
ENVIRONMENTAL ASSESSMENT

Determinations and Compliance Findings for HUD-Assisted Projects

24 CFR Part 58

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

Applicant Name: New Jersey Department of Environmental Protection (DEP)

Project Location: 50 North Washington Avenue (Street Address) Little Ferry (Municipality) Bergen (County) New Jersey (State) 45 (Block) 8 and 13 (Lot)

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

General

- Acquire all required Federal, state, and local permits prior to commencement of construction and comply with all permit conditions.
- 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.
- Mitigation measures and best management practices (BMPs) described in the Record of Decision (ROD) for the Final Environmental Impact Statement (FEIS) would be implemented, as applicable, to address resource impacts discussed throughout this Supplemental Environmental Assessment (SEA) (see **Attachment 1**). Some additional mitigation measures or BMPs may be required; these are described below.

Air Quality

All project activities must meet the State's Air Pollution Control requirements at New Jersey Administrative Code (N.J.A.C.) 7:27.

Hazards and Nuisances, Including Site Safety

The construction contractor would be responsible for construction site safety in accordance with the New Jersey Uniform Construction Code and Occupational Safety and Health Administration (OSHA) regulations at 29 CFR 1926. Site safety during construction can be managed through the use of BMPs, such as:

- Ensuring workers wear personal protection gear;
- Controlling site access such as through the use of perimeter fencing; and,
- Implementing other industry standard practices.

DEP would adhere to all recommendations outlined in the Site Investigation (SI), including replacing or capping surface soils with a minimum of 1 foot of certified clean fill/topsoil on all exposed soil areas, and removing contaminated soil from under covered areas (see **Attachment 2**).

Endangered Species

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 be knowingly harmed or harassed.

Solid Waste Disposal/Recycling

Management, removal, and recycling of solid wastes (Class B) generated or resulting from construction activities (e.g., waste concrete, asphalt, brick, etc.) must comply with applicable regulations of the DEP at N.J.A.C. 7:26 and 7:26A.

- Deposit permanently excavated materials in trucks and haul away from the site immediately.
- Solid wastes must be recycled or disposed at a Bergen County approved facility.

Floodplain Management

The contractor would implement BMPs to minimize impacts to the floodplain during construction. The project design would also include impact minimization measures as detailed in 24 CFR Part 55.20(e)(1) which are designed to improve natural hydrology, such as:

- The use of permeable surfaces;
- Landscape elements such as native plant species and bioswales; and,
- Infrastructure to support stormwater capture and reuse.

Noise

Construction activities must comply with Section 3-3.2 of the Code of the Borough of Little Ferry, which prohibits excavation, demolition, construction, repair, or alternation work on Sundays and between 8:00 PM and 8:00 AM Monday through Saturday.

FINDING:

Finding of No Significant Impact (FONSI) [24 CFR 58.40(g)(1); 40 CFR 1508.27]

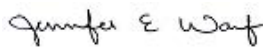
(The project will not result in a significant impact on the quality of the human environment.)

Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]

(The project may significantly affect the quality of the human environment.)

CERTIFICATIONS:

Jennifer Warf, AECOM (DEP's consultant)



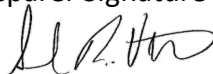
May 13, 2020

Preparer Name and Agency

Preparer Signature

Preparer Completion Date

Samuel R. Viavattine



May 14, 2020

RE Certifying Officer Name

RE Certifying Officer Signature

RE CO Signature Date

Funding Information:

Grant Number	HUD Program	Funding Amount
B-13-DS-34-0001	Community Development Block Grant – Disaster Recovery (CDBG-DR) – Rebuild by Design	\$150,000,000.00

Estimated Total HUD Funded Amount:

The United States (US) Department of Housing and Urban Development (HUD) has allocated \$150 million of Community Development Block Grant –Disaster Recovery (CDBG-DR) funding in response to Hurricane Sandy to the State of New Jersey for the planning, design, and implementation of the Rebuild by Design Meadowlands (RBDM) Flood Protection Project.

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

\$150,000,000.00

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

The purpose of the RBDM Flood Protection Project is to reduce flood risk and increase the resiliency of the communities and ecosystems within the Project Area, thereby protecting critical infrastructure and facilities, residences, businesses, and ecological resources from frequent and intense flood events anticipated in the future. The RBDM Project was previously described and analyzed in the Final Environmental Impact Statement (FEIS), published in October 2018. The Record of Decision (ROD), signed on December 20, 2018, identified the Alternative 3 Build Plan as the Selected Alternative.

The Alternative 3 Build Plan intended to improve stormwater management and reduce inland flooding in the Project Area by implementing both grey infrastructure, including two new pump stations and one new force main; and green infrastructure, such as bioswales, tree trenches, and rain gardens along roadways. It also incorporated improvements to five existing open spaces and created approximately 7.6 acres of new park space split across three new parks: Caesar Place Park (4.0 acres), Avanti Park (1.0 acres), and Riverside Park (2.6 acres). These three new parks were intended to provide inland flood reduction and stormwater management improvements, as well as new recreational opportunities and ecosystem enhancements, among other community co-benefits. However, since the ROD was signed for the RBDM Project, the DEP has determined that Caesar Place Park and Avanti Park, totaling 5.0 acres, are no longer feasible for implementation. Therefore, this Proposed Project is needed due to the deficiency of feasible new park space in the RBDM Project.

The purpose of this Proposed Project is to provide alternative new public park space to replace, in part, the parks originally included in the RBDM project that are no longer feasible, thereby providing the inland flood reduction, stormwater management improvements, and various community co-benefits originally embodied in the RBDM project. The alternate park space is being analyzed in this Supplemental Environmental Assessment (SEA) to the FEIS, to evaluate the potential effects associated with the use of new parcels in implementing the Alternative 3 Build Plan. Since this Proposed Project would supplement the original RBDM project, it would also help meet the purpose of and need for the overall RBDM Project, as described in Section 1.4.1 of the FEIS.

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 would supplement the Alternative 3 Build Plan, as described in the RBDM FEIS, by incorporating two new parcels, totaling approximately 1.09 acres, into the current 2.6-acre Riverside Park footprint included in the Alternative 3 Build Plan (**Attachment 3**). This park will be located along Riverside Avenue and Washington Avenue in Little Ferry, New Jersey, and will border the Hackensack River. The two new parcels proposed for inclusion with this park include a riverfront industrial property (Block 45 Lot 8) and a residential property (Block 45 Lot 13). The project would include removal of impervious surfaces, and incorporation into the design of the Riverside Park. Components that may be built on the two parcels include lawns, pathways, native plantings, and other green infrastructure elements (AECOM, 2019b).

Existing Conditions and Trends [24 CFR 58.40(a)]: (Describe the existing conditions of the project area and its surroundings, and the trends likely to continue in the absence of the project.)

This SEA analyzes two separate, non-contiguous parcels located within Block 45, along Riverside Avenue and Washington Avenue in Little Ferry, New Jersey. These parcels (Block 45 Lot 8 and Block 45 Lot 13) are within areas zoned “Planned Residential” and are adjacent to low to moderate income residential, commercial, and industrial land uses (AECOM, 2019b).

Lot 8 is an unused paved lot formerly owned by Hamilton/Tilcon. The parcel was recently purchased by Dongsan Alliance Church. This parcel is located directly adjacent to the Hackensack River and was likely tidal marsh until it was filled in the late 1960s. Site investigations indicate that fill material likely includes construction and demolition debris, automotive parts, and other types of solid waste (HDR, 2019a; AECOM, 2019b). The shoreline edge in this area is an existing sheet-pile bulkhead, which is in fair condition. The parcel is almost completely impervious surface, with some scattered vegetation emerging from cracks in the pavement (AECOM, 2019a).

Lot 13 is a residential property owned by the Dongsan Alliance Church and rented out to individuals (HDR, 2019a). The site includes a single family residence, a paved parking area, shed, lawn, and scattered mature trees (Google Earth, 2019). The current tenant indicates the property has been used for blacksmithing in the past (HDR, 2019).

Prior to transferring the parcels to the DEP, the current property owners would be responsible for removal of any debris/structures that would be within the footprint of the proposed park, as appropriate.

In the absence of the Proposed Project, the current use of the parcels (i.e., vacant light industrial and residential) would likely continue. The properties would not be incorporated into the Riverside Park design, and therefore would not provide localized flood reduction and stormwater management, new recreational opportunities, and ecosystem enhancements to the residents of Little Ferry.

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

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

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

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

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

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & §58.5 §58.5	STATUS A B		Compliance Documentation
<p>1. Air Quality [Clean Air Act, as amended, particularly sections 176(c) & (d), and 40 CFR 6, 51, 93]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The Proposed Project is in compliance.</p> <p>According to the U.S. Environmental Protection Agency (USEPA), Bergen County has been designated as a nonattainment or maintenance area for three National Ambient Air Quality Standards (NAAQS) (USEPA, 2019). (see Attachment 4)</p> <ul style="list-style-type: none"> • Serious nonattainment for 8-hour Ozone (2008 standard); moderate nonattainment for 8-hour Ozone (2015 standard) • Redesignation to maintenance for Carbon Monoxide (1971) on October 22, 2002 • Redesignation to maintenance for Particulate Matter (PM)-2.5 (1997 standard, since revoked) on September 4, 2013; redesignation to maintenance for PM-2.5 (2006 standard) on September 4, 2013 <p>There would be temporary, unavoidable increases in particulate matter levels during proposed construction activities. While air quality would be temporarily affected, the project would adhere to state air quality standards (N.J.A.C. 7:27-1 et seq.). A general conformity analysis in accordance with the Clean Air Act (CAA) and 40 CFR Part 93 was completed as part of the RBDM FEIS and found the Alternative 3 Build Plan would result in <i>de minimis</i> impact to the region’s conformity with the NAAQS. In December 2019, the New Jersey Division of Air Quality (DAQ) revised the general conformity analysis to reflect the USEPA’s reclassification of the New York-Northern New Jersey-Long Island ozone nonattainment area from “moderate” to “serious” status. This revised analysis found construction activities associated with the CDBG-DR program would remain below the Federal General Conformity regulation’s <i>de minimis</i> thresholds associated with the serious nonattainment classification (see</p>

		<p>Attachment 5).</p> <p>Potential emissions resulting from construction and operation were addressed as part of the FEIS. Since the Proposed Project would replace parks previously described, there would be no additional changes to air quality outside of what was determined in the FEIS. The Proposed Project would not result in a NAAQS exceedance, change the category of nonattainment status, or conflict with applicable air quality plans.</p> <p>Additionally, temporary air quality impacts associated with construction would be mitigated to the greatest extent feasible and would adhere to local and state air quality standards. All activities must still meet the State’s Air Pollution Control requirements.</p>
<p>2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p>The Proposed Project is in compliance.</p> <p>Bergen County is too far away from the airports of interest to be a concern and therefore an airport hazards map is not required.</p> <p>The proposed project does not include structures of sufficient height such that they would infringe upon regulated airspace of the Teterboro Airport. Moreover, Teterboro Airport is not considered an airport of concern by DEP with regard to clear zones and accident potential zones. Coordination with the Federal Aviation Administration identified no issues relating to airport hazards at the Proposed Project site (see Attachment 28).</p>
<p>3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]</p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p>The Proposed Project is in compliance.</p> <p>The Proposed Project site is within the Hackensack Meadowlands District, and is therefore within New Jersey’s regulated Coastal Zone (see Attachment 6). A Federal consistency determination was included as part of the FEIS, which found the proposed action to be consistent with New Jersey’s Coastal Zone Management Rules (N.J.A.C. 7:7).</p> <p>A supplemental Federal consistency determination (FCD) was completed to assess the consistency of the Proposed Project with the applicable New Jersey Coastal Zone Management Rules as described in N.J.A.C. 7:7 (see Attachment 7). This documentation determined that the Proposed Project would be consistent with the New Jersey Coastal Zone Management Rules if mitigation measures are implemented for the following two coastal rules: Finfish Migratory Pathways (7:7-9.5) and Marine Fish and Fisheries (7:7-16.2).</p> <p>An FCD for the Alternative 3 Build Plan was also included as part of the FEIS that determined that the Alternative 3 Build Plan would be consistent with most CZM policies under N.J.A.C. 7:7, provided mitigation measures would be implemented for biological resources, water resources, and cultural and historical resources (see Attachment 1). Prior to implementation of the RBDM Project, DEP will prepare a combined FCD that addresses impacts associated with the final project components, utilizing this supplemental FCD and the FEIS, and obtain concurrence from the New Jersey Division of Land Use Regulation</p>

		(DLUR).
<p>4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The Proposed Project is in compliance.</p> <p>The project site does not fall within the 3,000-foot radius of any hazardous sites of concern as listed by DEP (see Attachment 8). The Proposed Project site may be within the 3,000-foot radius of hazardous waste cleanup sites, landfills, solid waste cleanup sites, or hazardous waste facilities that handle hazardous materials or toxic substances; however, all sites that were determined by DEP to be “non-threatening” to the potential HUD project are not depicted as a hazardous site of concern on the DEP HUD Environmental Review Tool.</p> <p>Soil samples taken during the Site Investigation (SI) show that areas of both parcels are in exceedance of NJDEP Residential Direct Contact Soil Remediation Standards (see Attachment 2). DEP would adhere to all recommendations outlined in the SI Report, including replacing or capping surface soils with 1 foot of certified clean fill/topsoil on all exposed soil areas, and removing contaminated soil from under covered areas. DEP would file a Soil Remedial Action Permit and Deed Notice describing contamination remaining beneath RBDM improvements post-construction. If dewatering is necessary, DEP’s contractor would obtain a discharge permit for dewatering and treat groundwater to meet permit discharge limits. The Proposed Project site is assigned DEP Site Remediation Program Number PI# 006578; it is in compliance with Site Remediation Rules.</p> <p>Asbestos and lead-based paint are not a concern for the Proposed Project because the Proposed Project would not involve existing structures. operations at 40 CFR 61.150; and N.J.A.C. 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>The project site is located in the Borough of Little Ferry, Bergen County, which is within the Tier 3 area and has low radon potential (see Attachment 9). No radon testing or mitigation is required for properties located within a Tier 3 area.</p>
<p>5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The Proposed Project is in compliance.</p> <p>Consultation with the US Fish and Wildlife Service (USFWS) was completed through a review of the Information for Planning and Consultation (IPaC) tool to obtain a USFWS species list (see Attachment 10). The consultation report did not identify any federally proposed, candidate, threatened or endangered species potentially in the vicinity of the project.</p> <p>Consultation with the National Marine Fisheries Service (NMFS) was previously initiated for the original Riverside Park design on April 28, 2016. NMFS noted no federally listed threatened or endangered species under NMFS jurisdiction present in the project area. For this previous project, an Essential Fish Habitat (EFH) Assessment was provided to NMFS on August 29, 2018. NMFS concurred with the EFH Assessment and provided conservation recommendations on September 26, 2018 (see Attachment 11). These recommendations would be</p>

		<p>adopted and adhered to during implementation of the Proposed Project.</p> <p>Additionally, the Proposed Project site does not intersect with the red knot or piping plover threatened or endangered layers, nor did the DEP Environmental Review mapping tool identify any “centroid hits” for federally or state-listed species (see Attachment 12).</p> <p>Coordination with the DEP, Natural heritage Program (NHP) through their Natural Heritage Database was completed to identify plant species of concern. NHP did not indicate any plant species or habitats of concern in the Proposed Project site. NHP did indicate five rare wildlife species may be found on the project site: Bald Eagle (<i>Haliaeetus leucocephalus</i>), Glossy Ibis (<i>Plegadis falcinellus</i>), Little Blue Heron (<i>Egretta caerulea</i>), Snowy Egret (<i>Egretta thula</i>), Yellow-crowned Night-heron (<i>Nyctanassa violacea</i>). The Peregrine Falcon (<i>Falco peregrinus</i>) may also be found within the immediate vicinity (within one-quarter of a mile) from the project site (see Attachment 13).</p> <p>The Proposed Project would not affect any of the species identified by the NHP because project activities would occur on previously developed land that does not contain suitable habitat. Additionally, the project activities would not be anticipated to have the potential to take individuals, so the proposed project would have no effect on migratory birds or habitat.</p> <p>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.</p> <p>All bat species are protected by law in New Jersey and cannot be knowingly harmed or harassed. The USFWS IPaC report did not identify bat species of concern or indicate that any bat species need to be included in the “effect analysis”. Therefore, the Proposed Project would have “No Effect” on bats.</p> <p>The project would have “No Effect” on any federally or state-listed species. Based on coordination with Federal and State agencies and assessment of effects, compliance with the Endangered Species Act is complete and no additional consultation is required.</p>
<p>6. Environmental Justice [Executive Order 12898]</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p>The Proposed Project is in compliance. The Proposed Project would be compatible with surrounding land uses and would benefit the overall community.</p> <p>The percent of the population considered a racial minority in the Proposed Project site is between 40 and 60 percent. Between 0 and 20 percent of the population in the Proposed Project site is considered living below the poverty level (see Attachments 14 and 15) (USEPA, 2019). In the RBDM FEIS, the Borough of Little Ferry was determined to be community of concern for minority populations, due to the higher concentration of minorities when compared with</p>

		<p>Bergen County as a whole.</p> <p>Executive Order (EO) 12898 requires Federal agencies to consider and address disproportionately high and adverse human health or environmental effects on minority and low-income populations resulting from their actions.</p> <p>The Proposed Project seeks to improve stormwater management and reduce inland flooding through the creation of a public park and greenspace, which would have an overall beneficial impact on the community.</p> <p>The Proposed Project would be located in an Environmental Justice Community of Concern, and therefore adverse environmental impacts would be disproportionately high for low-income and minority communities. Any adverse environmental impacts associated with the proposed project are temporary, and not significant. Further, these impacts would be reduced through the use of standard construction BMPs and the development of a Public Safety Plan, as described in the FEIS. The proposed project intends to implement flood reduction and stormwater management measures which would benefit the entire community. No lasting adverse impacts would result from this project, but long-term benefits would be provided; thus, there would be no disproportionate adverse environmental impacts on minority and low-income residents in the project area. A HUD environmental justice checklist has been completed for the Proposed Project (see Attachment 16).</p>
<p>7. Explosive and Flammable Operations [24 CFR 51C]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The Proposed Project is in compliance. An Acceptable Separation Distance (ASD) Technical Report was prepared in accordance with HUD regulations as part of the FEIS. This report included both a desktop review and field survey to locate and confirm the locations of any aboveground storage tanks (ASTs). A supplemental evaluation was completed in support of the Proposed Project (see Attachment 17).</p> <p>During these reviews, no ASTs were identified within the ASD of the Proposed Project Site. The Proposed Project would not require the use of or installation of an AST.</p>
<p>8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly section 1504(b) & 1541; 7 CFR 658]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The Proposed Project is in compliance.</p> <p>The Proposed Project site includes developed urban areas. Zoning in the Proposed Project site is classified as “Planned Residential” (see Attachment 18). Additionally, neither parcel is located on areas containing Prime Farmland Soils (see Attachment 19). Therefore, there would be no effect on farmland.</p>
<p>9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]</p>	<p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Proposed Project is in compliance. As the entire Proposed Project is within the floodplain, the DEP completed the 8-step analysis decision-making process (see Attachment 20).</p> <p>The Proposed Project is located within the 100-year floodplain (Zone AE), as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) number 340570 (see Attachment 21). This area is incorporated within a generalized floodplain Zone A category in the map from the DEP HUD Environmental Review Tool (see Attachment 22). The Proposed Project site is</p>

		<p>located outside of floodways.</p> <p>Completion of the 8-step floodplain decision-making process, in accordance with 24 CFR 55.20, is required for this project, as it would involve new construction within the 100-year floodplain. This analysis was also completed in accordance with EO 11988. Due to the nature of the Proposed Project (i.e., reducing flooding in existing developed portions of the 100-year floodplain), the DEP has determined that there is no practicable alternative to locating within the floodplain. However, the Proposed Project would include BMPs, mitigation measures, and regulatory compliance during construction activities to restore and preserve natural values of floodplains and to protect properties and persons within floodplains to the extent practicable.</p> <p>An Early Notice was published in three local newspapers (The Record, El Diario, and Korea Daily) on December 27th, 2019 to inform the public of the Proposed Project and its location within a floodplain (see Attachment 20). No comments were received in response to this Early Notice. A final public notice will be published in Spring 2020 in accordance with 24 CFR 55, which will state the reasons for the Proposed Project’s location in a floodplain, provide mitigation measures to minimize impacts to the floodplain if applicable, and solicit public comment. All comments received in response to the final notice must be addressed prior to funds being committed to the Proposed Project, in compliance with EO 11988 and 24 CFR 55.</p> <p>Impacts to floodplains would be minimized to the extent practicable during the final design process of the park at those parcels by retaining or increasing the net flood storage and seeking to reduce the amount of impervious surfaces (e.g., on the light industrial, riverfront parcel). Any potential adverse impacts during construction would be minimized through the implementation of best management practices (BMPs), flood proofing and mitigation measures, and compliance with applicable Federal, state, and local regulations.</p>
<p>10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The Proposed Project is in compliance.</p> <p>The Proposed Project complies with Section 106 of the National Historic Preservation Act, applicable regulations at 36 CFR 800, and the FEMA Statewide Programmatic Agreement adopted by the DEP for Superstorm Sandy Projects (see Attachment 23) The project site is located within the Historic Property Exemption Zone (“Green Zone”) (see Attachment 24) (DEP, 2019). This zone includes areas determined by SHPO to contain no above-ground historic properties. Additionally, no archaeological sites have been recorded at the project site (see Attachment 25).</p> <p>Furthermore, a Phase IA archaeological survey was completed for the Proposed Project site on behalf of the DEP. This survey found the majority of the Proposed Project site to have a low sensitivity for prehistoric and historic archaeological resources. A 50-x-85 foot portion of the Proposed Project site is situated on fastland directly north of the residential property and has a high sensitivity for prehistoric archaeological resources. If impacts cannot be avoided to this area,</p>

		<p>a small Phase 1B archaeological survey is recommended (see Attachment 26) (AECOM, 2020). Standard Form 2 for “Assessment of Effects” was submitted to the New Jersey Historic Preservation Office (NJHPO), which discussed the archaeological sensitivity and architectural history resources at the Proposed Project site (see Attachment 27). NJHPO concurred with this assessment in a letter dated March 26, 2020 (Attachment 27), that a Phase 1B archaeological survey would need to be performed on the 50-x-85 foot portion of fastland within the Proposed Project site. DEP would perform the Phase 1B archaeological survey and document NJHPO concurrence on the completion of the Phase 1B archaeological survey prior to purchasing this land. Further, in a letter dated April 24, 2020, NJHPO concurred with the assessment that no historic properties would be adversely affected by the Proposed Project (Attachment 27).</p> <p>Tribal consultation is ongoing as part of the Proposed Project. While tribal notification is not required for the Proposed Project, as it would not involve extensive land disturbance or impact a Native American archaeological habitation site, tribes were consulted as part of the FEIS. In letters dated January 16, 2020, DEP notified the Absentee Shawnee Tribe of Indians of Oklahoma, Delaware Nation, Delaware Tribe of Indians, Eastern Shawnee Tribe of Oklahoma, The Shawnee Tribe, and the Stockbridge-Munsee Community Band of the Mohicans concerning changes to the RBDM Flood Protection Project, including the addition of Proposed Project site to the previously analyzed Riverside Park footprint. In a response received on January 21, 2020, the Eastern Shawnee Tribe stated that no known properties of historical and/or cultural significance to the Tribe would be impacted by this Proposed Project. No other responses have been received to date. Native American Tribe consultations are included in Attachment 28.</p> <p>Should the Proposed Project inadvertently discover an archaeological site or objects, all ground-disturbing activities would cease and the previously listed Tribes, as well as appropriate State agencies, would be consulted.</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>	<p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The Proposed Project is in compliance.</p> <p>24 CFR 51.101 (a)(2) states that activities considered to be “noise sensitive land development” must comply with the noise criteria and standards of 24 CFR 51B. As the Proposed Project does not involve any structures intended for human occupation, it is not considered to be a “noise sensitive land development” and the HUD regulations concerning noise abatement and control are not applicable.</p> <p>Construction activities would temporarily increase noise in the vicinity of the project site. However, construction would occur in an urban, industrial area, and would not be expected to significantly contribute to the noise environment of the area. Operation of the project would not result in any meaningful contributions to existing noise environment of the area. BMPs, such as outfitting all equipment with operating mufflers, turning off idling equipment, and minimizing noise impulses would be adopted as per Section 3-3.2 of the Code of</p>

		<p>the Borough of Little Ferry. Excavation, demolition, construction, repair, or alternation work is prohibited on Sundays and between 8:00 PM and 8:00 AM. An emergency permit may be given by the Superintendent of Public Works, for a period not to exceed 3 days, for work to occur during these times. No quantitative noise limits are identified (Little Ferry, 2019).</p>
<p>12. Sole Source Aquifers [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/> The Proposed Project is in compliance. <input type="checkbox"/> The Proposed Project site is not located within a Sole Source Aquifer, therefore there is no impact to a Sole Source Aquifer, and consultation with USEPA is not required (see Attachment 29).</p>
<p>13. Wetland Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/> The Proposed Project is in compliance with EO 11990. <input type="checkbox"/> Based on review of the DEP HUD Environmental Review Tool and the USFWS Wetland Mapper tool, no jurisdictional wetlands are located at the Proposed Project site (see Attachments 30 and 31). Futhermore, AECOM wetland specialists conducted a field delineation on December 5, 2019 and determined that no wetlands, tidal open waters, or mudflats occur within the proposed parcels. The closest wetland is a linear drainage feature located along the shore of the Hackensack River, less than 150 feet east of the Lot 13 parcel (DEP, 2018). This wetland primarily receives hydrological input from runoff from neighboring parcels. Onsite investigations indicate this is a habitat of low ecological value due to its small size and limited floral species assemblage (HDR, 2019b; AECOM, 2019b). This wetland is within the project footprint of Riverside Park, as analyzed in the FEIS. The addition of these two parcels would have no impact on wetland buffers. <input type="checkbox"/> The Proposed Project would increase the acreage of wetlands in the immediate area through the development of green infrastructure, which would include wetland creation to help with flood protection and stormwater management. No permits or consultation regarding wetlands is required.</p>
<p>14. Wild and Scenic Rivers [Wild and Scenic Rivers Act of 1968, particularly section 7(b) & (c); 36 CFR 297]</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/> The Proposed Project is in compliance. <input type="checkbox"/> The Proposed Project site is not located within 0.25 mile of the stream bank of a designated Wild and Scenic River or within a 1-mile radius of a designated wild and scenic river. The Proposed Project site, at its closest, is approximately 40 miles from the designated segment of the Musconetcong River (see Attachment 32). The Proposed Project would have no adverse effect on Wild and Scenic Rivers, and consultation is not required.</p>

PART II: ENVIRONMENTAL ASSESSMENT CHECKLIST

[24 CFR 58.40; 40 CFR 1508.8 & 1508.27]

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

Impact Codes:

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

Impact Categories	Impact Code	Impact Evaluation, Source Documentation and Mitigation or Modification Required
Land Development		
Conformance with Comprehensive and Neighborhood Plans	2	The Proposed Project is consistent with the objectives of the Hackensack Meadowlands Master Plan (NJSEA, 2019), as well as the Borough of Little Ferry Strategic Recovery Planning Report (Little Ferry, 2014). Both of which prioritize flood protection and resiliency improvements.
Land Use Compatibility and Conformance with Zoning	1	The Proposed Project would create a public park and associated green space. The land is currently zoned as "Planned Residential" and would need to be changed to "Parks and Recreation" (MERI, 2015). No adverse impacts are anticipated from this change.
Urban Design- Visual Quality and Scale	2	The Proposed Project site currently consists of a residential property and empty paved lot (HDR, 2019a). Overall, existing built infrastructure on the Proposed Project site is in poor condition. Implementing the proposed action would create publicly accessible green / open space, benefitting the visual quality of the area.
Slope	1	The Proposed Project site is relatively flat (AECOM, 2019b). The proposed work would not create steep slopes.

<p>Erosion</p>	<p>4</p>	<p>The Proposed Project includes stabilization of the Hackensack River shoreline; resulting in decreased erosion at the project site. Implementation of the Proposed Project has the potential to cause erosion. The Proposed Project would exceed 5,000 square feet of soil disturbance, and in accordance with the New Jersey Soil Erosion and Sediment Control Act, a soil erosion and sediment control plan must be completed. This plan will be submitted to the Bergen County Soil Conservation District for review and certification before any construction work may begin (Bergen SCD, 2019).</p> <p>Construction activities would comply with the New Jersey Standards for Soil Erosion and Sediment Control. BMPs would be implemented to minimize erosion and sedimentation, and should comply with the certified soil erosion and sedimentation plan.</p>
<p>Soil Suitability</p>	<p>1</p>	<p>Soils are comprised of Urban Land soils that have been altered by existing infrastructure and community development (see Attachment 33). No limitations on the proposed construction activities are presented by local soils.</p>
<p>Hazards and Nuisances, Including Site Safety</p>	<p>4</p>	<p>No hazards or nuisances are associated with the Proposed Project or future use. No toxic or hazardous materials were identified at the site by the DEP HUD Environmental Review Tool, nor did the tool indicate that the site is within 3,000 feet of a known hazardous site of concern (see Attachment 8). Additionally, current residents would remove existing debris/structures before the land is transferred to the DEP.</p> <p>Soil samples taken during the SI show that areas of both parcels are in exceedance of NJDEP Residential Direct Contact Soil Remediation Standards. DEP would adhere to all recommendations outlined in the SI Report (see Attachment 2), including replacing or capping surface soils with 1 foot of certified clean fill/topsoil on all exposed soil areas, and removing contaminated soil from under covered areas.</p> <p>An AST ASD evaluation determined that no ASTs are located within the ASD of the Proposed Project site (Attachment 17). Explosive and flammable operations would not be a concern for the Proposed Project.</p> <p>The contractor would be responsible for construction site safety in accordance with the New Jersey Uniform Construction Code and OSHA regulations at 29 CFR 1926. Site safety BMPs during construction activities must be implemented. Such BMPs would include ensuring workers wear personal protective gear and controlling site access.</p>

<p>Drainage/Storm Water Runoff</p>	<p>4</p>	<p>The Proposed Project would improve stormwater management in the Hackensack Meadowlands, and benefit residents and business owners by reducing the impervious cover and incorporating green infrastructure to manage stormwater. Construction activities would comply with the New Jersey Standards for Soil Erosion and Sediment Control. Soil erosion and subsequent runoff would be minimized and controlled through implementation of a certified soil erosion and sediment control plan.</p> <p>The contractor would be responsible for securing a Soil Erosion and Sediment Control Plan Certification from the Bergen County Soil Conservation District (Bergen SCD, 2019). The contractor would install and maintain erosion and sedimentation control measures and appropriate best management practices prior to and throughout construction, and in compliance with the certified soils erosion and sedimentation control plan.</p>
<p>Noise-Effects of Ambient Noise on Project & Contribution to Community Noise Levels</p>	<p>4</p>	<p>Construction noise would be a temporary impact that would be controlled by BMPs, such as outfitting all equipment with operating mufflers, turning off idling equipment, and minimizing noise impulses. Per Section 3-3.2 of the Code of the Borough of Little Ferry, excavation, demolition, construction, repair, or alternation work is prohibited on Sundays and between 8:00 PM and 8:00 AM. An emergency permit may be given by the Superintendent of Public Works for a period not to exceed 3 days, for work to occur during these times. No quantitative noise limits are identified (Little Ferry, 2019).</p>
<p>Energy Consumption</p>	<p>1</p>	<p>The Proposed Project would have no impact on overall energy consumption. Construction stage energy use would be typical of municipal infrastructure maintenance activities. Once complete, the Proposed Project would not consume any energy.</p>
<p>Socioeconomic Factors</p>		
<p>Demographic Character Changes</p>	<p>1</p>	<p>The Proposed Project would directly benefit the residents of the Little Ferry Borough by reducing flood risk and providing parks and open space for public use.</p> <p>The Proposed Project would have no effect on population or demographic characteristics of the local area.</p>
<p>Displacement</p>	<p>1</p>	<p>The Proposed Project would not displace any residents, businesses, or facilities. Residents currently occupying the Proposed Project site would remain in the existing structures; any abandoned on-site structures would be removed prior to a transfer of land to the DEP.</p>

Employment and Income Patterns	1	The Proposed Project would not impact local or regional employment or income patterns. The proposed infrastructure improvement aims to reduce flood damage and economic losses.
Community Facilities and Services		
Educational Facilities	1	The project would have no impact on educational facilities, nor would the project directly or indirectly affect student enrollment demands. The nearest school is Memorial Middle School, approximately 0.5 mile west at 130 Liberty Street, Little Ferry, New Jersey 07643.
Commercial Facilities	1	The Proposed Project would not affect the demand for surrounding commercial facilities or interfere with their operation.
Health Care	1	The Proposed Project would not affect the demand for health care or interfere with delivery of health care or impact on health care facilities. The nearest hospital is Hackensack University Medical Center, approximately 2.7 miles northeast at 400 Frank W Burr Boulevard, Teaneck, New Jersey 07666.
Social Services	1	The Proposed Project would have no property impact or access effects on social services facilities. The nearest facility providing social services is the Department of Social Services, approximately 0.6 mile northwest at Liberty Street, Little Ferry, New Jersey 07643.
Solid Waste Disposal/Recycling	4	The project would not impact municipal solid waste disposal and recycling services and programs currently in place. Management, removal, and recycling of solid wastes (Class B) generated or resulting from construction activities (e.g. waste concrete, asphalt, brick, etc.) must comply with applicable regulations of the DEP at N.J.A.C. 7:26 and 7:26A. Solid wastes must be recycled or disposed at a Bergen County approved facility.
Waste Water/Sanitary Sewers	1	The Proposed Project would not impact the capacity of existing wastewater infrastructure. The contractor would be responsible for maintaining sanitary sewer laterals and service during construction.
Water Supply	1	The Proposed Project would not impact the capacity of existing public water infrastructure. The contractor would be responsible for maintaining water service during construction.
Public Safety: <ul style="list-style-type: none"> • Police • Fire • Emergency Medical 	1	The Proposed Project would not affect the demand for police, fire, and EMS services within the Borough of Little Ferry. Implementation of the Proposed Project would likely have no effect on overall public safety.
Parks, Open Space & Recreation: <ul style="list-style-type: none"> • Open Space • Recreation 	2	The Proposed Project would create a park, open space, and recreational opportunities along the Hackensack River.

<p>Cultural Facilities</p>	<p>1</p>	<p>The Proposed Project complies with Section 106 of the National Historic Preservation Act. The project site is located within the Historic Property Exemption Zone (“Green Zone”) (see Attachment 24) (DEP, 2019). This zone includes areas determined by SHPO to contain no above-ground historic properties. Additionally, no archaeological sites have been recorded at the project site (see Attachment 25) (DEP, 2019).</p> <p>No cultural facilities (e.g. libraries, museums, performing arts) are within the study area or would be affected by the proposed project. The nearest cultural facility is the Little Ferry Library, approximately northwest, at 239 Liberty Street, Little Ferry, New Jersey 07643.</p>
<p>Transportation & Accessibility</p>	<p>2</p>	<p>The Proposed Project would improve stormwater management and alleviate recurrent street flooding; resulting in beneficial impacts to roadways and accessibility throughout the area. Additionally, the Proposed Project would provide public access to the Hackensack River. The Proposed Project would not create a significant additional demand for transportation services or interfere with the overall transportation network. The Proposed Project site is in a developed urban area sufficiently served by existing roads.</p>
<p>Natural Features</p>		
<p>Water Resources</p>	<p>4</p>	<p>The Proposed Project would be located in a Zone AE Special Flood hazard 100-year floodplain, as designated by FEMA (see Floodplain Maps). An 8-step analysis (see 8-step Floodplain Analysis) was completed for the Proposed Project and a Finding of No Practicable Alternative was reached. During construction, BMPs would be implemented and followed to minimize construction impacts to the floodplain. Following development of the proposed park, benefits to the floodplain may accrue from the transformation of developed land into a natural green space.</p> <p>The Proposed Project would not occur in a sole-source aquifer zone and would not impact those sources of drinking water (see Attachment 29).</p> <p>The Proposed Project site is located within the Hackensack Meadowlands District, which is entirely within New Jersey’s coastal zone (see Attachment 6). Activities occurring in the coastal zone must comply with the new Jersey Coastal Zone Management Rules (N.J.A.C. 7:7). A consistency determination (see Attachment 7) was completed for the Proposed Project. The project would be consistent with the regulations in N.J.A.C 7:7.</p>

<p>Surface Water</p>	<p>4</p>	<p>The Proposed Project site is adjacent to the Hackensack River. BMPs, such as the use of silt curtains and turbidity barriers (see Attachment 1), must be implemented to minimize erosion and sedimentation. The Proposed Project would not impact wetlands or wetland buffers. Soil erosion would be minimized through use of soil erosion and sedimentation control plan certified by the Bergen County Soil Conservation District.</p>
<p>Unique Natural Features & Agricultural Lands</p>	<p>1</p>	<p>The Proposed Project site is in a developed urban area and the Proposed Project would not affect agricultural lands. see Attachments 19 and 33.</p>
<p>Vegetation and Wildlife</p>	<p>2</p>	<p>The Proposed Project would not impact endangered species (see the Endangered Species section in Part 1: Statutory Checklist above). The Proposed Project site is a developed urban area and vegetation is limited to grass and scattered trees. The Proposed Project would have no significant impact on vegetation and wildlife.</p> <p>Once complete, the Proposed Project would result in additional green space and native plantings. This would increase vegetation and wildlife habitat.</p>

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

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

No. Cite or attach Source Documentation:

The Proposed Project is in compliance.

The proposed project does not include structures of sufficient height such that they would infringe upon regulated airspace of the Teterboro Airport. Moreover, Teterboro Airport is not considered an airport of concern by DEP with regard to clear zones and accident potential zones. However, coordination with the Federal Aviation Administration and Teterboro Airport would be conducted as needed to obtain any necessary permits for operation of cranes or other equipment during construction.

The Proposed Project site is in Bergen County. Bergen County is too far away from airports of interest to be a concern and therefore an airport hazards map is not required.

[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 Proposed Project is in compliance. The Proposed Project site is located outside a coastal barrier resource (see **Attachment 34**)

[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:

The entire Proposed Project would occur within the 100-year floodplain (see **Attachments 21** and **22**). However, the Proposed Project does not involve acquisition, construction, or rehabilitation of “structures” as defined by HUD (residential or commercial buildings, manufactured homes, parking garages, concession stands, etc.). therefore, the Proposed Project is exempt from the flood insurance requirement.

[Proceed with project.]

Yes. Cite or attach Source Documentation:

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.

Insurance under the National Flood Insurance Program is not required for the Proposed Project as no permanent structures would be constructed.

Summary of Findings and Conclusions

Additional Studies Performed: (List the reports, studies, or analyses performed for this assessment, and attach studies or summaries.)

- Coastal Zone Consistency Determination (**Attachment 6**)
- HUD Environmental Justice Worksheet (**Attachment 16**)
- Acceptable Separation Distance Technical Report (**Attachment 17**)
- 8-Step Floodplain Analysis (**Attachment 20**)
- Phase IA Archaeological Survey (**Attachment 26**)
- Due Diligence Report and Site Investigation Report (**Attachment 2**)

Field Inspection (Date and completed by):

On December 5, 2019, two AECOM Professional Wetland Scientists conducted a field inspection of the Proposed Project site to identify wetlands on the Proposed Project site and ASTs within the line of sight from the proposed parcels.

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

All Agency and Tribal consultations and responses received to date are included in **Attachment 28**.

Sources

AECOM. (2019a). *RBDM Alternate Sites Study Draft*.

AECOM. (2019b). *DDR Final GI*.

AECOM. (2020). *Supplemental Phase IA Archaeological Survey*.

Bergen SCD. (2019). *Bergen County Soil Conservation District*. Retrieved January 15, 2020, from <https://bergenscd.org/soil-erosion-and-sediment-control-program/>

DEP. (2018). *Environmental Impact Statement for the Rebuild by Design Meadowlands Flood Protection Project*.

DEP. (2019). *HUD Environmental Review Tool 3.0*. Retrieved December 4, 2019, from <https://www.arcgis.com/home/webmap/viewer.html?webmap=ac492b24c7cc472ea5cf2f57cfaf65ab>

Google Earth. (2019). *Google Earth Pro*. Retrieved December 31, 2019

HDR. (2019a). *Riverside Park Due Diligence Report*.

HDR. (2019b). *Site Investigation Work Plan*.

Little Ferry. (2014). *Strategic Recovery Plan*. Retrieved December 11, 2019, from <https://www.nj.gov/dca/divisions/lps/SRPRs/Little%20Ferry%20SRPR.pdf>

Little Ferry. (2019). *Little Ferry Noise Ordinance*. Retrieved December 11, 2019, from <https://ecode360.com/34740461>

MERI. (2015). *Little Ferry Zoning Map*.

NJSEA. (2019). *Draft Hackensack Meadowlands District master Plan Update 2020*. Retrieved December 11, 2019, from <https://njmc.s3.us-east-2.amazonaws.com/pdfs/master-plan-2020/draft-master-plan.pdf>

USEPA. (2019). *EJSCREEN: Environmental Justice Screening and Mapping Tool*. Retrieved December 6, 2019, from <https://www.epa.gov/ejscreen>

USEPA. (2019). *New Jersey Nonattainment/Maintenance*. Retrieved December 2, 2019, from https://www3.epa.gov/airquality/greenbook/anayo_nj.html

USFWS. (2019). *Information for Planning and Consultation tool Official Species List*.

Agencies

- Amtrak
- Federal Aviation Administration (FAA)
- FEMA
- Federal Transit Administration (FTA)
- HUD
- DEP
- National Marine Fisheries Service (NMFS)
- USEPA
- USFWS

Tribes

- Absentee-Shawnee Tribe of Indians of Oklahoma
- Delaware Nation, Oklahoma
- Delaware Tribe of Indians
- Eastern Shawnee Tribe of Oklahoma
- Shawnee Tribe
- Stockbridge-Munsee Community, Band of the Mohicans

Lists of Permits Required:

Bergen County Soil Conservation District, Soil Erosion and Sedimentation Control Plan Certification.

Approval for Little Ferry Zoning change from Planned Residential to Parks and Recreation.

Discharge Permit for Dewatering, if required.

Soil Remedial Action Permit and Deed Notice.

Public Outreach [24 CFR 50.23 & 58.43]:

An early notice for proposed work within a floodplain was published in *The Record*, and Spanish and Korean translations of the notice were published in *El Diario* and *Korean Daily*, respectively, on December 27, 2019 (see **Attachment 20**). No comments were received in response to the notice. A combined public notice for the Proposed project (Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds, and Notice and Public Explanation of a proposed Activity in the 100-year Floodplain) will be published in spring of 2020 in *The Record*, and Spanish and Korean translations of the notice will be published in *El*

Diario and The Korean Daily. Any substantive comments will be addressed and incorporated into the final SEA document.

Cumulative Impact Analysis [24 CFR 58.32]:

The cumulative impact of the Proposed Project on the human environment, including natural resources and socioeconomic concerns, would not be significant. The Proposed Project seeks to improve stormwater management and reduce inland flooding through the creation of a public park and greenspace, which will have an overall beneficial impact on the local community. Cumulatively, the project may have a temporary impact on air quality and noise during construction activities, but these effects would be short-term and cease upon completion of construction. The project would have a net long-term cumulative benefit to the human environment by reducing the potential for local flood damages and providing public access to a park, greenspace, and waterfront. Additionally, remediation of the Proposed Project site would have a beneficial impact on hazardous substances and contamination by replacing or capping surface soils with clean fill/topsoil. Cumulative effects resulting from the implementation of the overall RBDM flood protection project are described in detail in the FEIS. Since the Proposed Project is taking the place of other parks analyzed in the FEIS, overall cumulative impacts would be similar to what was described in the FEIS.

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

No other action alternatives were considered in this SEA. Due to the location and availability of these parcels to the already planned Riverside Park, the proposed action is the only action alternative that could reasonably meet the purpose and need of the proposed project. The Proposed Project is a key component of the borough's response to improve flood resiliency in the wake of Superstorm Sandy. The Proposed Project is consistent with the objectives of the Hackensack Meadowlands Master Plan (NJSEA, 2019), as well as the Borough of Little Ferry Strategic Recovery Planning Report (Little Ferry, 2014). Both of which prioritize flood protection and resiliency improvements.

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

Under the no action alternative, no flood reduction or resiliency improvements would be implemented, and the borough would continue to be susceptible to flood damages from even minor storms, related to storm surge from the Hackensack River and existing impervious surfaces preventing proper discharge of water.

Summary Statement of Findings and Conclusions:

Based upon the analysis documented in this SEA, construction of the proposed action complies with the requirements of applicable statutory authorities and would have no significant impact on the environment with implementation of the noted mitigation measures. The proposed improvements would provide a net local and regional benefit through increased resiliency for critical public infrastructure and services, recreational opportunities, ecosystem enhancements, and reduced local flood damage.

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

- Acquire all required Federal, state, and local permits prior to commencement of construction and comply with all permit conditions.
- 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.
- Mitigation measures and BMPs described in the ROD for the FEIS would be implemented, as applicable, to address resource impacts discussed throughout this SEA (see **Attachment 1**). Some additional mitigation measures or BMPs may be required; these are described below.

Air Quality

All project activities must meet the State's Air Pollution Control requirements at New Jersey Administrative Code (N.J.A.C.) 7:27.

Hazards and Nuisances, Including Site Safety

The construction contractor would be responsible for construction site safety in accordance with the New Jersey Uniform Construction Code and Occupational Safety and Health Administration (OSHA) regulations at 29 CFR 1926. Site safety during construction can be managed through the use of BMPs, such as:

- Ensuring workers wear personal protection gear;
- Controlling site access such as through the use of perimeter fencing; and,
- Implementing other industry standard practices.

DEP would adhere to all recommendations outlined in the SI, including replacing or capping surface soils with one foot of certified clean fill/topsoil on all exposed soil areas; and removing contaminated soil from under covered areas (see **Attachment 2**).

Endangered Species

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 be knowingly harmed or harassed.

Solid Waste Disposal/Recycling

Management, removal, and recycling of solid wastes (Class B) generated or resulting from construction activities (e.g., waste concrete, asphalt, brick, etc.) must comply with applicable regulations of the DEP at N.J.A.C. 7:26 and 7:26A.

- Deposit permanently excavated materials in trucks and haul away from the site immediately.
- Solid wastes must be recycled or disposed at a Bergen County approved facility.

Floodplain Management

The contractor would implement BMPs to minimize impacts to the floodplain during construction. The project design would also include impact minimization measures as detailed in 24 CFR Part 55.20(e)(1) which are designed to improve natural hydrology, such as:

- The use of permeable surfaces;
- Landscape elements such as native plant species and bioswales; and,
- Infrastructure to support stormwater capture and reuse.

Noise

Construction activities must comply with Section 3-3.2 of the Code of the Borough of Little Ferry, which prohibits excavation, demolition, construction, repair, or alternation work is prohibited on Sundays and between 8:00 PM and 8:00 AM.

This page has been intestinally left blank.