

EARLY NOTICE AND PUBLIC REVIEW OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLANDS

May 22, 2015

To: All Interested Agencies, Groups & Individuals

This Notice is related to Federal assistance provided in response to the Presidentially-declared disaster, Superstorm Sandy. This is to give notice that the New Jersey Department of Community Affairs (DCA), has determined that the following proposed action under the Stronger New Jersey Neighborhood and Community Revitalization (NCR) program is located in the 100-year floodplain and wetlands. NJDCA will be identifying and evaluating practicable alternatives to locating the action in the floodplain and wetlands along with the potential impacts on these features from the proposed action, as required by Executive Order 11988 and Executive Order 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C, Procedures for Making Determinations on Floodplain Management and Protection of Wetlands.

Project Description

Application ID number: NCR40034

The 15.2 acre proposed site involves construction of the Elizabeth River Trail in public areas in the heart of the city's midtown stretching from around Bridge Street to South Broad Street generally paralleling the river and passing through or adjacent to governmental buildings, educational institutions, public and mass transit facilities, low- to moderate-income housing areas, open space, and green space. The finished trail will provide local citizens and visitors enjoyment of the trail and its proposed associated amenities, namely, foot transportation, benches, bicycle racks, lighting and landscaping as well as the necessary trash receptacles, signage, curbs, etc. Approximately 12.37 acres of the proposed project area is located within the Special Flood Hazard Area Zone AE, of which approximately 5.35 acres are also within the FEMA-designated Floodway, as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panels 23, 24 and 35 of 49, Map Numbers 34039C0023F, 34039C0024F and 34039C0035F, effective September 20, 2006. Additionally, the newer FEMA Preliminary FIRM also shows similar portions of the project area within the SFHA Zone A and Floodway. The preliminary flood map Zone "A" incorporates all "A" categories, including, in this case "AE". The proposed project is located within the mid-city area in the city of Elizabeth, Union County, New Jersey.

A desktop review of the National Wetlands Inventory (NWI) and the New Jersey Department of Environmental Protection - HUD Environmental Review Tool indicates wetlands adjacent to the project area. There are two portions of the trail that have NJDEP mapped wetlands on or adjacent to the site. The first is the easternmost portion of the trail which runs along an approximately 5.64 acre mapped freshwater emergent wetland for roughly 1,320 feet. The second is the southernmost end of the trail which runs alongside and over an approximately 1.3 acre mapped freshwater emergent wetland. In addition to the desktop review, a qualified Wetland Biologist has conducted a site visit to verify the presence of and characteristics of any wetlands onsite. The Wetland Biologist determined that parameters necessary to positively identify wetlands (hydrophytic vegetation, hydric soils, and hydrology) are present within the project site on three separate areas. The first area is a small detention basin that shows signs of hydrology and is dominated by Common reed (*phragmites australis* FACW) was found near where the project area intersects South Street. The second area, which corresponds with the easternmost mapped wetlands described above, is identified as the Elizabeth River Parkway, located between the Route 1 overpass and the Summer Street Bridge. On top of the levee within the Elizabeth River Parkway is a paved walk, which is where project activities will be. However, adjacent to the designated project area, the extent on the protected side of the levee is dominated the Common reed and other potential wetland herbaceous species. Lastly, the third area corresponds with the southernmost mapped wetlands described above. The

area here is primarily maintained grass; however, the southernmost end is dominated by Common reed and small trees closer to the levee including sycamore (*Plantanus occidentalis* FACW), American elm (*Ulmus americana* FACW) and box elder (*Acer negundo* FAC).

There are three primary purposes for this notice. First, people who may be affected by activities in the floodplain or wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public education tool. Commenters are encouraged to offer alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. The dissemination of information and request for public comment about floodplains or wetlands can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in the floodplain or wetlands, it must inform those who may be put at greater or continued risk.

Written comments must be received by DCA on or before June 8, 2015, or fifteen (15) days from the actual date of publication, whichever is later. DCA encourages electronic submittal of comments at <http://www.nj.gov/dca/divisions/sandyrecovery/review/>. In the alternative, comments may be submitted on paper to: Stacy Bonnaffons, Assistant Commissioner, Sandy Recovery Division, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 800, Trenton, NJ 08625-0800.

Acting Commissioner Charles A. Richman
New Jersey Department of Community Affairs