

Summary of 8-Step Floodplain Analysis

Application ID: RRE0031126MF

Owner: Tapan Day

Address: 120 North Texas Avenue, Unit RR 3, Atlantic City, Atlantic County, New Jersey

Activities: Rehabilitation and elevation of a single residential unit (Unit RR 3) within a multifamily residential structure (5 or more units)

Step 1: Determine if the proposed action is in a 100-year floodplain.

This action consists of rehabilitating a single residential unit (Unit RR 3) within a multifamily structure (5 or more units), located at 120 North Texas Avenue in Atlantic City, Atlantic County, New Jersey. Elevating the single residential unit by rebuilding the lowest floor to an elevation of one foot above the base flood elevation is also proposed. This will be completed by means of interior elevation (see RRE0031126MF_ProjectActivityUpdate). This entire action is located in a 100-year floodplain. The entire proposed project site, approximately 0.014 acres, is located within Special Flood Hazard Area Zone A8 (areas of 100-year flood where base flood elevation and flood hazard factors have been determined) as indicated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel 4 of 5 Community Panel Number 3452780004D, dated August 15, 1983. In addition, the entire 0.014-acre proposed project site is located within Special Flood Hazard Area Zone AE per the FEMA Post-Sandy Preliminary Work Map. Both maps are attachments to this document (see RRE0031126MF_FIRM3452780004D and RRE0031126MF_FloodplainManagementMap). Areas designated as a Special Flood Hazard Area are those subject to inundation by the 1 percent annual chance flood (e.g., a 100-year flood), also known as the base flood.

While the proposed rehabilitation and elevation would occur within the 100-year floodplain, the proposed action represents no substantive change from the pre-Hurricane Sandy condition of the floodplain.

Step 2: Notify the public of the intent to locate the proposed action in a floodplain.

An early public notice of proposed activity within the 100-year floodplain was published by NJDEP on September 25, 2015, in English and Spanish (see RRE0031126MF_EnglishFloodplainEarlyNotice and RRE0031126MF_SpanishFloodplainEarlyNotice, respectively and RRE0031126MF_FloodplainEarlyNoticeAffidavit_PressofAtlanticCity and RRE0031126MF_FloodplainEarlyNoticeAffidavit_ElDiario). The notice also was e-mailed to interested parties (see RRE0031126MF_FloodplainEarlyNotice_AgencyEmail). The notice requested comments from the public concerning floodplain and natural resource impacts of the proposed economic revitalization and storm mitigation. The notice also indicated that the NJDEP would evaluate proposed actions under the program for potential direct and indirect impacts associated with floodplain development and, where practicable, would design or modify proposed actions to minimize potential adverse impacts to lives, property, and natural values within the floodplain. The notice was published in the Press of Atlantic City and El Diario and posted at <http://www.state.nj.us/dca/divisions/sandyrecovery/review/>. The required 15-day period was conducted to allow for public comments, and comments were accepted either electronically or via written correspondence. No comments were received from the early notice concerning the proposed action (see RRE0031126MF_FloodplainEarlyNoticeComments).

Step 3: Identify and evaluate practicable alternatives to locating the proposed action in a floodplain.

Two alternatives to the proposed action within the 100-year floodplain were considered:

Alternative 1: Relocate the Proposed Action Outside of the 100-year floodplain

Relocation of the proposed action to a location outside of the 100-year floodplain, which would include acquisition of another existing developed site, would not serve the purpose of the proposed project. The proposed project involves the rehabilitation and elevation of a single residential unit (Unit RR 3) within a multifamily residential structure (5 or more units). Even if another suitable property and willing seller could be identified, relocation to another existing developed parcel may generate residential or commercial displacements that would be detrimental to the community and economic development of Atlantic City. As the project site is currently developed with the multifamily structure, the proposed action is not expected to alter the pre-Hurricane Sandy condition of the floodplain. Therefore, it is not practicable to relocate the proposed project outside of the floodplain.

Alternative 2: No Action Alternative

A no action alternative was considered and rejected because no action on this item would result in the Applicant not being provided with financial assistance to rehabilitate their storm-damaged unit. As a result of the no action alternative, the Applicant's damaged residential unit would continue to remain in disrepair and the applicant may not be able to recover. Thus, the no action alternative would neither address the need for safe, decent, and affordable housing, nor would it require the applicant to comply with the highest standard for flood protection.

Step 4: Identify and describe the proposed action's direct and indirect effects associated with occupying or modifying the floodplain.

While the proposed rehabilitation and elevation would occur within the 100-year floodplain, the proposed action represents no substantive change from the pre-Hurricane Sandy condition of the floodplain.

This proposed project involves the rehabilitation of a single residential unit (Unit RR 3) within a multifamily structure (5 or more units), located at 120 North Texas Avenue, in Atlantic City, Atlantic County, New Jersey (Block 342, Lot 11). Elevating the single residential unit by rebuilding the lowest floor to an elevation of one foot above the base flood elevation is also proposed. This will be completed by means of interior elevation (see RRE0031126MF_ProjectActivityUpdate). The multifamily structure, built prior to 1921 (per historic insurance maps; see RRE0031126MF_SHPOResponse), contains a total of five units. The unit subject to the environmental review occupies approximately 0.014 acres of land based on the property tax record (see RRE0031126MF_TaxCard).

The total estimated cost of repair is \$212,396.30 and is considered major rehabilitation (substantially damaged) as the cost of repair is greater than 50 percent of the pre-disaster market value of the entire multifamily structure, \$104,000, as reported on tax records (see property tax card file RRE0031126MF_TaxCard).

As the project site is currently developed with the multifamily structure and the rehabilitation activities are limited to the structure itself, the proposed action is not expected to alter the pre-Hurricane Sandy condition of the floodplain.

Step 5: Identify methods to minimize the potential adverse impacts within a floodplain and to restore and preserve its natural and beneficial values.

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. 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 Advisory Base Flood Elevation (ABFE), the effective BFE, or the design flood elevation shown on the NJDEP flood maps;
- B. All participants in the homeowner Reconstruction, Rehabilitation, Elevation and Mitigation (RREM) 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).

Therefore, the requirements of the RREM Program will help ensure a minimal adverse impact to the floodplain.

Step 6: Reevaluate the proposed action to determine if it is still practicable given its floodplain effects.

The proposed action is viewed as practicable because it avoids significant adverse impacts to the floodplain in the local vicinity while helping the Applicant to recover, reducing damages to the multifamily structure from future flood events and contributing to the post-Hurricane Sandy economic revitalization within this impacted community. The project, as proposed, would minimize potential hazards to human safety, health, and welfare.

Relocating the proposed action outside of the 100-year floodplain, which would include acquisition of another existing developed site, is viewed as impracticable as even if another suitable property and willing seller could be identified, relocation to another existing developed parcel may generate residential or commercial displacements that would be detrimental to the community and economic development of Atlantic City.

The no action alternative also remains impracticable because it will not satisfy the need for safe, decent, and affordable housing, nor would it require the applicant to comply with the highest standard for flood protection.

Step 7: If the only practicable alternative is locating in a floodplain, publish a final public notice.

It has been determined that there is no practicable alternative to locating the project in the floodplain. This is due to: 1) the need for post-Hurricane Sandy economic revitalization within Atlantic City; 2) alternative locations outside of the 100-year floodplain that may generate residential or commercial displacements that would be detrimental to the community and economic development of Atlantic City; and 3) the limited scope and impact of the proposed project related to impacts on human health, public property, and floodplain values.

A final public notice will be published in accordance with 24 CFR Part 55 for a minimum 7-day comment period. The final notice will detail the reasons why the project must be located in the floodplain, a list of alternatives considered, and all mitigation measures taken to minimize adverse impacts and preserve natural and beneficial floodplain values.

All comments received during the comment period will be responded to and fully addressed prior to

funds being committed to the proposed project, in compliance with Executive Order 11988 and 24 CFR Part 55.

Step 8: The proposed action can be implemented after steps 1 through 7 have been completed.

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