

Harrison, Karyn

From: Dow, Diane <Diane.Dow@dep.state.nj.us>
Sent: Wednesday, January 15, 2014 8:57 AM
To: rharding@louisberger.com; Watt, Maria (WattMD@cdmsmith.com);
aburk@dewberry.com; talbanese@gfnet.com; john.bock@tetrattech.com; Swick, Steve;
Harrison, Karyn; 'Rugg, F. Mack'; Mankoff, Evan (EMankoff@louisberger.com);
Beth.Williams@tetrattech.com; Lackowicz, Rob
Cc: Mahon, Donna; Lindner, William; Davis, Tim; Davis, Cindy; Weigand, Jerri; Henne, Laura;
Kaufhold, Christofer; Key, Tonalee; Kanakis, Chris; Horiates, Nicholas; Reyes, Jorge
Subject: Revised Tier 2 Form
Attachments: Tier 2 Review Form_Version 1.3_1.14.14 FINAL.pdf; FW: ASD clarification

Good morning,

Attached is a revised Tier 2 checklist that you should all begin using immediately. The revised checklist includes revisions that result from two major changes in the environmental review process for RREM and LRRP:

1. **The first change is to the “Endangered Species Act” section:** USFWS has informed us that they proposed the red knot for listing under the ESA. Therefore, in addition to screening for piping plovers, you will also be screening for red knot. The GIS screening tool has been updated to include a red knot layer. The red knot layer is merged with the piping plover layer, however the contents separate out the species.

2. **The second change has to do with the acceptable separation distance from stationary above ground storage tanks.** Last week HUD provided a new policy decision which states that as long as a project does not involve an increase in density, the Responsible Entity (RE) may document that 24 CFR 51(C) does not apply because the number of people exposed to the hazard has not increased. (See attached email from HUD). Given that the RREM and LRRP properties existed prior to Superstorm Sandy and the number of dwelling units will not be increased and the occupancy also will not increase for any assisted property, any environmental reviews undertaken for the RREM and LRRP programs will not be required to apply the criteria in accordance with 24 CFR Part 51, Subpart C.

DCA has drafted a memo from DCA Commissioner Constable to DEP Commissioner Martin to document this change.

Please let me know if you have any questions. Thanks, Diane

Diane Dow, Section Chief

Sandy Recovery Environmental and Historic Preservation Review Program
(609) 984-1475
Diane.dow@dep.state.nj.us