

**Environmental Assessment  
Determinations and Compliance Findings  
for HUD-assisted Projects  
24 CFR Part 58**

**Project Information**

**Project Name:** 45-Remsen

**HEROS Number:** 900000010147377

**Responsible Entity (RE):** NEW BRUNSWICK, CITY HALL NEW BRUNSWICK NJ, 08903

**RE Preparer:** Dan Dominguez

**State / Local Identifier:**

**Certifying Officer:** Dan Dominguez

**Grant Recipient (if different than Responsible Entity):**

**Point of Contact:**

**Consultant (if applicable):**

**Point of Contact:**

**Project Location:** 45 Remsen Ave, New Brunswick, NJ 08901

**Additional Location Information:**

N/A

**Direct Comments to:**

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

11 affordable housing units (rental).

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

Project creates 11 affordable housing units in a neighborhood sorely in need of affordable, new, high quality dwelling units.

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

The project matches existing neighborhood characteristics while doing so with a modern angle. The neighborhood has been a mixed-development neighborhood for decades.

**Maps, photographs, and other documentation of project location and description:**

**Determination:**

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

**Approval Documents:**

**7015.15 certified by Certifying Officer**

on:

**7015.16 certified by Authorizing Officer**

on:

**Funding Information**

Grant / Project Identification Number	HUD Program	Program Name
1	Community Planning and Development (CPD)	HOME Program

**Estimated Total HUD Funded, Assisted or Insured Amount:** \$800,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$2,500,000.00

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

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		
<b>Airport Hazards</b> Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. Entire City is greater than 5 miles (25,000+ feet) from nearest airport.
<b>Coastal Barrier Resources Act</b> Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.
<b>Flood Insurance</b> Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements.
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b>		
<b>Air Quality</b> Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project's county or air quality management district is in non-attainment status for the following: Ozone. This project does not exceed de minimis emissions levels or the screening level established by the state or air quality management district for the pollutant(s) identified above. The project is in compliance with the Clean Air Act. Proposed project is located

		<p>within a non attainment area for 8-hour ozone. However, there are no major emitting facilities on or near the subject site. While the air quality on-site will be temporarily impacted during construction activities, the project will not have an adverse impact on the surrounding air quality. The development will adhere to the state's air quality standards (N.J.A.C 7:27-1 et seq). The project will meet applicable emission standards and regulations contained in the State Air Pollution Control Code.</p> <p><a href="https://www.nj.gov/dep/aqm/rules27.html">https://www.nj.gov/dep/aqm/rules27.html</a></p>
<p><b>Coastal Zone Management Act</b> Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. The City is a "Tidally Influenced Municipality under the NJ Coastal Management Plan but that is not the same as a "Coastal Zone".</p>
<p><b>Contamination and Toxic Substances</b> 24 CFR 50.3(i) &amp; 58.5(i)(2)]</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>Site contamination was evaluated as follows: ASTM Phase I ESA. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. On site UST leaked in past but numbers are below NJDEP maximums and so a No Further Action Letter was issued in 2018. See Section 1.4 of Phase I.</p>
<p><b>Endangered Species Act</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act.</p>
<p><b>Explosive and Flammable Hazards</b> Above-Ground Tanks)[24 CFR Part 51 Subpart C</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>There are no current or planned stationary aboveground storage containers of concern within 1 mile of</p>

		the project site. The project is in compliance with explosive and flammable hazard requirements. The site is greater than 1 mile from any known sites with ASDs.
<b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.
<b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.
<b>Historic Preservation</b> National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: None. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section 106.
<b>Noise Abatement and Control</b> Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A Noise Assessment was conducted. The noise level was acceptable: 1.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation. A general aviation airport is located within 15 miles. HUD Guidelines vis WISER training recommend ignoring sound from general aviation airports with fewer than 72,000 annual operations. Manville Airport with an average of 66 per day equals about 24,000 operations annually. No major roads/highways are within 1,000 feet and there are no rail lines within 3,000 feet.
<b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.
<b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.
<b>Wild and Scenic Rivers Act</b> Wild and Scenic Rivers Act of 1968,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in

particularly section 7(b) and (c)		compliance with the Wild and Scenic Rivers Act.
<b>HUD HOUSING ENVIRONMENTAL STANDARDS</b>		
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b> Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

**Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]**

**Impact Codes:** An impact code from the following list has been used to make the determination of impact for each factor.

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

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	Approval by Zoning Board of Adjust in 2020. Project met positive and negative criteria under NJ Planning Law standards.	NA
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	Site is relatively flat. Waste water to enter City system. Site also will be constructed with detention basin to slow storm runoff.	NA
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	No additional noise expected after construction, site is a derelict field that encourage vagrants, vermin, and bad actors.	NA
Energy Consumption/Energy Efficiency	1	Brand new high quality construction and Energy Star appliances will guarantee housing units with better than normal energy efficiencies.	NA
<b>SOCIOECONOMIC</b>			
Employment and Income Patterns	1	Creates temporary construction jobs, permanent maintenance jobs, and allows for housing near	NA

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
		transit and employment centers.	
Demographic Character Changes / Displacement	1	Affordable housing developments will insure that people do not have to leave the neighborhood as it improves housing accessibility.	NA
<b>COMMUNITY FACILITIES AND SERVICES</b>			
Educational and Cultural Facilities (Access and Capacity)	1	The proximity to schools, daycares, library, and the arts improves access to these facilities.	NA
Commercial Facilities (Access and Proximity)	1	The proximity to grocery stores and downtown commercial areas. improves access to these facilities.	NA
Health Care / Social Services (Access and Capacity)	1	New Brunswick has two world class hospitals and several health clinics. One of the major health clinics is about 3 blocks away from this site	NA
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	City provides waste disposal in this area already	NA
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	Sewer system can accept the added demand.	NA
Water Supply (Feasibility and Capacity)	2	Water system can accept the added demand.	NA
Public Safety - Police, Fire and Emergency Medical	2	The City is dense and the location is already developed, as such access to such services are unaffected	NA
Parks, Open Space and Recreation (Access and Capacity)	1	There are several parts within walking distance of the site.	NA
Transportation and Accessibility (Access and Capacity)	1	Site is near the New Brunswick train station and bus/shuttle routes.	NA
<b>NATURAL FEATURES</b>			
Unique Natural Features /Water Resources	2	None	NA
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	The site is an empty grass field after the prior use burned down.	NA
Other Factors	1	It is providing good affordable	NA

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
		housing in a neighborhood that needs it.	

### Supporting documentation

#### Additional Studies Performed:

**Field Inspection [Optional]:** Date and completed by:

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

FEMA FWS NJ SHPO Planning Department Fire Department

#### List of Permits Obtained:

Zoning Board approval (complete) Resolution Compliance (TBD) Construction Permits (TBD)

#### Public Outreach [24 CFR 58.43]:

Result of this EA published in HOME NEWS TRIBUNE on April 20, 2016 authorizing 15 days of comment period.

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

The impact will be negligible. The site is in an area that is zoned for and anticipates residential housing development.

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

No alternative plans were necessary, except an initial redesign to better developed the aesthetic of the site cohesively with the existing neighborhood.

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

The site will continue to be a derelict and undeveloped field that attracts bad actors and nuisances, 11 families will not be homed in affordable units.



**Summary of Findings and Conclusions:**

The proposed project will create no significant impact to the environment or community and will provide affordable housing.

**Mitigation Measures and Conditions [CFR 1505.2(c)]:**

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

<b>Law, Authority, or Factor</b>	<b>Mitigation Measure or Condition</b>	<b>Comments on Completed Measures</b>	<b>Complete</b>
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	NA	N/A	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	NA	N/A	
Hazards and Nuisances including Site Safety and Site-Generated Noise	NA	N/A	
Energy Consumption/Energy Efficiency	NA	N/A	
Employment and Income Patterns	NA	N/A	
Demographic Character Changes / Displacement	NA	N/A	
Educational and Cultural Facilities (Access and Capacity)	NA	N/A	
Commercial Facilities (Access and Proximity)	NA	N/A	
Health Care / Social Services (Access and	NA	N/A	

Capacity)			
Solid Waste Disposal and Recycling (Feasibility and Capacity)	NA	N/A	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	NA	N/A	
Water Supply (Feasibility and Capacity)	NA	N/A	
Public Safety - Police, Fire and Emergency Medical	NA	N/A	
Parks, Open Space and Recreation (Access and Capacity)	NA	N/A	
Transportation and Accessibility (Access and Capacity)	NA	N/A	
Unique Natural Features /Water Resources	NA	N/A	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	NA	N/A	
Other Factors	NA	N/A	

**Mitigation Plan**

No mitigation needed.

**Supporting documentation on completed measures**

## APPENDIX A: Related Federal Laws and Authorities

### Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

### Screen Summary

#### **Compliance Determination**

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. Entire City is greater than 5 miles (25,000+ feet) from nearest airport.

#### **Supporting documentation**

[Airport Map 2021.png](#)

**Are formal compliance steps or mitigation required?**

Yes

No

## Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

**1. Is the project located in a CBRS Unit?**

No

Document and upload map and documentation below.

Yes

### Compliance Determination

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

### Supporting documentation

[NB Coastal-Barrier-Resources-Worksheet.docx](#)

[CBRS NJ.pdf](#)

### Are formal compliance steps or mitigation required?

Yes

No

## Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

**1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?**

- No. This project does not require flood insurance or is excepted from flood insurance.

Based on the response, the review is in compliance with this section.

Yes

### **Screen Summary**

#### **Compliance Determination**

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements.

#### **Supporting documentation**

[34023C0127F.png](#)

#### **Are formal compliance steps or mitigation required?**

Yes

- No

## Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

**1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?**

Yes

No

**Air Quality Attainment Status of Project's County or Air Quality Management District**

**2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?**

No, project's county or air quality management district is in attainment status for all criteria pollutants.

Yes, project's management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

Carbon Monoxide

Lead

Nitrogen dioxide

Sulfur dioxide

- ✓ Ozone
- Particulate Matter, <2.5 microns
- Particulate Matter, <10 microns

**3. What are the *de minimis* emissions levels (40 CFR 93.153) or screening levels for the non-attainment or maintenance level pollutants indicated above**

Ozone 50.00 ppb (parts per million)

**Provide your source used to determine levels here:**

Current Nonattainment Counties for All Criteria Pollutants from <https://www3.epa.gov/airquality/greenbook/ancl.html> and <https://www.epa.gov/general-conformity/de-minimis-tables>.

**4. Determine the estimated emissions levels of your project. Will your project exceed any of the *de minimis* or threshold emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?**

- ✓ No, the project will not exceed *de minimis* or threshold emissions levels or screening levels.

**Enter the estimate emission levels:**

Ozone 50.00 ppb (parts per million)

Based on the response, the review is in compliance with this section.

Yes, the project exceeds *de minimis* emissions levels or screening levels.

**Screen Summary**

**Compliance Determination**

The project's county or air quality management district is in non-attainment status for the following: Ozone. This project does not exceed *de minimis* emissions levels or the screening level established by the state or air quality management district for the pollutant(s) identified above. The project is in compliance with the Clean Air Act. Proposed project is located within a non attainment area for 8-hour ozone. However,

there are no major emitting facilities on or near the subject site. While the air quality on-site will be temporarily impacted during construction activities, the project will not have an adverse impact on the surrounding air quality. The development will adhere to the state's air quality standards (N.J.A.C 7:27-1 et seq). The project will meet applicable emission standards and regulations contained in the State Air Pollution Control Code. <https://www.nj.gov/dep/aqm/rules27.html>

**Supporting documentation****Are formal compliance steps or mitigation required?**

Yes

✓ No



## Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

**1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?**

Yes

✓ No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

### **Screen Summary**

#### **Compliance Determination**

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. The City is a "Tidally Influenced Municipality under the NJ Coastal Management Plan but that is not the same as a "Coastal Zone".

#### **Supporting documentation**

[new-detailed-cafra-map.pdf](#)

#### **Are formal compliance steps or mitigation required?**

Yes

✓ No

**Contamination and Toxic Substances**

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

**1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.**

- American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
- ASTM Phase II ESA
- Remediation or clean-up plan
- ASTM Vapor Encroachment Screening
- None of the Above

**2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)**

- No

**Explain:**

On site UST leaked in past but numbers are below NJDEP maximums and so a No Further Action Letter was issued in 2018. See Section 1.4 of Phase I.

Based on the response, the review is in compliance with this section.

Yes

**Screen Summary**

**Compliance Determination**

Site contamination was evaluated as follows: ASTM Phase I ESA. On-site or nearby toxic,

hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. On site UST leaked in past but numbers are below NJDEP maximums and so a No Further Action Letter was issued in 2018. See Section 1.4 of Phase I.

**Supporting documentation**

[Phase 1 - ESA 45 Remsen Avenue.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i> ); particularly section 7 (16 USC 1536).	50 CFR Part 402

**1. Does the project involve any activities that have the potential to affect species or habitats?**

No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

- ✓ Yes, the activities involved in the project have the potential to affect species and/or habitats.

**2. Are federally listed species or designated critical habitats present in the action area?**

- ✓ No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Documentation may include letters from the Services, species lists from the Services’ websites, surveys or other documents and analysis showing that there are no species in the action area.

Yes, there are federally listed species or designated critical habitats present in the action area.

**Screen Summary****Compliance Determination**

This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act.

**Supporting documentation**

[Species List\\_ New Jersey Ecological Services Field Office.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

**1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?**

No

Yes

**2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?**

No

Yes

**3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:**

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR
- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.

**If all containers within the search area fit the above criteria, answer "No." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "Yes."**

No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Yes

**Screen Summary**

**Compliance Determination**

There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements. The site is greater than 1 mile from any known sites with ASDs.

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	<a href="#">7 CFR Part 658</a>

**1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?**

Yes

✓ No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

The land was developed for decades if not over a century as a church. This is urban-infill redevelopment. The site is zoned residential and is unsuitable for agriculture due to myriad criteria.

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

### **Screen Summary**

#### **Compliance Determination**

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

#### **Supporting documentation**

#### **Are formal compliance steps or mitigation required?**

Yes

✓ No



## Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

**1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]**

- 55.12(c)(3)
- 55.12(c)(4)
- 55.12(c)(5)
- 55.12(c)(6)
- 55.12(c)(7)
- 55.12(c)(8)
- 55.12(c)(9)
- 55.12(c)(10)
- 55.12(c)(11)
- None of the above

**2. Upload a FEMA/FIRM map showing the site here:**

[34023C0127F\(1\).png](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

**Does your project occur in a floodplain?**

- No

Based on the response, the review is in compliance with this section.

Yes

**Screen Summary**

**Compliance Determination**

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" <a href="http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html">http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html</a>

### ***Threshold***

#### **Is Section 106 review required for your project?**

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA ). (See the PA Database to find applicable PAs.)

No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

### ***Step 1 – Initiate Consultation***

#### **Select all consulting parties below (check all that apply):**

- ✓ State Historic Preservation Offer (SHPO) Completed
- ✓ Advisory Council on Historic Preservation Response Period Elapsed
- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

Other Consulting Parties

**Describe the process of selecting consulting parties and initiating consultation here:**

Sent to state Historic Office as well as local Historic Association for comment.

Document and upload all correspondence, notices and notes (including comments and objections received below).

**Step 2 – Identify and Evaluate Historic Properties**

- 1. Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**

45 Remsen Avenue.

**In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.**

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
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**Additional Notes:**

- 2. Was a survey of historic buildings and/or archeological sites done as part of the project?**

Yes

✓ No

**Step 3 –Assess Effects of the Project on Historic Properties**

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as per guidance on direct and indirect effects.

**Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.**

No Historic Properties Affected

✓ No Adverse Effect

Based on the response, the review is in compliance with this section.

**Document reason for finding:**

106 Review/800.5 Assessment

**Does the No Adverse Effect finding contain conditions?**

Yes (check all that apply)

✓ No

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Adverse Effect

**Screen Summary****Compliance Determination**

Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: None. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section 106.

**Supporting documentation**

[SHPO 106 45 Remsen.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Noise Abatement and Control

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972  General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

**1. What activities does your project involve? Check all that apply:**

- New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

None of the above

**4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).**

**Indicate the findings of the Preliminary Screening below:**

There are no noise generators found within the threshold distances above.

- ✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

- ✓ Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here: 65

Based on the response, the review is in compliance with this section. Document and upload noise analysis, including noise level and data used to complete the analysis below.

Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Unacceptable: (Above 75 decibels)

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels.

Check here to affirm that you have considered converting this property to a non-residential use compatible with high noise levels.

Indicate noise level here: 65

Document and upload noise analysis, including noise level and data used to complete the analysis below.

### **Screen Summary**

#### **Compliance Determination**

A Noise Assessment was conducted. The noise level was acceptable: 1.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation. A general aviation airport is located within 15 miles. HUD Guidelines vis WISER training recommend ignoring sound from general aviation airports with fewer than 72,000 annual operations. Manville Airport with an average of 66 per day equals about 24,000 operations annually. No major roads/highways are within 1,000 feet and there are no rail lines within 3,000 feet.



**Supporting documentation**

[Airports.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Sole Source Aquifers

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

### Screen Summary

#### Compliance Determination

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.

#### Supporting documentation

[NB SSA MAP HEROS.png](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

**1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order**

✓ No

Based on the response, the review is in compliance with this section.

Yes

### **Screen Summary**

#### **Compliance Determination**

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.

#### **Supporting documentation**

[\\_ags\\_b464379769d743a7994efb1cd15731e1.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

### 1. Is your project within proximity of a NWSRS river?

✓ No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

### Screen Summary

#### **Compliance Determination**

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.

#### **Supporting documentation**

[NB NRI River Map.png](#)

[NB WnS River Map.png](#)

#### **Are formal compliance steps or mitigation required?**

Yes

✓ No

## Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

**HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.**

**1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?**

Yes

✓ No

Based on the response, the review is in compliance with this section.

### Screen Summary

#### **Compliance Determination**

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

#### **Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

✓ No