

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

Project Information

Project Name: Davenport-Village

HEROS Number: 900000010309359

Responsible Entity (RE): BURLINGTON COUNTY, 49 RANCOCAS ROAD MT HOLLY NJ,
08060

RE Preparer: Monica Rego

State / Local Identifier:

Certifying Officer: Jennifer Hiros

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 301 Davenport Ave, Hainesport, NJ 08036

Additional Location Information:

The Property is identified as Block 9.01, Lot 43 on the Hainesport Township Tax Map. Davenport Village is located in a mixed-use residential and commercial area and is bound to the north by Marne Highway, to the west by residential properties, and to

the east by mixed-use commercial and residential properties. The site is bordered to the south by an active rail line, with Cox Industries, Inc., a wood supplier, beyond.

Direct Comments to:

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

Davenport Village will be a critical source of income-restricted (up to 60% of Burlington County AMI) affordable housing. It will consist of 72 units that will be deed restricted as affordable for 30 years as follows: 1 one-bedroom unit, 2 two-bedroom units, and 2 three-bedroom units will be set aside at 20% AMI; 2 one-bedroom units, 7 two-bedroom units, and 1 three-bedroom unit will be set aside at 30% AMI; 4 one-bedroom units, 16 two-bedroom units, and 14 three-bedroom units will be set aside at 50% AMI; 7 one-bedroom units, 15 two-bedroom units, and 1 three-bedroom unit will be set aside at 60% AMI. 56 of the 72 units will be rehabilitated, and the remaining 16 will be newly constructed. 5 units will be designated as Special Needs Units, with the breakdown as follows: 1 one-bedroom unit, 2 two-bedroom units, 2 three-bedroom units. 11 of the 72 units will be HOME-assisted units that will consist of 2 one-bedroom units, 5 two-bedroom units, and 4 three-bedroom units. 5 of the 11 HOME-assisted units will be set aside for formerly homeless individuals and/or families, to be referred to the project by the Burlington County Continuum of Care through Burlington County's Rapid Re-housing Program. This community has received an award of 9% LIHTC credits.

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

The proposed project aims to construct and rehabilitate residential apartment buildings at 301 Davenport Ave within Hainesport Township. The development will provide high-quality affordable housing to meet the needs and requirements of the Township's Affordable Housing policies, plans, and goals.

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

Davenport Village already consists of 56 affordable housing units within 7 buildings. The project is identified as a 10.33-acre area that is currently utilized as a multi-residence apartment complex with recreational areas. The site is improved with seven, two-story, multi-residence units with associated parking. The site is additionally enhanced with a playground and tennis courts. PSE&G currently serves Davenport Village for natural gas and electricity. The New Jersey American Water Company provides water and sewer services. The property is located in the northeastern portion of Hainesport and borders the following towns: Timbuctoo, Mount Holly, Lumberton, Mount Laurel, and Hartford. The location is convenient for employment and has numerous amenities. It is close to NJ Route 38, Route 295, and the NJ Turnpike (I95) providing easy access to many employment areas in the Philadelphia Metropolitan Area. The NJ Turnpike and Route 295 are approximately three miles from the subject and provide easy access to employment areas and other amenities located throughout NJ. Route 38 is minutes away from the site and

provides access to dining, shopping, and houses of worship. The best public transportation option is NJ Transit Bus Route 413. This route connects residents with Burlington City, Mount Holly, Virtual Memorial Hospital, and Camden's Walter Rand Transportation Center, which allows wider access via the PATCO and River Line. Downtown Mount Holly is within easy reach of the site and features an active business district with restaurants, shops, and employment opportunities. Many retail stores are within easy reach of the sites, including those along Marne Highway, Route 38 and downtown Mount Holly are all within two miles of the project.

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

[Project Location.pdf](#)

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
M22-DC-34-0212	Community Planning and Development (CPD)	HOME Program

Estimated Total HUD Funded, Assisted or Insured Amount: \$250,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$14,200,516.00

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

Compliance Factors: 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)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards 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.
Coastal Barrier Resources Act 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.
Flood Insurance 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	The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. 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.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality 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: Carbon monoxide, Ozone, Particulate Matter, <2.5 microns. 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.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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. Hainesport

		Township is listed as a tidally influenced municipality but the project is not located in a CAFRA Zone.
<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<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.</p>
<p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.</p>
<p>Explosive and Flammable Hazards Above-Ground Tanks[24 CFR Part 51 Subpart C</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>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. Phase I did not identify the potential for unexploded ordinances or above-ground storage tanks in proximity to the property, therefore the project is in compliance.</p>
<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project includes activities that could potentially convert agricultural land to a non-agricultural use, but an exemption applies. The project is in compliance with the Farmland Protection Policy Act. Property development already exists. As this project is new construction and rehabilitation, no active farmland will be converted to non-agricultural use. Note, the site was historically used for agriculture until the early 2000s. However, the site has been improved with buildings since that time. The property was examined for the use of historically applied pesticides and it concluded no significant impact.</p>

Floodplain Management 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.
Historic Preservation 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 the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106. SHPO confirmed that the project is not historical, nor will any historic properties be affected within the project's area.
Noise Abatement and Control 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	The Preliminary Screening identified no noise generators in the vicinity of the project. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers 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	Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements. The project is located on a sole source aquifer. The region has an MOU with EPA for HUD projects impacting a sole source aquifer, and the MOU or working agreement excludes the project from further review. The property is located within a sole source aquifer; however, the property is serviced by both public water and sewer, and no impact on the aquifer is anticipated.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice 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
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	The proposed development will expand the supply of affordable housing and upgrade the existing housing stock within the permitted zoning and land use parameters. As such, it will result in a net benefit to the area.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	1	Although the proposed development will increase imperious services, all existing stormwater runoff basins will be improved and restored, resulting in a net benefit to stormwater runoff quality.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	The site is already home to 56 households. The addition of 16 new households will have a de minis impact on noise or safety.	
SOCIOECONOMIC			
Employment and Income Patterns	2	The development will not add or detract from employment or income patterns in the immediate area.	
Demographic Character Changes / Displacement	1	By expanding the stock of affordable housing and preserving existing affordable housing, the proposed development will reduce displacement pressures caused by rising suburban housing costs and allow low-income households to remain in the neighborhood.	
Environmental Justice EA Factor	2	There are no detrimental environmental justice considerations.	
COMMUNITY FACILITIES AND SERVICES			

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Educational and Cultural Facilities (Access and Capacity)	2	The proposed development will not impact cultural or economic resources in any way.	
Commercial Facilities (Access and Proximity)	2	The proposed development is located in a residential neighborhood. Commercial facilities in Hainesport will not be impacted in any way, safe for additional residents that could buy goods and services, and act as employees.	
Health Care / Social Services (Access and Capacity)	2	The proposed development will not put any undue strain on Health Care or Social Services. Social services will be provided on-site to residents by Catholic Charities.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	The expanded development will generate slightly more trash, but the project is already served by project waste hauling, so it will not put any strain on the system.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	De minis. Sewage treatment has been approved by the Mt. Holly MUA, and the system has adequate capacity.	
Water Supply (Feasibility and Capacity)	2	De minis. Water has been approved and the system has adequate capacity.	
Public Safety - Police, Fire and Emergency Medical	2	The existing site is already home to 56 households. Additional 16 households will not add an undue burden on the existing fire system. 16 new units have full site plan approval, including the fire marshal's sign-off.	
Parks, Open Space and Recreation (Access and Capacity)	2	The project will not impact any parklands and is being constructed on unused space on site.	
Transportation and Accessibility (Access and Capacity)	1	The project will enhance the accessibility for the existing community by correcting any defective feature of the site that limits or impedes accessibility.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	The project will not impact any natural or water features.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	The project will not displace any wildlife or involve the clearing of native vegetation.	
Other Factors 1			
Other Factors 2			
CLIMATE AND ENERGY			
Climate Change	2	No climate change impacts.	
Energy Efficiency	1	Existing units will be upgraded with new windows and additional sealing which will enhance energy efficiency.	

Supporting documentation

[Wild and Scenic Rivers\(1\).pdf](#)

[Wetlands\(1\).pdf](#)

[Sole Source Aquifers\(1\).pdf](#)

[Project Location\(1\).pdf](#)

[Noise Map\(1\).pdf](#)

[Modified Region-2-MOU-Between-HUD-and-EPA\(1\).pdf](#)

[Historic Preservation Map\(2\).pdf](#)

[FEMA Map\(3\).pdf](#)

[EMPA Air Quality Tables\(1\).pdf](#)

[Contamination and Toxic Substance Map\(1\).pdf](#)

[Coastal Barrier Resources Map\(1\).pdf](#)

[Airport Hazards\(1\).pdf](#)

[Air Quality Map\(1\).pdf](#)

[5- CAFRA Map\(1\).pdf](#)

[Phase I ESA\(1\).pdf](#)

Additional Studies Performed:

Phase I ESA was performed by Pennoni, on August 16, 2022. No RECs were recorded.

[Phase I ESA.pdf](#)

Field Inspection [Optional]: Date and completed by:

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

Consulted with SHPO. See the letter attached.

[SHPO Response.pdf](#)**List of Permits Obtained:**

Burlington County Planning Board Site plan approval; Township of Hainesport Major Site Plan approval; Township of Hainesport Building permits; Mount Holly MUA Sewer Approval; NJDEP 5G3 Stormwater Discharge Permit.

Public Outreach [24 CFR 58.43]:

A Finding of No Significant Impact has been concluded from this report. It is anticipated that a combined FONSI/RROF will be publicly advertised.

Cumulative Impact Analysis [24 CFR 58.32]:

The rehabilitation of Davenport Village will have a de minimis impact on the environment. On balance, the actions will actually have a minor positive cumulative impact over time. The expansion of the community and preservation of existing units will ensure that Hainesport Township continues to provide a reliable stock of permanent affordable rental housing. Further, the renovations will make the existing structures, and associated stormwater runoff, more environmentally friendly.

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

Selecting alternative sites to build 56 new affordable units and abandoning the existing units would have a clear and negative environmental impact versus preserving the existing structures. The current course of action is clearly the least impactful.

No Action Alternative [24 CFR 58.40(e)]

If no action is taken and the preservation does not occur, the existing community will continue to fall into disrepair and suffer financial vulnerability, threatening its ability to remain as a sustainable source of affordable housing for the community.

Summary of Findings and Conclusions:

The preservation and reimagining of Davenport Village is the least environmentally impactful way to sustain and preserve an important source of affordable housing in the community. The net impacts will be positive. Not only will the housing be preserved/created, but the existing structures and site work/stormwater will also be improved in a way that greens stormwater runoff and reduces energy and water use by installing better heating and plumbing fixtures. The development will provide high-quality affordable housing to meet the needs and requirements of the Township's Affordable Housing policies, plans, and goals. The design, layout, and project elements all work to create new development and rehabilitate existing buildings that have the

least impact on the region, preserve key features of the existing site, and meet all regulatory requirements.

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.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
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Project Mitigation Plan

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.

Supporting documentation

[Airport Hazards.pdf](#)

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

[Coastal Barrier Resources Map.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.

✓ Yes

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

[FEMA Map.pdf](#)

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. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

✓ No

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

Yes

4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?

Yes

✓ No

Screen Summary**Compliance Determination**

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. 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

[FEMA Map\(1\).pdf](#)

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

Carbon monoxide	9.00	ppm (parts per million)
Ozone	70.00	ppb (parts per million)
Particulate Matter, <2.5 microns	35.00	µg/m3 (micrograms per cubic meter of air)

Provide your source used to determine levels here:

Conformity determination thresholds at 40 CFR 93.153(b) (<https://www.epa.gov/general-conformity/de-minimis-emission-levels>)

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:

Carbon monoxide	ppm (parts per million)
Ozone	ppb (parts per million)
Particulate Matter, <2.5 microns	µg/m3 (micrograms per cubic meter of air)

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: Carbon monoxide, Ozone, Particulate Matter, <2.5 microns. 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.

Supporting documentation

[EMPA Air Quality Tables.pdf](#)

[Air Quality Map.pdf](#)

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. Hainesport Township is listed as a tidally influenced municipality but the project is not located in a CAFRA Zone.

Supporting documentation

[5- 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:

No RECs, HRECs, or CRECs were identified within Phase I ESA

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.

Supporting documentation

[Contamination and Toxic Substance Map.pdf](#)
[Phase I ESA\(2\).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.

This selection is only appropriate if none of the activities involved in the project have potential to affect species or habitats. Examples of actions without potential to affect listed species may include: purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.
Based on the response, the review is in compliance with this section.

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.

Screen Summary

Compliance Determination

This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.

Supporting documentation

[Phase I ESA\(3\).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. Phase I did not identify the potential for unexploded ordinances or above-ground storage tanks in proximity to the property, therefore the project is in compliance.

Supporting documentation

[Phase I ESA\(4\).pdf](#)

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.)	7 CFR Part 658

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

2. Does your project meet one of the following exemptions?

- Construction limited to on-farm structures needed for farm operations.
- Construction limited to new minor secondary (accessory) structures such as a garage or storage shed
- Project on land already in or committed to urban development or used for water storage. (7 CFR 658.2(a))

Yes

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

No

Screen Summary

Compliance Determination

This project includes activities that could potentially convert agricultural land to a non-agricultural use, but an exemption applies. The project is in compliance with the Farmland Protection Policy Act. Property development already exists. As this project is new construction and rehabilitation, no active farmland will be converted to non-agricultural use. Note, the site was historically used for agriculture until the early 2000s. However, the site has been improved with buildings since that time. The property was examined for the use of historically applied pesticides and it concluded no significant impact.

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:

[FEMA Map.pdf](#)

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

[SHPO Response\(1\).pdf](#)

[Historic Preservation Map.pdf](#)

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" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

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).

Threshold (b). Document and upload the memo or explanation/justification of the other determination below:

Staff determination that the project is not located in a historic property/district and will not be affected. Will confirm with SHPO.

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

Screen Summary

Compliance Determination

Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106. SHPO confirmed that the project is not historical, nor will any historic properties be affected within the project's area.

Supporting documentation

[SHPO Response\(2\).pdf](#)

[Historic Preservation Map\(1\).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

NOTE: For major or substantial rehabilitation in Normally Unacceptable zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. For major rehabilitation in Unacceptable zones, HUD strongly encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details.

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.

Based on the response, the review is in compliance with this section. Document and upload a map showing the location of the project relative to any noise generators below.

Noise generators were found within the threshold distances.

Screen Summary**Compliance Determination**

The Preliminary Screening identified no noise generators in the vicinity of the project. The project is in compliance with HUD's Noise regulation.

Supporting documentation

[Noise Map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

- No

Sole Source Aquifers

General requirements	Legislation	Regulation
<p>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.</p>	<p>Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)</p>	<p>40 CFR Part 149</p>

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

✓ Yes

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

No

Screen Summary

Compliance Determination

Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements. The project is located on a sole source aquifer. The region has an MOU with EPA for HUD projects impacting a sole source aquifer, and the MOU or working agreement excludes the project from further review. The property is located within a sole source aquifer; however, the property is serviced by both public water and sewer, and no impact on the aquifer is anticipated.

Supporting documentation

- [Sole Source Aquifers.pdf](#)
- [Modified Region-2-MOU-Between-HUD-and-EPA.pdf](#)

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

Yes

2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."

No, a wetland will not be impacted in terms of E.O. 11990’s definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990’s definition of new construction.

Screen Summary

Compliance Determination

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.

Supporting documentation

[Wetlands.pdf](#)

[FEMA Map\(2\).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

[Wild and Scenic Rivers.pdf](#)

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