EXECUTIVE ORDER 11988 – FLOODPLAIN MANAGEMENT

FIVE-STEP PROCESS

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RELIEF (CDBG-DR) PROGRAM

--Rehabilitation, Reconstruction, Elevation and Mitigation (RREM) Project No. RRE0006556MF
--Decision Process for Executive Order 11988 as Provided by 24 CFR §55.20

Step 1: *Determine whether the action is located in a 100-year floodplain (or a 500-year floodplain for critical actions).*

The proposed project is intended to rehabilitate the residence. The project is located at 2 South Montgomery Avenue, Apartment 1, Atlantic City, New Jersey. The project is located entirely within the 100-year floodplain. The property is within the AE flood zone (area of special flood hazard with water surface elevations determined). The property is located on Flood Insurance Rate Map (FIRM) Panel 4 of 5 no. 3452780004D, revised August 15, 1983. Executive Order (EO) 11988 within HUD Regulations 24 CFR Part 55 details floodplain management. The purpose of EO 11988 is "to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative." The project is located within the 100-year floodplain and for this reason, EO 11988 applies. The subject unit occupies 377 square feet of the floodplain. An evaluation of direct and indirect impacts associated with construction, occupancy, and modification of the floodplain is required.

The project is a rehabilitation of a single residence within a multi-unit building. The estimated work-in-progress repairs is $3,579.01 and the estimated cost of repair is $37,610.52. The application's Form 6 states that the FEMA estimated value of the home is $70,077.15. There are 8 units in the building, therefore the building is valued at approximately $560,617.20. Based on this total estimated value of the building, the cost to repair one unit is approximately 7% of the value of the building. The cost to repair one unit is less than 50% of the value of the building; therefore, the project is not classified as a substantial rehabilitation (i.e., elevation is not required). Because the building was not substantially damaged, per 24 CFR 55.12(a)(3), public notification of the proposed activity (Step 2), identification and evaluation of practicable alternatives (Step 3) and the determination of no practicable alternative and publication of a final notice (Step 7) do not need to be conducted. Furthermore, because the project will involve minor rehabilitation and all work is limited to interior repairs, no additional direct or indirect impacts are anticipated to the floodplain.

Step 2: *Notify the public for early review of the proposal and involve the affected and interested public in the decision making process.*

The project is a rehabilitation of a single residence within a multi-unit building. The structure was not substantially damaged; therefore, per 24 CFR 55.12(a)(3), public notification of the proposed activity (Step 2 of the 8-Step Process) does not need to be conducted.

Step 3: ***Identify and evaluate practicable alternatives to locating in the base floodplain.***

The project is a rehabilitation of a single residence within a multi-unit building. The structure was not substantially damaged; therefore, per 24 CFR 55.12(a)(3), identification and evaluation of practicable alternatives to the proposed activity (Step 3 of the 8-Step Process) does not need to be conducted.

Step 4: ***Identify Potential Direct and Indirect Impacts of Associated with Floodplain Development.***

The HUD-funded RREM program is intended to repair residential properties that were damaged by Superstorm Sandy. HUD's regulations limit what actions can be considered under the RREM program, including prohibition of any construction in the floodway. Descriptions of the potential impacts from the proposed action is below:

- Option A (Proposed Action) – This option would involve rehabilitation of the residence. The building was not substantially damaged; therefore, elevation is not required. The proposal does not include a change in the location or footprint of the residence; therefore, no additional direct or indirect impacts to the floodplain are anticipated from the project.

Step 5: ***Where practicable, design or modify the proposed action to minimize the potential adverse impacts to lives, property, and natural values within the floodplain and to restore, and preserve the values of the floodplain.***

New Jersey Department of Environmental Protection (NJDEP) requires elevation or flood proofing of all "substantially damaged" structures in the floodplain. When followed, these regulations will reduce the threat of flooding damage to properties located in the floodplain and reduce the impact of development on the floodplain. Applicants are required to adhere to the most recent floodplain elevation levels when considering reconstruction of their "substantially damaged" property. It is noted, however, that because the property was not substantially damaged, elevation is not required.

Step 6: ***Reevaluate the Proposed Action.***

Option A would involve rehabilitation of the residence. This option would help the homeowner recover from damages incurred as a result of Superstorm Sandy. This meets the program goals of restoring and revitalizing the storm-impacted shore communities. Per 24 CFR 55.12(a)(3), since the proposed project involves only minor, interior rehabilitation to existing multifamily housing, no alternative beyond the No Action alternative was considered.

Step 7: ***Determination of No Practicable Alternative***

The project is a rehabilitation of a single residence within a multi-unit building. The structure was not substantially damaged; therefore, per 24 CFR 55.12(a)(3), the determination of no practicable alternative and publication of a final notice (Step 7 of the 8-Step Process) does not need to be conducted.

Step 8: *Implement the Proposed Action*

Step eight is implementation of the proposed action. The DCA will ensure that all mitigation measures prescribed in the steps above will be adhered to.