

COMBINED PUBLIC NOTICE

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS AND NOTICE AND PUBLIC EXPLANATION OF PROPOSED ACTIVITIES IN A 100-YEAR FLOODPLAIN

BERGEN COUNTY

April 24, 2015

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

This notice shall satisfy two 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 Notice of Intent to Request Release of Funds (NOI-RROF) and the Notice and Public Explanation of Proposed Activities in a 100-Year Floodplain will be published simultaneously with the submission of the Request for Release of Funds (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 NOI-RROF, 100-Year Floodplain and RROF have been combined.

REQUEST FOR RELEASE OF FUNDS

On or about May 5, 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 Stronger New Jersey Neighborhood and Community Revitalization (NCR) Program. EDA expects to fund the project using approximately \$4,987,790.00 of NCR funds.

The following information pertains to this project:

Project Title: Borough of Carlstadt - Road and Drainage Improvement Project (NCR40029)

Location: Kero Road, Jomike Court, Barell Avenue, Eastern Way, Starke Road, 455 16th Street

Estimated Total Project Cost: \$4,987,840.65

Project Description: The proposed project activities will include reconstruction and improvements to five different roads – Kero Road, Jomike Court, Barell Avenue, Eastern Way, and Starke Road – as well as associated drainage inlets within the Borough of Carlstadt, Bergen County, New Jersey. Additionally, storm water system improvements will be completed at 455 16th Street. The scope of the project will include the reconstruction of various outfalls, the

installation of a backflow preventer/check valve, the purchase of equipment for ongoing maintenance, the purchase of Tiger Dams, and the repaving of roadway surfaces. All of the combined reconstruction activities will address the damage to the drainage system and roads caused by Superstorm Sandy and associated flooding events. These improvements do not involve any change in land use, will allow for the continued safe use of these roadways during future potential flooding events, and will effectively reduce damage from flooding to nearby public and private infrastructure by allowing for proper and timely storm water drainage.

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.

EDA has determined that the proposed project is Categorically Excluded SUBJECT to §58.5 authorities per 24 CFR 58.35(a)(1). As such, a Statutory Checklist has been completed in order to determine whether the project is in compliance with the authorities cited at 24 CFR§50.4 and 58.5.

Additional project information is contained in the Environmental Review Record (ERR) 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/>.

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

This is to give notice that 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 activities are funded under the NCR program under (B-13-DS-34-0001). The proposed project will include reconstruction and improvements to five different roads – Kero Road, Jomike Court, Barell Avenue, Eastern Way, Starke Road - as well as drainage inlets within the Borough of Carlstadt, Bergen County, New Jersey. Additionally storm water system improvements will be completed at 455 16th Street. The scope of the project will include the reconstruction of various outfalls, the installation of a backflow preventer/check valve, the purchase of equipment for ongoing maintenance, the purchase of Tiger Dams, and the repaving of roadway surfaces. All of the combined reconstruction activities will address the damage to the drainage system and roads caused by Superstorm Sandy and associated flooding events. These improvements do not involve any change in land use, will allow for the safe use of these roadways during future flooding events, and will effectively reduce damage from future flood events to nearby public and private infrastructure by allowing for efficient storm water drainage.

Proposed project activities encompass approximately 25.6 acres, of which, approximately 23.15 acres are located within the 100-year Floodplain. Starke Road and 455 16th Street are entirely within the SFHA Floodplain Zone AE, as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel 254 of 332, Map Number 34003C0254G, effective September 30, 2005. Kero Road, Eastern Way, Barell Avenue, and Jomike Court are all partially within the SFHA Floodplain Zone AE, as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel 258 of 332, Map Number 34003C0258G, effective September 30, 2005.

DCA has considered the following alternatives and mitigation measures to minimize adverse impacts, and to restore and preserve natural and beneficial values. Relocating the infrastructure improvements outside of a 100-year Floodplain would eliminate any potentially adverse impacts associated with construction activities but would not provide safer roads or reduce threats to life and property during future flooding events. Limiting project activities to only include sites located outside the 100-Year Floodplain would result in a scaled-down scope involving repaving only small portions of various streets. Under this alternative, the repairs and improvements to the drainage system would not occur and this area would continue to experience repetitive flooding during rain / storm events and further deterioration the streets in this area. Lastly, the use more permeable construction materials in place of the proposed asphalt or concrete for street resurfacing would have an insignificant beneficial effect on the floodplain as a whole, would not be conducive to the accomplishing the needed long-term repairs, and would be cost prohibitive and difficult to maintain. The storm water management system and roads in need of repair are integral to the infrastructure of this area and the 100-year floodplain in which they are located. Completing the project within the 100-year floodplain, as proposed, would most effectively control the volume and velocity of water runoff, and potentially preserve natural and beneficial floodplain values. Therefore, alternatives to relocate the road and drainage improvement project outside of the floodplain are not available and would be contrary to the purpose and function of the proposed improvement. A No Action alternative was considered and rejected because taking no action would not address the vital infrastructure needs of the area, would not aid in community and economic recovery in Carlstadt Borough, and would not address the needed reduction of future flood risk and associated human health, safety and welfare impacts. 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 implementation 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 damage resulting from flood level, flood risk, and the flow of floodwaters into the project area. 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).]

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 May 4, 2015, or seven (7) days from the actual date of publication, whichever is later, will be considered by DCA and EDA. Comments should specify which Notice (Notice of Intent to Request Release of Funds [NOI-RROF] or Notice and Public Explanation of Proposed Activities in a 100-year Floodplain) they are addressing.

RELEASE OF FUNDS

DCA certifies (on or about May 5, 2015) to HUD that Charles A. Richman, in his capacity as Acting 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 seven (7) 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.

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