

COMBINED PUBLIC NOTICE

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

ATLANTIC COUNTY

November 13, 2015

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 three separate but related procedural requirements for activities to be undertaken by New Jersey Department of Community Affairs (DCA).

Per 24 CFR 58.33, and 24 CFR 55.20(b)(1), the combined Notice of Finding of No Significant Impact (FONSI), 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 FONSI, NOI-RROF, and 100-Year Floodplain 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 November 30, 2015, 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 homeowner Reconstruction, Rehabilitation, Elevation and Mitigation (RREM) Program. DCA expects to fund the project using approximately \$150,000.00 of RREM funds.

PROJECT DESCRIPTION

Application ID number: RRE0031126MF

Project Title: Tapan Day

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

The total estimated project cost is \$212,396.30.

This proposed project involves the rehabilitation of a single residential unit (Unit RR 3) within a multifamily structure (5 or more units) and elevation of the entire multifamily structure, located at 120 North Texas Avenue, in Atlantic City, Atlantic County, New Jersey (Block 342, Lot 11). The multifamily structure, built prior to 1921 (per historic insurance maps), contains a total of five units. The entire project area, 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 area is located within Special Flood Hazard Area Zone AE per the Preliminary FIRM updated as of January 30, 2015.

The RREM Program provides up to \$150,000 in grant funding assistance to eligible homeowners. The RREM Program will provide funding to help homeowners repair their primary residence damaged by Superstorm Sandy.

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 involves the rehabilitation of a single residential unit (Unit RR 3) within a multifamily structure (5 or more units) and elevation of the entire multifamily structure, located at 120 North Texas Avenue, in Atlantic City, Atlantic County, New Jersey (Block 342, Lot 11). The multifamily structure, built prior to 1921 (per historic insurance maps), contains a total of five units. The entire project area, approximately 0.014 acres, is located within the Special Flood Hazard Area Zone AE, as shown on the FEMA Preliminary FIRM updated as of January 30, 2015.

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: Alternatives to relocate the project outside of the floodplain would be contrary to the purpose and function of the proposed improvement and may generate residential or commercial displacements that would be detrimental to the community and economic development of Atlantic City. Additionally, the entire project location of 120 North Texas Avenue is located within the 100-year floodplain. Therefore, it is not practicable to relocate the proposed project outside of the 100-year floodplain. A No Action alternative was considered and rejected because taking no action would not address the housing needs of the area, would not aid in community and economic recovery in Atlantic City, 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. A list

of the local and state permits as well as the mitigation requirements are listed within the Environmental Assessment (EA) for this application.

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.

FINDING OF NO SIGNIFICANT IMPACT

The DCA has determined that this project will have no significant impacts on the human environment. Therefore, an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) 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/>.

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on this project may submit written comments to Laura Shea, 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 November 30, 2015, or fifteen (15) 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 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 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