

**Environmental Review for
Activity/Project that is Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)**

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

Applicant Name: Kathleen (First) Lesbirel (Last)

-or- _____ (Business/Corporate Name)

Project Location: 1229 Florence Avenue, Union Beach Boro, New Jersey 07735 (Street Address)

Union Beach Boro (Municipality) Monmouth (County) New Jersey (State)

74 (Block) 4 (Lot)

FINDING:

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

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

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

CERTIFICATIONS:

Sara Lasher, URS
Preparer Name and Agency



Preparer Signature

4/22/2014
Preparer Completion Date

RE Certifying Officer Name

RE Certifying Officer Signature

RE CO Signature Date

Funding Information:

Grant Number	HUD Program	Funding Amount
B-13-13-DS-34-0001	Landlord Rental Rehabilitation Program	up to \$50,000 per unit

Estimated Total HUD Funded Amount:

\$200,000

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

\$277,615.94 (Estimated Cost of Repair equals \$5588.36; Work in Place equals \$133,420.99; Elevation of structure equals \$138,606.59)

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

The purpose of the proposed action is to assist residents and owners of small rental properties in repairing/rebuilding homes or rental properties that were damaged or destroyed by Superstorm Sandy and the subsequent snowstorm. The project is needed to help provide adequate housing for residents of these homes and small rental properties.

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.)

Project Type: Rehabilitation and Elevation of an existing residential structure

Project Description:

A single family residential structure and a two-story four-unit residential structure exist on the project site. The single family residential structure is not a part of the proposed project. The proposed activity will include rehabilitation and elevation of the two-story four-unit structure located at 1229 Florence Avenue, Union Beach Boro, New Jersey. This four-unit structure was constructed in 1940. The scope of the project will include interior and exterior repairs along with ground disturbances to complete elevation activities. The structure was damaged as a result of Superstorm Sandy. Renovations will include addressing storm-related damage and bringing the property up to current minimum property standards and compliance with applicable ADA requirements. The lowest occupied floor of the structure will be elevated at least 1-foot above the highest applicable 100-year flood level. All activities would be limited to the disturbed area of the previously developed lot. Pre-award and pre-application activities are limited to work completed within the same footprint of the damaged structure.

STATUTORY CHECKLIST [24 CFR 50.4, 24 CFR 58.5]

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

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

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

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

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & 58.5	STATUS		Compliance Documentation
	A	B	
<p>1. Air Quality [Clean Air Act, as amended, particularly sections 176(c) & (d), and 40 CFR 6, 51, 93]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed action is in compliance. Section 176(c) of the Clean Air Act (CAA) requires a federal agency that funds any activity in a nonattainment or maintenance area to conform to the State Implementation Plan (SIP). Conforming to a SIP means that an action will not: Cause or contribute to a new violation of any standard in any area; Increase the frequency or severity of any existing violation of any standard in any area; or Delay timely attainment of any standard or any required interim emission reduction or other milestones in any area. EPA’s federal General Conformity regulation (40 CFR Part 90) implements the CAA. The General Conformity Rule requires that the direct and indirect air emissions from an action are identified. The identified air emissions in the nonattainment area are compared to the de minimis levels in the regulation to determine compliance. If the emissions from the action are below the de minimis levels, the action complies with the CAA. The General Conformity Rule would apply to this project in Monmouth County since the county is in nonattainment for certain National Ambient Air Quality Standards (NAAQS). For more details regarding the methodology used to estimate the air emissions, see Air Quality Methodology document attached. According to the 'Counties Designated "Nonattainment" or "Maintenance" for Clean Air Act's National Ambient Air Quality Standards (NAAQS)', Monmouth County is designated as Nonattainment or Maintenance for 5 NAAQS Pollutants. The 5 NAAQS areas of nonattainment or maintenance areas include the 8-Hour Ozone (1997), the 8-Hour Ozone (2008), the Particulate</p>

		<p>Matter-2.5 (1997), the Particulate Matter-2.5 (2006), and the Carbon Monoxide Maintenance Area listed as unclassified. The estimated air emissions for this action, assumes all of the CDBG-DR funds will be used for construction activities and therefore, are conservative in nature according to the Division of Air Quality Memorandum dated January 23, 2014. Sources: CAA 176(c) & (d); EPA's Federal General Conformity Rule (40 CFR Part 90); New Jersey 8-hour Ozone Nonattainment Areas (1997 Standard) Map; New Jersey 8-hour Ozone Nonattainment Areas (2008 Standard) Map; New York/New Jersey/Connecticut/Delaware PM-2.5 Maintenance Areas (1997 Standard map); Pennsylvania, New York, New Jersey, Connecticut, Delaware PM-2.5 Maintenance Areas (2006 Standard) Map; New Jersey Carbon Monoxide (CO) Maintenance Areas Map.</p>
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<p>2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed action is in compliance. 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)). 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. The runway protection zones associated with Newark Liberty International Airport and Atlantic City International Airport are located approximately 15 miles and 70 miles (respectively) from the proposed action site. Additionally, these runway protection zones are uninhabited and therefore, not relevant to the proposed project.</p> <p>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 Joint Base McGuire-Dix-Lakehurst (JBMDL). The nearest applicable clear zones and accidental potential zones at JBMDL are located approximately 27 miles from the proposed action site and therefore, are not relevant to the proposed project.</p>
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<p>3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed action is in compliance. The proposed project activity includes rehabilitation and elevation of one four-unit residential structure on a previously disturbed parcel. The proposed site is located within the Coastal Area Facility Review Act (CAFRA) boundary, and therefore, requires a Coastal Jurisdictional Determination. Applications for review for each of these properties were submitted to the NJDEP Department of Land Use Regulation (DLUR) on March 27, 2014. In a letter dated April 8, 2014, the DLUR determined that “a CAFRA permit is not required for the rehabilitation and elevation of [...] the 4 unit residential development at the above referenced site. Pursuant to N.J.A.C. 7:7-2.1(c)3, a CAFRA permit shall not be required for the reconstruction of any development which was legally existing on and damaged subsequent to July 19, 1994 that is damaged or destroyed, in whole or in part, by fire, storm, natural hazard or act of God, provided that such reconstruction is in compliance with existing requirements or codes of municipal, State and Federal law; and further provided that such reconstruction does not result in the enlargement or relocation of the footprint of the development or an increase in the number of dwelling units or parking spaces within the development.” Additionally, the Department determined that Waterfront Development and Coastal Wetlands permits are not required. This does not relieve the applicant of the responsibility of obtaining any other required State, Federal or local permits or approvals as required by law. See Coastal Zone Management Map.</p>
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<p>4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><u>Toxics:</u> The proposed project action is in compliance. The subject property may be within 3,000 feet of a Hazardous Waste cleanup site, Landfill, solid waste cleanup site or Hazardous Waste facility that handles hazardous materials or toxic substances, however, all sites that have been reviewed and determined by NJDEP to be “non-threatening” to the potential HUD project have been removed from the dataset depicted on the map. Only sites determined to be “threatening” by the NJDEP are visible on the map. See Toxic Hazardous and Radioactive Substances Map. Additionally, the subject property is NOT listed on a State or Federal Hazardous Waste sites database. A potential REC was identified on the parcel noted by the presence of a vent/fill pipe on the property (shown in photo 1350_74_4_EA_Rec_1). The applicant was contacted and indicated that the UST had been removed seven years ago. While the fill/vent pipes still remain attached to the home, the house is currently heated via natural gas. There are no indications of site contamination (soil staining, odors, stressed vegetation, etc.) associated with the pipes. Therefore, no visible RECs were observed in the vicinity of the potential HUD project that will conflict with the intended use of the property or health and safety of the occupants. See attached Field Assessment Form and Record of Communication.</p> <p><u>Lead Based Paint:</u> The subject structure was built in 1940 according to Monmouth County tax records. LEW Corporation assessed the property for Lead Based Paint. Upon inspecting this site, LEW Corporation noted that Lead Based Paint hazards were not identified on interior or exterior surfaces of the subject structure. Additionally, the project 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). All activities must also 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. See Risk Assessment.</p> <p><u>Asbestos:</u></p>
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		<p>Atlantic Environmental Solutions, Inc. assessed the property for Asbestos Containing Materials (ACMs) and detected asbestos in the structure (common hallway). In accordance with 40 CFR 61.150, Asbestos abatement is required in order to continue with rehabilitation and elevation. See Limited Asbestos Hazard Survey Report. All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145; National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations at 40 CFR 61.150; 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.</p> <p>Radon:</p> <p>The proposed project, rehabilitation and elevation of a residential structure, is in compliance. According to the New Jersey Department of Environmental Protection Radon Potential, Union Beach in Monmouth County is located in a Tier 3 Zone, which is classified as Low Potential for Radon. In accordance with N.J.A.C. 5:23-10.1, “standards and procedures to ensure that construction techniques that minimize radon entry and that facilitate any post-construction radon removal that is required shall be incorporated in the construction of all buildings in Use Groups E and R in tier one areas and are permitted to be incorporated elsewhere in New Jersey.” Therefore, in areas of Low Radon potential (Tier 3), compliance with these construction techniques is not required; however, those construction techniques that are feasible may be incorporated to reduce the risk of radon exposure. See Radon Potential Map.</p>
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<p>5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project action is in compliance. A desktop review of the NJDEP HUD Environmental Review Tool, Threatened and Endangered Species layer indicates that the project site is not anticipated to affect threatened and endangered species including the piping plover, red knot, and bats (see attached Threatened and Endangered Species map). Additionally, desktop review of the HUD Parcel-Centroids shows this there are no other federal and state listed threatened and endangered animal species associated with this project site. Therefore, no additional consultation with U.S. Fish and Wildlife Service is needed for threatened and endangered animals. Consultation with the NJDEP Natural Heritage Program (NHP) was required for the proposed project due to the construction intent, rehabilitation and elevation of a structure on a previously disturbed parcel. A request for review was submitted to the Natural Heritage Program on March 21, 2014. Natural Heritage Database review indicated that no threatened or endangered plant species were located on or in the immediate vicinity of the project site (see attached NHP Consultation and Response). Based on these findings, it has been concluded that the proposed project will have no effect on threatened and endangered species and that no further review with USFWS is required.</p>
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<p>6. Environmental Justice [Executive Order 12898]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed action is in compliance. The area immediately surrounding the project site consists of primarily minority populations (20-30% and 40-100%) and 0-10% of the population is at or below the poverty level. The population density in the area is between 40-200 people /sq mi. These demographics are consistent with the community. The proposed project activity includes rehabilitation and elevation of a four-unit residential structure on a previously disturbed parcel and in accordance with the requirements of the program would provide safer and more economically viable housing for minority and/or low income families. Additionally, because the program seeks to help minority and low income families in the communities where they currently live and work, the area is currently developed for residential use and would not expose the residents to an adverse environmental impact. Overall, the environmental impacts of the proposed action would be beneficial, and significant adverse effects would not occur. See attached Environmental Justice Checklist; Minority, Population Density, and Poverty Demographic Maps.</p>
<p>7. Explosive and Flammable Operations [24 CFR 51C]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed action is in compliance with 24 CFR Part 51 Subpart C. The proposed project activities, rehabilitation and elevation of the existing building, will remain within the existing footprint. Per HUD policy decision issued January 6, 2014, as long as the [residential] density is not increased, 24 CFR 51 (c) does not apply because the number of people exposed to a hazard has not increased. See HUD guidance memo.</p>

<p>8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly sections 1504(b) & 1541; 7 CFR 658]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed action site is in compliance. The proposed project site is not in an area of prime or unique farmlands or farmland of statewide importance. Additionally, as defined in 7 CFR 658.2, "Farmland" does not include land already in or committed to urban development or water storage. Therefore, the proposed action, repairs of an existing structure on a parcel with pre-existing development, does not meet the definition of "Farmland". Additionally, assistance and actions related to the purchase, maintenance, renovation, or replacement of existing structures and sites converted prior to the time an application for assistance from a federal agency, including assistance and actions related to the construction of minor new ancillary structures (such as garages or sheds) do not involve conversion of farmland to nonagricultural uses and are exempt from the requirements of 7 CFR 658.</p>
<p>9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The proposed project action is in compliance. The site is located in a Floodplain Zone A, which is part of the FEMA designated Special Flood Hazard Area as shown on the FEMA Preliminary FIRMS. See Floodplain Map. The Estimated Prestorm Value of the home is \$299,068.00. The estimated cost of repairs is \$139,009.35 resulting in a 46% improvement value. As defined in 24 CFR 55.2(8)(i), the cost of repairing the structure is not considered to be substantial improvement. In accordance with 24 CFR 55.2, completion of the 8-step Process for Floodplains is required. Under 24 CFR part 55.12(a), this project is exempt from the decision making steps in § 55.20 (b), (c), and (g) (steps 2, 3 and 7) resulting in a 5-Step Floodplain Analysis. The 5-Step Floodplain analysis assessed project alternatives including the 'No Action' alternative, gave consideration to direct and indirect impacts to the floodplain that may result from the proposed project and determined that there was no practicable alternative to the proposed project and decided to proceed with project implementation. See attached 5-Step Floodplain Process. As a result of the project activities, the footprint of the building will not be increased; the lowest floor of the building will be elevated to at least one foot above the flood hazard area design flood elevation; and the building will not be relocated closer to any regulated water, within a floodway, or on a beach, dune or wetland; therefore, the project qualifies for FHA PBR N.J.A.C. 7:13-7.2(a)3. The proposed project must comply with all permit requirements as well as</p>

			<p>all and federal, state and local elevation and construction standards. Sources: FEMA Firm Panel 34025C0033F, effective date September 25, 2009; 24 CFR Part 55; Executive Order 11988; 5-Step Floodplain Analysis</p>
<p>10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p>The proposed project complies with NHPA Section 106 requirements. Consultation with the New Jersey Historic Preservation Office (NJHPO, also SHPO) was not required for this project given the allowances contained within the Programmatic Agreement between NJHPO and Federal Emergency Management Agency (FEMA) for Hurricane Sandy and its subsequent expansion to include the state Departments of Environmental Protection (NJDEP) and Community Affairs (NJDCA). That document exempts the requirement for a Section 106 review for above-ground historic buildings if it falls within the Historic Preservation Exclusion "Green" Zone that was defined by staff of FEMA and the NJHPO through windshield surveys conducted soon after the storm. That exemption / allowance is stated within Stipulation II.D.1 of the Programmatic Agreement and Appendix B, Stipulation VII.A.2. The joint FEMA / NJHPO survey that designated this location as not having above-ground historic preservation concerns was Union Beach Borough NJHPO project number 13-0248-1 and was conducted on December 17, 2012. The NJHPO chronological log number for it is L2002-072. Its position within this zone is shown in the enclosed map (Historic Preservation Exemption Zone Map). The Programmatic Agreement also states that an archaeological investigation of the project area is not required if it is a rehabilitation project, if no significant new land disturbance will result. That allowance is stated under Appendix B, Tier I Stipulation I. Following discussion between NJHPO, NJDEP and NJDCA, that allowance was defined to mean that archaeological investigations are not required if the project activity involves the rehabilitation of a building (including elevation) that was extant at the time Hurricane Sandy struck. The proposed project activity is limited to rehabilitation activities, therefore no archaeological studies were required, nor was consultation with NJHPO or Native American Tribes. The proposed project is not situated within a local historic district and so consultation with the municipal government regarding potential historic preservation</p>

			<p>concerns was not required. Furthermore, as the proposed program action is limited to rehabilitating an existing building, consultation with the Native American Tribe signatories to the Programmatic Agreement was not needed.</p> <p>Sources: Programmatic Agreement for New Jersey Hurricane Sandy Disaster Recovery; Map showing location of application property within the Historic Preservation Exclusion Zone.</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>The proposed project is in compliance. Per HUD directive, 24 C.F.R. Part 51B is not applicable to a disaster recovery program, including reconstruction, rehabilitation, elevation and mitigation that meets the requirements for exclusion in 24 CFR 51.101(a)(3). That regulation states that HUD noise policy does not apply to “assistance that has the effect of restoring facilities substantially as they existed prior to the disaster.” The proposed rehabilitation of the existing residence would restore housing substantially as it existed prior to Superstorm Sandy.</p>
<p>12. Sole Source Aquifers [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project is in compliance with 40 CFR 149. The project site is in Monmouth County and is within the New Jersey Coastal Plain Aquifer System area, which underlies the entire southern half of the state. In accordance with the EPA Sole Source Aquifer Review of HUD Projects correspondence dated August 13, 1996, sites “in urbanized areas, single or multi-unit housing developments, community centers and schools that will use existing public water and sewer” do not have the potential to create a ‘significant hazard to public health’ by adversely impacting ground water either during construction or after completion and facility are in operation are excluded from Sole Source Aquifer review. Therefore, the proposed project is not anticipated to have a significant effect on sole source aquifers. See Sole Source Aquifer Map and EPA Sole Source Aquifer Review of HUD Projects correspondence dated August 13, 1996.</p>

<p>13. Wetlands Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project action, rehabilitation and elevation of a structure on a previously developed parcel, is in compliance. A desktop review of the NJDEP Wetlands Protection Map, USWFS NWI mapped wetlands, and field data indicates that mapped/potential Wetlands are located approximately 30 feet southwest of the property (roughly 50 from the structure). The proposed project will utilize Best Management Practices (BMPs) and therefore, are not anticipated to have direct or indirect impacts to the Wetlands. See Wetlands Protection Map and National Wetlands Inventory Map.</p>
<p>14. Wild and Scenic Rivers [Wild and Scenic Rivers Act of 1968, particularly section 7(b) & (c); 36 CFR 297]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project is in compliance. 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. Of the four Wild and Scenic Rivers in New Jersey, only one lies in the nine disaster counties, Great Egg Harbor River, which is 67 miles southwest of the proposed action site. Designated rivers also include specific segments of tributaries to these rivers as referenced in the Act. Additionally, there are currently no rivers within the state under study for possible inclusion into the Wild and Scenic River System. None of the designated segments of Wild and Scenic Rivers are located in Cumberland County, therefore, the proposed activity will have no direct or indirect effect on Wild and Scenic Rivers. See Wild and Scenic Rivers Map.</p>

24 CFR 58.6 CHECKLIST [24 CFR 50.4, 24 CFR 58.6]**1. AIRPORT RUNWAY CLEAR ZONES AND CLEAR ZONES NOTIFICATION [24 CFR Part 51.303(a)(3), D]**

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

No. Cite or attach Source Documentation: The proposed action is in compliance. 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)). 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. The runway protection zones associated with Newark Liberty International Airport and Atlantic City International Airport are located approximately 15 miles and 70 miles (respectively) from the proposed action site. Additionally, these runway protection zones are uninhabited and therefore, not relevant to the proposed project. 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 Joint Base McGuire-Dix-Lakehurst (JBMDL). The nearest applicable clear zones and accidental potential zones at JBMDL are located approximately 27 miles from the proposed action site and therefore, are not relevant to the proposed project. [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 twelve "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. [Proceed with project.]

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

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

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

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

Yes. Cite or attach Source Documentation: The site is located in a Floodplain Zone A, which is part of the FEMA designated Special Flood Hazard Area as shown on the FEMA Preliminary FIRMS. FEMA Firm Panel 34025C0033F, effective date September 25, 2009.

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

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

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

Summary of Findings and Conclusions

Field Inspection (Date and completed by):

The field inspection was completed 2/28/2014 by Steven Rozek. The property location was confirmed by the address on the home. Mr. Rozek inspected the parcel and noted signs of an underground storage tank (UST) or aboveground storage tank (AST) in a basement or crawl space identified as a 3 inch metal possible vent or fill pipe located on the rear of the building by the gas meter protruding from the exterior wall. Unfortunately, the resident was unable to identify details of the pipes. Mr. Rozek observed wetlands approximately 50 feet west of the property. See attached Field Assessment, in addition to the National Wetlands Inventory and Wetlands Maps for further details.

Summary Statement of Findings and Conclusions:

The proposed activity complies with environmental requirements for funding. The following mitigation measures are recommended to minimize any potential adverse environmental impacts and to ensure compliance is maintained.

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.)

Project Conditions:

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

The NJDEP establishes standards for floor elevations for buildings constructed and fill placed in the floodplain through its Flood Hazard Area Control Act rules (N.J.A.C. 7:13). The proposed project activity, rehabilitation and elevation of a residential structure, will occur within the 100-year floodplain and, and is a 'regulated activity' per N.J.A.C. 7:13-2.4. In accordance with the amended Flood Hazard Area Control Act rule, adopted on January 24, 2013, a formal application must be submitted to the Department. The Department will conduct a project-specific review under the applicable requirements at N.J.A.C. 7:13-9, 10 and 11 and may issue an Individual Permit. The proposed project must comply with all permit requirements as well as all and federal, state and local elevation and construction standards.

The Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP) regulation establishes a national work practice standard that is designed to limit emissions of asbestos from a variety of activities, including demolition and renovation operations. According to 40 CFR Part 61, Subpart M, the facility was inspected and Asbestos Containing Materials were identified. Before any work can begin, Asbestos Abatement must take place in the common hallway, where the ACMs were identified.

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 re-evaluation under the National Environmental Policy Act.

Historic Preservation:

3. All activities must comply with Section 106 of the National Historic Preservation Act per the implementing regulations 36 CFR Part 800. Compliance with Section 106 is achieved through the procedures set forth in the 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 signed onto by the New Jersey Department of Community Affairs (DCA).

4. In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the applicant shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The applicant will inform the DCA immediately and the DCA will consult with the State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) and Tribes and work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act (NHPA).

Floodplain Management and Flood Insurance:

5. All structures, 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. 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)].

Wetlands Protection and Water Quality:

6. Minimize soil compaction by minimizing project activities including staging of materials and equipment in vegetated areas, including lawns.

Noise:

7. Outfit all equipment with operating mufflers
8. Comply with the applicable local noise ordinance

Air Quality:

9. Use water or chemical dust suppressant in exposed areas to control dust
10. Cover the load compartments of trucks hauling dust-generating materials
11. Wash heavy trucks and construction vehicles before they leave the site
12. Reduce vehicle speed on non-paved areas and keep paved areas clean
13. Retrofit older equipment with pollution controls
14. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction
15. Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material
16. 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.)

17. 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).

18. 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).

19. 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.

Hazardous Materials:

20. 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.

21. 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).

22. 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.

23. Comply with all laws, regulations, and industry standards applicable to aboveground and underground storage tanks, including the New Jersey underground storage tank regulations at NJAC 7:14B.

24. Storage tanks below the base flood elevation must be watertight and must be anchored to resist floatation and lateral movement during a storm surge or other flood.

Sole Source Aquifers:

25. Comply with all laws, regulations, and industry standards.

26. Storage tanks below the base flood elevation must be watertight and must be anchored to resist floatation and lateral movement during a storm surge or other flood.

27. The total impervious area of a parcel must not be increased significantly. In general, an increase in impervious area of more than 30% will be considered significant. The threshold of significance may be greater than 30% for parcels on which the current impervious area is unusually low, and may be less than 30% for parcels on which the current impervious area is unusually high.