

## **COMBINED PUBLIC NOTICE**

### **NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS AND FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN**

#### **OCEAN COUNTY**

May 20, 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 two separate but related procedural requirements for activities to be undertaken by the New Jersey Department of Community Affairs (DCA).

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 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 NOI-RROF, 100-Year Floodplain, and RROF 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 May 30, 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 Neighborhood Enhancement Program (NEP). DCA expects to fund the project using approximately \$450,000 of NEP funds.

#### **PROJECT DESCRIPTION**

Application ID number: NEP0289

Project Title: Community Loan Fund of New Jersey, Inc.

Location: 23 Longman Street and 524 Parkside Avenue, Toms River, Ocean County, New Jersey

The total estimated project cost is \$697,313.

This project involves rehabilitation of two properties to provide affordable rental housing to families that are at or below 80% of the area median income (AMI). Both subject properties were

substantially damaged by flooding from Superstorm Sandy. Proposed work includes the rehabilitation and elevation of the two residences above the floodplain. Both residences are single-story single-family homes. The applicant noted that the residence at 23 Longman Street may require demolition and reconstruction depending upon determinations to be made by the township. If it is determined that the residence must be demolished, the new home will be constructed in the footprint of the existing structure and will be elevated above the floodplain.

The Responsible Entity, DCA, has determined that the proposed project is Categorically Excluded Subject to §58.5 authorities per 24 CFR 58.35(a). 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§58.5.

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

#### 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 23 Longman Street and 524 Parkside Avenue, Toms River, Ocean County, New Jersey. According to tax records, the property at 23 Longman Street is 0.17 acres, which is entirely located within the AE (Base Flood Elevations [BFE] determined) Flood Zone, as indicated on Flood Insurance Rate Map (FIRM) Panel 213 of 611 no. 34029C0213F, revised September 29, 2006. According to tax records, the property at 524 Parkside Avenue is 0.138 acres, which is entirely located within the AE (BFEs determined) Flood Zone, as indicated on FIRM Panel 309 of 611 no. 34029C0309F, revised September 29, 2006.

This project involves rehabilitation of two properties to provide affordable rental housing to families that are at or below 80% of the area median income (AMI). Both subject properties were substantially damaged by flooding from Superstorm Sandy. Proposed work includes the rehabilitation and elevation of the two residences above the floodplain. Both residences are single-story single-family homes. The applicant noted that the residence at 23 Longman Street may require demolition and reconstruction depending upon determinations to be made by the township. If it is determined that the residence must be demolished, the new home will be constructed in the footprint of the existing structure and will be elevated above the floodplain.

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:

(1) Reconstruct or rehabilitate the homes, in the same location, with elevation above the BFE (the Proposed Alternative); (2) Reconstruct or rehabilitate the homes, in the same location, without elevation above the BFE; and (3) Retain the existing structures in place with no action (the No Action Alternative).

It was determined that the Proposed Alternative would have minimal additional impacts on floodplain values, with the exception of short term impacts during construction, which could be mitigated through Best Management Practices (BMP's) and good housekeeping practices. This Alternative would also lessen the impact of future flood events on the properties and their occupants because the homes would be elevated above the BFE. Alternative 2 would have similar short-term impacts but would have long-term direct impacts to the floodplain as an un-elevated structure would increase the impervious surface in the neighborhood and directly affect the behavior of flood waters, and would leave the structures and their occupants at continued exposure to flood risk. Therefore, Alternative 2 was rejected. The No Action Alternative would involve taking no action, and would leave the existing residences in place, where they would continue to deteriorate over time. This would not meet the NEP program's goals to help revitalize the storm-impacted communities; therefore, this alternative was rejected.

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.

## PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on the 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 May 30, 2016, or seven (7) 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 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 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