NJDEP Radon Potential Map and Radon Potential by Municipality table for Monmouth County, the proposed project, located in Sea Bright, is designated as "Tier 3," i.e. an area of low radon potential. (See attached file RRE0022516MF_RadonPotentialMap_RREM_TO145.) No testing or mitigation is required for structures that are in areas with ranks of Tier 3 or Tier 2; therefore, no radon testing or mitigation is required for this application.</p>
<p>5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>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 in land use.</p> <p>The environmental review considered potential impacts of the HUD-assisted proposed project to threatened and endangered (T&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&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 ESA.</p> <p>The proposed project site is not within the habitats of threatened or endangered species (piping plovers, red knots or bats) based on a review using the NJDEP's HUD Environmental Review Tool with layers for those species applied. Further, a review of the subject property using the HUD Review Parcel-Centroids layer indicates that no state listed or federal listed species are associated with the subject property. (See attached file RRE0022516MF_EndangeredSpeciesMap_RREM_TO145.)</p> <p>Consultation with the NJDEP State Forestry Services – Natural Heritage Program (NHP) determined that no rare plant species, ecological communities or rare wildlife species or wildlife habitat are documented on the proposed project site. NHP determined that one rare plant species and, with regard to wildlife species and habitats, four foraging habitats, one nest habitat, one occupied habitat and three live individual sightings are documented within</p>

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & 58.5	STATUS A B		Compliance Documentation
			<p>the immediate vicinity (within one quarter of a mile) of the project location. (See attached file RRE0022516MF_NaturalHeritageProgramResponse_RREM_TO145). Because the proposed project activity is the minor rehabilitation of the interior of a residence, there will be no effect on those rare plant species, wildlife habitats and individuals.</p> <p>The USFWS IPaC landscape explorer tool was used to generate a list of any federally listed endangered species on the project site or in the project vicinity. (See attached file RRE0022516MF_USFWS_IPaC_Results_RREM_TO145.) Results of this screening indicate that critical habitats for one endangered bird species (piping plover) and one endangered flowering plant species (seabeach amaranth) may or may not be located on the project site or in the project vicinity. Based on the review using the NJDEP’s HUD Environmental Review Tool for endangered species, consultation with NHP, and the proposed project activity (rehabilitation of the interior of a residence), the project will have no effect on these species. The IPaC tool identified 7 migratory birds on or within the vicinity of the project site. Because tree cutting and vegetation removal are not part of the proposed project activity, the project will not affect migratory birds.</p>
<p>6. Environmental Justice [Executive Order 12898]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project is in compliance. It does not involve any of the applicable activities: acquisition, change of land use, demolition, major rehabilitation, new construction, or an adverse impact or condition with respect to an environmental issue.</p> <p>The area immediately surrounding the project site consists of relatively small minority populations (10 - 20%). (See attached file RRE0022516MF_EnvironmentalJusticeMap_PercentMinority_RREM_TO145.) The percentage of minority populations is slightly above that of areas to the west and south and slightly below that of the area to the north of the area of the proposed project location.</p> <p>In the area immediately surrounding the project site 0 - 10% of the population is at or below the poverty level. The poverty level demographics are consistent with that of those of the surrounding communities. (See attached file RRE0022516MF_EnvironmentalJusticeMap_PercentBelowPoverty_RREM_TO145.)</p> <p>There will be no adverse environmental impact caused by the proposed action, nor is the proposed action subject to an adverse environmental impact. Based on this and the minority and poverty demographics of the community in which the proposed project is located, there are no disproportionately high and adverse human health and or environmental effects on minority or low-income populations. (See attached file RRE0022516MF_EnvironmentalJusticeChecklist_RREM_TO145.)</p>

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & 58.5	STATUS		Compliance Documentation
	A	B	
<p>7. Explosive and Flammable Operations [24 CFR 51C]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>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 a project for industrial for industrial, commercial, institutional or recreational use, when the activity is new construction or change of land use.</p> <p>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, reconstruct, elevate, or mitigate housing that existed prior to the disaster, where the number of dwelling units is not increased and the activities are limited to the existing footprint, is not required to apply the acceptable separation distance (ASD) standards in 24 CFR 51C. 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.</p>
<p>8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly sections 1504(b) & 1541; 7 CFR 658]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project is in compliance. Of the applicable activities, it does not involve acquisition of undeveloped land, conversion of undeveloped land, new construction or site clearance.</p> <p>A review using NJDEP’s HUD Environmental Review Tool indicated that the proposed project site does not include prime or unique farmland. (See attached file RRE0022516MF_FarmlandProtectionMap_RREM_TO145.)</p>
<p>9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The proposed project is in compliance. Of the applicable activities, it involves rehabilitation or repair, but not acquisition, disposition, financing or leasing existing buildings, building construction, construction of or improvements to infrastructure.</p> <p>A review using NJDEP’s HUD Environmental Review Tool with the Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Maps (FIRMs) layer applied indicated that the proposed project is not located in a 100-year floodplain (A and V Zones) nor in a floodway. (See attached file RRE0022516MF_FloodplainManagemenandFloodInsurancetMap_RREM_TO145.) However, a review of the actual National Flood Insurance Program (NFIP) Flood Insurance Rate Map No. 34025C0201F, indicated that the proposed project is within a 100-year floodplain, i.e. Zone AE. (See attached file RRE0022516MF_FIRM_34025C0201F_RREM_TO145.)</p> <p>A Jurisdictional Determination (JD) by NJ Division of Land Use Regulation (DLUR) declared that because the proposed project the activity is rehabilitation, a Flood Hazard Area permit in not required. (See attached file RRE0022516MF_DLUR_CoastalJDFloodHazardJD_RREM_TO145.)</p>

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			A 5-step floodplain analysis was conducted to determine whether the proposed project would have adverse effects on the floodplain. The results of the 5-step floodplain analysis indicate that there are no practicable alternatives to the proposed project. (See attached file RRE0022516MF_5-StepFloodplainAnalysis_RREM_TO145.) The proposed project requires NFIP flood insurance.
10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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. The building is located in a Green Zone (Sea Bright Boro; HPO Project #13-0251; 12/17/2012), and so meets the Programmatic Agreement (PA) Tier II Allowance VII.A.2 for architectural resources. (See attached file RRE0022516MF_HistoricPreservationExemptionZoneMap_RREM_TO145.) Review by Secretary of the Interior (SOI)-qualified archeologist Christopher L. Borstel, Ph.D., RPA, found that the property meets PA Tier II Allowance I for potential archeological resources. The property is one unit of a condominium complex situated on Sandy Hook Peninsula, a barrier island. The area of the entire complex is less than 5 acres, and that of the subject unit is under 0.25 acre. It is not situated in an archeology sensitivity grid square and is situated in urbanized, heavily disturbed former dunelands.
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="checkbox"/>	<input type="checkbox"/>	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. or reconstruction or rehabilitation projects where residential density is being increased. 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). 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.
12. Sole Source Aquifers [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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. 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 RRE0022516MF_SoleSourceAquifersMap_RREM_TO145.)

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	A	B	
			<p>A 1996 letter from USEPA to HUD regarding project requiring sole source aquifer review by USEPA (see RRE0022516MF_1996 Memo-EPA-Sole Source Aquifer Review of HUD Projects_RREM_TO145) states that the following activities would not create a significant hazard to public health and are therefore generally excluded from sole source aquifer review:</p> <ul style="list-style-type: none"> 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. <p>The proposed project activity is rehabilitation of a single-family residential unit within a multi-family structure that will not expand the unit. The proposed project would therefore 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 and the Borough of Sea Bright, respectively.</p>
<p>13. Wetlands Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>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.</p> <p>A review of the NJDEP HUD Environmental Review Tool indicated that the project site is not within a wetland, or wetland transition or buffer area (within 150 feet of a wetland), tidal or non-tidal waterway, or at or below a mean high water line (MHWL). (See attached files RRE0022516MF_WetlandsProtectionMap_RREM_TO145 and RRE0022516MF_CoastalZoneManagementMapCAFRA_RREM_TO145.)</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. Of the applicable activities, it involves new construction, but not acquisition of undeveloped land, change in land use, or major rehabilitation.</p> <p>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. There are no Wild and Scenic Rivers Systems located within Monmouth County. The nearest Wild and Scenic River, Musconetcong River, is located approximately 55 miles to the northwest of the proposed project site. (See RRE0022516MF_WildandScenicRiversMap_RREM_TO145.) Therefore, the project is not located within ¼ mile of a Wild and Scenic River stream bank, is not within a one-mile radius of a designated Wild and Scenic River, and would not affect Wild and Scenic Rivers.</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:

Because the proposed project is in Monmouth County, it is far outside any of the applicable clear zones or accident potential zones.

[Project complies with 24 CFR 51.303(a)(3).]

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

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

No. Cite or attach Source Documentation:

The nine designated units of the Coastal Barrier Resources System in New Jersey are uninhabited. The 12 "otherwise protected areas" associated with the Coastal Barrier Resources System in New Jersey area 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. (See attached file RRE0022516MF_CoastalBarrierResourcesActMap_RREM_TO145.)

[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:

A review of the actual National Flood Insurance Program (NFIP) FIRM No. 34025C0201F, indicated that the proposed project is within a 100-year floodplain, i.e. Zone AE. (See attached file RRE0022516MF_FIRM_34025C0201F_RREM_TO145.)

4. 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

Field Inspection (Date and completed by):

Kian Lew, Tetra Tech, performed the site reconnaissance on December 11, 2014.

Summary Statement of Findings and Conclusions:

Based upon completion of this environmental assessment, environmental review of the proposed project indicates 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 (<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, lead-based paint) 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.