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# Form 2.1 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, Lieutenant Governor Sheila Y. Oliver, Commissioner

**Applicant Name** City of Atlantic City (First) Intersections (Last)

-or- (Business/Project Name)

**Project Location** 28 Separate Intersections, (Street Address)

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

Multiple (Block) Multiple (Lot)

## CONDITIONS FOR APPROVAL

**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 the proposed project changes significantly, the application for funding must be revised and resubmitted for reevaluation under the National Environmental Policy Act.

### Floodplain Management, Flood Insurance, Wetland Protection, Erosion, Drainage/Storm

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**Water Runoff, and Surface Water**

3. Implement and maintain best management practices for erosion and sedimentation control.
  
4. Dispose of any displaced soil in an area outside the floodplain and wetlands.
  
5. Construction activities must comply with the New Jersey Standards for Soil Erosion and Sediment Control. The contractor will be responsible for securing a Soil Erosion and Sediment Control Plan Certification from the Atlantic County Conservation District.
  
6. 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.

**Historic Preservation**

7. In the event that archeological or human remains are discovered during the construction process, the project must be halted until an archeologist can view and assess the finds. The applicant will inform NJDEP immediately and will consult with the State Historic Preservation Office (SHPO) and Tribal Historic Preservation Office (THPO).

**Sole Source Aquifers**

8. Implement diesel controls, cleaner fuel, and cleaner construction practices for on-road and off- road equipment used for transportation, soil movement, or other construction activities, including: a.

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Strategies and technologies that reduce unnecessary idling, including auxiliary power units, the use of electric equipment, and strict enforcement of idling limits; and b. Use of clean diesel through add-on technologies like diesel particulate filters and diesel oxidation catalysts, repowers, or newer, cleaner equipment.

9. Use Low Impact Development (LID) principles such as minimizing effective imperviousness to create site drainage, and the planting of native and non-invasive vegetation on the project site for stormwater management purposes. Other LID practices can include bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements.

10. Use cost-effective, environmentally friendly landscapes.

11. Incorporate energy-efficient technologies.

## **Noise**

12. During the temporary construction activities, outfit all equipment with operating mufflers.

13. During the temporary construction activities, comply with the applicable local noise ordinance.

## **Air Quality**

14. Use water or chemical dust suppressant in exposed areas to control dust.

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15. Cover the load compartments of trucks hauling dust-generating materials.

16. To avoid adverse air quality impacts, compliance with the regulatory requirements of New Jersey's Air Rules continue to remain in effect. Activities must still meet the State's Air Pollution Control requirements, e.g. obtaining permits when necessary, adherence to idling limitations, implementation of all responsible measures to mitigate dust and fugitive emissions from demolition and construction and complying with all state and federal rules for demolition of structures which may contain asbestos.

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 (less than 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. Wash heavy trucks and construction vehicles before they leave the site.

20. Reduce vehicle speed on non-paved areas and keep paved areas clean.

21. Retrofit older equipment with pollution controls.

22. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.

23. Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.

### Hazardous Materials:

24. Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials or household waste (e.g. construction and demolition debris, pesticides/herbicides, white goods).

## 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)).

## FUNDING INFORMATION

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

Grant Number	HUD Program	Funding Amount
<i>B-13-DS-34-0001</i>	<i>ACRP</i>	<i>\$2,000,000.00</i>

		\$0.00
		\$0.00

**Estimated Total HUD Funded Amount:**

\$2,000,000.00

## Estimated Total HUD Funded Amount Description

*The proposed project would be funded with \$2,000,000.00 in US Department of Housing and Urban Development (HUD) Atlantic City Resilience Program (ACRP). The total project cost is estimated to be \$2,000,000.00 to take inventory of all of the existing traffic signals and to develop implementation of a capital plan.*

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

\$2,000,000.00

## Estimated Total Project Cost Description

*The estimated project cost of \$2,000,000.00 will be funded through HUD CDBG-DR Atlantic City Resilience Program (ACRP) funds.*

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

The proposed project includes the inspection, upgrade and replacement of traffic signals at 28 separate intersections. Many of these signals have control centers that are located below the 500-year floodplain limitation for critical features. Some of these systems were damaged by Superstorm Sandy and similar storm events. The proposed project intends to inspect, upgrade, and replace traffic signals that were damaged by Sandy and other storm events, among other improvements. See the "Description of the Proposed Project" below.

**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 includes various intersections throughout Atlantic City, including the following intersections:

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**Traffic Signal Control Cabinets That Need to Be Replaced and Elevated**

1. North Carolina & Arctic
2. Delaware & Arctic
3. New Jersey & Arctic
4. Massachusetts & Grammercy
5. Rhode Island & Grammercy
6. Vermont & Grammercy
7. New Hampshire & Grammercy
8. New Hampshire & Madison
9. Vermont & Madison
10. Rhode Island & Madison
11. Massachusetts & Madison
12. New Jersey & Baltic
13. Delaware & Baltic
14. North Carolina & Baltic
15. Texas & Baltic
16. California & Fairmount
17. Iowa & Fairmount
18. New Hampshire & Mediterranean
19. New Hampshire & Caspian
20. New Hampshire & Atlantic
21. Connecticut & Melrose

22. New Jersey & Oriental
23. Connecticut & Madison
24. Rhode Island & Atlantic
25. Connecticut & Oriental
26. Virginia & Baltic
27. Delaware & Atlantic
28. Virginia & Mediterranean

The proposed project includes the inspection, upgrade and replacement of traffic signals at 28 separate intersections (approximately 200 signals) throughout Atlantic City. Many of these signals have control centers that are located below the 500-year floodplain limitation for critical features. The City plans to retain an experienced engineering firm to complete an inventory of all the existing traffic signals and to develop and implement a capital plan. The capital plan will include elevating control centers where needed to comply for federal and State requirements, upgrade systems that were damaged by Superstorm Sandy and similar storm events, and synchronize all signal to provide for emergency evacuations, produce a more efficient system and reduce harmful emissions. The project may also replace the traffic light poles at each intersection.

## **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.



<b>Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 &amp; 58.5</b>	<b>STATUS</b>	<b>Compliance Documentation</b>

<p><b>1. Air Quality</b> [Clean Air Act, as amended, particularly sections 176(c) &amp; (d), and 40 CFR 6, 51, 93]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p>The project is located a non-attainment for three National Ambient Air Quality Standard (NAAQS) pollutants, including 8-hour Ozone (2015) pollutant. Per EPA's online Green Book, as of September 27, 2010, all Carbon Monoxide nonattainment areas were redesignated to maintenance areas, including Atlantic City, New Jersey.</p> <p>According to NJDEP's Division of Air Quality memorandum, dated December 19, 2019 from the New Jersey Department of Environmental Protection (NJDEP) Division of Air Quality (DAQ), the project is located within Atlantic County of the Philadelphia-Wilmington-Atlantic City (PA-NJ-MD-DE) ozone nonattainment area, which is classified as a marginal nonattainment. The proposed project will conform with the DAQ recommendations listed in this memo. This project is exempt from further review.</p> <p>In addition, the Air Quality (CEST and EA) Worksheet, provided on the HUD Exchange website, was used to determine that the project is in compliance with the Air Quality section, see <b>AC_Intersections_AirQualityWorksheet</b>.</p> <p>Refer to the applicable compliance documents:</p> <ul style="list-style-type: none"> <li>• <b>AC_Intersections_8HrOzone</b></li> <li>• <b>AC_Intersections_CarbonMono_MaintenanceAreasList</b></li> <li>• <b>AC_Intersections_DAQ_Memo</b></li> <li>• <b>AC_Intersections_AQmap</b></li> </ul> <p>Best Management Practices:</p> <ul style="list-style-type: none"> <li>• All on-road vehicles and non-road construction equipment operating at, or visiting, the construction site shall comply with the three-minute idling limit, pursuant to N.J.A.C. 7:27-14 and N.J.A.C. 7:27-15.</li> <li>• All non-road diesel construction equipment greater than 100 horsepower used on the project for more than ten days should have engines that meet the USEPA Tier 4 non-road emission standards, or the best available emission control technology that is technologically feasible for that application and is verified by the USEPA or the CARB as a diesel emission control strategy for reducing particulate matter and/or NOx emissions.</li> <li>• All on-road diesel vehicles used to haul materials or traveling to and from the construction site should use designated truck routes that are designed to minimize impacts on residential areas and sensitive receptors such as hospitals, schools, daycare facilities, senior citizen housing, and convalescent facilities.</li> <li>• All on-road vehicles and non-road construction equipment operating at, or visiting, the construction site shall comply with the three-minute idling limit, pursuant to N.J.A.C. 7:27-14 and N.J.A.C. 7:27-15. Consider purchasing "No Idling" signs to post at the site to remind contractors to comply with the idling limits. Signs are available for purchase from the Bureau of Mobile Sources at 609/292-7953 or <a href="http://www.stophthesoot.org/sts-no-idle-sign.htm">http://www.stophthesoot.org/sts-no-idle-sign.htm</a>.</li> <li>• All non-road diesel construction equipment greater than 100 horsepower used n the project for more than ten days should have engines that meet the USEPS Tier 4 non-road emission standards, or the best available emission control technology that is technologically feasible for that application and is verified by the USEPA or the CARB as a diesel emission control strategy for reducing particulate matter and/or NOx emissions.</li> <li>• All on-road diesel vehicles used to haul materials or traveling to and from the construction site should use designated truck routes that are designed to minimize impacts on residential areas and sensitive receptors such as hospitals, schools, daycare facilities, senior citizen housing and convalescent facilities.</li> <li>• Reduce vehicle speed on non-paved areas and keep paved areas clean.</li> <li>• Retrofit older equipment with pollution controls.</li> <li>• Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.</li> <li>• Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.</li> <li>• 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.</li> </ul> <p>Source: EPA Green Book</p>
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<p><b>2. Airport Hazards</b> (Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p>The project is in compliance. There are no Federal Aviation Administration (FAA) regulated airports with 2,500 feet or Department of Defense Airfields with 15,000 feet (2.8 miles) of the project. The closest airport or airfield is Atlantic City International Airport which is approximately 8.57 miles west of the project. See <b>AC_Intersections_AirportClearZone</b>. The City of Atlantic City is approximately 43.9 miles from Lakehurst Naval Air Station. See <b>AC_Intersections_AirportClearZones_Lakehurst</b>.</p> <p>Source: NJDEP HUD Environmental Review Tool 3.0</p>
<p><b>3. Coastal Zone Management</b> [Coastal Zone Management Act sections 307(c) &amp; (d)]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p>The scope of work includes the inspection and improvement to traffic control devices which are not subject to the NJDEP Coastal Zone Management (CZM) Rules, NJAC 7:7. In accordance with Subchapter 2.2(c)6.iii of the CZM Rules, a CAFRA permit is not required for services provided within existing public right of ways by any government entity which involve "public highway signage, lighting, guide rail and other noninvasive safety projects, included traffic control devices". See <b>AC_Intersections_Coastal Zone Map</b>.</p> <p>Source: NJDEP HUD Environmental Review Tool 3.0</p>
<p><b>4. Contamination and Toxic Substances</b> [24 CFR 50.3(i) &amp; 58.5(i)(2)]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p>The proposed project is in compliance. Since the project spans the length of the project, the project falls within the 3,000-foot Hazardous Site Buffer Zone of multiple Hazardous Sites of Concern. The sites are identified as: Parkway Auto Service Inc., located at 3609 Ventor Avenue; 243 Texas Avenue; 241 North Nevada Avenue; and 508 Sewell Avenue. See <b>AC_Intersections_HazSitesOfConcern</b>.</p> <p>The proposed project is in compliance. A toxic review was performed by the NJDEP which confirmed no further consultation is necessary since the project is limited to the replacement of existing mechanical systems and no ground disturbance is proposed. Refer to email dated July 27, 2020. <b>AC_Intersections_ToxicConsultResponse</b>.</p> <p>Representative photographs for a typical traffic signal and control box is provided as an attachment. (<b>AC_Intersections_PhotoLog</b>). In addition, the project is located in a Tier 3 area, for which no radon testing or mitigation is required. See <b>AC_Intersections_RadonPotentialMap</b>.</p> <p>Source: EPA GreenBook</p> <p>NJDEP HUD Environmental Review Tool 3.0</p>

<p><b>5. Endangered Species</b> [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p>Please note that the Intersections project proposes the rehabilitation of 28 intersections throughout the City of Atlantic City. For the various screening tools used for this section of the Statutory Checklist, one polygon was used to encompass all 28 intersections across the City, therefore encompassing land areas outside of the immediate work areas for the intersections. Centroid data was not available for the project site as it involves improvements to a public right-of-way. The project site does not intersect with the red knot or piping plover threatened and endangered species layer shown on the NJDEP HUD Environmental Review Tool. See <b>AC_Intersections_T&amp;E-RedKnot&amp;PipingPlover</b>.</p> <p><b>FEDERALLY LISTED ANIMAL SPECIES/HABITAT:</b> No Effect</p> <p>The US Fish and Wildlife Service (USFWS) Information, Planning and Conservation (IPaC) landscape explorer tool was used to screen the proposed project location to determine if consultation with USFWS was warranted. Review of the USFWS IPaC landscape explorer tool for the project location indicated that "there are no critical habitats within [the] project area under this office's jurisdiction." See <b>AC_Intersections_IPaC official</b>. The IPaC report listed migratory birds in the vicinity of the proposed project site. However, the proposed work would occur within public right-of ways for all of the intersections; therefore the project is not anticipated to impact migratory birds.</p> <p><b>FEDERALLY LISTED BATS:</b> No Effect</p> <p>The IPaC report also indicated that neither the Indiana bat nor northern long-eared bat are species that may occur or could potentially be affected by activities at this location. The proposed project does not include the removal of trees. While bat surveys are no longer required for northern long-eared bats in buildings, if bats (of any species) happen to be discovered during the process of renovations/demolitions/etc., work should cease and the construction manager should contact Mackenzie Hall, New Jersey Division of Fish and Wildlife, Endangered and Nongame Species Program, at 609-292-1244 on how to proceed. All bat species are protected by law in New Jersey and cannot knowingly be harmed or harassed. See <b>AC_Intersections_IPaC official</b>.</p> <p><b>FEDERALLY LISTED PLANT:</b> No Effect</p> <p>The US Fish and Wildlife Service (USFWS) Information, Planning and Conservation (IPaC) landscape explorer tool was used to screen the proposed project location to determine if consultation with USFWS was warranted. Review of the USFWS IPaC landscape explorer tool for the project location indicated that "there are no critical habitats within [the] project area under this office's jurisdiction." See <b>AC_Intersections_IPaC official</b>.</p> <p><b>STATE LISTED ANIMAL SPECIES/HABITAT:</b></p> <p>A data request was submitted to the New Jersey Forest Service Office of Natural Lands Management for searches of the Natural Heritage Database and the Landscape Project to determine if suitable habitat potential exists at the project site for State and Federal threatened and or endangered species. The report indicates that multiple threatened and endangered species and their habitats can be found on or within the immediate vicinity of the project area, including black skimmer, black-crowned night-heron, least tern, osprey, peregrine Falcon, yellow-crowned night-heron, cattle egret, fin whale, humpback whale, North Atlantic right whale, Atlantic leatherback, and Atlantic loggerhead. The proposed work would occur within public right-of ways; therefore; and the proposed work is not anticipated to negatively affect any of the listed species. Should mitigation for any State listed threatened or endangered species be necessary, specific measures will be conditioned upon the required NJDEP DLUR permits required for the proposed project. See <b>AC_Intersections_nhp report</b>.</p> <p><b>STATE LISTED PLANT:</b> No Effect</p> <p>A data request was submitted to the New Jersey Forest Service Office of Natural Lands Management for searches of the Natural Heritage Database and the Landscape Project to determine the potential for rare plant species to exist within the project area. The report indicates that seabeach amaranth is not listed within the project area. However, seabeach amaranth was listed within the vicinity of the project area. The Natural Heritage Report indicates that seabeach amaranth was found in Atlantic City between 1859-1884, and in 2008 in the upper beach between New Hampshire Avenue beach access and Absecon Inlet jetty. The proposed work would occur within public right-of ways; therefore; and the proposed work is not anticipated to negatively affect seabeach amaranth. See <b>AC_Intersections_nhp report</b>.</p> <p>Source: NJDEP Division of Fish and Wildlife</p> <p>NJDEP Environmental Review Tool 3.0</p> <p>NJDEP Natural Heritage Program</p> <p>NOAA Fisheries Greater Atlantic Region ESA Section 7</p> <p>USFWS IPaC</p>
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<p><b>6. Environmental Justice</b> [Executive Order 12898]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p>According to the US EPA Environmental Justice Screening Tool, approximately 87% of residents within the project are minorities (See <b>AC Intersections EJ_Minority</b>) and 66% of residence are low income (See <b>AC Intersections EJ_LowIncome</b>). The state's average for Minority Population is 44% and Low Income Population is 66%.</p> <p>The proposed project is in compliance. As indicated by the other sections of this environmental assessment, the proposed project would not result in significant environmental impacts. The proposed project would therefore have no significant disproportionate adverse environmental impact on minority and low-income residents in the vicinity of the proposed project. See <b>AC Intersections EJ_Checklist</b>.</p> <p>Source: EPA's Environmental Justice Screening and Mapping Tool</p>
<p><b>7. Explosive and Flammable Operations</b> [24 CFR 51C]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p>The proposed project is in compliance. The proposed project does not involve residential new construction, rehabilitation where unit density is increased, change of land use, or new construction. This street improvement project does not meet the definition of a "HUD-assisted project" and is therefore not subject to the HUD rule (see: 24 VFR 51.201).</p>
<p><b>8. Farmland Protection</b> [Farmland Protection Policy Act of 1981, particularly sections 1504(b) &amp; 1541; 7 CFR 658]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p>The proposed project is in compliance. The proposed project is located in an urban setting and not located in an area identified as Farmland of Statewide Importance or Farmland of Unique Importance based upon information obtained from the NJDEP HUD Environmental Review Tool. See <b>AC Intersections_PrimeFarmlandMap</b>.</p> <p>Source: NJDEP HUD Environmental Review Tool 3.0</p>
<p><b>9. Floodplain Management</b> [24 CFR 55; Executive Order 11988, particularly section 2(a)]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p>The proposed project is in compliance. The proposed project is located in a tidal flood zone designated as AE with a base flood elevation of 10 feet above mean sea level. The proposed project will not impact the floodplain by introducing new fill. See attached <b>AC Intersections_FEMA_FIRM_Map</b>.</p> <p>NFIP flood insurance is not required as the project activity involves improvements to existing infrastructure within a FEMA-identified Special Flood Hazard Area.</p> <p>The Floodplain Management Checklist was used to conduct the Floodplain 8-Step Analysis, and determine if the proposed project could potentially affect floodplains or their occupants. It was determined that "the proposed action could potentially be adversely affected by the floodplain." The review was conducted against the 100 year floodplain, which is set at 9 feet elevation per ABFE and the PRELIM flood hazard data, and 10 feet elevation by the FIRM Panel flood hazard data. In addition, the proposed project is also located in a floodway or coastal high hazard area. Mitigation measures to increase the height of the new traffic control devices were incorporated into the proposed project. There is no practicable alternative to relocate the project outside of the 100-year floodplain, and there is no potential to limit the proposed actions. See <b>AC Intersections_8StepFloodplainAnalysis</b>.</p> <p>A public notice of the New Jersey Department of Community Affairs' (NJCA) intent to consider funding the proposed project in the 100-year floodplain was published in the Press of Atlantic City on June 8, 2020, and a Spanish translation of the notice was published in the El Diario on June 8, 2020. A copy of the public notice and proofs of publication are attached with the 8-Step Analysis. As required by regulation, the notice also included the name, proposed location, description of the proposed project, and the NJCA contact for information, as well as the location and hours. A copy of the notice was emailed on June 8, 2020 to agencies known to have an interest in floodplain activities. See <b>EarlyPublicNotice-EnglishProof&amp;affidavit</b> and <b>EarlyPublicNotice-SpanishProof&amp;Affidavit</b>.</p> <p>No comments were received within the 15-day comment period required by 24 CFR 55.20(b) (see attached no comments received emails). See <b>20200629 Email_no public comments</b>.</p> <p>Source: NJDEP HUD Environmental Review Tool 3.0</p>
<p><b>10. Historic Preservation</b> [National Historic Preservation Act of 1966, particularly sections 106 &amp; 110; 36 CFR 800]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p>The project is in compliance. The proposed project is not located within a historic district or identified as a historic property. The proposed project is not located within a historic archeologic site grid. See <b>AC Intersections_HistoricPreservationMap</b>.</p> <p>On May 15, 2020 the NJ SHPO responded via email (see <b>ACHUD7_SHPO Submittal_Revised</b> and <b>AC Intersections_SHPO Response</b>) that no historic properties will be affected by the proposed undertaking (project).</p> <p>Source: NJDEP HUD Environmental Review Tool 3.0</p>
<p><b>11. Noise Abatement and Control</b> [Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR 51B]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p>The proposed project is in compliance. This street improvement project does not meet the definition of a "noise sensitive land development," and is therefore not subject to the HUD rule. See 24 CFR 51.101(a)(2).</p> <p>Construction noise will be a temporary impact that will be controlled by best management practices Construction noise will be within applicable city, state, and federal codes. Construction noise is not expected to have an impact to the project or surrounding areas.</p>

<p><b>12. Sole Source Aquifers</b> [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p>The proposed project is in compliance. The proposed project site is located with the Coastal Plain soil source aquifer. See <b>AC Intersections_SoleSourceMap</b>. No wellhead protection areas or public water supply wells are located within 2,640 feet of the proposed project. Properties in the vicinity of the proposed project are served by existing public water through American Water. Based upon the screening criteria for non-housing project activities listed in the EPA Region 2/HUD 1990 Sole Source Aquifer Memorandum of Understanding (MOU), the project is not expected to require USEPA review. This compliance finding is supported by the fact that street improvement projects are not listed on the EPA Region 2's Sole Source Aquifer web page as a significant pollution source for NJ Coastal Plain Aquifer. See <a href="http://www.epa.gov/region02/water/aquifer/coast/coastpln.htm">http://www.epa.gov/region02/water/aquifer/coast/coastpln.htm</a>.</p> <p>Source: EPA Region 2/HUD 1990 Sole Source Aquifer MOU</p> <p>NJDEP HUD Environmental Review Tool 3.0</p> <p>NJDEP GeoWeb</p>
<p><b>13. Wetlands Protection</b> [24 CFR 55, Executive Order 11990, particularly sections 2 &amp; 5]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p>The proposed project is in compliance. No mapped wetlands are shown within or adjacent to the proposed project. See <b>AC Intersections_WetlandsMap</b>. On February 12, 2020 Brinkerhoff performed a site reconnaissance of the proposed project area and confirmed wetlands are not found within the limits of the proposed project.</p> <p>Source: NJDEP HUD Environmental Review Tool 3.0</p>
<p><b>14. Wild and Scenic Rivers</b> [Wild and Scenic Rivers Act of 1968, particularly section 7(b) &amp; (c); 36 CFR 297]</p>	<p><input checked="" type="radio"/> A <input type="radio"/> B</p>	<p>The proposed project is in compliance. The proposed project is not located within 1/4 mile of the stream bank of a designated wild and scenic river or within one (1)-mile radius of a designated wild and scenic river. The closest Wild and Scenic River Area is Great Egg Harbor, and it is located approximately 6.07 miles from the Intersections project. See <b>AC Intersections_WSRBuffer</b>.</p> <p>Source: NJDEP HUD Environmental Review Tool 3.0</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: [Project complies with 24 CFR 51.303(a)(3)]

The project is in compliance. The proposed project is approximately eight miles southeast of Atlantic City International Airport and 43.9 miles from Lakehurst Naval Air Station.

See **AC Intersections\_AirportClearZone** and **AC Intersections\_AirportClearZones\_Lakehurst**

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

### 2. COASTAL BARRIERS RESOURCES ACT [Coastal Barrier Resources Act, as amended by the Coastal

**Barrier Improvement Act of 1990 (16 USC 3501)]**

Is the project located in a coastal barrier resource area?

**No.** Cite or attach Source Documentation: [Proceed with Project]

The proposed project is in compliance. The proposed project is located outside a coastal barrier resource area. See **AC\_Intersections\_CoastalAreaResourceMap**.

**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 proposed project is in compliance. The proposed project is located in a tidal flood zone designated as AE with a base flood elevation of 10 feet above mean sea level. The proposed project will not impact the floodplain by introducing new fill. See attached **AC\_Intersections\_FEMA\_FIRM\_Map**. NFIP flood insurance is not required as the project activity involves improvements to existing infrastructure within a FEMA-identified Special Flood Hazard Area.

The Floodplain Management Checklist was used to conduct the Floodplain 8-step Analysis, and determine if the proposed project could potentially affect floodplains or their occupants. It was determined that "the proposed action could potentially be adversely affected by the floodplain." The review was conducted against the 100 year floodplain, which is set at 9 feet elevation per ABFE and the PRELIM flood hazard data, and 10 feet elevation by the FIRM Panel flood hazard data. In addition, the proposed project is also located in a floodway or coastal high hazard area. Mitigation measures to increase the height of the new traffic control devices were incorporated into the proposed project. There is no practicable alternative to relocate the project outside of the 100-year floodplain, and

there is no potential to limit the proposed actions..See **AC\_Intersections\_Floodplain8StepAnalysis** for the 8-Step Floodplain Analysis for this project.

Early public notice was published on June 8, 2020 through The Press of Atlantic City and El Diario. See **EarlyPublicNotice-EnglishProof&affidavit** and **EarlyPublicNotice-SpanishProof&Affidavit**. An email dated June 29, 2020 is provided (See **20200629 Email\_no public comments**) indicating that no public comments were received from the newspaper public notices.

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.**

**N/A**

## Summary of Findings and Conclusions

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

On February 12, 2020, Benjamin Zee and Amy Bennett of Brinkerhoff Environmental Services, Inc. performed a site reconnaissance of the proposed project area. No visible evidence of hazardous waste, materials or substances were observed in the area of the proposed intersections. It should be noted the intersection locations were not known at the time of the reconnaissance, and the inspection was limited to visuals during driving and a desktop review. Photo-documentation depicting typical intersections in Atlantic City was taken from GoogleMaps and is provided as an attachment (**AC\_Intersections\_PhotoLog**).

### Summary Statement of Findings and Conclusions:



The proposed project would address the need to inspect the traffic light systems at various intersections throughout Atlantic City, and develop and implement a capital plan to upgrade damaged systems. The proposed project is in compliance with all applicable statutory authorities and would have no significant impact on the environment. Permits from the NJDEP DLUR under the Coastal Zone Management Rules, Flood Hazard Area Rules, and Tidelands may be required. Specific permit conditions will be determined in conjunction with final design and specifications.

Mitigation measures to minimize any potential environmental impacts and to ensure the proposed project is in compliance with the statutory authorities are identified in the Required Mitigation and Project Modification Measures section below.

**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 the proposed project changes significantly, the application for funding must be revised and resubmitted for reevaluation under the National Environmental Policy Act.

## Floodplain Management, Flood Insurance, Wetland Protection, Erosion, Drainage/Storm Water Runoff, and Surface Water

3. Implement and maintain best management practices for erosion and sedimentation control.

4. Dispose of any displaced soil in an area outside the floodplain and wetlands.

5. Construction activities must comply with the New Jersey Standards for Soil Erosion and Sediment Control. The contractor will be responsible for securing a Soil Erosion and Sediment Control Plan Certification from the Atlantic County Conservation District.

6. 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.

### **Historic Preservation**

7. In the event that archeological or human remains are discovered during the construction process, the project must be halted until an archeologist can view and assess the finds. The applicant will inform NJDEP immediately and will consult with the State Historic Preservation Office (SHPO) and Tribal Historic Preservation Office (THPO).

### **Sole Source Aquifers**

8. Implement diesel controls, cleaner fuel, and cleaner construction practices for on-road and off-road equipment used for transportation, soil movement, or other construction activities, including: a. Strategies and technologies that reduce unnecessary idling, including auxiliary power units, the use of electric equipment, and strict enforcement of idling limits; and b. Use of clean diesel through add-on technologies like diesel particulate filters and diesel oxidation catalysts, repowers, or newer, cleaner equipment.

9. Use Low Impact Development (LID) principles such as minimizing effective imperviousness to create site drainage, and the planting of native and non-invasive vegetation on the project site for stormwater management purposes. Other LID practices can include bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements.

10. Use cost-effective, environmentally friendly landscapes.

11. Incorporate energy-efficient technologies.

## **Noise**

12. During the temporary construction activities, outfit all equipment with operating mufflers.

13. During the temporary construction activities, comply with the applicable local noise ordinance.

## **Air Quality**

14. Use water or chemical dust suppressant in exposed areas to control dust.

15. Cover the load compartments of trucks hauling dust-generating materials.

16. To avoid adverse air quality impacts, compliance with the regulatory requirements of New Jersey's Air Rules continue to remain in effect. Activities must still meet the State's Air Pollution Control requirements, e.g. obtaining permits when necessary, adherence to idling limitations, implementation of all responsible measures to mitigate dust and fugitive emissions from demolition and construction and complying with all state and federal rules for demolition of structures which may contain asbestos.

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 (less than 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. Wash heavy trucks and construction vehicles before they leave the site.

20. Reduce vehicle speed on non-paved areas and keep paved areas clean.

21. Retrofit older equipment with pollution controls.

22. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.

23. Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.

**Hazardous Materials:**

24. Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials or household waste (e.g. construction and demolition debris, pesticides/herbicides, white goods).

# CERTIFICATIONS

Amy Bennett, Brinkerhoff  
Environmental  
Preparer Agency and Name

2020-10-09 19:02:16  
Completion Date

Samuel R. Viavattine  
RE Certifying Officer Name



RE Certifying Officer Signature

10/14/2020  
RE CO Signature Date