

ENVIRONMENTAL ASSESSMENT

Determinations and Compliance Findings for HUD-Assisted Projects

24 CFR Part 58

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

Applicant Name: _____ (First) _____ (Last)

-or- _____ Malusa & Sons, Inc. DBA Nino's Family Restaurant (Business/Corporate Name)

Project Location: _____ 201 West Walnut Avenue _____ (Street Address)

_____ North Wildwood _____ (Municipality) _____ Cape May _____ (County) _____ New Jersey _____ (State)

_____ 160.02 _____ (Block) 8 _____ (Lot)

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

General

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

Noise

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

Air Quality

Project activities must meet the regulatory requirements of New Jersey's Air Rules and Air Pollution Controls (see SBL38781_AirQualityMemo_SBL_TO1010). In addition, the following must be met:

1. *Use water or chemical dust suppressant in exposed areas to control dust.*
2. *Cover the load compartments of trucks hauling dust-generating materials.*
3. *Wash heavy trucks and construction vehicles before they leave the site.*
4. *Reduce vehicle speed on non-paved areas and keep paved areas clean.*
5. *Retrofit older equipment with pollution controls.*
6. *Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.*
7. *Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.*

8. *Obtain an air pollution control permit to construct and a certificate to operate for all equipment subject to N.J.A.C. 7:27-8.2(c). Such equipment includes, but is not limited to, the following:*
 - a. *Any commercial fuel combustion equipment rated with a maximum heat input of 1,000,000 British Thermal Units per hour or greater to the burning chamber (N.J.A.C. 7:27-8.2(c)1);*
 - b. *Any stationary storage tank for volatile organic compounds with a capacity of 2,000 gallons and a vapor pressure of 0.02 pounds per square inch or greater (N.J.A.C. 7:27-8.2(c)9);*
 - c. *Any tank, reservoir, container, or bin with capacity in excess of 2,000 cubic feet used for storage of solid particles (N.J.A.C. 7:27-8.2(c)10); and*
 - d. *Any stationary reciprocating engine with a maximum rated power output of 37 kW or greater, used for generating electricity, not including emergency generators (N.J.A.C. 7:27-8.2(c)21).*

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

Floodplain Management and Flood Insurance

1. *All proposed reconstruction, substantial improvements, and elevation activities 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).*
2. *All structures funded by the CDBG-DR programs, if in, or partially in, the 100-year floodplain shown on the effective FEMA Flood Insurance Rate Map, must be covered by flood insurance and the flood insurance must be maintained for the economic life of the structure [24 CFR 58.6(a)(1)]. This means no funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program. In the nine counties included in the CDBG-DR programs, this includes the following municipalities in the following counties:*
 - *Bergen County: Alpine Borough, Cliffside Park Borough, and Englewood Cliffs Borough*
 - *Hudson County: Union City*
 - *Monmouth County: Freehold Borough and Shrewsbury Township*
 - *Union County: Winfield Township*
3. *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)].*
4. *In the case of “Coastal High Hazard” areas (“V” or “VE” Zones on the latest (most recent) FEMA-issued Maps), adhere to construction standards, methods and techniques requiring a registered professional engineer to either develop, review or approve, per the associated location, specific Applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 CFR 60.3(e) as required by HUD Regulation 24 CFR 55.1(c)(3).*

Energy Efficiency

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

Hazardous Waste

Based on the estimated construction date of the building, asbestos containing materials (ACM) and lead-based paint (LBP) may be present. The following must be met:

1. *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.*
2. *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).*
3. *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.*

Soil and Water Quality

Obtain Cape-Atlantic Soil Conservation District Soil Erosion and Sediment Control Plan Certification. The following requirements will also be met.

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

FINDING:

- Finding of No Significant Impact (FONSI) [24 CFR 58.40(g)(1); 40 CFR 1508.27]**
(The project will not result in a significant impact on the quality of the human environment.)
- Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]**
(The project may significantly affect the quality of the human environment.)

CERTIFICATIONS:

Gary Doss, Dewberry <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> Preparer Name and Agency	 <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> Preparer Signature	7/8/2014 <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> Preparer Completion Date
<hr style="border: 0; border-top: 1px solid black; margin-top: 10px;"/> RE Certifying Officer Name	<hr style="border: 0; border-top: 1px solid black; margin-top: 10px;"/> RE Certifying Officer Signature	<hr style="border: 0; border-top: 1px solid black; margin-top: 10px;"/> RE CO Signature Date

Funding Information:

Grant Number	HUD Program	Funding Amount
B-13-DS-34-0001	CDBG-DR	\$737,550.00

Estimated Total HUD Funded Amount: \$737,550.00

Estimated Total Project Cost [24 CFR 58.32(d)]: (HUD and non-HUD funds) \$987,550.00

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]: *The project is intended to reconstruct a restaurant that was formerly present at the property. The business sustained significant damage as a result of Superstorm Sandy. The project will contribute to the revitalization of the New Jersey coastal communities following the impacts 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 will involve the complete demolition of the building and replacement with a new building over the original footprint. The ground floor of the building will be 3,535 square feet. A new 993 square foot second-story storage area will also be included in the building. The total square footage of the building will be 4,528 square feet, a 28% increase over the original building. The proposed project will not involve elevation of the proposed structure; instead, flood-proofing measures will be utilized to meet flood hazard requirements. See provided applicant documents and USGS Topographic Map.*

Existing Conditions and Trends [24 CFR 58.40(a)]: (Describe the existing conditions of the project area and its surroundings, and the trends likely to continue in the absence of the project.) *The proposed project is located within the City of North Wildwood in an area characterized by a mix of residential (single- and multi-family) and commercial (retail) development. The project is located on a barrier island that was heavily impacted by Superstorm Sandy. Many of the businesses and residences in the immediate vicinity, including the subject property, were substantially damaged or destroyed. In the absence of the proposed project, the property will continue to deteriorate.*

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

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

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

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

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

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & §58.5	STATUS A B		Compliance Documentation
<p>1. Air Quality [Clean Air Act, as amended, particularly sections 176(c) & (d), and 40 CFR 6, 51, 93]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project is within Cape May County, which is shown as being designated a nonattainment or maintenance area for the following National Ambient Air Quality Standard (NAAQS) pollutants (see SBL38781_AirQualityMap_SBL_TO1010):</p> <ul style="list-style-type: none"> • Nonattainment area for 8 hour Ozone standard of 0.08 ppm (1997 standard) • Nonattainment area for 8 hour Ozone standard of 0.075 ppm (2008 standard) <p>Project activities must meet the regulatory requirements of New Jersey’s Air Rules and Air Pollution Controls (see SBL38781_AirQualityGenConformanceMemo_SBL_TO1010). The project will involve the construction of a bar and restaurant. Temporary impacts to air quality may occur during construction; however, no long-term impacts to air quality are anticipated. The temporary impacts can be mitigated through Best Management Practices (BMPs) including the usage of water or chemical dust suppressant, covering load compartments of trucks carrying dust-generating material, and retrofitting older equipment with pollution controls.</p>
<p>2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Newark Liberty International Airport is located approximately 120 miles to the north of the project. Atlantic City International Airport is located approximately 32 miles to the north of the project. The nearest military airfield, Lakehurst Naval Air Station, is located approximately 72 miles north of the project. The project is not within 15,000 feet of a military air field or 2,500 feet from the end of a civilian airport runway. The project is therefore not within an Airport Clear Zone or Accident Potential Zone. See SBL38781_AirportClearZonesandAccidentPotentialZonesMap_SBL_TO1010.</p>

<p>3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project is located within the Coastal Area facility Review Act (CAFRA) area (see SBL38781_CoastalZoneManagementActMap_SBL_TO1010). According to correspondence with NJDEP Division of Land Use Regulation (DLUR), the property is inside a non-qualifying municipality, is more than 150 feet from the mean high water line and does not include 50 or more parking spaces or equivalent parking area; therefore, no CAFRA permit is required. A copy of the DLUR correspondence is provided in the ERR supporting documentation.</p>
<p>4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>No hazardous sites were identified within 3,000 feet of the project (see SBL38781_ToxicHazardousandRadioactiveSubstancesMap_SBL_TO1010). In addition, no evidence of contamination or toxic substances was observed during the site visit.</p> <p>According to the NJDEP Radon Potential Map, the property is within a Tier III Radon Potential area (low radon potential); therefore, further assessment regarding Radon is not required. See SBL38781_RadonMap_SBL_TO1010.</p> <p>No construction date for the building was available in tax assessment records. Based on a review of historic aerial photography, the building appears to have been constructed prior to the 1960s. Based on this construction date, lead-based paint (LBP) and asbestos-containing materials (ACMs) may be present in the building. Prior to the initiation of demolition work, the property should be assessed for the presence of LBP and ACM. If encountered, abatement should be undertaken in accordance with all applicable local, state and federal regulations. See conditions of approval regarding LBP and ACM.</p>
<p>5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>According to consultation with the NJDEP Natural Heritage Program (NHP), no state or federally listed threatened or endangered species or critical species habitat is located on the project site. NHP correspondence indicated the possible presence of one other animal species on-site (Southeastern Beach Tiger Beetle), however, this species is not identified as having a state or federal protection status. See NHP correspondence in the supporting documentation.</p> <p>According to the NJDEP GIS tool, the site is identified as potential habitat for the proposed Federally Listed Threatened Red Knot (see SBL38781_EndangeredSpeciesMap_SBL_TO1010). According to consultation with the NJDEP Endangered and Nongame Species Program (ENSP), based on the scope and location of proposed project activities on a parcel with existing development, the distance from the project site to the beaches and intervening development, the proposed project is not likely to impact Red Knots. See ENSP correspondence within the supporting documentation.</p>
<p>6. Environmental Justice [Executive Order 12898]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project will involve the reconstruction of a restaurant that was damaged as a result of Superstorm Sandy. The project is not located within areas of environmental justice populations (10-20% of population is below the poverty line and 20-30% of the population is from a minority race) and no adverse impact to low income or minority groups is anticipated. It is noted that while the subject property's subject block contains 28.6% minority population, the overall area has 0-10% minority population. See SBL38781_EnvironmentalJusticeMinorityMap_SBL_TO1010 and SBL38781_EnvironmentalJusticePovertyMap_SBL_TO1010.</p>

<p>7. Explosive and Flammable Operations [24 CFR 51C]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>A review of aerial photographs did not identify large above-ground storage tanks (ASTs) within a one-mile radius of the project and no ASTs were observed in the vicinity of the project during site reconnaissance (see SBL38781_AST_ASD_CalculationMap_SBL_TO1010).</p>
<p>8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly section 1504(b) & 1541; 7 CFR 658]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project area is located within areas classified as Urban land (USPSBR). This is land that has been previously developed and is not classified as prime farmland. Since the property was previously developed, the proposed project will not affect farmland (see SBL38781_FarmlandProtectionMap_SBL_TO1010).</p>
<p>9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Pursuant to 24 CFR 55 and Executive Order 11988, the proposed project must be evaluated to determine potential effects on floodplains. The property is currently entirely within the 100-year floodplain as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel 3453080001E (Effective July 20, 1998) and SBL38781_FloodplainMgmtandFloodInsuranceNFIPNotInFloodway_SBL_TO1010. According to the Preliminary Work Map GIS layer, the property is within an area of a base flood elevation (BFE) of nine feet.</p> <p>The proposed project will not involve elevation of the proposed structure above the BFE; instead, flood-proofing measures will be utilized to meet flood plain requirements. The building will be constructed at an elevation of seven feet, with flood-proofing measures constructed to an elevation of 11 feet. As long as the applicant demonstrates that it is not feasible to meet elevation requirements, constructs the lowest floor of the building to as close as one foot above the BFE as feasible, and certifies that the flood-proofing measures meet the requirements of N.J.A.C. 7:13-11.5(q), the project will require an individual permit per N.J.A.C. 7:13-11.5(i). The applicant has stated that elevating the building was considered but rejected due to the need to construct an ADA-compliant ramp to the building entrance. Limited space available on the subject parcel would make building such a ramp to an elevated entrance impractical. See correspondence from TJD Architects and Engineers within the supporting documentation applicant files.</p> <p>Since no practicable alternatives to locating within the floodplain were identified, an 8-step decision-making process was conducted as outlined in 24 CFR 55.21. A public notification was posted on April 11, 2014 with a comment period of 15 days. Comments from the US Fish and Wildlife Service (USFWS) and US Army Corps of Engineers (ACOE) were received; however, these comments were not applicable to the subject project. A copy of the 8-step checklist, the 8-step analysis and public notifications can be found in the supporting documentation.</p>
<p>10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The property is within a Historic Property Exemption Zone (see SBL38781_HistoricPreservationExemptionZoneMap_SBL_TO1010). In addition, the property is not within an archaeological sensitivity zone, has evidence of substantial ground disturbance and has low archaeological sensitivity. As per Appendix B, Tier II Stipulation 1, since this is a reconstruction project and the property is located on a barrier island, an archaeological investigation of the project area is not required. Therefore, further consultation is not necessary at this time.</p>

<p>11. Noise Abatement and Control [Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR 51B]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>A Day/Night Noise Level (DNL) calculation for the project was not conducted. DNL noise standards are applicable only to projects “providing assistance, subsidy or insurance for housing, manufactured home parks, nursing homes, hospitals, and all programs providing assistance or insurance for land development, redevelopment or any other provision of facilities and services which are directed to making land available for housing or noise sensitive development” (24 CFR 51.101(a)(3)). The proposed project is not for a noise sensitive use; therefore the DNL noise standards are not applicable.</p> <p>It is anticipated that construction activities will be a temporary noise impact. This impact can be mitigated through the use of BMPs such as installation of mufflers on equipment and performing construction during daytime.</p>
<p>12. Sole Source Aquifers [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>According to EPA Region 2, the project area is located above a sole-source aquifer (see SBL38781_SoleSourceAquiferMap_SBL_TO1010). According to correspondence between HUD, the EPA and DEP, CDBG-DR projects that will not create new impervious cover above 75% and will use existing public water and sewer will have no impact to the sole source aquifer. The property is currently already entirely developed and receives potable water and sewage services, which are provided by Wildwood Water Authority. Therefore, consultation with the EPA Region 2 is not required. See HUD and EPA correspondence in the supporting documentation.</p>
<p>13. Wetland Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Federally mapped wetlands are not present within or adjacent to the project site (see SBL38781_WetlandsProtectionMap_SBL_TO1010). There will be no encroachments to any Section 404/10 regulated areas; therefore the project is in compliance with EO 11990, and there will be no effects on wetlands as a result of the project.</p>
<p>14. Wild and Scenic Rivers [Wild and Scenic Rivers Act of 1968, particularly section 7(b) & (c); 36 CFR 297]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The Wild and Scenic Rivers Act of 1968 protects selected rivers in a free-flowing condition (16 U.S.C. 1271) and prohibits federal support for activities that would harm a designated river's free-flowing condition, water quality, or outstanding resource values.</p> <p>Five designated Wild and Scenic rivers are located within the State of New Jersey; the Delaware River (Lower), Delaware River (Middle), Great Egg Harbor River, Maurice River and the Musconetcong River. The proposed project is not located within a one-mile radius of any of these rivers or their tributaries (see SBL38781_WildandScenicRiversMap_SBL_TO1010). Therefore, consultation review by the National Park Service is not required.</p>

PART II: ENVIRONMENTAL ASSESSMENT CHECKLIST

[24 CFR 58.40; 40 CFR 1508.8 & 1508.27]

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

Impact Codes:

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

Impact Categories	Impact Code	Impact Evaluation, Source Documentation and Mitigation or Modification Required
Land Development		
Conformance with Comprehensive and Neighborhood Plans	2	According to the City of North Wildwood Master Plan, the project area is zoned CBD. The city's goal is to create a business corridor along Route 621 to capitalize on the potential income from the tourist industry. The rehabilitation of the property into a functioning business will help revitalize North Wildwood and contribute to the draw of the community as a tourist destination.
Land Use Compatibility and Conformance with Zoning	2	According to the City of North Wildwood Zoning Map, the project is zoned Central Business District (CBD). The proposed project will reconstruct a commercial (restaurant) business, which is an appropriate land use for this district.
Urban Design- Visual Quality and Scale	2	The proposed project will replace the existing storm-damaged building with a new structure. The structure will incorporate attractive design features, such as stucco walls, exterior decorative mosaic tiles, and colored tiled shingles, thereby enhancing the visual quality of the surrounding neighborhood. It is noted that enhancing the visual quality of proposed development with similar architectural features is a goal of the city's master plan.
Slope	1	The project is located on a flat barrier island and will not impact steep slopes.
Erosion	1	The project is not located on steep slopes; temporary impacts from construction and excavation can be mitigated through BMPs (i.e., silt fences).

Soil Suitability	1	The project area is located within in areas classified as Urban land (USPSBR). This is land that has been previously developed and is not classified as prime farmland. Since the property was previously developed, the proposed project will not affect soil suitability (see SBL38781_FarmlandProtectionMap_SBL_TO1010).
Hazards and Nuisances, Including Site Safety	2	The project parcel is currently occupied by the storm-damaged building. The redevelopment of this lot will eliminate nuisances associated with vacant buildings, thereby enhancing the local neighborhood. Site safety can be managed through the use of construction BMPs (i.e., perimeter fences).
Drainage/Storm Water Runoff	1	According to the application, the project will not increase the footprint of the development. Therefore the project is not expected to impact drainage or storm water runoff at the property. Furthermore, the site plan approval process will address any drainage/stormwater runoff concerns.
Noise-Effects of Ambient Noise on Project & Contribution to Community Noise Levels	1	<p>A Day/Night Noise Level (DNL) calculation for the project was not conducted. DNL noise standards are applicable only to projects “providing assistance, subsidy or insurance for housing, manufactured home parks, nursing homes, hospitals, and all programs providing assistance or insurance for land development, redevelopment or any other provision of facilities and services which are directed to making land available for housing or noise sensitive development” (24 CFR 51.101(a)(3)). The proposed project is not for a noise sensitive use; therefore the DNL noise standards are not applicable.</p> <p>It is anticipated that construction activities will be a temporary noise impact. This impact can be mitigated through the use of BMPs such as installation of mufflers on equipment and performing construction during daytime.</p>
Energy Consumption	1	Atlantic City Electric provides electric utilities to the project. The HUD CDBG-DR program goals include new construction meeting the 2009 Residential International Building Code and requiring compliance with EPA Energy Star program. The project will replace a bar and restaurant that was formerly located on the property; therefore, no impact to electric utility service is anticipated.

Socioeconomic Factors																																																																																						
Demographic Character Changes	1	<p>According to 2010 census data, the proposed project is not located in a high diversity area. The project will replace a retail establishment that was destroyed during Superstorm Sandy. No impacts to the demographic character of the area are anticipated.</p> <table border="1" data-bbox="760 390 1487 1476"> <thead> <tr> <th rowspan="2">Subject</th> <th colspan="2">City of North Wildwood</th> <th colspan="2">New Jersey</th> </tr> <tr> <th>Number</th> <th>Percent</th> <th>Number</th> <th>Percent</th> </tr> </thead> <tbody> <tr> <td>Total Population</td> <td>4,041</td> <td>100.0%</td> <td>8,791,894 (r43702)</td> <td>100.0</td> </tr> <tr> <td>Median Age (Years)</td> <td>54.9</td> <td>(X)</td> <td>39.0</td> <td>(X)</td> </tr> <tr> <td>White</td> <td>3,838</td> <td>95.0%</td> <td>6,029,248</td> <td>68.6</td> </tr> <tr> <td>Black or African American</td> <td>46</td> <td>1.1%</td> <td>1,204,826</td> <td>13.7</td> </tr> <tr> <td>American Indian and Alaska Native</td> <td>13</td> <td>0.3%</td> <td>29,026</td> <td>0.3</td> </tr> <tr> <td>Asian</td> <td>14</td> <td>0.3%</td> <td>725,726</td> <td>8.3</td> </tr> <tr> <td>Native Hawaiian and Other Pacific Islander</td> <td>0</td> <td>0.0%</td> <td>3,043</td> <td>0.0</td> </tr> <tr> <td>Some Other Race</td> <td>51</td> <td>1.3%</td> <td>559,722</td> <td>6.4</td> </tr> <tr> <td>Two or More Races</td> <td>79</td> <td>2.0%</td> <td>240,303</td> <td>2.7</td> </tr> <tr> <td>Hispanic Total Population</td> <td>163</td> <td>4.0%</td> <td>1,555,144</td> <td>17.7</td> </tr> <tr> <td>Average Household Size</td> <td>1.97</td> <td>(X)</td> <td>2.68</td> <td>(X)</td> </tr> <tr> <td>Average Family Size</td> <td>2.64</td> <td>(X)</td> <td>3.22</td> <td>(X)</td> </tr> <tr> <td>Total Housing Units</td> <td>8,840</td> <td>100.0%</td> <td>3,553,562</td> <td>100.0</td> </tr> <tr> <td>Occupied Housing Units</td> <td>2,047</td> <td>23.2%</td> <td>3,214,360</td> <td>90.5</td> </tr> <tr> <td>Vacant Housing Units</td> <td>6,793</td> <td>76.8%</td> <td>339,202</td> <td>9.5</td> </tr> </tbody> </table> <p data-bbox="867 1478 1373 1503">Note: Hispanic populations may be of more than one race.</p>	Subject	City of North Wildwood		New Jersey		Number	Percent	Number	Percent	Total Population	4,041	100.0%	8,791,894 (r43702)	100.0	Median Age (Years)	54.9	(X)	39.0	(X)	White	3,838	95.0%	6,029,248	68.6	Black or African American	46	1.1%	1,204,826	13.7	American Indian and Alaska Native	13	0.3%	29,026	0.3	Asian	14	0.3%	725,726	8.3	Native Hawaiian and Other Pacific Islander	0	0.0%	3,043	0.0	Some Other Race	51	1.3%	559,722	6.4	Two or More Races	79	2.0%	240,303	2.7	Hispanic Total Population	163	4.0%	1,555,144	17.7	Average Household Size	1.97	(X)	2.68	(X)	Average Family Size	2.64	(X)	3.22	(X)	Total Housing Units	8,840	100.0%	3,553,562	100.0	Occupied Housing Units	2,047	23.2%	3,214,360	90.5	Vacant Housing Units	6,793	76.8%	339,202	9.5
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Employment and Income Patterns	2	2008 to 2012 census data shows that the City of North Wildwood has a similar unemployment rate and income level to that of the state as a whole. The project will replace a business that was destroyed as a result of Superstorm Sandy; therefore, the project will have a benefit on employment and income patterns.																																																																															
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Community Facilities and Services		
Educational Facilities	1	Since the project will involve the reconstruction of a retail establishment that was destroyed during the storm and will not involve the addition of residences, no impact to educational facilities is anticipated.
Commercial Facilities	2	The project will involve the reconstruction of a retail establishment that was destroyed during Superstorm Sandy. The reconstruction of the property will have a benefit to the economic viability of the shore communities.
Health Care	1	The project will replace a retail establishment and will not involve the addition of new residences; therefore, impacts to regional health care are not anticipated.
Social Services	1	The project will replace a retail establishment and will not involve the addition of new residences; therefore, impacts to local social services are not anticipated.

Solid Waste Disposal/Recycling	1	The City of North Wildwood Public Works Department is responsible for the pickup of solid waste/recycling pickup. The project will involve the reconstruction of a retail establishment that was destroyed during Superstorm Sandy; therefore no impact to the solid waste disposal/recycling system is anticipated.
Waste Water/Sanitary Sewers	1	The City of North Wildwood Public Works Department is responsible for waste water/sanitary sewer utilities. The project will involve the reconstruction of a retail establishment that was destroyed during Superstorm Sandy; therefore no impact to the waste water/sanitary sewer system is anticipated.
Water Supply	1	The Wildwood Water Authority supplies the project area with potable water. The project will involve the reconstruction of a retail establishment that was destroyed during Superstorm Sandy; therefore no impact to the water supply system is anticipated.
Public Safety: <ul style="list-style-type: none"> • Police • Fire • Emergency Medical 	1	The project will reconstruct a retail establishment that was destroyed during Superstorm Sandy and will not substantially increase the density of development that was previously on the parcel; therefore no impact to public safety resources is anticipated.
Parks, Open Space & Recreation: <ul style="list-style-type: none"> • Open Space • Recreation 	2	<p>The following local parks and recreational facilities are located within the vicinity of the project area:</p> <ul style="list-style-type: none"> • 8th Street Park, located approximately ½ mile to the south of the project. The park features a softball field, soccer field, and two basketball courts. • The project is located approximately 1 mile north of public beaches along the Atlantic Ocean. <p>The project will reconstruct a retail establishment that was destroyed during Superstorm Sandy. The reconstruction of this establishment will complement and enhance the recreational value of the nearby beach and other recreational facilities. No adverse impact to parks and recreational facilities is anticipated.</p>
Cultural Facilities	1	<p>The following local libraries and museums are located within the vicinity of the project area:</p> <ul style="list-style-type: none"> • Wildwood Crest Library, located at 6301 Ocean Avenue in Wildwood Crest (approximately 2 miles to the southwest of the project). • Wildwood Historical Society, located at 3907 Pacific Avenue (approximately 1.5 miles southwest of the project). <p>The property is within a Historic Property Exemption Zone (see SBL38781_HistoricPreservationExemptionZoneMap_SBL_TO1010). In addition, the property is not within an archaeological sensitivity zone, has evidence of substantial ground disturbance and has low archaeological sensitivity. As per Appendix B, Tier II Stipulation 1, since this is a reconstruction project and the property is located on a barrier island, an archaeological investigation of the project area is not required. Therefore, further consultation is not necessary at this time.</p>

Transportation & Accessibility	1	The project will reconstruct a retail establishment that was destroyed during Superstorm Sandy and will not substantially increase the density of development that was previously on the parcel. The project is located adjacent to New Jersey Avenue (Route 147) which provides access from the barrier island to the mainland to the west and other barrier island communities to the north.
Natural Features		
Water Resources	1	According to EPA Region 2, the project area is located above a sole-source aquifer (see SBL38781_SoleSourceAquiferMap_SBL_TO1010). According to correspondence between HUD, the EPA and DEP, CDBG-DR projects that will not create new impervious cover above 75% and will use existing public water and sewer will have no impact to the sole source aquifer. The property is currently already entirely developed and receives potable water and sewage services, which are provided by Wildwood Water Authority. Therefore, consultation with the EPA Region 2 is not required. See HUD and EPA correspondence in the supporting documentation.
Surface Water	1	No surface water is located on the subject property. Therefore, no impact to surface water is anticipated.
Unique Natural Features & Agricultural Lands	1	No unique natural features or agricultural lands are located within the project area. Therefore, no impact to these resources is anticipated.
Vegetation and Wildlife	1	<p>According to consultation with the NJDEP Natural Heritage Program (NHP), no state or federally listed threatened or endangered species or critical species habitat is located on the project site. NHP correspondence indicated the possible presence of one other animal species on-site (Southeastern Beach Tiger Beetle), however, this species is not identified as having a state or federal protection status. See NHP correspondence in the supporting documentation.</p> <p>According to the NJDEP GIS tool, the site is identified as potential habitat for the proposed Federally Listed Threatened Red Knot (see SBL38781_EndangeredSpeciesMap_SBL_TO1010). According to consultation with the NJDEP Endangered and Nongame Species Program (ENSP), based on the scope and location of proposed project activities on a parcel with existing development, the distance from the project site to the beaches and intervening development, the proposed project is not likely to impact Red Knots. See ENSP correspondence within the supporting documentation.</p>

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:

Newark Liberty International Airport is located approximately 120 miles to the north of the project. Atlantic City International Airport is located approximately 32 miles to the north of the project. The nearest military airfield, Lakehurst Naval Air Station, is located approximately 72 miles north of the project. The project is not within 15,000 feet of a military air field or 2,500 feet from the end of a civilian airport runway. The project is therefore not within an Airport Clear Zone or Accident Potential Zone. [Project complies with 24 CFR 51.303(a)(3).]

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

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

Is the project located in a coastal barrier resource area?

No. Cite or attach Source Documentation:

The nine designated units of the Coastal Barrier Resources System in New Jersey are uninhabited. The 12 "otherwise protected areas" associated with the Coastal Barrier Resources System in New Jersey are also uninhabited. Therefore, no project activities would occur on designated coastal barriers or in "otherwise protected areas," and the proposed project would have no impact on coastal barrier resources. See SBL38781_CoastalBarrierResourceMap_SBL_TO1010 [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:

Yes. Cite or attach Source Documentation:

See SBL38781_FloodplainMgmtandFloodInsuranceNFIPNotInFloodway_SBL_TO1010.

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.) *8 Step Decision Making Process for Floodplain Management - Since no practicable alternatives to locating within the floodplain were identified, an 8-step decision-making process was conducted as outlined in 24 CFR 55.21. A public notification was posted on April 11, 2014 with a comment period of 15 days. Comments from the US Fish and Wildlife Service (USFWS) and US Army Corps of Engineers (ACOE) were received; however, these comments were not applicable to the subject project. A copy of the Floodplain Management Checklist, 8-Step Decision-Making Process and public notifications can be found in the supporting documentation.*

Field Inspection (Date and completed by): *Completed on 4/4/2014 by Gary Doss, Environmental Planner, and Lawrence Smith, Senior Planner.*

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

Agencies Consulted:

*US Environmental Protection Agency
NJDEP Office of Natural Lands Management*

Reference Materials:

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

http://www.nj.gov/dca/announcements/pdf/3_21_FAQ_Disaster_Recovery_Action_Plan.pdf

New Jersey Department of Environmental Protection. Bureau of Geographic Information. Retrieved April 2014. <http://www.state.nj.us/dep/gis/geoweb splash.htm>

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<http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>

U.S. Census Bureau American Community Survey. Retrieved April 2014.

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

U.S. Department of Housing and Urban Development Noise Assessment Guidelines, Retrieved April 2014.

http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/dnlcalculat or

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

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

U.S. Environmental Protection Agency Region 2. Sole Source Aquifers. Retrieved April 2014.

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

U.S. Federal Emergency Management Agency. Map Service Center. Retrieved April 2014.

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U.S. Fish and Wildlife Service. Endangered Species. U.S. Fish and Wildlife Service, New Jersey Field Office.

Retrieved April 2014, from <http://www.fws.gov/northeast/njfieldoffice/Endangered/>

U.S. Fish and Wildlife Service. Coastal Barrier Resources Act Maps. Retrieved April 2014, from

<http://www.fws.gov/CBRA/Maps/index.html>

U.S. National Parks Service. National Wild and Scenic Rivers System. Retrieved April 2014.

<http://www.rivers.gov/new-jersey.php>

Lists of Permits Required:

Local Construction Permits

Road access/opening- local/county road

Cape - Atlantic Soil Conservation District Soil Erosion and Sediment Control Plan Certification

Site Plan Approval

Public Outreach [24 CFR 50.23 & 58.43]: *Public outreach will be achieved through a public notice as required by 24 CFR Part 58.43. Public outreach was also conducted as part of the 8-step floodplain decision-making process. No comments applicable to the subject project were received.*

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

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

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

alternative and the reasons for rejecting it.) *The property is located within the CBD zone on a major thoroughfare for the barrier island community. The property is currently developed with the dilapidated storm-damaged former Nino's Family Restaurant. The owners wish to remain on-site; therefore, no practicable alternatives to redeveloping the property were considered.*

No Action Alternative [24 CFR 58.40(e)]: *In the No Action Alternative, the subject property would continue to deteriorate. The No Action Alternative would not meet the Purpose and Need as it would not allow for Nino's Family Restaurant to continue operating as it had prior to being destroyed by Superstorm Sandy.*

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

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

General

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

Noise

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

Air Quality

Project activities must meet the regulatory requirements of New Jersey's Air Rules and Air Pollution Controls (see SBL38781_AirQualityMemo_SBL_TO1010). In addition, the following must be met:

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

- d. Any stationary reciprocating engine with a maximum rated power output of 37 kW or greater, used for generating electricity, not including emergency generators (N.J.A.C. 7:27-8.2(c)21).
(Note: One or two family dwellings and dwellings of six or less family units, one of which is owner occupied, are exempt pursuant to NJSA 26:2C-9.2.)
9. Minimize idling and ensure that all on-road vehicles and non-road construction equipment operated at or visiting the project site comply with the applicable smoke and "3-minute idling" limits (N.J.A.C. 7:27-14.3, 14.4, 15.3 and 15.8).
 10. Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (<15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 86, 89, 94, 1039, 1051, 1065, 1068).
 11. Operate, if possible, newer on-road diesel vehicles and non-road construction equipment equipped with tier 4 engines, or equipment equipped with an exhaust retrofit device.

Floodplain Management and Flood Insurance

1. All proposed reconstruction, substantial improvements, and elevation activities 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).
2. All structures funded by the CDBG-DR programs, if in, or partially in, the 100-year floodplain shown on the effective FEMA Flood Insurance Rate Map, must be covered by flood insurance and the flood insurance must be maintained for the economic life of the structure [24 CFR 58.6(a)(1)]. This means no funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program. In the nine counties included in the CDBG-DR programs, this includes the following municipalities in the following counties:
 - Bergen County: Alpine Borough, Cliffside Park Borough, and Englewood Cliffs Borough
 - Hudson County: Union City
 - Monmouth County: Freehold Borough and Shrewsbury Township
 - Union County: Winfield Township
3. 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)].
4. In the case of "Coastal High Hazard" areas ("V" or "VE" Zones on the latest (most recent) FEMA-issued Maps), adhere to construction standards, methods and techniques requiring a registered professional engineer to either develop, review or approve, per the associated location, specific Applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 CFR 60.3(e) as required by HUD Regulation 24 CFR 55.1(c)(3).

Energy Efficiency

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

Hazardous Waste

Based on the estimated construction date of the building, asbestos containing materials (ACM) and lead-based paint (LBP) may be present. The following must be met:

1. 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.*
2. *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).*
 3. *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.*

Soil and Water Quality

Obtain Cape-Atlantic Soil Conservation District Soil Erosion and Sediment Control Plan Certification. The following requirements will also be met.

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