

COMBINED PUBLIC NOTICE

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

OCEAN COUNTY

March 20, 2015

New Jersey Economic Development Authority
36 West State Street
PO Box 990
Trenton, NJ 08625-0990
609-858-6700

This notice shall satisfy three separate but related procedural requirements for activities to be undertaken by the New Jersey Economic Development Authority (EDA).

Per 24 CFR 58.33, and 24 CFR 55.20(b)(1), the combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI/NOI-RROF), and the 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, 100-Year Floodplain, and RROF have been combined.

REQUEST FOR RELEASE OF FUNDS

On or about April 6, 2015, the New Jersey Department of Community Affairs (DCA) on behalf of EDA will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Federal funds under the Community Development Block Grant Program (CDBG) pursuant to the Disaster Relief (DR) Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013) for the Neighborhood and Community Revitalization (NCR) program. EDA expects to fund the project using approximately \$5,000,000 of NCR funds.

The following information pertains to this project:

Project Title: NCR39812 "Fishermen's Landing"

Location: 117-301 Channel Drive, Point Pleasant Beach, Ocean County, New Jersey

Estimated Cost: \$13,773,630 (Phase I only)

Project Description: The proposed project will consist of two phases. Phase I will consist of the reconstruction and elevation of the existing bulkheads at 117 and 205 Channel Drive. A concrete esplanade will be installed behind the reconstructed bulkhead, and sidewalk and landscaping improvements along Baltimore Avenue will be conducted to allow for public access to the

waterfront. Existing fishing equipment will be relocated from 205 Channel Drive to 301 Channel Drive. The buildings at 205 and 209 channel drive will be demolished. The building at 301 Channel Drive will be rehabilitated and modernized with an approximately 3,000 square-foot second story addition. The property's 18,000-gallon double-walled diesel tank will be relocated from its current location, in the center of the property, to a location adjacent to the building at 301 Channel Drive. Stormwater management improvements will also be incorporated into the property.

Phase II of the project will consist of the demolition of the building at 117 Channel Drive and the construction of a hotel building on this parcel. In addition, a restaurant building will be constructed at 205 Channel Drive. Due to FEMA floodplain requirements, the hotel and restaurant are proposed to be elevated to a height of 15 feet, with the parking incorporated beneath and surrounding the structures. It is noted that the funding being sought in this application will be used only on Phase I. Funding for Phase II will be obtained separately.

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.

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 under the NCR program under (B-13-DS-34-0001). Phase I of the proposed project is intended to demolish the existing storm-damaged buildings on the subject parcels, with the exception of the existing fish handling building, which will be rehabilitated and modernized. Phase II of the project will consist of the demolition of the building at 117 Channel Drive and the construction of a hotel building on this parcel. In addition, a restaurant building will be constructed at 205 Channel Drive. The project is located at 117-301 Channel Drive, Point Pleasant Beach, New Jersey. The property is approximately 7.66 acres, all of which is located within the AE (Base Flood Elevations determined) Flood Zone, as indicated on Flood Insurance Rate Map (FIRM) Panel 206 of 611 no. 34029C0206F, revised September 29, 2006. FEMA Preliminary FIRM mapping also indicates approximately 0.23 acres of the northeastern corner of the property is within the VE zone.

DCA has considered the following alternatives and mitigation measures to minimize adverse impacts and to restore and preserve natural and beneficial values. Alternatives included demolition of the storm-damaged buildings and rehabilitation and modernization of the fish handling building with the incorporation of flood-proofing measures, and construction of a

restaurant and hotel building (the Preferred Alternative) and a “No Action Alternative” which would involve taking no demolition/rehabilitation actions and would not construct new commercial facilities on the property. The No Action Alternative was rejected because it would not meet the program requirements to mitigate flood hazard risks and revitalize New Jersey’s storm-impacted communities. The Preferred Alternative would meet these goals by rehabilitating the functioning fish handling building and incorporating flood mitigation measures to above the BFE, minimizing potential impacts from future flood events. The Preferred Alternative would also enable the property owner to further redevelop the property to include a hotel and restaurant, which would help revitalize the local tourism industry and provide new employment opportunities. The project is a site plan application and no other practicable alternatives were provided. Implementation of the proposed action will require local and state permits, which may place additional mitigation requirements on the project.

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 delineated in the last paragraph of this notice for receipt of comments.

DCA has determined that 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. The project would reduce flood risk and the impact of development on the floodplain. 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).]

FINDING OF NO SIGNIFICANT IMPACT

An Environmental Assessment has been prepared and DCA has determined that this project will have no significant impact on the human environment; therefore, an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (NEPA) is not required. The reason for the decision not to prepare an EIS is that no significant impacts or hazards were identified in the course of the environmental review. Additional project information is contained in the Environmental Review Record on file at the New Jersey Economic Development Authority, 36 West State Street, PO Box 990, Trenton, New Jersey 08625. The record is available for review and may be examined or copied weekdays 9 A.M. to 5 P.M. by contacting Erin B. Gold at 609-858-6718 or may 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 Stacy Bonnaffons, Assistant Commissioner, Sandy Recovery Division, 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 April 6, 2015 will be considered by DCA and EDA. Comments should specify which Notice (Notice of Finding of No Significant Impact [FONSI], Notice of Public Review of a Proposed Activity in a 100-year Floodplain, or Notice of Intent to Request Release of Funds [NOI-RROF]) they are addressing.

RELEASE OF FUNDS

DCA certifies (on or about April 6, 2015) to HUD that Richard E. Constable, III, 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 Program 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 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) 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 Richard E. Constable, III
New Jersey Department of Community Affairs