

## ENVIRONMENTAL ASSESSMENT

### Determinations and Compliance Findings for HUD-Assisted Projects 24 CFR Part 58

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

**Applicant Name** TAPAN (First) DAY (Last)

**-or-** (Business/Project Name)

**Project Location** 120 N TEXAS AVE RR 3, (Street Address)

Atlantic City (Municipality) Atlantic (County) New Jersey (State)

342 (Block) 11 (Lot)

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

**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.*

#### *Drainage/Storm Water Runoff*

- 3. Temporary soil disturbances during construction on the project site will require the applicant to implement best management practices, such as silt fencing and erosion prevention, to minimize any potential short-term impacts.*
- 4. Applicant must comply with requirements under any applicable stormwater discharge permits with oversight by local soil conservation districts to minimize any potential short-term impacts.*

#### *Air Quality*

- 5. Use water or chemical dust suppressant in exposed areas to control dust.*
- 6. Cover the load compartments of trucks hauling dust-generating materials.*
- 7. Reduce vehicle speed on non-paved areas and keep paved areas clean.*

8. Retrofit older equipment with pollution controls.
9. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.
10. Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.
11. 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:
  - 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);
  - 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);
  - 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
  - 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).
12. 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).
13. 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).
14. 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.

#### Noise

15. Outfit all equipment with operating mufflers
16. Comply with the applicable local noise ordinance
17. Implement BMPs, such as limiting activities to normal business hours, to minimize ambient construction noise

#### Floodplain Management and Flood Insurance

18. All proposed reconstruction, repair, and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the Flood Hazard Area Control Act rules (N.J.A.C. 7:13).
19. As this project will take place within a tidal floodplain regulated under the Flood Hazard Area Control Act rules at N.J.A.C. 7:13-1.1, reconstruction and elevation projects within the same footprint may qualify for a Flood Hazard Area permit permit-by-rule provided the criteria at N.J.A.C. 7:13-7.2(a)3 is met.
20. All structures funded by the Rehabilitation, Reconstruction, Elevation and Mitigation Program, if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, 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)].
21. 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

22. 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.

23. 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).

24. All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to HUD's lead-based paint regulations in 24 CFR Part 35 Subparts B, H, and J.

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

#### 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.)

#### Funding Information

Grant Number	HUD Program	Funding Amount
B-13-DS-34-0001	Rehabilitation, Reconstruction, Elevation and Mitigation (RREM) Program	\$150,000.00
		\$0.00
		\$0.00

#### Estimated Total HUD Funded Amount:

\$150,000.00

#### Estimated Total HUD Funded Amount Description

The RREM Program provides up to \$150,000 in grant funding assistance to eligible homeowners. For this application, the HUD funding amount is \$150,000 for the rehabilitation of a single residential unit within a multifamily structure (5 or more units).

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

\$212,396.30

**Estimated Total Project Cost Description**

*The total project cost is \$212,396.30 based on the Estimated Cost of Repair documents.*

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

*The purpose of this proposed project is the rehabilitation and elevation of a single residential unit (Unit RR 3) within a multifamily structure (5 or more units) located at 120 North Texas Avenue, in Atlantic City, Atlantic County, New Jersey (Block 342, Lot 11). 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 RR 3) within a multifamily structure (5 or more units) located at 120 North Texas Avenue, in Atlantic City, Atlantic County, New Jersey (Block 342, Lot 11). The multifamily structure, built prior to 1921 (per historic insurance maps; see RRE0031126MF\_SHPOResponse), contains a total of five units. Elevation of the single residential unit (Unit RR 3) by rebuilding the lowest floor to an elevation of one foot above the base flood elevation is also proposed. This will be completed by means of interior elevation (see RRE0031126MF\_ProjectActivityUpdate). The unit subject to the environmental review occupies approximately 0.014 acres of land based on the property tax record (see RRE0031126MF\_TaxCard). The proposed activities to be completed are asbestos abatement/disposal activities, including the removal and legal disposal of presumed asbestos roofing materials, lead-based paint abatement activities including the complete removal and legal disposal of a window sill determined to be a child accessible chewable surface hazard by a certified lead abatement contractor, and gutting and rebuilding the lowest floor to an elevation of one foot above the base flood elevation by means of interior elevation. The total estimated cost of the proposed work is \$202,814.75. Repairs reported to have been completed since October 29, 2012, include interior repair of doors, subflooring, baseboard and paint, roof repairs/replacement, repair and replacement of bedrooms, replacement of appliances (washing machine, oven, refrigerator and freezer), and replacement of carpet and furniture. The total estimated cost of these repairs is \$9,581.55. The total estimated cost of repair (proposed activities and completed repairs) is \$212,396.30 and is considered major rehabilitation (substantially damaged) as the cost of repair is greater than 50 percent of the pre-disaster market value of the entire structure, \$104,000, as reported on tax records (see property tax card file RRE0031126MF\_TaxCard). See attached Project Location Map file RRE0031126MF\_ProjectLocationMap and photo log file RRE0031126MF\_PhotoLog.*

**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.)

*A shore resort and gaming-dominated community, Atlantic City consists of a total of 10,067 acres of land area of which approximately 2,624 acres are developable lands, and the remaining acreage consists of water (3,079 acres), wetlands (3,708 acres), and roads/rights-of-way (656 acres). The City is laid out in a grid system of city blocks with an*

average dimension of 350 feet by 550 feet, which incorporates public parks and open spaces. The most unique characteristic of the City is the approximately 3.4-mile long sand beach lined with a boardwalk. Incorporated in 1854, Atlantic City, with premier oceanfront between marshlands and islands, presented itself as prime real estate for developers. Development of the City was made feasible by train service linking Philadelphia to Atlantic City, which aided the transformation of the town into a popular beach destination. The City is one of the larger urban areas in New Jersey, with 40,000 plus year-round residents. The City's historic neighborhoods such as Bungalow Park, Chelsea, Chelsea Heights, Ducktown, the Inlet, Venice Park, and Westside continue to flourish in varying degrees. Atlantic City, with its continued economic expansion, is beginning to be recognized as a place with not only casino gaming, but world-class entertainment, spas, fine dining, night life, beautiful ocean beaches and variety of shopping venues. In the absence of the proposed project, the applicant's damaged residential unit, located in the Chelsea Neighborhood of Atlantic City, would not be repaired and would continue to be vulnerable to future flooding conditions, and the applicant may not be able to recover, in turn delaying the revitalization of the Chelsea Neighborhood community or Atlantic City.

## 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

<b>1. Air Quality</b> [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. Of the applicable activities, it involves major rehabilitation, but does not include 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), Atlantic County has been designated a nonattainment or maintenance area for two National Ambient Air Quality Standards (NAAQS) (see RRE0031126MF_USEPANonAttainmentMaintenanceforNAAQS):</i></p> <ul style="list-style-type: none"> <li><i>• a marginal nonattainment area for 8-hour ozone (2008 Standard)</i></li> <li><i>• a non-classified maintenance area for carbon monoxide</i></li> </ul> <p><i>The 1-hour ozone standard (1979) was revoked on June 15, 2005, and the 8-hour ozone standard (1997) was revoked on April 6, 2015.</i></p> <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 RRE0031126MF_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>
<b>2. Airport Hazards</b> (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. Of the applicable activities, it involves major rehabilitation, but does not include 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 92 miles to the north of the project location, and Atlantic City International Airport is located approximately 9 miles to the northwest of the project location (see RRE0031126MF_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. The proposed project is not located within an airport clear zone or the Lakehurst Accident Potential Zone, which is located approximately 45 miles north of the proposed project location (see RRE0031126MF_AirportHazardsMap).</i></p>
<b>3. Coastal Zone Management</b> [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. Of the applicable activities, it involves major rehabilitation, but does not include 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 RRE0031126MF_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 (see RRE0031126MF_DLURCoastalJurisdictionalDetermination). In addition, DLUR determined that the project is presumed to be consistent with the New Jersey Coastal Zone Management Program and a Water Quality Certificate is authorized.</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 RRE0031126MF_CoastalZoneManagementMap).</i></p>

<b>4. Contamination and Toxic Substances</b> [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 located within the 3,000-foot radius of two (2) "threatening" sites (see RRE0031126MF_ContaminationandToxicSubstancesMap). The sites are identified as 241 North Nevada Avenue, with a Site ID number reported as 221742, and 243 Texas Avenue, with a Site ID number reported as 64097. The sites were reviewed by NJDEP, which has found these sites to be in substantial compliance with NJDEP regulations and therefore considered under control. No other investigations are required, and the analysis is concluded (see RRE0031126MF_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 August 31, 2015, revealed no visible recognized environmental conditions (RECs) in the vicinity of the proposed project (see RRE0031126MF_FieldInspectionReport). 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 RRE0031126MF_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><b>Asbestos</b></p> <p><i>The multifamily structure containing the RREM-assisted unit was constructed prior to 1921 (per historic insurance maps; see RRE0031126MF_SHPOResponse); because the structure was constructed prior to 1980, asbestos is a potential concern.</i></p> <p><i>An Asbestos Survey was conducted in Unit RR 3 in June 2015 by the Lew Corporation (Lew). Lew conducted a visual inspection at the property and collected bulk samples for asbestos analysis by a private laboratory. None of the sampled building materials tested positive for asbestos. In addition, Lew identified roofing materials as presumed asbestos-containing materials. The roofing materials were reported to be in good condition at the time of Lew's June 2015 survey. Lew stated that if suspect asbestos-containing materials that were not previously sampled are sighted during any renovations, the material should be sampled by a certified inspector or assumed to be asbestos (see RRE0031126MF_AsbestosReport).</i></p> <p><i>Based on the results of the sampling, asbestos-containing materials were not identified within Unit RR 3. Potential asbestos hazards should be managed in accordance with applicable regulations. All proposed project activities must comply with applicable federal, state, and local laws and regulations regarding asbestos.</i></p> <p><b>Lead-based Paint</b></p> <p><i>The multifamily structure containing the RREM-assisted unit was constructed prior to 1921 (per historic insurance maps; see RRE0031126MF_SHPOResponse); because the structure was constructed prior to 1978, lead-based paint (LBP) is a potential concern.</i></p> <p><i>Review of the LBP Evaluation Report prepared by Lew and dated June 22, 2015, found that an LBP evaluation was conducted for Unit RR 3 in June 2015. Lew conducted a visual inspection at the property and collected 132 X-Ray Fluorescence (XRF) readings and nine dust wipe samples, which were analyzed by a private laboratory to determine the presence/absence of LBP. Lew did not collect soil samples as bare soil was not observed on the property. According to the LBP Evaluation Report, no lead hazards, dust lead hazards, or soil lead hazards were identified at the property. Lew did identify the window sills of the structure as a building component that contained LBP, but noted that those surfaces were observed as being intact at the time of its June 2015 evaluation.</i></p> <p><i>All activities must comply with applicable federal, state, and local laws and regulations regarding LBP, including but not limited to HUD's LBP regulations in 24 CFR Part 35 Subparts B, H, and J. Lead Hazard Control, including prioritization of lead hazard issues, interim control options, and abatement options at the project site are summarized on pages 8-10 of the LBP Evaluation Report (see RRE0031126MF_LeadReport; RRE0031126MF_LeadReportNotice; and RRE0031126MF_LeadSafeHousingApplicabilityForm).</i></p> <p><b>Radon</b></p> <p><i>No testing or mitigation is required for structures that are in an area with a rank of Tier 3. Because the project is located in a Tier 3 area, no radon testing or mitigation is required (see RRE0031126MF_RadonPotentialMap).</i></p>
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<b>5. Endangered Species</b> [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. Of the applicable activities, it involves major rehabilitation but does not involve demolition, 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>Review of the individual NJDEP HUD Environmental Review Tool layers for piping plover and red knot indicate that piping plover and red knot are not present on the project site or immediately surrounding properties (see RRE0031126MF_EndangeredSpeciesMap).</i></p> <p><i>The Bat Screening Questionnaire was completed to determine whether the proposed project would adversely impact federally listed Indiana bats, northern long-eared bats, or their habitats. The proposed project does not involve removal of trees or demolition of a building, but does involve renovation of a building. As the proposed rehabilitation activities involve interior renovation and elevation of the single residential unit, the USFWS IPaC landscape explorer tool was used to screen the proposed project location to determine if consultation with USFWS was warranted. Review of the USFWS IPaC landscape explorer tool for the project showed no evidence of bats at the project location; therefore, consultation with USFWS was not warranted (see RRE0031126MF_BatScreening and RRE0031126MF_IPaCResults).</i></p> <p><i>The NJDEP ArcGIS Screening Tool Centroid layer indicates that federally-listed T and E species are not documented on the project site; however, centroid data indicates that state-listed species are documented on the project site. Based on the centroid data results and DLUR jurisdictional determination indicating that DLUR permits are not required for the proposed project, coordination with the NJDEP Division of Fish and Wildlife, Endangered Species Program (ENSP) was required.</i></p> <p><i>ENSP reviewed the proposed project for state-listed species. ENSP identified the peregrine falcon as the state-listed species documented in the vicinity of the project site. ENSP stated that it has no concerns with regard to the peregrine falcon and the proposed project (see RRE0031126MF_ENSPResponse).</i></p> <p><i>As the proposed project involves major rehabilitation, consultation with the NJDEP State Forestry Services – Natural Heritage Program (NHP) regarding plant species and use of the USFWS IPaC landscape explorer tool were required.</i></p> <p><i>Consultation with NHP determined, in the Table 1: On Site Data Request Search Results under the Rare Plants/Ecological Communities Possibly On Site category, that no rare plant species, ecological communities, rare wildlife species or wildlife habitat, vernal pool habitats or other animal species tracked by ENSP are documented on the proposed project site. Consultation with NHP determined, in Table 2: Vicinity Data Request Search Results, that no rare plant species, ecological communities, natural heritage priority sites, vernal pool habitat or other animal species tracked by ENSP are located within the immediate vicinity (one quarter mile) of the proposed project. NHP determined that rare wildlife species or wildlife habitat are located within the immediate vicinity of the proposed project, including three State Endangered species (black skimmer, least tern and peregrine falcon), three State Threatened species (black-crowned night heron, cattle egret and osprey), and seven species of Special Concern (Caspian tern, common tern, glossy ibis, gull-billed tern, little blue heron, snowy egret and tricolored heron) (see RRE0031126MF_NJDEPNaturalHeritageProgramResponse). The proposed project will not impact these species because the project activities do not threaten their habitats.</i></p> <p><i>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 RRE0031126MF_IPaCResults). Results of this screening indicate that no critical habitats are located on the project site or in the project vicinity. The screening also identified three species to be considered as part of the project's effect analysis, including piping plover, red knot, and seabeach amaranth. Based on review of the NJDEP ArcGIS Screening Tool and results of NHP consultation, piping plover, red knot, and seabeach amaranth are not present on or in the immediate vicinity of the proposed project; therefore, these species would not be impacted by the proposed project. In addition, the IPaC tool identified 24 migratory birds on or within the vicinity of the proposed project site. Because tree cutting and vegetation removal are not part of the proposed project activity, the project would not affect migratory birds.</i></p>
<b>6. Environmental Justice</b> [Executive Order 12898]	<input checked="" type="radio"/> A <input type="radio"/> B	<p><i>The proposed project is in compliance. Of the applicable activities, it involves major rehabilitation but does not involve 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 moderate to high environmental justice communities, i.e., minority populations ranging from approximately 40 percent to 100 percent and populations below poverty level ranging from approximately 20 percent to 30 percent (see RRE0031126MF_EnvironmentalJusticeMap PercentMinority and RRE0031126MF_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 RRE0031126MF_EnvironmentalJusticeChecklist).</i></p>



<b>7. Explosive and Flammable Operations</b> [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 and elevation of a single residential unit within a multifamily structure), the number of dwelling units would not increase, and the activities would be limited to the existing footprint of the multifamily structure.</i></p>
<b>8. Farmland Protection</b> [Farmland Protection Policy Act of 1981, particularly section 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 RRE0031126MF_FarmlandProtectionMap).</i></p>

<b>9. Floodplain Management</b> [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>Elevation of the single residential unit (Unit RR 3) by rebuilding the lowest floor to an elevation of one foot above the base flood elevation is proposed. This will be completed by means of interior elevation (see RRE0031126MF_ProjectActivityUpdate).</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 RRE0031126MF_FloodplainManagementMap).</i></p> <p><i>Per the FEMA National Flood Insurance Program FIRM Map for the City of Atlantic City, New Jersey, Atlantic County, Panel 4 of 5, Community-Panel Number 3452780004D, dated August 15, 1983, the entire proposed project, approximately 0.014 acres, is located within Zone A8. Zone A8 is identified as areas of 100-year flood where base flood elevation and flood hazard factors have been determined (see RRE0031126MF_FIRM3452780004D).</i></p> <p><i>The total estimated cost of repair is \$212,396.30 and is considered major rehabilitation (substantially damaged) as the cost of repair is greater than 50 percent of the pre-disaster market value of the entire structure, \$104,000.00, as reported on the tax record (see property tax card file RRE0031126MF_TaxCard).</i></p> <p><i>Based on the information above, an 8-step floodplain analysis is being conducted to determine whether the proposed project would have adverse effects on the floodplain. The results of the 8-step floodplain analysis indicate that there are no practicable alternatives to the proposed project (see RRE0031126MF_8-StepProcessFloodplainAnalysis). An early public notification was posted on September 25, 2015, with a comment period of 15 days (see RRE0031126MF_EarlyFloodplainNotice). No comments were received (see RRE0031126MF_FloodplainEarlyNoticeComments). Steps 7 and 8 of the 8-Step process are not yet completed, but will be as follows:</i></p> <p><i>Step 7: Determination of No Practicable Alternative</i></p> <p><i>A final public notice will be published in accordance with 24 CFR Part 55 for a minimum of 7-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 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.</i></p> <p><i>Step 8: Implement the Proposed Action</i></p> <p><i>Implementation of the proposed action may require additional local and state permits, which could place additional design modifications or mitigation requirements on the project.</i></p> <p><i>NFIP flood insurance is required as the project activity involves rehabilitation of a single residential unit within a multifamily structure within a FEMA-identified Special Flood Hazard Area.</i></p> <p><i>Per DLUR, as this project will take place within a tidal floodplain regulated under the Flood Hazard Area Control Act rules at N.J.A.C. 7:13-1.1, reconstruction and elevation projects within the same footprint may qualify for a Flood Hazard Area permit permit-by-rule provided the criteria at N.J.A.C. 7:13-7.2(a)3 are met (see RRE0031126MF_DLURFloodHazardAreaDetermination).</i></p>
<b>10. Historic Preservation</b> [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 elevate and complete rehabilitation of a unit of housing in a multifamily property. The property was constructed prior to 1921 (per historic insurance maps; see RRE0031126MF_SHPOResponse) and occupies an area of 0.014 acre on Abescon Island, a barrier beach. It is not located in a Historic Property Exemption Zone ("Green Zone"), and it is not designated as, or located in or adjacent to, a property that is listed on or eligible for listing on the National Register of Historic Places (NRHP) (see RRE0031126MF_HistoricPreservationMap). Consultation with the New Jersey Historic Preservation Office (HPO) was completed based upon documentation by Tetra Tech's Secretary of Interior-qualified historic preservation staff. HPO concurred that the property is not eligible for the NRHP and is not in an archeologically-sensitive location (HPO Project #: 15-3271-1 / File #: I2015-344; Concurrence Date: 9/23/2015). The application is therefore in compliance with Section 106 of the National Historic Preservation Act (NHPA) and related laws and regulations. No further review for historic preservation issues is required. See RRE0031126MF_SHPOResponse.</i></p>

<b>11. Noise Abatement and Control</b> [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>
<b>12. Sole Source Aquifers</b> [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 RRE0031126MF_SoleSourceAquifersMap).</i></p> <p><i>A 1996 letter from USEPA to HUD regarding project requiring sole source aquifer review by USEPA (see RRE0031126MF_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"> <li>• <i>in urbanized areas, single or multi-unit housing developments, community centers and schools that will use existing public water and sewer; and</i></li> <li>• <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></li> </ul> <p><i>The proposed action involves the rehabilitation of a single residential unit (Unit RR 3) within a multifamily structure (5 or more units). The building contains a total of 5 units. The proposed project would fall under the exclusion of "building renovations that do not involve significant expansion." The proposed project will be serviced by existing water and sewer systems operated by the Atlantic City Municipal Utilities Authority and the City of Atlantic City, respectively.</i></p>
<b>13. Wetland Protection</b> [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. Of the applicable activities, it involves new construction but not acquisition of undeveloped land, change of land use, 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 RRE0031126MF_WetlandsProtection Map).</i></p> <p><i>Per DLUR, a Coastal Wetlands permit is not required for the proposed project as no mapped wetlands are on site, and the project will not impact freshwater wetlands and associated transition areas regulated under the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A (see RRE0031126MF_DLURCoastalWetlandsJurisdictionalDetermination).</i></p>
<b>14. Wild and Scenic Rivers</b> [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. Of the applicable activities, it involves major rehabilitation but does not involve 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 6 miles to the west of the proposed project site (see RRE0031126MF_WildandScenicRiversMap). The project is not located within ¼ mile of a Wild and Scenic River stream bank or a one-mile radius of a designated Wild and Scenic River; therefore, the proposed project would not affect Wild and Scenic Rivers.</i></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
<b>Land Development</b>		
Conformance with Comprehensive and Neighborhood Plans	2	<i>A goal and objective under the Atlantic City Master Plan prepared in September 2008 is to preserve, protect and ensure the availability of decent, safe and adequate housing units of different types, sizes, and price ranges through new and compatible infill residential development in appropriate locations to meet the needs of current and future residents including preserving and enhancing the existing housing stock. The proposed project would address this goal/objective by rehabilitating the applicant's storm-damaged residential unit and elevating the entire multifamily structure containing the applicant's unit, therefore, preserving and potentially enhancing the existing housing stock of Atlantic City.</i>
Land Use Compatibility and Conformance with Zoning	1	<i>According to the Atlantic City Master Plan prepared in September 2008, the property associated with the proposed project is zoned Residential (R-3: Single Family Detached [Townhouse]) and is located within the City's Chelsea Neighborhood. The proposed project involves the rehabilitation of a single residential unit (Unit RR 3) within a multifamily structure (5 or more units) located at 120 North Texas Avenue, in Atlantic City, Atlantic County, New Jersey (Block 342, Lot 11). The multifamily structure, built prior to 1921 (per historic insurance maps; see RRE0031126MF_SHPOResponse), contains a total of five units. Elevation of the single residential unit is also proposed. This rehabilitated residential unit within a multifamily structure will continue to conform to the zoning classification of the project area and is an appropriate land use for this district.</i>
Urban Design- Visual Quality and Scale	2	<i>The proposed project would improve visual quality relative to current conditions by rehabilitating the existing storm-damaged residential unit (Unit RR 3). The multifamily structure which contains the residential unit will continue to look like a residential building in an effort to unify the architectural theme of the surrounding area and enhance the visual quality of the surrounding neighborhood. The scale of the multifamily structure containing the damaged unit will be unchanged from pre-storm conditions and would continue to be consistent with the scale of other adjacent residential properties.</i>
Slope	1	<i>The project parcel and surrounding area are generally flat in topography; therefore, the proposed project would not impact steep slopes.</i>
Erosion	1	<i>According to the US Department of Agriculture (USDA) Web Soil Survey, the proposed project site is on 0 to 3 percent slope soils. Because the project site is relatively flat and was previously developed for residential use, erosion is not expected to affect the proposed project and is generally addressed during the local permitting process.</i>
Soil Suitability	1	<i>Review of the USDA Web Soil Survey identified the majority of the proposed project site as being underlain by Psammaquents, sulfidic substratum, 0 to 3 percent slopes, frequently flooded soils. The parent material of the Psammaquents, sulfidic substratum, frequently flooded soil type is described as "sandy lateral spread deposits over organic material". This soil type is not classified as prime farmland. Documentation supporting this finding is presented in RRE0031126MF_USDAsoilMap and RRE0031126MF_FarmlandProtectionMap.</i>  <i>Because the project site was previously developed for residential use, it can be concluded that soils are suitable for residential redevelopment. If unsuitable soils have caused structural problems for previous structures on the project site, this would generally be addressed during local permitting process.</i>

Hazards and Nuisances, Including Site Safety	1	<i>The proposed project site is currently occupied by the storm-damaged residential unit. The rehabilitation of this residential unit would eliminate nuisances associated with semi-occupied or semi-operational buildings, thereby enhancing the local neighborhood. Site safety can be managed through the use of construction best management practices (BMPs) (i.e., perimeter fencing).</i>
Drainage/Storm Water Runoff	4	<i>The City of Atlantic City is required by applicable permits to manage stormwater runoff from construction activities and municipal stormwater systems (MS4 regulations, N.J.A.C. 7:14A et seq.). The proposed project would potentially result in temporary soil disturbances during elevation of the single residential unit. Implementation of BMPs, such as silt fencing and erosion prevention, and the requirements under any needed stormwater discharge permits with oversight by local soil conservation districts would minimize any potential short-term impacts (see Conditions for Approval). Furthermore, the site plan approval process would address any drainage/stormwater runoff concerns.</i>
Noise-Effects of Ambient Noise on Project & Contribution to Community Noise Levels	4	<i>The proposed rehabilitation and elevation activities at the project site would cause temporary increases in noise levels at nearby residences. Implementing BMPs, such as limiting activities to normal business hours and complying with applicable local noise ordinances, would minimize any potential short-term impacts (see Conditions for Approval).</i>
Energy Consumption	1	<i>Atlantic City Electric provides electric utilities to the project site. Some energy would be consumed in implementing the proposed project; however, implementation is not expected to substantially increase long-term energy consumption.</i>
<b>Socioeconomic Factors</b>		
Demographic Character Changes	1	<i>According to 2010 census data, the proposed project is located in a high diversity area (see RRE0031126MF_DemographicCharacterChanges). The project will rehabilitate a single residential unit within a multifamily structure that was damaged during Superstorm Sandy. No impacts to the demographic character of the area are anticipated.</i>
Displacement	1	<i>The damaged unit (Unit RR 3) located on the project site appeared to be occupied at the time of the environmental review. Due to the nature of the interior repairs proposed, it is not expected that the resident would be displaced during rehabilitation activities.</i>
Employment and Income Patterns	1	<i>2013 census data shows that the City of Atlantic City has a higher unemployment rate and lower income level when compared to the state as a whole (see RRE0031126MF_EmploymentandIncomePatterns). The proposed project may provide a temporary boost to the construction industry; however, impacts to employment and income patterns in the area are expected to be minimal.</i>
<b>Community Facilities and Services</b>		
Educational Facilities	1	<i>Because the proposed project does not involve the addition of residences, adverse impacts to educational facilities are not anticipated.</i>
Commercial Facilities	1	<i>Because the proposed project does not involve the addition of residences, no impact to commercial facilities is anticipated.</i>
Health Care	1	<i>Because the proposed project does not involve the addition of residences, impacts to regional health care are not anticipated.</i>
Social Services	1	<i>Because the proposed project does not involve the addition of residences, impacts to social services are not anticipated.</i>

Solid Waste Disposal/Recycling	4	<i>Trash and recycling services are provided by the City of Atlantic City's Public Works Department. The proposed project may result in the generation of construction waste, which is expected to be within the capacity of the current service providers. Wastes generated as a result of the proposed asbestos and lead-based paint abatement activities would be managed and disposed of in accordance with applicable laws and regulations (See Conditions for Approval). Because the proposed project involves rehabilitation of a single residential unit within an existing multifamily structure, the proposed project would have no long-term impact on the demand for solid waste disposal/recycling services.</i>
Waste Water/Sanitary Sewers	1	<i>Wastewater services are provided by Atlantic City. Because the proposed project involves rehabilitation of a single residential unit within an existing multifamily structure, the proposed project would have no impact on the demand for wastewater/sanitary sewer systems. All publicly owned and operated waste water and sanitary sewer systems in the project area are in operation and are assumed to have sufficient capacity to continue servicing the multifamily structure.</i>
Water Supply	1	<i>Water services are provided through the Atlantic City Municipal Utilities Authority. Because the proposed project involves rehabilitation of a single residential unit within an existing multifamily structure, the proposed project would have no impact on the demand for water supply. All publicly owned and operated drinking water supplies in the project area are in operation and are assumed to have sufficient capacity to continue servicing the multifamily structure.</i>
Public Safety: • Police • Fire • Emergency Medical	1	<i>The City of Atlantic City's Police Department headquarters and Fire Department are located at 2715 Atlantic Avenue, approximately 0.2 miles from the project location. Because the proposed project involves the rehabilitation of a single residential unit within an existing multifamily structure, it is expected to have a minimal impact on the demand for police protection, fire protection, and emergency medical services.</i>
Parks, Open Space & Recreation: • Open Space • Recreation	1	<i>Texas Avenue playground is located to the north of the proposed project, at the corner of North Texas Avenue and Fairmount Avenue. This recreation area contains basketball courts, playground equipment and picnic areas. Because the proposed project involves the rehabilitation of a single residential unit within an existing multifamily structure, it would have no impact on open space or recreation.</i>
Cultural Facilities	1	<i>Because the proposed project involves the rehabilitation of a single residential unit within a multifamily structure, it would have no impact on cultural facilities.</i>
Transportation & Accessibility	1	<i>The proposed project would have a minor and temporary increase in construction traffic during the rehabilitation activities. Because the proposed project involves the rehabilitation of a single residential unit within an existing multifamily structure, it would have no impact on transportation and accessibility.</i>
<b>Natural Features</b>		
Water Resources	1	<i>The proposed project would not pose a significant threat to groundwater or other water resources. The project is consistent with the applicable regulations for Wetlands Protection, Coastal Zone Management, Floodplain Management and Sole Source Aquifers, which are protection of water resources of the State (see above findings).</i>
Surface Water	1	<i>The proposed project would not pose a significant threat to surface water. The project does not include any work in surface waters and there will be no discharges to surface water.</i>
Unique Natural Features & Agricultural Lands	1	<i>The proposed project would have no effect on unique natural features or agricultural land. None of the proposed activities would occur on agricultural land. No sites listed on the National Registry of Natural Landmarks are present in the vicinity of the proposed project.</i>

Vegetation and Wildlife	1	<p><i>The activities associated with the proposed project are not expected to generate long-term adverse impacts on vegetation or wildlife.</i></p> <p><i>Review of the individual NJDEP HUD Environmental Review Tool layers for piping plover and red knot indicate that piping plover and red knot are not present on the project site or immediately surrounding properties (see RRE0031126MF_EndangeredSpeciesMap).</i></p> <p><i>The Bat Screening Questionnaire was completed to determine whether the proposed project would adversely impact federally listed Indiana bats, northern long-eared bats, or their habitats. The proposed project does not involve removal of trees or demolition of a building, but does involve renovation of a building. As the proposed rehabilitation activities involve minor interior renovation and elevation of the single residential unit, the USFWS IPaC landscape explorer tool was used to screen the proposed project location to determine if consultation with USFWS was warranted. Review of the USFWS IPaC landscape explorer tool for the project showed no evidence of bats at the project location; therefore, consultation with USFWS was not warranted (see RRE0031126MF_BatScreening and RRE0031126MF_IPaCResults).</i></p> <p><i>The NJDEP ArcGIS Screening Tool Centroid layer indicates that federally-listed T and E species are not documented on the project site; however, centroid data indicates that state-listed species are documented on the project site. Based on the centroid data results and DLUR jurisdictional determination indicating that DLUR permits are not required for the proposed project, coordination with the NJDEP Division of Fish and Wildlife, ENSP was required.</i></p> <p><i>ENSP reviewed the proposed project for state-listed species. ENSP identified the peregrine falcon as the state-listed species documented in the vicinity of the project site. ENSP stated that it has no concerns with regard to the peregrine falcon and the proposed project (see RRE0031126MF_ENSPResponse).</i></p> <p><i>As the proposed project involves major rehabilitation of a single residential unit within an existing multifamily structure, consultation with the NJDEP State Forestry Services – NHP regarding plant species and use of the USFWS IPaC landscape explorer tool were required.</i></p> <p><i>Consultation with NHP determined, in the Table 1: On Site Data Request Search Results under the Rare Plants/Ecological Communities Possibly On Site category, that no rare plant species, ecological communities, rare wildlife species or wildlife habitat, vernal pool habitats or other animal species tracked by the Endangered and Nongame Species Program are documented on the proposed project site. Consultation with NHP determined, in Table 2: Vicinity Data Request Search Results, that no rare plant species, ecological communities, natural heritage priority sites, vernal pool habitat or other animal species tracked by the Endangered and Nongame Species Program are located within the immediate vicinity (one quarter mile) of the proposed project. NHP determined that rare wildlife species or wildlife habitat are located within the immediate vicinity of the proposed project including three State Endangered species (black skimmer, least tern and peregrine falcon), three State Threatened species (black-crowned night heron, cattle egret and osprey), and seven species of Special Concern (caspien tern, common tern, glossy ibis, gull-billed tern, little blue heron, snowy egret and tricolored heron) (see RRE0031126MF_NJDEPNaturalHeritageProgramResponse). The proposed project will not impact these species because the project activities do not threaten their habitats.</i></p> <p><i>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 RRE0031126MF_IPaCResults). Results of this screening indicate that no critical habitats are located on the project site or in the project vicinity. The screening also identified three species to be considered as part of the project's effect analysis, including piping plover, red knot, and seabeach amaranth. Based on review of the NJDEP ArcGIS Screening Tool and results of NHP consultation, piping plover, red knot, and seabeach amaranth are not present on or in the immediate vicinity of the proposed project; therefore, these species would not be impacted by the proposed project. In addition, the IPaC tool identified 24 migratory birds on or within the vicinity of the proposed project site. Because tree cutting and vegetation removal are not part of the proposed project activity, the project would not affect migratory birds.</i></p> <p><i>Because the proposed project involves the rehabilitation of a single residential unit within an existing multifamily structure, any impacts to vegetation and wildlife are expected to be minimal.</i></p>
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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: [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 RRE0031126MF\_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 RRE0031126MF\_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". See attached RRE0031126MF\_FloodplainManagementMap.*

*Per the FEMA National Flood Insurance Program FIRM Map for the City of Atlantic City, New Jersey, Atlantic County, Panel 4 of 5, Community-Panel Number 3452780004D, dated August 15, 1983, the entire proposed project area, approximately 0.014 acres, is located within the 100-year floodplain (A8 zone). Zone A8 is identified as areas of 100-year flood where base flood elevation and flood hazard factors have been determined (see RRE0031126MF\_FIRM3452780004D).*

**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.)

*No additional studies were performed.*

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

*Field inspection conducted on August 31, 2015, by Beth Williams, Tetra Tech (see RRE0031126MF\_FieldInspectionReport).*

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

*ESRI. New Jersey Department of Environmental Protection (NJDEP) Housing and Urban Development (HUD) Environmental Review Tool 2.1. Accessed August, September and October 2015: <http://bit.ly/1dREWkD>.*

*Karabashian Eddington Planning Group. Atlantic City Master Plan. September 2008.*

*John H. Chafee Coastal Barrier Resources System, New Jersey map. Accessed September 2015: <http://www.fws.gov/CBRA/Maps/Locator/NJ.pdf>*

*National Park Service, National Registry of Natural Landmarks. Accessed September 2015: <http://www.nature.nps.gov/nrl/docs/NNLRegistry.pdf>*

*New Jersey Department of Community Affairs (NJDEP), Areawide Compliance Process, Executive Order 11988 – Floodplain Management, Atlantic, Bergen, Cape May, Essex, Hudson, Middlesex, Monmouth, Ocean and Union Counties, New Jersey.*

*NJDCA, Community Development Block Grant Disaster Recovery Action Plan, March 2013. Accessed September 2015: <http://www.nj.gov/dca/announcements/pdf/CDBG-DisasterRecoveryActionPlan.pdf>*

*New Jersey Department of Environmental Protection (NJDEP), Natural & Historic Resources Historic Preservation Office. Daniel D. Saunders, letter correspondence, September 23, 2015.*

*NJDEP, New Jersey Natural Heritage Program, Office of Natural Lands Management. Robert J. Cartica, letter correspondence, September 17, 2015.*

*NJDEP, Division of Land Use Regulation, DLUR –Jurisdictional Determination. Ryan J. Anderson, letter correspondence, September 11, 2015.*

*NJDEP. NJ-GeoWeb Environmental Mapping Tool. Accessed September 2015: <http://www.state.nj.us/dep/gis/geoweb splash.htm>*

*Programmatic Agreement Among the Federal Emergency Management Agency, the New Jersey State Historic Preservation Officer, the New Jersey State Office of Emergency Management, the Advisory Council on Historic Preservation, the Absentee Shawnee Tribe of Indians of Oklahoma, the Delaware Nation, the Delaware Tribe of Indians, the Shawnee Tribe of Oklahoma, and the Stockbridge Munsee Band of Mohicans as a Result of Hurricane Sandy.*

*United States Department of Agriculture (USDA) Natural Resources Conservation Service, Web Soil Survey. Accessed September and October 2015: <http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>*

*United States Census Bureau American Fact Finder. Retrieved October 2015.*

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*<http://www.census.gov/acs/www/>*

*United States Environmental Protection Agency (USEPA), National Environmental Policy Act (NEPA), NEPAassist Tool.*

*Accessed September 2015: <http://nepassisttool.epa.gov/nepassist/entry.aspx>*

*USEPA, Green Book. Counties Designated “Nonattainment” or “Maintenance” for Clean Air Act’s National Ambient Air Quality Standards (NAAQS). Accessed September 2015: <http://www.epa.gov/oaqps001/greenbk/mapnmpoll.html>*

*USEPA, Environmental Justice. EJView. Accessed September 2015: <http://ejscreen.epa.gov/mapper/>*

*USFWS, Information, Planning, and Conservation System (IPaC). Accessed September 21, 2015:*

*<http://ecos.fws.gov/ipac/>*

*USFWS, Official Coastal Barrier Resources System Maps. Accessed September 2015: <http://www.fws.gov/CBRA/Maps/>*

#### **Lists of Permits Required:**

*Local Construction Permits*

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

*No public outreach was conducted during EA preparation.*

#### **Cumulative Impact Analysis [24 CFR 58.32]:**

*The proposed project, a residential use within the Chelsea Neighborhood of Atlantic City, involves the rehabilitation and elevation of a single residential unit (Unit RR 3) within a multifamily structure and is consistent with goals and objectives for the redevelopment of the City of Atlantic City as referenced within the 2008 Atlantic City Master Plan. The project may have a cumulative temporary impact on air quality, noise, and traffic during rehabilitation and elevation activities, but will have a net long-term benefit to the Chelsea Neighborhood of Atlantic City and surrounding community. No other cumulative effects are anticipated.*

**Project Alternatives Considered [24 CFR 58.40(e), 40 CFR 1508.9]:** (As appropriate, identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment for each alternative and the reasons for rejecting it.)

*This project was identified as a result of the applicant, Tapan K. Day, submitting a funding request application through the RREM Program for the rehabilitation and elevation of a residential unit (Unit RR 3) within a multifamily structure at 120 North Texas Avenue in Atlantic City, New Jersey. No other alternatives were considered.*

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

*A No Action Alternative would involve no rehabilitation of the damaged residential unit or elevation of the multifamily structure containing the damaged residential unit and continuation of the existing environmental conditions.*

### **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. The proposed project complies with environmental requirements for funding. The proposed project will have a net benefit on the community.*

### **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.*

#### *Drainage/Storm Water Runoff*

- 3. Temporary soil disturbances during construction on the project site will require the applicant to implement best management practices, such as silt fencing and erosion prevention, to minimize any potential short-term impacts.*
- 4. Applicant must comply with requirements under any applicable stormwater discharge permits with oversight by local soil conservation districts to minimize any potential short-term impacts.*

#### *Air Quality*

- 5. Use water or chemical dust suppressant in exposed areas to control dust.*
- 6. Cover the load compartments of trucks hauling dust-generating materials.*
- 7. Reduce vehicle speed on non-paved areas and keep paved areas clean.*
- 8. Retrofit older equipment with pollution controls.*
- 9. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.*
- 10. Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.*
- 11. 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:*
  - 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);*
  - 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);*
  - 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*
  - 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).*

12. 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).
13. 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).
14. 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.

#### Noise

15. Outfit all equipment with operating mufflers
16. Comply with the applicable local noise ordinance
17. Implement BMPs, such as limiting activities to normal business hours, to minimize ambient construction noise

#### Floodplain Management and Flood Insurance

18. All proposed reconstruction, repair, and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the Flood Hazard Area Control Act rules (N.J.A.C. 7:13).
19. As this project will take place within a tidal floodplain regulated under the Flood Hazard Area Control Act rules at N.J.A.C. 7:13-1.1, reconstruction and elevation projects within the same footprint may qualify for a Flood Hazard Area permit permit-by-rule provided the criteria at N.J.A.C. 7:13-7.2(a)3 is met.
20. All structures funded by the Rehabilitation, Reconstruction, Elevation and Mitigation Program, if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, 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)].
21. 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

22. 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.
23. 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).
24. All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to HUD's lead-based paint regulations in 24 CFR Part 35 Subparts B, H, and J.
25. All residential structures must be free of mold attributable to Superstorm Sandy.

## CERTIFICATIONS

Vadim Petrov, TetraTech

2015-11-06 22:03:24

Preparer Agency and Name

Completion Date

RE Certifying Officer Name

RE Certifying Officer Signature

RE CO Signature Date