

## ENVIRONMENTAL ASSESSMENT

### Determinations and Compliance Findings for HUD-Assisted Projects

#### 24 CFR Part 58

**Responsible Entity:** New Jersey Department of Community Affairs (DCA), Richard Constable III, Commissioner

**Applicant Name:** SRP0038343 – Philomina Mosaku; SRP0041508 – Morgan Faulkner

**Project Location:** SRP0038343 – 360-364 S. 11<sup>th</sup> Street, Newark, Essex County, New Jersey, Block 1783, Lot 57; SRP0041508 – 84 Bostwick Avenue, Jersey City, Hudson County, New Jersey, Block 1307, Lot 12.A

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

#### Historic Preservation

3. All activities must comply with Section 106 of the National Historic Preservation Act per the implementing regulations 36 CFR Part 800. Compliance with Section 106 is achieved through the procedures set forth in the Programmatic Agreement among the Federal Emergency Management Agency, the New Jersey State Historic Preservation Officer, the New Jersey State Office of Emergency Management, the Advisory Council on Historic Preservation, the Absentee Shawnee Tribe of Indians of Oklahoma, the Delaware Nation, the Delaware Tribe of Indians, the Shawnee Tribe of Oklahoma, and the Stockbridge Munsee Band of Mohicans, as signed onto by the New Jersey Department of Community Affairs.
4. In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the applicant shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The applicant will inform FEMA immediately and FEMA will consult with the State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) and Tribes and work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act (NHPA).

#### Noise

5. During the temporary construction activities, outfit all equipment with operating mufflers.
6. During the temporary construction activities, comply with the applicable local noise ordinance.

### **Air Quality**

Project activities must meet the regulatory requirements of New Jersey's Air Rules and Air Pollution Controls requirements (see LRRP Essex-Hudson Counties\_AirQualityMemo). In addition, the following must be met:

7. Use water or chemical dust suppressant in exposed areas to control dust.
8. Cover the load compartments of trucks hauling dust-generating materials.
9. Wash heavy trucks and construction vehicles before they leave the site.
10. Reduce vehicle speed on non-paved areas and keep paved areas clean.
11. Retrofit older equipment with pollution controls.
12. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.
13. Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.
14. Obtain an air pollution control permit to construct and a certificate to operate for all equipment subject to N.J.A.C. 7:27-8.2(c). Such equipment includes, but is not limited to, the following:
  - a. Any commercial fuel combustion equipment rated with a maximum heat input of 1,000,000 British Thermal Units per hour or greater to the burning chamber (N.J.A.C. 7:27-8.2(c)1);
  - b. Any stationary storage tank for volatile organic compounds with a capacity of 2,000 gallons and a vapor pressure of 0.02 pounds per square inch or greater (N.J.A.C. 7:27-8.2(c)9);
  - c. Any tank, reservoir, container, or bin with capacity in excess of 2,000 cubic feet used for storage of solid particles (N.J.A.C. 7:27-8.2(c)10); and
  - d. Any stationary reciprocating engine with a maximum rated power output of 37 kW or greater, used for generating electricity, not including emergency generators (N.J.A.C. 7:27-8.2(c)21).(Note: One or two family dwellings and dwellings of six or less family units, one of which is owner occupied, are exempt pursuant to NJSA 26:2C-9.2.)
15. 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).
16. Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (<15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 86, 89, 94, 1039, 1051, 1065, 1068).
17. 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.

### **Erosion and Drainage/Storm Water Runoff**

18. Implement and maintain erosion and sedimentation control measures.
19. Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.

### **Transportation and Accessibility**

20. Implement and maintain appropriate traffic control and access maintenance measures.

### **Hazardous Materials and Solid Waste Disposal/Recycling**

21. All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the following:
  - a. National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145

- b. National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150
  - c. NJAC 7:26-2.12—Generator requirements for disposal of asbestos containing waste materials
  - d. New Jersey Asbestos Control and Licensing Act, N.J.S.A. 34:5A-32 et seq.
22. Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g. asbestos, lead-based paint) or household waste (e.g. construction and demolition debris, pesticides/herbicides, white goods).
23. All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to HUD’s lead-based paint regulations in 24 CFR Part 35 Subparts B, H, and J.
24. All residential structures must be free of mold attributable to Superstorm Sandy.
25. Comply with all laws, regulations, and industry standards applicable to aboveground and underground storage tanks, including the New Jersey underground storage tank regulations at NJAC 7:14B.

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**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.)

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**CERTIFICATIONS:**

Vanessa Macwan, CDM Smith  
Preparer Name and Agency

  
Preparer Signature

December 16, 2014  
Preparer Completion Date

Richard Constable, III  
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 | Landlord Rental Repair Program | \$800,000      |

**Estimated Total HUD Funded Amount:**

The proposed reconstruction project will be funded with a maximum total of up to \$800,000 in U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) Landlord Rental Repair Program (LRRP) grant funds for 16 total units at two properties. The maximum LRRP funding is \$50,000 per damaged unit.

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

The proposed reconstruction project will be funded with a maximum total of up to \$800,000 in HUD CDBG-DR LRRP grant funds for 16 total units at two properties. Each applicant is responsible for any additional private monies (non-HUD funds) as necessary to complete each project. The maximum LRRP funds that each property is eligible for is listed in the table below.

| Applicant ID | Address                         | City, County               | # of Units | Maximum LRRP Funds |
|--------------|---------------------------------|----------------------------|------------|--------------------|
| SRP0038343   | 360-364 S. 11 <sup>th</sup> St. | Newark, Essex County       | 10         | \$500,000          |
| SRP0041508   | 84 Bostwick Ave.                | Jersey City, Hudson County | 6          | \$300,000          |

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

The State of New Jersey was included in the HUD CDBG-DR program pursuant to the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013). On October 29, 2012, Superstorm Sandy made landfall over the New Jersey coast. The storm surge inundated and severely affected the State’s shoreline from Cape May to Raritan Bay, along the Hudson River, and on the estuaries connecting to Raritan Bay and Newark Bay. Other overland flooding, wind damage and an ensuing snowstorm further damaged these communities as well as other communities throughout New Jersey.

The New Jersey Department of Community Affairs’ (NJDECA) proposed LRRP will restore or create multi-family housing developments of up to 25 units. Often, this rental type is provided by a homeowner that has an extra unit that contributes rental income to the owner, or by landlords with fewer than 25 properties. The rental repair program will provide grants to existing and new owners of the rental properties with 1 to 25 units requiring significant rehabilitation. The purpose of the proposed project is to assist rental property owners in Essex and Hudson Counties rebuild their damaged properties. The proposed project will meet an urgent need to provide safe, decent and affordable rental housing.

**Description of the Proposed Project** [24 CFR 50.12 & 58.32, 40 CFR 1508.25]: ( Include all contemplated actions that are logically either geographically or functionally a composite part of the project, regardless of the source of funding. As appropriate, attach maps, site plans, renderings, photographs, budgets, and other descriptive information.)

Project type: Reconstruction of multi-family rental properties with more than four units

Project description: The proposed project would reconstruct one multi-family rental property in Essex County, New Jersey and one multi-family rental property in Hudson County, New Jersey. The buildings on the parcels will be demolished and new buildings, constituting the same number of units, will be constructed. The reconstructed buildings will be outside of the existing footprints (see LRRP Essex-Hudson Counties\_SHPOResponses). The properties are identified as the lots encompassing the following addresses: SRP0038343, 360-364 S. 11<sup>th</sup> Street, Newark, Essex County and SRP0041508, 84 Bostwick Avenue, Jersey City, Hudson County. The details of each property are described below.

1. SRP0038343: The lot for this application contains two structures with a total of ten units. One of the structures is a 4-story residential structure (including basement level) and the other is a 2-story residential structure.
2. SRP0041508: The lot for this application contains a 4-story (including basement level) residential structure with a total of six units.

The tax cards for the proposed activity sites are provided as attachment LRRP Essex-Hudson Counties\_TaxCards. The general location map shows the general distribution of the proposed activity sites that are part of this environmental review and the site location maps show a more zoomed-in view of the proposed activity sites and their surrounding area (see LRRP Essex-Hudson Counties\_GeneralLocationMap and LRRP Essex-Hudson Counties\_SiteLocationMaps).

Reconstruction is to assist owners of properties that were so severely damaged as a result of the storm that repair is not feasible or would not be cost effective. When applicable, the completed reconstructed structures will be built to the 2009 Residential International Code and will meet the energy efficiency guidelines of the U.S. Environmental Protection Agency (EPA)'s Energy STAR program.

**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.)

The proposed activity sites are located in urban areas. The project areas are in mixed-use areas, with residential and commercial properties. The proposed activity sites are developed multi-family rental properties and vegetation is limited to grass, scattered trees, and conventional landscaping. The rental properties that are part of this environmental review were damaged as a result of Superstorm Sandy in October 2012. The project areas are currently undergoing extensive efforts to recover from the damage caused by Superstorm Sandy. In the absence of the proposed project, the multi-family rental properties will remain damaged.

**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                                   | STATUS                              |                          | Compliance Documentation   |
|--|-------------------------------------|--------------------------|--|
|  | A                                   | B                        |  |
| <p><b>1. Air Quality</b><br/>[Clean Air Act, as amended, particularly sections 176(c) &amp; (d), and 40 CFR 6, 51, 93]</p> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>The proposed project is in compliance. The proposed project is in Essex and Hudson Counties, which are listed as being in nonattainment or maintenance for five National Ambient Air Quality Standards (NAAQS) by the U.S. Environmental Protection Agency (USEPA). Essex and Hudson Counties are listed as being in moderate nonattainment of the 1997 8-hour ozone standard and in marginal nonattainment of the 2008 8-hour ozone standard. Essex and Hudson Counties are listed as being in maintenance of the 1997 and 2006 PM-2.5 standard and the carbon monoxide standard. NAAQS maps are provided as attachment LRRP Essex-Hudson Counties_AirQualityMaps.</p> <p>In a memorandum dated January 23, 2014 from the New Jersey Department of Environmental Protection (NJDEP) Division of Air Quality, residential and commercial construction activities associated with CDBG-DR efforts are well below de minimus thresholds and are presumed to conform to the State Implementation Plan. The memorandum further states that compliance with the regulatory requirements of New Jersey’s Air Rules and the State’s Air Pollution Control requirements continue to remain in effect (see LRRP Essex-Hudson Counties_AirQualityMemo).</p> <p>Sources:<br/>USEPA, Green Book, National Area and County-Level Multi-Pollutant Information,<br/><a href="http://www.epa.gov/airquality/greenbook/multipol.html">http://www.epa.gov/airquality/greenbook/multipol.html</a>; NJDEP, Bureau of Air Quality Planning, Attainment Areas Status,<br/><a href="http://www.state.nj.us/dep/baqp/aas.html#co1">http://www.state.nj.us/dep/baqp/aas.html#co1</a></p> |

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| <p><b>2. Airport Hazards</b><br/>(Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <p>The proposed project is in compliance. The proposed project areas, at their closest, are approximately 2.5 miles from Newark Liberty International Airport and approximately 90 miles from Atlantic City International Airport (see LRRP Essex-Hudson Counties_AirportHazardsMap). Lakehurst Naval Air Station is the only military airport of concern in New Jersey. The proposed project areas, at their closest, are approximately 45 miles from this military airport.</p> <p>Sources:<br/>NJDEP HUD Environmental Review Tool 2.1; aerial imagery accessed in Google™ Earth Pro</p>  |
| <p><b>3. Coastal Zone Management</b><br/>[Coastal Zone Management Act sections 307(c) &amp; (d)]</p> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <p>The proposed project is in compliance. None of the proposed activity sites are within the Coastal Area Facility Review Act (CAFRA) zone, Upland Waterfront Development zone, or Hackensack Meadowlands (see LRRP Essex-Hudson Counties_CoastalZoneManagementActMap).</p> <p>Source:<br/>NJDEP HUD Environmental Review Tool 2.1</p>   |
| <p><b>4. Contamination and Toxic Substances</b><br/>[24 CFR 50.3(i) &amp; 58.5(i)(2)]</p>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <p>The proposed project is in compliance. The proposed activity sites may be within the 3,000-foot radius of a hazardous waste cleanup site, landfill, solid waste cleanup site or hazardous waste facility that handles hazardous materials or toxics substances, however, all sites that were determined by NJDEP to be “non-threatening” to the potential HUD project are not depicted as a hazardous site of concern on the NJDEP HUD Environmental Review Tool 2.1. Only sites determined to be “threatening” by the NJDEP are depicted on the tool.</p> <p>SRP0038343 and SRP0041508 are within the 3,000-foot radius of “threatening” sites (see LRRP Essex-Hudson Counties_ToxicHazardousandRadioactiveSubstancesMaps). The “threatening” sites for SRP0038343 are 484 15<sup>th</sup> Avenue (Site ID 149791), Exxon Service Station (Site ID 8468), and 37 Holland Street (Site ID 75015). The “threatening” sites for SRP0041508 are NJ City University Science Hall (Site ID 7295), Wilkinson Bayview Affordable Housing (Site ID 68713), Ocean Pointe Development (Site ID 399286), 478 Ocean Avenue (Site ID 70223), Getty Service Station #56925 (Site ID 13933), Sterling Trimming Co (Site ID 22497), and 315 Stegman Parkway (Site ID 340931). An email and spreadsheet provided by William Lindner of NJDEP on November 13, 2014, indicate that NJDEP has found the 484 15<sup>th</sup> Avenue, Exxon Service Station, 37 Holland Street, NJ City University Science Hall, Wilkinson Bayview Affordable Housing, Ocean Pointe Development, 478 Ocean Avenue, Getty Service Station #56925, Sterling Trimming Co, and 315 Stegman Parkway sites to be in substantial compliance with NJDEP regulations, and that NJDEP therefore considers them under control and not a threat to the proposed activity sites (see LRRP Essex-Hudson Counties_ToxicsResponse). Additional “sites of concern” shown in the LRRP Essex-Hudson Counties_ToxicHazardousandRadioactiveSubstancesMaps are more than 3,000 feet away from the project properties and are therefore not a concern.</p> <p>The proposed activity sites are not listed on a State or Federal</p> |

|  |  |   |
|--|--|---|
|  |  | <p>hazardous waste sites database.</p> <p>Site reconnaissance, conducted by Sadat Associates on November 5, 2014 and November 14, 2014, revealed no visible recognized environmental conditions (RECs) on or in the vicinity of the proposed activity sites. A photo log for each proposed activity site is provided as attachment LRRP Essex-Hudson Counties_SiteInspectionPhotologs.</p> <p>Asbestos is of concern if a structure was constructed prior to 1980 and lead-based paint is of concern if a structure was constructed prior to 1978. Based on the age of construction, the structures on all sites may contain asbestos and lead-based paint (see LRRP Essex-Hudson Counties_SHPOResponses). Contractors must determine if these toxics are present. If present, these toxics must be addressed in accordance with all applicable federal, state, and local laws and regulations.</p> <p>The proposed activity sites are located in a Tier 3 area, which is considered a low radon potential area (see LRRP Essex-Hudson Counties_RadonPotentialMap). No radon testing or mitigation is required for sites located in a Tier 3 area.</p> <p>Sources:<br/>NJDEP HUD Environmental Review Tool 2.1; NJDEP, Radon Potential, <a href="http://www.njradon.org/radonin.htm">http://www.njradon.org/radonin.htm</a></p>   |
| <p><b>5. Endangered Species</b><br/>[Endangered Species Act of 1973, particularly section 7; 50 CFR 402]</p> | <p><input checked="" type="checkbox"/></p> | <p><input type="checkbox"/></p> <p>The proposed project is in compliance. None of the proposed activity sites intersect with the red knot, piping plover, or bats threatened and endangered species layers (see LRRP Essex-Hudson Counties_ThreatenedandEndangeredSpeciesMaps). The centroid attribute table for the proposed activity sites did not indicate the presence of any threatened and endangered species (see LRRP Essex-Hudson Counties_ThreatenedandEndangeredSpeciesMaps).</p> <p>A request for a Natural Heritage Program (NHP) database review was submitted to the NJDEP Office of Natural Lands Management. In letters dated November 20, 2014, the NHP provided tables showing the data request search results. No rare plant species, ecological communities, rare wildlife species, or wildlife habitat were found to be present on any of the proposed activity sites or in the immediate vicinity (within ¼ mile). Copies of the letters are provided as attachment LRRP Essex-Hudson Counties_NHPResponses.</p> <p>The U.S. Fish and Wildlife Service (USFWS) Information, Planning, and Conservation System (IPaC) was consulted to obtain a preliminary USFWS species list for the proposed activity sites. No Endangered Species Act species were listed within the vicinity of the proposed activity sites (see LRRP Essex-Hudson Counties_USFWS_IPaC). There were migratory birds listed within the vicinity of the proposed activity sites; however, the proposed activity sites are developed multi-family properties and therefore, the proposed project is not anticipated to impact migratory birds.</p> <p>Sources:<br/>NJDEP HUD Environmental Review Tool 2.1; USFWS, Information,</p> |



|   |                                     |                          | Planning, and Conservation (IPaC) System, <a href="http://ecos.fws.gov/ipac/">http://ecos.fws.gov/ipac/</a>  |                      |                      |                       |                     |                      |            |        |        |        |        |            |        |        |       |        |
|---|-------------------------------------|--------------------------|--|----------------------|----------------------|-----------------------|---------------------|----------------------|------------|--------|--------|--------|--------|------------|--------|--------|-------|--------|
| <b>6. Environmental Justice</b><br>[Executive Order 12898]  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The proposed project is in compliance. Below is a summary table of the percent minority and the percent poverty at and in the vicinity of each proposed activity site (see LRRP Essex-Hudson Counties_EnvironmentalJusticeMaps): <table border="1" data-bbox="771 409 1518 546"> <thead> <tr> <th>Site</th> <th>% Minority (at site)</th> <th>% Minority (vicinity)</th> <th>% Poverty (at site)</th> <th>% Poverty (vicinity)</th> </tr> </thead> <tbody> <tr> <td>SRP0038343</td> <td>40-100</td> <td>40-100</td> <td>40-100</td> <td>40-100</td> </tr> <tr> <td>SRP0041508</td> <td>40-100</td> <td>40-100</td> <td>10-20</td> <td>Varied</td> </tr> </tbody> </table> <p>As indicated by the other sections of this environmental assessment, the proposed project would have no significant adverse environmental impacts. The proposed project would therefore have no significant disproportionate adverse environmental impact on minority and low-income residents of the proposed project areas (see LRRP Essex-Hudson Counties_EnvironmentalJusticeChecklist).</p> <p>Source:<br/>                     USEPA, EJView, <a href="http://epamap14.epa.gov/ejmap/entry.html">http://epamap14.epa.gov/ejmap/entry.html</a></p> | Site                 | % Minority (at site) | % Minority (vicinity) | % Poverty (at site) | % Poverty (vicinity) | SRP0038343 | 40-100 | 40-100 | 40-100 | 40-100 | SRP0041508 | 40-100 | 40-100 | 10-20 | Varied |
| Site  | % Minority (at site)                | % Minority (vicinity)    | % Poverty (at site)  | % Poverty (vicinity) |                      |                       |                     |                      |            |        |        |        |        |            |        |        |       |        |
| SRP0038343  | 40-100                              | 40-100                   | 40-100   | 40-100               |                      |                       |                     |                      |            |        |        |        |        |            |        |        |       |        |
| SRP0041508  | 40-100                              | 40-100                   | 10-20  | Varied               |                      |                       |                     |                      |            |        |        |        |        |            |        |        |       |        |
| <b>7. Explosive and Flammable Operations</b><br>[24 CFR 51C]  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The proposed project is in compliance. Per HUD guidance, in cases where disaster funds will be used to elevate, rehabilitate or reconstruct housing on a site where housing previously existed before the disaster, 24 CFR Part 51, Subpart C does not apply if the number of dwelling units on the site is not increased. The proposed project would not increase the number of dwelling units on any of the proposed activity sites.   |                      |                      |                       |                     |                      |            |        |        |        |        |            |        |        |       |        |
| <b>8. Farmland Protection</b><br>[Farmland Protection Policy Act of 1981, particularly section 1504(b) & 1541; 7 CFR 658]     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The proposed project is in compliance. None of the proposed activity sites are on soils classified as prime farmland, farmland of statewide importance, or farmland of unique importance (see LRRP Essex-Hudson Counties_FarmlandProtectionMap). The proposed activity sites are developed multi-family properties located in an urban area and are zoned for urban development. Therefore, there would be no effect on farmland. <p>Source:<br/>                     NJDEP HUD Environmental Review Tool 2.1</p>  |                      |                      |                       |                     |                      |            |        |        |        |        |            |        |        |       |        |
| <b>9. Floodplain Management</b><br>[24 CFR 55; Executive Order 11988, particularly section 2(a)]                              | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The proposed project is in compliance. The proposed activity sites are outside the 100-year floodplain (A and V Zones), as shown on Federal Emergency Management Agency (FEMA) preliminary Flood Insurance Rate Maps (FIRMs) (see LRRP Essex-Hudson Counties_FloodplainManagementMap). <p>Source:<br/>                     NJDEP HUD Environmental Review Tool 2.1</p>   |                      |                      |                       |                     |                      |            |        |        |        |        |            |        |        |       |        |
| <b>10. Historic Preservation</b><br>[National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800] | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The proposed project is in compliance. The proposed activity sites are outside a historic property exemption zone (see LRRP Essex-Hudson Counties_HistoricPreservationExemptionZoneMap). Form 1s were completed by J. Howard Beverly, Jr., RPA, GISP, a Secretary of Interior (SOI) qualified archaeologist, and Robert W. Ball, RPA, a SOI-qualified architect, for the proposed activity sites and submitted to the NJDEP Historic Preservation Office (HPO) requesting concurrence with a no historic properties affected finding. In responses received  |                      |                      |                       |                     |                      |            |        |        |        |        |            |        |        |       |        |

|  |                                     |                                     |   |
|--|-------------------------------------|-------------------------------------|---|
|  |                                     |                                     | <p>December 2, 2014, the Deputy State Historic Preservation Officer concurred with a no historic properties affected finding for the proposed activity sites. Copies of the responses are provided as attachment LRRP Essex-Hudson Counties_SHPOResponses.</p> <p>Source:<br/>NJDEP HUD Environmental Review Tool 2.1</p>   |
| <p><b>11. Noise Abatement and Control</b><br/>[Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR 51B]</p> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <p>The proposed project is in compliance. Per HUD guidance, noise is not applicable for projects under the LRRP disaster recovery program that meet the requirements of 24 CFR 51.101(a)(3). The proposed project would not increase residential density and has the effect of restoring the multi-family properties as they existed prior to the disaster.</p> <p>Construction noise will be a temporary impact that will be controlled by best management practices (BMPs). Construction noise will be within applicable city, state and federal codes. Thus, construction noise is not expected to have an impact to the project or surrounding areas.</p>   |
| <p><b>12. Sole Source Aquifers</b><br/>[Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]</p>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <p>The proposed project is in compliance. The proposed activity sites are outside a sole source aquifer (see LRRP Essex-Hudson Counties_SoleSourceAquiferMap). The City of Newark Department of Water and Sewer Utilities will provide public water and sewer for site SRP0038343 and the City of Jersey City Municipal Utilities Authority will provide public water and sewer for site SRP0041508.</p> <p>Source:<br/>NJDEP HUD Environmental Review Tool 2.1</p>   |
| <p><b>13. Wetland Protection</b><br/>[24 CFR 55, Executive Order 11990, particularly sections 2 &amp; 5]</p>                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <p>The proposed project is in compliance. Mapped wetlands are not shown on or in the vicinity of any of the proposed activity sites (see LRRP Essex-Hudson Counties_WetlandProtectionMaps). Site reconnaissance, conducted by Sadat Associates on November 5, 2014 and November 14, 2014, revealed no evidence of unmapped wetlands on or in the vicinity of any of the proposed activity sites.</p> <p>Source:<br/>NJDEP HUD Environmental Review Tool 2.1</p>   |
| <p><b>14. Wild and Scenic Rivers</b><br/>[Wild and Scenic Rivers Act of 1968, particularly section 7(b) &amp; (c); 36 CFR 297]</p>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <p>The proposed project is in compliance. The proposed project properties are not located within ¼ mile of a Wild and Scenic River stream bank, or within a one-mile radius of a designated Wild and Scenic River. The proposed project areas, at their closest, are approximately 34 miles from the designated segment of the Musconetcong River, approximately 46 miles from the designated segments of the Lower and Middle Delaware River, and approximately 85 miles from the designated segment of the Great Egg Harbor River (see LRRP Essex-Hudson Counties_WildandScenicRiversMap).</p> <p>Sources:<br/>NJDEP HUD Environmental Review Tool 2.1; National Wild and Scenic Rivers System, Explore Designated Rivers, New Jersey<br/><a href="http://www.rivers.gov/new-jersey.php">http://www.rivers.gov/new-jersey.php</a></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   |
|---|-------------|---|
| <b>Land Development</b>                               |             |   |
| Conformance with Comprehensive and Neighborhood Plans | 1           | Newark and Jersey City operate under adopted master plans. The proposed project is consistent with these plans.   |
| Land Use Compatibility and Conformance with Zoning    | 1           | The reconstructed multi-family rental properties would be compatible with the existing surrounding urban development. Reconstructing damaged properties as they existed prior to Superstorm Sandy would conform to existing zoning. |
| Urban Design- Visual Quality and Scale                | 2           | The proposed project would restore damaged multi-family rental properties as they existed prior to Superstorm Sandy. The proposed project would improve visual quality by reconstructing damaged properties.                        |
| Slope   | 1           | The proposed project areas do not contain steep slopes and the proposed project would not create steep slopes. The stability of the proposed activity sites would not be a concern for the proposed project.                        |
| Erosion   | 4           | The proposed project has the potential to cause erosion. BMPs must be implemented to minimize erosion and sedimentation (see Conditions for Approval).  |
| Soil Suitability                                      | 1           | The proposed activity sites are developed multi-family properties located in an urban area. The soil has supported urban development in the past and therefore soil suitability is not a concern for the proposed project.          |
| Hazards and Nuisances, Including Site Safety          | 1           | The proposed project areas contain no unusual hazards, nuisances or safety concerns.  |
| Drainage/Storm Water Runoff                           | 4           | The proposed project would create the potential for stormwater runoff to cause erosion and sedimentation. BMPs would be required to minimize erosion and sedimentation (see Conditions for Approval).                               |

|  |   |   |
|--|---|---|
| Noise-Effects of Ambient Noise on Project & Contribution to Community Noise Levels | 4 | There would be temporary, unavoidable increases in noise levels at nearby residences during the reconstruction of structures. Noise impacts would be mitigated to the greatest extent feasible (see Conditions for Approval). The completed project would generate minimal, typical residential noise. The noise in the proposed project areas would be consistent with what existed prior to Superstorm Sandy.   |
| Energy Consumption   | 1 | The proposed project would not consume a significant amount of energy, except for a typical amount during the construction phase. The proposed project would restore multi-family rental properties as they existed prior to Superstorm Sandy.  |
| <b>Socioeconomic Factors</b>   |   |   |
| Demographic Character Changes  | 1 | The proposed project would have no effect on the demographic character of the proposed project areas. The proposed project would restore multi-family rental properties as they existed prior to Superstorm Sandy.  |
| Displacement   | 1 | The proposed project would not displace any residents or businesses. The proposed project would restore multi-family rental properties as they existed prior to Superstorm Sandy.   |
| Employment and Income Patterns   | 1 | The proposed project would have no effect on employment and income patterns in the proposed project areas. The proposed project would restore multi-family rental properties as they existed prior to Superstorm Sandy.   |
| <b>Community Facilities and Services</b>   |   |   |
| Educational Facilities   | 1 | The proposed project would not affect the demand for educational facilities or interfere with delivery of educational services. The nearest educational facility to site SRP0038343 is John F. Kennedy School, a special education school serving students 10 to 21 years old located at 311 S. 10 <sup>th</sup> Street, Newark, Essex County. The school is located approximately 0.1 miles northeast of SRP0038343. The nearest educational facility to site SRP0041508 is Public Elementary School #29, a school for kindergarten to 8 <sup>th</sup> grade, located at 123 Claremont Avenue, Jersey City. The school is located within 0.1 miles of SRP0041508.<br><br>Sources:<br>Newark Public Schools, <a href="http://www.nps.k12.nj.us">www.nps.k12.nj.us</a> ; Jersey City Public Schools, <a href="http://www.jcboe.org">www.jcboe.org</a> ; Aerial imagery accessed in Google™ Earth Pro |
| Commercial Facilities  | 1 | The proposed project would not affect the demand for commercial facilities or interfere with operation of commercial facilities. Several restaurants are located within 0.5 miles of SRP0038343 at the intersection of S. 11 <sup>th</sup> Street and S. Orange Avenue. Big John's Grocery Store, the closest grocery store, is located approximately 1.6 miles away from SRP0038343. Several restaurants are located approximately 0.1 miles away from SRP0041508 on Martin Luther King Jr. Drive between Myrtle Avenue and Grant Avenue. Jersey Grocery, the closest grocery store, is approximately 0.06 miles from SRP0041508.<br><br>Source:<br>Aerial imagery accessed in Google™ Earth Pro   |

|                                |   |  |
|--------------------------------|---|--|
| Health Care                    | 1 | <p>The proposed project would not affect the demand for health care or interfere with delivery of health care. The nearest hospital to SRP0038343 is University Hospital located at 150 Bergen Street, Newark, approximately 0.5 miles southeast of the proposed activity site. The nearest hospital to SRP0041508 is Jersey City Medical Center, located at 355 Grand Street, Jersey City, approximately 1.7 miles northeast of the proposed activity site.</p> <p>Source:<br/>Aerial imagery accessed in Google™ Earth Pro</p>   |
| Social Services                | 1 | <p>The proposed project would not affect the demand for social services or interfere with delivery of social services. Local social services located within approximately 0.7 miles of SRP0038343 are provided through the New Community Social Services at 220 Bruce Street, Newark. Local social services located within approximately 0.1 miles of SRP0041508 are provided through the Urban League of Hudson County at 253 Martin Luther King Jr. Drive, 3<sup>rd</sup> Floor, Jersey City.</p> <p>Sources:<br/>City of Newark, <a href="http://www.ci.newark.nj.us/government/departments/">http://www.ci.newark.nj.us/government/departments/</a>; City of Jersey City, <a href="http://www.cityofjerseycity.com/government.aspx">http://www.cityofjerseycity.com/government.aspx</a>; aerial imagery accessed in Google™ Earth Pro</p>  |
| Solid Waste Disposal/Recycling | 4 | <p>The proposed project would generate construction and demolition debris, but would not increase long-term generation of solid waste. Asbestos is of concern if a structure was constructed prior to 1980 and lead-based paint is of concern if a structure was constructed prior to 1978. Based on the age of construction, the structures on both sites may contain asbestos and lead-based paint (see LRRP Essex-Hudson Counties_SHPOResponses for year built). These hazardous materials, as well as construction and demolition debris, must be handled and disposed of in accordance with applicable federal, state, and local laws and regulations (see Conditions for Approval).</p> <p>The proposed activity sites are currently provided solid waste disposal/recycling services through the Essex County Utilities Authority or the Jersey City Incinerator Authority.</p> <p>Sources:<br/>Essex County Utilities Authority, <a href="http://www.ecuanj.com">http://www.ecuanj.com</a>; Jersey City Incinerator Authority, <a href="http://www.jciaonline.org/">http://www.jciaonline.org/</a></p> |
| Waste Water/Sanitary Sewers    | 1 | <p>The proposed project would not affect the wastewater collection, treatment, and disposal system. The proposed activity sites are serviced by existing public sewer through the City of Newark Department of Water and Sewer Utilities for site SRP0038343 and the City of Jersey City Municipal Utilities Authority for site SRP0041508.</p> <p>Sources:<br/>City of Newark, <a href="http://www.ci.newark.nj.us/government/departments/">http://www.ci.newark.nj.us/government/departments/</a>; Jersey City Municipal Utilities Authority, <a href="http://www.cityofjerseycity.com/agencies.aspx?id=1192">http://www.cityofjerseycity.com/agencies.aspx?id=1192</a></p>  |

|   |          |  |
|---|----------|--|
| <p>Water Supply</p>   | <p>1</p> | <p>The proposed project would not consume an unusual quantity of water and would not affect the water supply system. SRP0038343 is serviced by the City of Newark Department of Water and Sewer Utilities. SRP0041508 is serviced by the City of Jersey City Municipal Utilities Authority.</p> <p>Sources:<br/>City of Newark,<br/><a href="http://www.ci.newark.nj.us/government/departments/">http://www.ci.newark.nj.us/government/departments/</a>; Jersey City Municipal Utilities Authority,<br/><a href="http://www.cityofjerseycity.com/agencies.aspx?id=1192">http://www.cityofjerseycity.com/agencies.aspx?id=1192</a></p>  |
| <p>Public Safety:</p> <ul style="list-style-type: none"> <li>• Police</li> <li>• Fire</li> <li>• Emergency Medical</li> </ul>   | <p>1</p> | <p>The proposed project would not affect the demand for public safety services such as police, fire, and emergency medical or interfere with delivery of these services. SRP0038343 is served by the Newark Fire Department and the Newark Police Department. The closest fire station is located at 345 S. 9<sup>th</sup> Street, approximately 0.2 miles south of SRP0038343. The closest police station is located at 43 Dickerson Street, approximately 0.9 miles northeast of SRP0038343. SRP0041508 is served by the Jersey City Fire Department and the Jersey City Police Department. The closest fire station is located at 283 Halladay Street, approximately 1 mile northeast of SRP0041508. The closest police station is located at 207 7<sup>th</sup> Street, approximately 2.4 miles northeast of SRP0041508.</p> <p>Sources:<br/>City of Newark,<br/><a href="http://www.ci.newark.nj.us/government/departments/">http://www.ci.newark.nj.us/government/departments/</a>; City of Jersey City, <a href="http://www.cityofjerseycity.com/government.aspx">http://www.cityofjerseycity.com/government.aspx</a>; aerial imagery accessed in Google™ Earth Pro</p> |
| <p>Parks, Open Space &amp; Recreation:</p> <ul style="list-style-type: none"> <li>• Open Space</li> <li>• Recreation</li> </ul> | <p>1</p> | <p>SRP0038343 is located 0.7 miles northeast of West Side Park in Newark at the intersection of S. 13<sup>th</sup> Street and 16<sup>th</sup> Avenue. SRP0041508 is located 0.3 miles northeast of Audubon Park located at the intersection of Audubon Avenue and John F. Kennedy Boulevard in Jersey City. The parks provide many recreational opportunities.</p> <p>Source:<br/>Aerial imagery accessed in Google™ Earth Pro</p>   |
| <p>Cultural Facilities</p>  | <p>1</p> | <p>The proposed project would not affect any cultural facilities. Newark Museum, the closest museum to SRP0038343, is located at 49 Washington Street, Newark, approximately 1.6 miles east of the proposed activity site. The Liberty Science Center, the closest museum to SRP0041508, is located at 222 Jersey City Boulevard, Jersey City, approximately 1.4 miles east of the proposed activity site. The Springfield Library, the closest library to SRP0038343, is located at 50 Hayes Street, Newark, approximately 0.8 miles southeast of the proposed activity site. The Claremont Library, the closest library to SRP0041508, is located at 275 Martin Luther King Jr. Drive, Jersey City, approximately 0.5 miles northwest of the proposed activity site.</p> <p>Source:<br/>Aerial imagery accessed in Google™ Earth Pro</p>   |

|  |   |   |
|--|---|---|
| Transportation & Accessibility               | 4 | <p>The proposed project would not create a significant additional demand for transportation services or interfere with the overall transportation network. The proposed activity sites are in a developed urban area sufficiently served by existing roads.</p> <p>Construction activities would increase traffic by construction equipment and worker commuting; however, this will be minimal and short-term. BMPs will be employed to prevent impeding traffic flow by construction equipment (see Conditions for Approval).</p> |
| <b>Natural Features</b>                      |   |   |
| Water Resources                              | 1 | The proposed project would not involve significant water withdrawals and would not have a significant effect on water resources.  |
| Surface Water                                | 1 | The proposed activity sites are not located near any surface water features. The proposed project would have no effect on surface water features.   |
| Unique Natural Features & Agricultural Lands | 1 | The proposed activity sites are in developed urban areas and the proposed project would not affect agricultural lands. There are no unique natural features on or in the vicinity of the proposed activity sites.   |
| Vegetation and Wildlife                      | 1 | The proposed activity sites are developed multi-family rental properties located in urban areas. Vegetation is limited to grass, scattered trees, and conventional landscaping. No significant vegetation or wildlife would be affected by the proposed project.  |

## **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 areas, at their closest, are approximately 2.5 miles from Newark Liberty International Airport and approximately 90 miles from Atlantic City International Airport (see LRRP Essex-Hudson Counties\_AirportHazardsMap). Lakehurst Naval Air Station is the only military airport of concern in New Jersey. The proposed project areas, at their closest, are approximately 45 miles from this military airport.

[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. All proposed activity sites are located outside a coastal barrier resource area (see LRRP Essex-Hudson Counties\_CoastalBarrierResourcesMaps).

[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 proposed project involves the reconstruction of multi-family properties. All proposed activity sites are outside of a 100-year floodplain zone (A or V Zone) as shown on FEMA preliminary FIRMs (see LRRP Essex-Hudson Counties\_FloodplainManagementMap and the Floodplain Management section in Part 1: Statutory Checklist above).

[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.**

## **Summary of Findings and Conclusions**

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

No additional studies were performed.

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

Field inspections were completed for the proposed project on November 5, 2014 and November 14, 2014 by Sadat Associates.

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

City of Newark. Accessed at <http://www.ci.newark.nj.us/government/departments/>.

City of Jersey City. Accessed at <http://www.cityofjerseycity.com/government.aspx>.

Essex County Utilities Authority. Accessed at <http://www.ecuanj.com>.

Google™ Earth Pro

Jersey City Public Schools. Accessed at [www.icboe.org](http://www.icboe.org).

Jersey City Incinerator Authority. Accessed at <http://www.iciaonline.org/>.

Jersey City Municipal Utilities Authority. Accessed at <http://www.cityofjerseycity.com/agencies.aspx?id=1192>.

National Wild and Scenic Rivers System. Explore Designated Rivers, New Jersey. Accessed at <http://www.rivers.gov/new-jersey.php>.

New Jersey Association of County Tax Boards. Accessed at <http://www.njactb.org/>.

New Jersey Department of Environmental Protection (NJDEP) Bureau of Air Quality Planning. Attainment Areas Status. Accessed at <http://www.state.nj.us/dep/baqp/aas.html#co1>.

Newark Public Schools. Accessed at [www.nps.k12.nj.us](http://www.nps.k12.nj.us).

NJDEP Division of Air Quality. Memorandum received from William O'Sullivan, Director, January 23, 2014.

NJDEP HUD Environmental Review Tool 2.1. Accessed at <http://www.arcgis.com/explorer/?open=ac492b24c7cc472ea5cf2f57cfaf65ab&extent=-8643120.11643555,4661682.34020292,-7976191.21469309,5121911.72760389>.

NJDEP Radon Potential. Accessed at <http://www.njradon.org/radonin.htm>.

NJDEP State Forestry Service Natural Heritage Program. Letter received from Robert J. Cartica, Administrator, November 12, 2014.

U.S. Department of Housing and Urban Development (HUD). Region X Environmental Office Environmental Justice Checklist. Accessed at <http://www.hud.gov/local/shared/working/r10/environment/justice.pdf>.

U.S. Environmental Protection Agency (USEPA). EJView. Accessed at <http://epamap14.epa.gov/ejmap/entry.html>.

USEPA. Green Book, National Area and County-Level Multi-Pollutant Information. Accessed at <http://www.epa.gov/airquality/greenbook/multipol.html>.

U.S. Fish and Wildlife Service (USFWS). Coastal Barrier Resources System Mapper. Accessed at <http://www.fws.gov/CBRA/Maps/Mapper.html>.

USFWS. Information, Planning, and Conservation (IPaC) System. Accessed at <http://ecos.fws.gov/ipac/>.

**Lists of Permits Required:**

No permits were determined to be required through the consultations completed for this environmental assessment. This does not alleviate the requirement of the applicants obtaining all required federal, state, and local permits before beginning construction.

**Public Outreach [24 CFR 50.23 & 58.43]:**

A combined public notice for the proposed project (Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds) will be published in the Star-Ledger and a Spanish translation of the notice will be published in the Reporte Hispano. Any substantive comments received will be addressed and incorporated into the final environmental assessment document

**Cumulative Impact Analysis [24 CFR 58.32]:**

The proposed project would not contribute to adverse cumulative impacts on environmental resources. The proposed project would reconstruct multi-family rental properties. Reconstruction will have a cumulative benefit in the area by restoring these properties as they existed prior to Superstorm Sandy. Essex and Hudson Counties are currently undergoing extensive efforts to recover from the damage caused by Superstorm Sandy in October 2012, and the proposed LRRP is a part of those efforts. Cumulatively, these activities may have temporary impacts on air quality, noise, and traffic during the implementation phase of these recovery efforts, but these activities will have the long-term benefit of restoring the way of life for New Jersey residents.

**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.)

Other than the no action alternative, no other alternatives were considered, as they would not serve to meet the purpose of helping the property owner rebuild.

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

The no action alternative would avoid the short-term construction impacts, but leaving the multi-family rental buildings in a damaged state would leave the buildings vulnerable to further damage and would not help in the restoration of New Jersey's storm-impacted communities. The no action alternative would not address the State's need for safe, decent, and affordable housing. Therefore, the no action alternative was rejected.

**Summary Statement of Findings and Conclusions:**

The proposed project would address the need to provide safe, decent and affordable rental housing in Essex and Hudson Counties. The proposed project is in compliance with all applicable statutory authorities and would have no significant impact on the environment. Mitigation measures to minimize any potential adverse environmental impacts and to ensure that the proposed project is in compliance with the statutory authorities are identified in the Required Mitigation and Project Modification Measures section below and the Conditions for Approval section at the beginning of this environmental assessment.

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

**Historic Preservation**

3. All activities must comply with Section 106 of the National Historic Preservation Act per the implementing regulations 36 CFR Part 800. Compliance with Section 106 is achieved through the procedures set forth in the Programmatic Agreement among the Federal Emergency Management Agency, the New Jersey State Historic Preservation Officer, the New Jersey State Office of Emergency Management, the Advisory Council on Historic Preservation, the Absentee Shawnee Tribe of Indians of Oklahoma, the Delaware Nation, the Delaware Tribe of Indians, the Shawnee Tribe of Oklahoma, and the Stockbridge Munsee Band of Mohicans, as signed onto by the New Jersey Department of Community Affairs.
4. In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the applicant shall stop all work

immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The applicant will inform FEMA immediately and FEMA will consult with the State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) and Tribes and work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act (NHPA).

### **Noise**

5. During the temporary construction activities, outfit all equipment with operating mufflers.
6. During the temporary construction activities, comply with the applicable local noise ordinance.

### **Air Quality**

Project activities must meet the regulatory requirements of New Jersey's Air Rules and Air Pollution Controls requirements (see LRRP Essex-Hudson Counties\_AirQualityMemo). In addition, the following must be met:

7. Use water or chemical dust suppressant in exposed areas to control dust.
8. Cover the load compartments of trucks hauling dust-generating materials.
9. Wash heavy trucks and construction vehicles before they leave the site.
10. Reduce vehicle speed on non-paved areas and keep paved areas clean.
11. Retrofit older equipment with pollution controls.
12. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.
13. Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.
14. Obtain an air pollution control permit to construct and a certificate to operate for all equipment subject to N.J.A.C. 7:27-8.2(c). Such equipment includes, but is not limited to, the following:
  - e. Any commercial fuel combustion equipment rated with a maximum heat input of 1,000,000 British Thermal Units per hour or greater to the burning chamber (N.J.A.C. 7:27-8.2(c)1);
  - f. Any stationary storage tank for volatile organic compounds with a capacity of 2,000 gallons and a vapor pressure of 0.02 pounds per square inch or greater (N.J.A.C. 7:27-8.2(c)9);
  - g. Any tank, reservoir, container, or bin with capacity in excess of 2,000 cubic feet used for storage of solid particles (N.J.A.C. 7:27-8.2(c)10); and
  - h. Any stationary reciprocating engine with a maximum rated power output of 37 kW or greater, used for generating electricity, not including emergency generators (N.J.A.C. 7:27-8.2(c)21).(Note: One or two family dwellings and dwellings of six or less family units, one of which is owner occupied, are exempt pursuant to NJSA 26:2C-9.2.)
15. 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).
16. Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (<15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 86, 89, 94, 1039, 1051, 1065, 1068).
17. 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.

### **Erosion and Drainage/Storm Water Runoff**

18. Implement and maintain erosion and sedimentation control measures.
19. Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.

### **Transportation and Accessibility**

20. Implement and maintain appropriate traffic control and access maintenance measures.

### **Hazardous Materials and Solid Waste Disposal/Recycling**

21. All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the following:
  - e. National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145
  - f. National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150
  - g. NJAC 7:26-2.12—Generator requirements for disposal of asbestos containing waste materials
  - h. New Jersey Asbestos Control and Licensing Act, N.J.S.A. 34:5A-32 et seq.
22. Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g. asbestos, lead-based paint) or household waste (e.g. construction and demolition debris, pesticides/herbicides, white goods).
23. All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to HUD's lead-based paint regulations in 24 CFR Part 35 Subparts B, H, and J.
24. All residential structures must be free of mold attributable to Superstorm Sandy.
25. Comply with all laws, regulations, and industry standards applicable to aboveground and underground storage tanks, including the New Jersey underground storage tank regulations at NJAC 7:14B.