

## **Floodplain 8-Step Process in accordance with Executive Order 11988: Floodplain Management**

**New Jersey Economic Development Authority,**

**Neighborhood and Community Revitalization (NCR) Program**

**Borough of Little Ferry – Lakeview Field Reconstruction Project (NCR39505)**

**Bergen County**

December 2014

This Floodplain 8-Step Process document addresses the requirements of Executive Order 11988, “Floodplain Management” and has been completed for the Borough of Little Ferry – Lakeview Field (NCR39505), an applicant for HUD-CDBG funding under the New Jersey Economic Development Authority’s Stronger New Jersey Neighborhood and Community Revitalization (NCR) Program. This document pertains to proposed activities in the 100-year floodplain (A and V Zones) as delineated on the latest FEMA floodplain maps, whether advisory, preliminary, or final.

The Stronger NJ Neighborhood and Community Revitalization (NCR) Program supports the long-term recovery of small businesses and communities by funding projects that contribute to the economic revitalization throughout New Jersey, but focusing on the nine most impacted counties. NCR supports projects that retain or hire new employees, contribute to the State’s economy, serve Low or Moderate Income (LMI) areas, create or maintain LMI jobs, remove slum or blight, or address an urgent need related to Superstorm Sandy. These projects are commercial or mixed use projects, typically development and public improvement or streetscape revitalization.

The proposed project will facilitate reconstruction and improvements of Lakeview Field, a public facility in Little Ferry Borough. Improvements will include lighting, fencing, turf, and dugouts throughout the five sports fields in an effort to enhance current conditions at Lakeview Field and support long-term economic revitalization efforts in this community.

### **Step ONE: Determine if the Proposed Action is in the 100-year Floodplain**

The proposed project is located at Lakeview Field, bordered by Lakeview Drive, Indian Lake Drive, Backiel Street, and Bergen Turnpike, in Little Ferry Borough, Bergen County, New Jersey. The parcel is approximately 14.9 acres and is partially located within the Special Flood Hazard Area Zone “AE”, which is part of the 100-year Floodplain as indicated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), Panel 256 of 332, Map Number 34003C0256G, effective September 30, 2005.

### **Step TWO: Early Public Review**

A 15-day “Notice for Early Public Review of a Proposed Activity in a 100-Year Floodplain” was published in The Record and El Diario on December 3, 2014. The ad targeted local residents, including those in the floodplain. The notice was also sent electronically to interested Federal and State agencies and posted to DCA’s website <http://www.nj.gov/dca/divisions/sandyrecovery/review/> for further review. The 15-day comment period expired on December 18, 2014.

The U.S. Army Corps of Engineers responded by telephone, requesting a more detailed description of project activities and a site location map of further review, however, no formal comments resulted. DCA received no public comments on this notice.

### **Step THREE: Identify and Evaluate Practicable Alternatives to Locating in the Base Floodplain**

The Stronger New Jersey Neighborhood and Community Revitalization (NCR) Program supports the long-term recovery of small businesses and communities by funding projects that contribute to the economic revitalization throughout New Jersey, but focusing on the nine most impacted counties. NCR supports projects that retain or hire new employees, contribute to the State's economy, serve Low or Moderate Income (LMI) areas, create or maintain LMI jobs, remove slum or blight, or address an urgent need related to Superstorm Sandy. These projects are commercial or mixed use projects, typically development and public improvement or streetscape revitalization.

New Jersey is the most densely populated state in the country and therefore a policy to prohibit any development in the floodplain is not considered practicable due to the disproportionately large amount of land area located within the floodplain in the communities most affected by Superstorm Sandy. The following alternatives to locating in the base floodplain were considered:

- Relocation of the project by reconstructing a public sports facility at a different location outside of the 100-Year Floodplain.
- No Action.

Relocation of the project by relocating the facility outside of the 100-Year Floodplain. Relocating would require the applicant to purchase another property with sufficient space and natural resources to mirror the unique features and natural resources available at the property where the facility is currently situated. Additionally, the applicant would incur the costs necessary to build the recreational facilities necessary to meet the community's needs. However, the applicant owns their current property and the property is already developed with the necessary buildings and recreational facilities needed to accomplish their primary operational goals. Thus, relocating the facility would be cost prohibitive. Additionally, relocating Lakeview Field would be contrary to the purpose and function of the proposed project. The facility is located within the community the project is intended to serve. The surrounding area is heavily developed and densely populated, with very limited undeveloped land area outside of the 100-Year Floodplain, meaning that relocating the facility outside the 100-Year Floodplain would likely also mean relocating the facility outside of this community, which would hinder the facility from providing services to this community. Therefore, relocating the facility outside the 100-Year Floodplain is not a feasible alternative.

No Action Alternative. The "No Action Alternative" means that the proposed project would not be implemented and Lakeview Field would likely remain in its current storm-damaged condition and may not receive the funding to make needed repairs and improvements. Without these needed repairs and improvements, the park is anticipated to deteriorate and potentially contribute to a decline in the community. Taking no action would not address the vital needs of this community and would not aid in community and economic recovery in Little Ferry, New Jersey.

Implementation of the proposed action will require local and state permits, which may place additional mitigation requirements on the project.

### **Step FOUR: Identify the Impacts of the Proposed Action**

The proposed project will facilitate reconstruction and improvements of Lakeview Field, a public facility in Little Ferry Borough. Improvements will include replacing lighting and fencing, replacing the damaged natural turf with artificial turf, and rebuilding multiple small dugouts around the five sports fields in an effort to enhance current conditions at Lakeview Field and support long-term economic revitalization efforts in this community.

All activities will be limited to the previously disturbed area of the developed parcel. The proposed project will demolish and reconstruct the dugouts at four of the five baseball fields, and replace the existing natural turf (damaged by brackish-water flooding) with artificial turf to provide a safer playing surface with less upkeep. Lighting and fencing will also be updated and replaced around the ball fields and other areas of the park for improved energy efficiency and safety. The synthetic turf installation will require grading the fields and excavation of six to twelve inches of soil to ensure even soil bed drainage and allow for the placement of the underdrain system, base stone, finish stone, synthetic turf and resilient layered infill. The finish grade will be consistent with the current ground elevation. These activities are not anticipated to impact flood levels, flood risk, or the flow of floodwaters on the project site or surrounding areas. Additionally, the project will not result in an increase in floodplain development in comparison to pre-storm conditions and would not increase floodplain occupancy.

All required permits must be identified and obtained prior to commencement of construction. The project qualifies for Flood Hazard Area Control Act, Permits-By-Rule and must comply with all permit requirements. Additionally, mitigation measures and Best Management Practices (BMPs) will be utilized to minimize any potential impacts to the floodplain. Overall, implementation of the project is not anticipated to have any significant adverse impacts on the floodplain.

**Step FIVE: Minimize Threats to Life and Property and to Natural and Beneficial Floodplain Values. Restore and Preserve Natural and Beneficial Floodplain Values.**

The proposed activity may have some direct and indirect impacts on the floodplain as a result of the grading, excavation, and removal and replacement of fill in the areas of the ball fields located in and adjacent to the floodplain. However, the excavated soils will be replaced by an equivalent amount of ‘fill’ material (synthetic turf and infill) resulting in no loss of flood storage capacity. All excavated soils will be relocated or stored outside the floodplain. Therefore, any impacts to the floodplain are anticipated to be temporary and minor. As required by the Stronger New Jersey Neighborhood and Community Revitalization (NCR) Program, the project must obtain all necessary permits and comply with all applicable local, state and federal requirements, which will further mitigate any potential direct or indirect floodplain impacts and help to preserve and restore natural and beneficial floodplain values where practicable. Additionally, BMPs and mitigation measures will be incorporated during construction to minimize any potential adverse impacts and to restore and preserve natural and beneficial floodplain values where to the greatest extent feasible.

New Jersey Economic Development Authority (NJEDA) requires elevation or flood proofing of all “substantially damaged” structures in the floodplain. These regulations are intended to reduce the threat of flood damage to properties located in the floodplain and reduce the impact of development on the floodplain. In summary, applicants participating in this program would be required to adhere to the following conditions to minimize the threat to property, minimize losses from flooding and high wind events, and benefit floodplain values:

- A. All proposed reconstruction and repair of “substantially damaged” structures in the floodplain must adhere to the latest (most recent) elevation requirements in accordance with the Emergency Flood Hazard Area Control Act rules (N.J.A.C. 7:13). Flood elevations are now determined either using the higher of the ABFE, the effective BFE, or the design flood elevation shown on the NJDEP flood maps;
- B. All participants in the NCR Program must carry flood insurance on the subject structure, when mandated, in perpetuity; and
- C. In the case of “Coastal High Hazard” areas (“V” or “VE” Zones on the latest [most recent] FEMA-issued Maps), that the applicant adhere to construction standards, methods and techniques

requiring a registered professional engineer to either develop, review or approve, per the associated location, specific Applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 CFR Part 60.3 (e) as required by HUD Regulation 24 CFR Part 55.1 (c)(3).

Based on the scope of the project, the proposed project would not result in significant adverse impacts to flood levels, flood risk, or the flow of waters on the project or surrounding areas. The reconstruction and improvements to Lakeview Field will not adversely impact the floodway and or increase the risk of the loss of life or property.

### **Step SIX: Reevaluate Alternatives**

DCA has reevaluated the project alternatives 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 alternative to relocate of the project by relocating the facility outside of the 100-Year Floodplain was determined to be financially infeasible and contrary to the purpose and function of the proposed project, therefore, the relocation alternative was considered and rejected.

The 'No Action' alternative would not require the project to comply with the applicable elevation/flood proofing and construction requirements and the project would continue to be vulnerable to flood hazards. This option would not meet the program's objectives to reduce the impact of the development on floodplains and reduce future risk from flooding. Additionally, taking no action would not address the vital needs of this community and would not aid in this community's economic recovery. Therefore, the 'No-Action' alternative was also considered and rejected.

DCA has determined that it has no practicable alternative and has decided to proceed with the proposed project and to minimize any potential adverse impacts through the use of BMPs and mitigation measures.

### **Step SEVEN: Issue Findings and a Public Explanation**

It has been determination that there is no practicable alternative to locating the proposed project in the 100-year floodplain. Lakeview Field is located partially within the 100-year floodplain and relocating this public facility would be financially infeasible and contrary to the purpose and function of the proposed project. Implementation of the proposed project would reduce the impact of the development on floodplains and reduce future risk from flooding through compliance with floodplain regulations. The construction and operation of the proposed project would not result in significant adverse impacts to flood levels, flood risk, or the flow of floodwaters on the project site or surrounding areas. Therefore, the proposed project would be compliant with the National Flood Insurance Act of 1968 (44 CFR § 59) and EO 11988 on Floodplain Management (42 FR 26951).

In accordance with 24 CFR 55, a "Final Notice and Public Explanation" of Policy Determination will be published in The Record and El Diario for a 7-day comment period. The notice will state the reasons why the project must be located in the floodplain, a list of alternatives considered, and all mitigation measures to be taken to minimize adverse impacts and preserve natural and beneficial floodplain values.

In accordance with 24 CFR 55.20 Subpart C, all comments received by DCA will be taken under consideration and responded to prior to project implementation.

**Step EIGHT: Implement the Action**

Step Eight is implementation of the proposed action. BMPs and mitigation measures will be incorporated into the proposed project to minimize any potential adverse impacts and to restore and preserve natural and beneficial floodplain values where possible.