

COMBINED PUBLIC NOTICE

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS AND FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN

ATLANTIC COUNTY

July 15, 2016

New Jersey Department of Community Affairs
101 South Broad Street
PO Box 800
Trenton, NJ 08625-0800

This Notice is related to Federal assistance provided in response to the Presidentially-declared disaster, Superstorm Sandy. This notice shall satisfy three separate but related procedural requirements for activities to be undertaken by New Jersey Department of Community Affairs (DCA).

Per 24 CFR 58.33, and 24 CFR 55.20(b)(1), the combined Notice of Finding of No Significant Impact (FONSI), Notice of Intent to Request Release of Funds (NOI-RROF), and the Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain will be published simultaneously with the submission of the RROF. The funds are needed on an emergency basis due to a declared disaster from the impacts of Superstorm Sandy, which made landfall on October 29, 2012. As a result, the comment periods for the FONSI, NOI-RROF, and 100-Year Floodplain have been combined. Commenters may submit comments to DCA and objections to the U.S. Department of Housing and Urban Development (HUD) to ensure they will receive full consideration.

REQUEST FOR RELEASE OF FUNDS

On or about August 1, 2016, the DCA will submit a request to HUD for the release of Federal funds under the Community Development Block Grant Program (CDBG) pursuant to the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013) for the Flood Hazard Risk Reduction Program. DCA expects to fund the project using approximately \$1,379,435.00 of CDBG-DR funds.

PROJECT DESCRIPTION

Application ID number: FHR0000035

Project Title: Brigantine

Location: 34th Street Circle, Hackney Place at West Shore Drive, and Jenkins Parkway from 11th Street to 12th Street, Brigantine, Atlantic County

The total estimated project cost is \$1,379,435.00.

The project includes the installation of three stormwater pump stations, elevated emergency generators, new gravity storm piping, and storm force main in order to help alleviate flooding during a storm event. The proposed improvements will enhance stormwater conveyance as well as provide more time for residents, City employees, and emergency services personnel to access various parts of the City during a flood event. The improvements will disturb approximately 13,000 sq. ft. of land within the 100-year flood plain as defined by Zone A of the FEMA FIRM maps 345286000B and 345286000D, panel numbers 2 and 3 of 3. All improvements will take place within City Right-Of-Way. No private property is expected to be taken permanently or temporarily.

FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN

This is to give notice that the DCA has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C, Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded with Community Development Block Grant Disaster Recovery (CDBG-DR) funds under HUD grant number B-13-DS-34-0001.

The proposed project is located at 34th Street Circle, Hackney Place at West Shore Drive, Jenkins Parkway from 11th Street to 12th Street in Brigantine, Atlantic County. The project includes the installation of three stormwater pump stations, elevated emergency generators, new gravity storm piping, and storm force main in order to help alleviate flooding during a storm event. The proposed improvements will enhance stormwater conveyance as well as provide more time for residents, City employees, and emergency services personnel to access various parts of the City during a flood event. The improvements will disturb approximately 13,000 sq. ft. of land within the 100-year flood plain as defined by Zone A of the FEMA FIRM maps 345286000B and 345286000D, panel numbers 2 and 3 of 3. All improvements will take place within City Right-Of-Way. No private property is expected to be taken permanently or temporarily. Of the 13,000 sq. ft. of disturbance, approximately 4,356 sq. ft. of disturbance will take place in existing grass areas. The remaining disturbed area will take place in existing paved or gravel areas.

DCA has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values:

Alternatives

1. Construct two pump stations instead of the three proposed. Although, this would decrease the anticipated costs of the project, it would not benefit the City during a flooding event. The three proposed pump stations are located in areas that experienced great flooding which made it difficult for emergency services and City personnel to access various parts of the City during a flooding event. The three proposed pump stations are located in densely populated and important travel routes within the City. Constructing two pump stations instead of the proposed three would inhibit any sort of evacuation throughout the northern portion of the City.
2. Construct only pump stations at Jenkins Parkway and the 34th Street circle and omit improvements to the existing gravity storm piping in the vicinity. The pump station would have helped alleviate flooding in these immediate areas, but only for a short time. It was found that much of the existing stormwater piping around Jenkins Parkway and 34th Street was damaged or undersized, thus minimizing the benefits of these two pump stations.

Mitigation Measures

Mitigation measures to be taken during construction to minimize adverse impacts include the following:

1. Construction during the day outside of summer months in order to ensure minimal disturbance (traffic, noise, etc.) to residents, commercial businesses, and tourists.
2. Installing sound proof enclosures where possible to minimize noise disturbance during use of the completed generators.
3. Cleaning the construction on a daily basis to minimize dust and other airborne health hazards.

The proposed improvements are meant to mitigate flood damage during storm surges. The increase in stormwater conveyance efficiency will allow for reduced property damage and safer travel during a flooding event. As the entire City of Brigantine is located within a flood plain, the improvements are meant to slow the advance of flooding to allow for safer access to and from the City.

DCA has reevaluated the alternatives to building in the floodplain and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988, are available for public inspection, review and copying upon request at the times and location described in the Public Comments section of this notice.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains 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 educational tool. The dissemination of information and request for public comment about floodplains can facilitate and enhance Federal efforts to reduce the risks and impacts 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 floodplains, it must inform those who may be put at greater or continued risk.

FINDING OF NO SIGNIFICANT IMPACT

The DCA has determined that this project will have no significant impacts on the human environment. Therefore, an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the New Jersey Department of Community Affairs, Sandy Recovery Division, 101 South Broad Street, Trenton, NJ 08625-0800. The record is available for review and may be examined or copied weekdays 9 A.M. to 5 P.M. or can be viewed online at <http://www.nj.gov/dca/divisions/sandyrecovery/review/>.

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on this project may submit written comments to Laura Shea, Assistant Commissioner, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 800, Trenton, NJ 08625-0800 or online at <http://www.nj.gov/dca/divisions/sandyrecovery/review/> and to Tennille Smith Parker, DRS, Acting Division Director, HUD, 451 Seventh Street SW, Washington, D.C. 20410. All comments received by August 1, 2016 or fifteen (15) days from the actual date of publication, whichever is later, will be considered by DCA. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

DCA certifies to HUD that Charles A. Richman, in his capacity as Commissioner of DCA consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under the National Environmental Policy Act and related laws and authorities, and allows DCA to use CDBG-DR funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and DCA's certification for a period of fifteen (15) days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of DCA; (b) DCA has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency, acting pursuant to 40 CFR Part 1504, has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58.76) and shall be addressed to Tennille Smith Parker, DRS, Acting Division Director, HUD, 451 Seventh Street SW, Washington, D.C. 20410. Potential objectors should contact HUD to verify the actual last day of the objection period.

Commissioner Charles A. Richman
New Jersey Department of Community Affairs