



**U.S. Department of Housing and Urban
Development**

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Washington, DC 20410
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Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name: CDBG-DR Resilient Communities Program (RCP): JFK Blvd East Flood Mitigation Project

Responsible Entity: New Jersey Department of Community Affairs (DCA)

Grant Recipient (if different than Responsible Entity): Township of Guttenberg

State/Local Identifier: New Jersey

Preparer: Michael Baker International Inc.

Certifying Officer Name and Title: Samuel Viavattine, Deputy Commissioner

Consultant (if applicable): Michael Baker International Inc.

Direct Comments to: Samuel Viavattine, Deputy Commissioner
Department of Community Affairs
PO Box 823
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Project Location:

6819 JFK Boulevard East (between 68th Street and 70th Street cross streets) in the Township of Guttenberg, Hudson County, New Jersey. See **Attachment A** for Project Location and USGS 7.5-minute Topography maps.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The proposed project includes the design, permitting, development of plans and specifications and construction of a new network of inlets and pipes along the east side of JFK Boulevard East between 68th Street and 70th Street. Demolition activities include portions of the existing stormwater system to be replaced which will include existing: inlets, piping, asphalt, curbing and pavers. See Design Plans in **Attachment B** for additional project information.

The construction work for this project includes, but is not necessarily limited to the following major work items:

1. Establishing proper maintenance and protection of traffic. It is assumed the contractor will provide road closed local traffic only signs (R11-3a) at both ends of each of the blocks affected. Type III barricades will also be provided. The road closure will be limited to typical work hours for the town (7 AM to 6 PM, Monday to Friday). The road will be opened to traffic during all of the time periods.

If needed, a detour plan will be set-up to close the road and re-direct traffic around the closure during the normal working hours of weekdays for the Town of Guttenberg (7AM to 6 PM, Monday to Friday). Detour plans are to be prepared by the Contractor and approved by the Guttenberg Police Department prior to the start of work. It is the intent of this project to open the roadway to normal traffic flow upon completion of the construction activities every day.

The contractor is to allow for local traffic and all emergency vehicles throughout the course of every day at all times.

2. Test pits (If & Where Directed) are included in this contract. Unless otherwise directed by the Engineer, the test pits are to be five foot (5') wide and five foot (5') long and four foot (4') in depth. Additional test pits may be made at the Contractor's discretion to confirm utility locations; however, only test pits as directed by the engineer will be paid under the Contract line item.
3. The project may include establishment of by-pass pumping around the segment(s) being repaired or replaced, should in-pipe storage is found to be inadequate during the course of the work. It will be the responsibility of the contractor to properly size the required pump based upon the plan and the distance of the by-pass.
4. Sawcutting of the existing roadway along proposed storm sewer alignment. Sawcutting will not be paid for separately, but all costs to be included in the various items of the proposal. The contractor shall sawcut both sides of the trench before commencing excavation.
5. Excavation to the main to reach the damaged pipe sections on the sewer main.
6. Installation of 18" and 36" Reinforced Concrete Pipe and associated manhole structures and inlets. All costs shall be included in the unit prices bid for the various pipe, manhole, and inlet structures.
7. Unless otherwise directed, existing spoils may be used as backfill. All backfill material is to be installed in twelve inch (12") thick lifts and compacted with at least two (2) complete passes with a vibratory machine or to the satisfaction of the engineer or their representative. However, should

the material be deemed unacceptable by the engineer or their representative, the unacceptable spoils shall be removed from the project site and disposed of in accordance with all rules and regulations and select backfill used. Any and all remaining spoils at the conclusion of the complete trench backfilling will be required to be loaded, hauled and disposed of. No separate payment will be made for the removing and disposing of the remaining spoils and costs for this work shall be included in the unit price bid. This includes properly disposing of the soil in accordance with all applicable rules and regulations.

A six 6" thick layer of #57 stone bedding is to be provided underneath the sewer main. No separate payment will be made for the bedding stone, but all costs are to be included in the unit price bid for various pipe, manhole, and inlet structures". If additional stone is needed to address over excavation of unsuitable bedding (if and where directed), it will be paid for under the appropriate line item in the Bid Documents.

At a depth of eighteen inches (18") below the finished grade of the bituminous pavement the spoils are to terminate and NJDOT approved dense graded aggregate is to be provided and installed. The dense graded aggregate is to be compacted with a minimum of two (2) passes with a vibratory roller or to the satisfaction of the engineer or their representative.

Where undermining of existing concrete pavement occurs (as directed by the Engineer), the final 12" of backfill under the pavement shall consist of flowable fill, sufficient to fill all voids under the roadway. Payment for flowable fill shall be as bid in the appropriate bit item; with quantity as determined by actual volume placed.

Pavement restoration is the installation of hot mix asphalt 19M64 base course, 6" thick place in two (2) separate lifts. No separate payment will be made for having to install the HMA in separate lifts but all costs are to be included in the unit price bid for "Hot Mix Asphalt 19M64 Base Course, 6" Thick".

After a 30-45 day trench settlement period, Contractor shall mill 2" of base course and install 2" of hot mix asphalt 9.5M64 surface course. Milling shall be 12" beyond trench on all sides, and tack coat shall be applied to all surfaces prior to surface course installation.

8. All related incidental work, including, dust control, and cleaning and restoration.
9. The contractor is responsible for determining the location of all utilities and to schedule all work involved with utilities. Any cost related to this coordination shall be included in the various items in the proposal.
10. The contractor is to provide the proper number of 1" steel plates to cover over all excavation area not brought up to finish grade every afternoon prior to leaving the site. The plates are to be properly spiked into the existing roadway to not move during all nonworking hours. It is the intent to open the roadway to normal traffic upon completion of every day's construction activity. No separate payment will be made for the use of steel plates. Therefore, all costs are to be included in the "Maintenance and Protection of Traffic" Allowance.

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

The proposed improvements to flood control systems along JFK Boulevard East respond directly to disaster related risks associated with the occurrence of major storms and the insufficient layout of the existing system. Due to Guttenberg's proximity to the Hudson River, its insufficient stormwater management systems, and the densely populated nature of the community, the impact of flooding in Guttenberg is often amplified. In 2021, Hurricane Ida hit the northeastern United States and caused severe

flooding and storm related damage across New Jersey. Guttenberg was no exception to this, and flooding occurred throughout the Town, particularly in the easternmost tip of the community along River Road and Boulevard East. During this major weather event, countless residents of the Galaxy Towers experienced flooding inside of their buildings. This flooding resulted in approximately \$8,000,000 of damage and caused significant disruption to residents' lives. With larger storms like Hurricane Ida occurring with more frequency, it is essential that the Town invest in its infrastructure so it can properly mitigate the impact of coastal flooding and flooding caused by major storm systems. Outside of major storms, when the Town experiences heavy rain, JFK Boulevard East, surrounding residences, and the Galaxy Towers Condominium Complex have a high likelihood of flooding. The need for the project is supported by its inclusion in the Hudson County Multi-Jurisdictional Hazard Mitigation Plan (HCMJHMP). The HCMJHMP is a Planning Partnership focused on leveraging resources to prevent a wide range of hazards across Hudson County's municipality.

Existing Conditions and Trends [24 CFR 58.40(a)]:

JFK Boulevard East is a major roadway that runs through northern Hudson County, including near the Guttenberg Waterfront and the Galaxy Towers Condominium Complex in Guttenberg. Guttenberg is a diverse community made up of 12,017 residents who reside within a quarter mile land area. As a result, approximately one fifth of Guttenberg's population resides within the three towers that make up the Galaxy Towers. During heavy rain events and major storms, like Hurricane Ida and Sandy, Boulevard East experiences flooding, which in turn floods the Galaxy Towers and nearby residences. Also, due to Guttenberg being a Combined Sewer Overflow (CSO) community, the stormwater mixes with untreated raw sewage that travels through the same pipe network, which acts as a serious hazard for any nearby residents and motorists.

Conditions for Approval [40 CFR 1505.2(c)]:

None identified – see "Mitigation Measures and Conditions" section, below.

Funding Information

Grant Number	HUD Program	Funding Amount
P-21-NJ-34-LDZ1	CDBG-DR	\$1,480,605.00

Estimated Total HUD Funded Amount:

\$1,480,605.00

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

\$1,480,605.00

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits or approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<p>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</p>	<p>Are formal compliance steps or mitigation required?</p>	<p>Compliance determinations</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</p>		
<p>Airport Hazards</p> <p>24 CFR Part 51 Subpart D</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>The proposed project is not located within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The NJ Airports Map, updated June 2024 by the New Jersey Department of Transportation, Division of Information Technology was utilized to make the determination. The project is in compliance with Airport Hazards requirements. Formal compliance steps or mitigation is not required.</i></p> <p><i>See Attachment C for statutory worksheets and supporting documentation.</i></p>
<p>Coastal Barrier Resources</p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>The United States Fish and Wildlife Service (USFWS) Coastal Barrier Resource System (CBRS) online mapping tool indicates that the project site is not located in a CBRS zone or CBRS Buffer Zone. The proposed project is in compliance with the Coastal Barrier Resources Act. As such, formal compliance steps or mitigation is not required.</i></p> <p><i>See Attachment C for statutory worksheets and supporting documentation.</i></p>
<p>Flood Insurance</p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>Available Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) data were reviewed to determine if the project area is located within a designated Special Flood Hazard Area. According to Preliminary FEMA FIRM Map Nos. 34017C0042E (12/20/2013) and 34017C0061E (12/20/2013), the project site is not located within a Special Flood Hazard Area. As such, flood insurance is not mandatory. But while flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The</i></p>

		<p><i>project is in compliance with flood insurance requirements.</i></p> <p><i>See Attachment C for statutory worksheets and supporting documentation.</i></p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5</p>		
<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>The project area is located in Hudson County (New York-Northern New Jersey-Long Island, NY-NJ-CT). According to the U.S. Environmental Protection Agency (USEPA) Green Book on Nonattainment Area for Criteria Pollutants, the project area is listed as being in nonattainment or maintenance for National Ambient Air Quality Standards (NAAQS) as follows: Nonattainment for 8-Hour Ozone (2015) (Classification = Serious), and Maintenance for both Carbon Monoxide (1971)(Classification = Moderate >12.7 ppm) and PM-2.5 (2006)(Classification = Former Subpart 1)</i></p> <p><i>On May 15, 2025, the New Jersey Department of Environmental Protection (NJDEP) Division of Air Quality and Radiation Protection determined that based on their review of the proposed project, the scope of the project would result in emission levels that are below the General Conformity de minimis levels (40 CFR 93.153). Therefore, in accordance with the US Environmental Protection Agency's General Conformity regulations, this project would be considered as conforming to the New Jersey State Implementation Plan.</i></p> <p><i>See Attachment C for statutory worksheets and supporting documentation.</i></p>
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>The proposed project activities do not occur below the mean high water line (MHWL) of a tidal waterway. Additionally, the project area is located outside of the Coastal Area Facility Review Act (CAFRA) jurisdictional boundary, the Upland Waterfront Development zone, tidelands, and the New Jersey Sports and Exposition Authority (NJSEA) District (formerly the Hackensack Meadowlands District). As such, the</i></p>

		<p><i>project is in compliance with the Coastal Zone Management Act. Formal compliance steps or mitigation is not required.</i></p> <p><i>See Attachment C for statutory worksheets and supporting documentation.</i></p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>A Phase I Environmental Site Assessment (ESA) was prepared to identify conditions indicative of releases and/or threatened releases of hazardous substances and/or petroleum products on, in, or at the proposed project site. Based on historical database information, interviews, and site reconnaissance, no recognized environmental conditions were identified as a result of the Phase I ESA. As such, the project is in compliance, and formal compliance steps or mitigation is not required.</i></p> <p><i>See Attachment C for statutory worksheets and supporting documentation. See Attachment D for Phase I ESA report.</i></p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>The United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) identifies Federally threatened, endangered, proposed, and candidate species that may occur in the study area and/or may be affected by the proposed project. Data from the USFWS IPaC (dated March 17, 2025) identified records of occurrence for the Monarch Butterfly (<i>Danaus plexippus</i>, federally proposed endangered) within the project area. The Monarch Butterfly is proposed endangered species by USFWS and does not require consultation with USFWS under Section 7 of the Endangered Species Act. Additionally, data from the USFWS IPaC identified records of occurrence for several avian species in the vicinity of the project area protected under the Migratory Birds Treaty Act of 1918 and Bald and Golden Eagle Protection Act of 1940. The action area of the proposed project is urban with no potential habitat for these species.</i></p> <p><i>The National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) Section 7 mapper was utilized to</i></p>

		<p><i>determine the extent of T&E habitat within or adjacent to the project area for species under the jurisdiction of NOAA. According to the Section 7 mapper (dated April 17, 2025), the Hudson River is habitat for the following species: Atlantic Sturgeon (Acipenser oxyrinchus oxyrinchus) (Life stage: adult, subadult, juvenile; Behavior: migrating & foraging), and Shortnose Sturgeon (Acipenser brevirostrum) (Life stage: juvenile and adult; Behavior: migrating & foraging, and overwintering).</i></p> <p><i>Additionally, the New Jersey Department of Environmental Protection (NJDEP) Natural Heritage Program (NHP) maintains a computer database of reported sightings of endangered or threatened species in the State (Version 3.4). Correspondence with the NJDEP-NHP, dated April 8, 2025, identified records of occurrence for various species, including the Federally listed endangered Atlantic sturgeon and federally listed endangered shortnose sturgeon within the immediate vicinity and within one mile of the project area.</i></p> <p><i>The project area is located within an urban environment and work areas are limited to previously disturbed paved areas within JFK Boulevard East and adjacent roadway right-of-way and sidewalks. No in-water work is proposed as part of this project. Additionally, the nearest regulated water (Hudson River) is approximately 700 feet southeast of the proposed project limits. Thus, impacts to either sturgeon species are not anticipated. The proposed project is in compliance with Section 7 of the Endangered Species Act.</i></p> <p><i>Based on proposed project activities, the project is in compliance with Section 7 of the Endangered Species Act. Formal compliance steps or mitigation is not required.</i></p> <p><i>See Attachment C for statutory worksheets and supporting documentation.</i></p>
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<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>Based on the project description, the project includes no activities that would require further evaluation under this section. Therefore, the project is in compliance with explosive and flammable hazard requirements. Formal compliance steps or mitigation is not required.</i></p> <p><i>See Attachment C for statutory worksheets and supporting documentation.</i></p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>The proposed project does not include any activities, including new construction, acquisition of undeveloped land, or conversion, that could potentially convert one land use to another. The project area is located within an urban environment and work areas are limited to previously disturbed paved areas within JFK Boulevard East and adjacent roadway right-of-way and sidewalks. Therefore, there is no potential for agricultural land to be converted to non-agricultural land use as a result of the proposed project.</i></p> <p><i>See Attachment C for statutory worksheets and supporting documentation.</i></p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>FEMA FIRM data were reviewed to determine if the project area is located within a regulated flood hazard area (FHA). According to Preliminary FEMA FIRM Map Nos. 34017C0042E (12/20/2013) and 34017C0061E (12/20/2013), the project site is not located within a floodplain. As such, the project is in compliance with Executive Order 11988. Formal compliance steps or mitigation is not required.</i></p> <p><i>See Attachment C for statutory worksheets and supporting documentation.</i></p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>An SOI-qualified architectural historian identified no historic properties in the APE. An SOI-qualified archaeologist determined that there is low potential for encountering archaeological sites or deposits within the APE. Therefore, per 36 CFR 800.4(d)(1), the New Jersey Department of Community Affairs</i></p>

		<p><i>determined that there would be no historic properties affected because of the undertaking. The New Jersey Historic Preservation Officer concurred with this finding on May 6, 2025.</i></p> <p><i>See Attachment C for statutory worksheets and supporting documentation.</i></p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation. Formal compliance steps or mitigation is not required.</i></p> <p><i>See Attachment C for statutory worksheets and supporting documentation.</i></p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>The project area is not located within a sole-source aquifer. Therefore, the project is in compliance with the sole-source aquifer requirements. Formal compliance steps or mitigation is not required.</i></p> <p><i>See Attachment C for statutory worksheets and supporting documentation.</i></p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>A desktop analysis of the New Jersey Department of Environmental Protection (NJDEP) 2020 Land Use/Land Cover Freshwater Wetlands (FWW) and the United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) were reviewed to identify potential wetlands within the study area. The NJDEP 2020 FWW mapping did not identify any wetlands within or in the immediate vicinity of the project site. NWI mapping identified the Hudson River as NWI-mapped habitat E1UBL: Estuarine, subtidal, unconsolidated bottom, saltwater subtidal.</i></p> <p><i>The project area is located within an urban environment and work areas are limited to previously disturbed paved areas within JFK Boulevard East and adjacent roadway right-of-way and sidewalks. No in-water work is proposed as part of this project. The NWI-mapped wetland habitat (Hudson River) is approximately 700 feet</i></p>

		<p>southeast of the project limits. As such, impacts to the NWI-mapped wetland is not anticipated.</p> <p>Additionally, The United States Environmental Protection Agency (EPA) Priority Wetlands List for the State of New Jersey (March 1994) was reviewed to determine if the study area is located within an EPA Priority Wetland. According to this review, the project site is not located within an EPA Priority Wetland. The proposed project is in compliance with Executive Order 11990. Formal compliance steps or mitigation is not required.</p> <p>See Attachment C for statutory worksheets and supporting documentation.</p>
<p>Wild and Scenic Rivers</p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The National Park Service, National Wild and Scenic River (NWSR) Inventory Mapping was utilized to determine if the project is near designated Wild and Scenic Rivers or Study Rivers. Based on this review, the project area is not located within or in the proximity of any Wild or Scenic Rivers. The project is in compliance with the Wild and Scenic Rivers Act. Formal compliance steps or mitigation is not required.</p> <p>See Attachment C for statutory worksheets and supporting documentation.</p>

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed, and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	<i>The proposed project would improve the stormwater management system and alleviate recurrent street flooding, particularly along the business district on JFK Blvd East. A stormwater management infrastructure project within existing developed areas would conform to Guttenberg's land use and zoning.</i>
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p><i>Construction activities must comply with the New Jersey Standards for Soil Erosion and Sediment Control.</i></p> <p><i>Soil erosion will be minimized and controlled through implementation of a certified soil erosion and sediment control plan.</i></p> <p><i>The contractor will be responsible for securing a Soil Erosion and Sediment Control Plan Certification from the Hudson Essex Passaic Soil Conservation District. The Contractor will install and maintain erosion and sedimentation control measures and appropriate best management practices prior to and throughout construction, and in compliance with the certified soil erosion and sedimentation control plan.</i></p>
Hazards and Nuisances including Site Safety and Noise	2	<i>No hazards or nuisances are associated with the proposed project or use. No toxic or hazardous materials were identified through review of the NJDEP Land Resource Protection Web Application.</i>

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	<i>The project would not impact local or regional employment or income patterns. The proposed infrastructure improvement aims to reduce flood damage and economic losses.</i>

Demographic Character Changes, Displacement	2	<i>The proposed project would directly benefit a substantial portion of Guttenberg by reducing flood risk to properties. The project would have no effect on population or demographic characteristics of the local area. The project would not induce population growth or other development. As such, formal compliance steps or mitigation is not required.</i>
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Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	<i>The project will have no impact on educational or cultural facilities.</i>
Commercial Facilities	3	<i>The proposed project would improve the stormwater management system and alleviate recurrent street flooding, particularly along the business district on JFK Blvd East. The proposed project would be beneficial to area businesses.</i> <i>The project will have no permanent adverse impact on commercial facilities. Construction activities may temporarily restrict or change access to some commercial facilities in the project area, including stores along JFK Blvd East. However, access restrictions would be short-term and not significantly impact revenues for individual business establishments. Formal compliance steps or mitigation is not required.</i>
Health Care and Social Services	3	<i>Alaris Health At Boulevard East retirement/nursing home is located across the street from the project area. However, access restrictions would be short-term and will not significantly impact access to the property. As such, the proposed project will have no long-term impact or access effects on health care or social services facilities. Impacts on Health Care and Social Services would be minor and temporary; therefore, mitigation measures are not proposed.</i>
Solid Waste Disposal / Recycling	2	<i>The project would not impact municipal solid waste disposal and recycling services and programs currently in place.</i> <i>Management, removal and recycling of solid wastes generated or resulting from construction activities (e.g. waste concrete, asphalt, brick, etc.) will comply with applicable regulations of the NJDEP at N.J.A.C. 7:26 and 7:26A.</i>
Waste Water / Sanitary Sewers	2	<i>The proposed project would not impact the capacity of existing wastewater infrastructure. The contractor would be</i>

		<i>responsible for maintaining sanitary sewer laterals and service during construction.</i>
Water Supply	2	<i>The proposed project would not impact the capacity of existing public water infrastructure and will not have a significant effect on water supplies.</i>
Public Safety - Police, Fire and Emergency Medical	2	<i>The proposed project will not effect the demand for police, fire and EMS services within the town.</i>
Parks, Open Space and Recreation	2	<i>The proposed project would have no impact on parks, open space or recreation areas of related services. No changes in the demand for or access to these amenities would be generated.</i>
Transportation and Accessibility	2	<i>The proposed project would have no permanent impact on transportation or accessibility in the study area nor would it increase roadway or transit travel demand. During construction, short-term, temporary lane closures and local access changes/restrictions would occur but are not anticipated to generate any substantive impacts.</i>

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	<i>No unique natural features or agricultural lands are present within or in the vicinity of the project area. No adverse effects to surface waters are anticipated. No wetlands are present or would be impacted. Soil erosion will be minimized and controlled through implementation of an approved soil erosion and sediment control plan. The contractor will be responsible for securing a Soil Erosion and Sediment Control Plan Certification from the Hudson Essex Passaic Soil Conservation District.</i>
Vegetation, Wildlife	2	<i>The project area is located within an urban environment and work areas are limited to previously disturbed paved areas within JFK Boulevard East and adjacent roadway right-of-way and sidewalks. As such, vegetation and wildlife will not be affected by project activities.</i>

Other Factors	N/A	N/A
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Environmental Assessment Factor	Impact Code	Impact Evaluation
CLIMATE AND ENERGY		
Energy Efficiency	2	<i>The proposed project will improve the stormwater management system and alleviate recurrent street flooding. The project does not propose any means of changing energy efficiency. Energy efficiency will not be affected by any proposed project activities.</i>

Additional Studies Performed:

No additional studies were determined to be necessary due to the limited scope and nature of the effects of the project.

Field Inspection (Date and completed by):

Field inspections were completed on October 23, 2024, and March 10, 2025, by Michael Baker International, Inc. and DCA. Please see **Attachment E** for field report and photos.

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

ArcGIS Pro, ESRI, Maxar, Earthstar Geographics, and the GIS User Community.

Endangered Species Act. Section 7. Accessed at <https://www.fws.gov/laws/endangered-species-act/section-7>.

Federal Aviation Administration (FAA). Accessed at <https://www.faa.gov/>.

Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM). FEMA FIRM Panels 34017C0042E and 34017C0061E. Accessed at <https://msc.fema.gov/portal/home>.

Google™ Earth Pro.

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List of Permits Obtained:

No permits have been obtained, and no permit requirements are anticipated for the subject project. A pre-application meeting was held with the New Jersey Department of Environmental Protection (NJDEP) on April 26, 2024, and it was determined that no modification of the Town's NJPDES Permit No. NJ0108715 would be required and no Treatment Works Approval (TWA) would be required for the project. See **Attachment F** for documentation.

Public Outreach [24 CFR 50.23 & 58.43]:

The Town of Guttenberg held a public hearing on December 1, 2023, at Guttenberg Town Hall where residents had the opportunity to voice their thoughts and views on the proposed project. A public notice was published in the Record on November 26, 2023, that invited the public to attend, as well as on the website. Per the guidelines of the program, the Town published the notice in both English and Spanish. Outside of the Mayor and Town Council, the Town had four residents participate in the public hearing. All four residents spoke in support of the application and their comments are recorded in public hearing minutes in **Attachment G**. One of the residents who spoke recounted her experience with flooding in the Galaxy Towers. She stated that her living room and bedroom closet flooded during Hurricane Ida, her closet flooded in September during Hurricane Ian, and once more at the beginning of this year. Another Galaxy Towers resident described how her storage area was flooded during Hurricane Ida, which resulted in the loss of thousands of dollars of clothes, luggage, and other items that were not insured. Comments and experiences such as these have been essential in shaping the Town's response to the recurring flooding that takes place along Boulevard East. The Town plans to alleviate this flooding through the completion of the JFK Blvd East Drainage Improvement Project and plans to incorporate public feedback in this process wherever possible.

Cumulative Impact Analysis [24 CFR 58.32]:

Cumulative impact is 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 or person undertakes such other actions. Cumulative impacts can result from individually minor direct and indirect but collectively significant actions taking place over a period of time. The proposed project involves replacement and improvement of the existing stormwater system at JFK Boulevard East for the purpose of improving flood control. The project would therefore result in mainly temporary impacts from construction. These temporal impacts would be minor and not have serious adverse impacts on these resources.

Hudson County's population has generally shown an increasing trend over time. The population in 2020 was 724,854, representing a 14.3% increase from the 2010 census. Hudson County, New Jersey – measuring 46.19 square miles – has a population density of 15,691.5 people per square mile. This makes it the most densely populated county in New Jersey and the sixth most densely populated in the United States. Hudson County's density is significantly higher than the state average, which is around 1,263 people per square mile, and it is much higher than the national average, which is about 88 people per square mile. The County is characterized by a mix of urban and suburban land use, with a significant portion dedicated to residential and commercial development. Hudson County's land use is dominated by urban and suburban development, with mixed-use developments becoming increasingly common, especially around rail stations and in transit-oriented areas. Hudson County also has some agricultural land, but it's not the dominant land use, as it's mostly urban and suburban. While Hudson County once had a significant amount of wetlands, their extent has decreased over time. In 1986, Hudson County contained 3,897 acres of wetlands, which covered over 13% of the county's land area. By 2002, this number decreased to 1,540 acres, according to the Conservation Element. Hudson County contains approximately 11,665.9 acres of FEMA-designated Special Flood Hazard Areas (SFHA), which include both 100- and 500-year floodplains. The impacts associated with the project are mostly temporary and minor and the geographic area has a high degree of similar disturbance/impact due to the population density and development of Hudson County.

When considering the direct and indirect impacts that would result from the proposed activity, in relation to the overall direct and indirect impacts from past, present, and reasonably foreseeable future activities, the incremental contribution of the proposed activity to cumulative impacts in Hudson County are not significant. Mitigation measures would not be required to offset the impacts of the proposed activity to eliminate or minimize its incremental contribution to cumulative effects within Hudson County.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

The proposed project explored an alternative to install a new storm sewer pipe south of the Galaxy Towers. This new pipe would traverse the Palisades cliff, continue along Ferry Road and connect to an existing River Road drainage system that discharges to the Hudson River. This approach would redirect stormwater efficiently by leveraging the existing topography to manage runoff and reduce flooding. Installation of the new drain line would address stormwater concerns at critical points while integrating captured runoff into the larger drainage network. However, this alternative would need to include additional design factors related to the capacity of the existing River Road drainage system. The proposed additional stormwater flows could risk overloading the existing River Road infrastructure. Further analysis would be required to ensure feasibility and sustainability of this alternative while minimizing downstream impacts.

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

The no action alternative would avoid minor short-term construction impacts but fail to address ongoing flood risks along JFK Blvd. East. Without intervention, flooding would persist, leading to continued property damage and the potential for long-term infrastructure degradation. Additionally, the existing combined sewer overflow (CSO) system for wastewater and stormwater lacks the capacity to withstand heavy rainfall events, increasing the likelihood of system overload. Once overwhelmed, excess water and untreated sewage would discharge into surrounding areas, including Galaxy Towers and adjacent residential properties, posing significant public health and environmental risks. Therefore, the no action alternative does not provide a viable long-term solution for flood mitigation and infrastructure resilience.

Summary of Findings and Conclusions: The proposed alternative (described above) would meet all technical feasibility requirements, costs, and logistics requirements as well as meet the purpose and need. As described in the above Environmental Assessment, the proposed project would have no significant effects on the human environment and would have minor beneficial impacts as a result of the reduction in flooding. The no action and one off-site alternative were explored. The no action alternative would result in continued flooding along JFK Blvd East. The off-site alternative would not be technically feasible or would require additional study. This alternative would have similar environmental effects to the proposed project.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
<i>Due to the limited nature and scope of the project, no mitigation measures were determined to be required to avoid or minimize adverse environmental impacts from the proposed project.</i>	

Determination:

☒ **Finding of No Significant Impact** [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.

Preparer Signature: Kendall Papineau Date: 7/9/25

Name/Title/Organization: Kendall Papineau, Environmental Specialist, Michael Baker International, Inc.

Certifying Officer Signature: [Signature] Date: 7/10/25

Name/Title: Samuel Viavattine, Deputy Commissioner, NJ Department of Community Affairs

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).