

PUBLIC NOTICE

NOTICE OF RECORD OF DECISION AND INTENT TO REQUEST RELEASE OF FUNDS

HUDSON COUNTY

September 8, 2017

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

REQUEST FOR RELEASE OF FUNDS

On or about September 25, 2017, the DCA will submit a request to Housing and Urban Development (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 Rebuild By Design (RBD) program. DCA expects to fund the project using approximately \$230 million in RBD funds.

PROJECT DESCRIPTION

Application ID number: Rebuild By Design Hudson River (RBD-HR)
Project Title: Rebuild By Design: Resist, Delay, Store, Discharge Project
Location: Cities of Hoboken, Weehawken, and Jersey City, Hudson County
The total estimated project cost is \$230,000,000.

The RBD-HR is a comprehensive urban stormwater management strategy to address impacts from coastal storm surge flooding as well as systemic inland rainfall flooding. As a result of Superstorm Sandy, HUD launched the RBD competition in 2013 in which HUD subsequently awarded the State of New Jersey \$230 million for the implementation of the first phase of the "Hudson River Project: Resist, Delay, Store, Discharge". The RBD-HR comprehensive urban stormwater management strategy was developed for the Hoboken, Jersey City, and Weehawken area that included hard infrastructure and soft landscape for coastal defense (Resist); policy recommendations, guidelines, and urban infrastructure to slow stormwater runoff (Delay); green and grey infrastructure improvements to allow for greater storage of excess rainwater (Store); and water pumps and alternative routes to support drainage (Discharge).

The RBD-HR Project intends to minimize the impacts from surge and rainfall flood events on the community, including adverse impacts to public health, while providing benefits that will enhance the urban condition while recognizing the unique challenges that exist within a highly

developed urban area. The NJDCA, in conjunction with the NJDEP, after consideration of a variety of alternatives, including a no-action alternative, has selected Alternative 3 (Preferred Alternative) as the Selected Alternative for the Project. This decision was made following a collaborative process that included a thorough consideration of social, economic, engineering and environmental factors with an extensive outreach of resource agency coordination and public involvement. The NJDEP, on behalf of NJDCA, has satisfied the NEPA process and supports the decision to adopt Alternative 3 as the Proposed Project.

The Resist structure selected for construction (i.e., Alternative 3) will provide flood risk reduction for the City of Hoboken, parts of Jersey City and Weehawken and for critical infrastructure located in those communities, including three fire stations, one hospital and the North Hudson Sewerage Authority (NHSA) wastewater treatment plant. The Project's Delay, Store, Discharge (DSD) features include three large stormwater detention facilities and approximately 61 small tanks (right-of-way [ROW] sites) that will include new and/or improved stormwater management techniques. The Selected Alternative's Resist alignment travels primarily within inland areas minimizing impacts to waterfront open spaces and provides enhancements to approximately 2.55 acres of open space or parks. The final design of the Resist structure will be designed to blend in seamlessly with the urban streetscape and enhance the quality of life in the area. The system will also utilize natural higher ground to maximize flood risk reduction. This alternative provides coastal flood risk reduction to approximately 85 percent of the population residing within the Study Area 100-year floodplain.

A completed Resist alignment will be constructed with current available funding (\$230 million) and a pilot or demonstration DSD project may be constructed if there are remaining funds available. The pilot DSD project will consist of one or several DSD components included in the Selected Alternative. The remaining DSD components of the Selected Alternative are anticipated to be constructed over the next 15 to 20 years as a part of a future storm water strategy that can be implemented by the City of Hoboken and/or other partners, and can be integrated into the city's existing plans.

RECORD OF DECISION

The DCA has determined that this project will have impacts on the human environment. Therefore, an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (NEPA) was required. An Environmental Review Record (ERR) for the Final Environmental Impact Statement (FEIS) that includes the Record of Decision (ROD), which documents the environmental determinations for this project, is on file at the New Jersey Department of Environmental Protection (NJDEP) RBD-HR website at www.rbd-hudsonriver.nj.gov. The ROD can also be viewed on the DCA website at www.nj.gov/dca/divisions/sandyrecovery/review.

Documentation is also available for public review at NJDEP Bureau of Flood Resilience, 501 East State Street, Mail Code 501-01A, P.O. Box 420, Trenton, NJ 08625-0420. The record is available for review and may be examined or copied weekdays 9 A.M. to 5 P.M.

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on this project may submit written comments to Samuel Viavattine, Deputy Director, 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 September 25, 2017, or fifteen (15) days from the actual date of publication, whichever is later, will be considered by DCA prior to authorizing submission of a Request for Release of Funds and Environmental Certification to HUD.

RELEASE OF FUNDS

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