

**COMBINED PUBLIC NOTICE**

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

March 30, 2026

New Jersey Department of Community Affairs  
101 South Broad Street  
PO Box 800  
Trenton, NJ 08625-0800

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

**REQUEST FOR RELEASE OF FUNDS**

On or about April 15, 2026 the Department of Community Affairs (DCA) will submit a request to the US Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant, Disaster Recovery (CDBG-DR), Resilient Communities Program (RCP) funds under Title I of the Housing and Community Development Act of 1974 as amended, to undertake a project known as Hudson County 100031 Penhorn Creek Pump Station for the purpose of flood mitigation in the City of Jersey City, Hudson County, New Jersey.

**FINDING OF NO SIGNIFICANT IMPACT**

The DCA has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement 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, Division of Disaster Recovery and Mitigation, 101 South Broad Street, Trenton, NJ 08625-0800. The records are available for review and may be examined or copied on weekdays from 9 A.M. to 5 P.M.

**FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A  
FLOODPLAIN AND WETLAND**

This is to give notice that the DCA under 24 CFR Part 58 has conducted an evaluation as required by Executive Order 11988 and Executive Order 11990 and in accordance with HUD regulations at 24 CFR 55.20 in Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded under CDBG-DR: Resilient Communities Program P-21-NJ-34-LDZ1, HUD Grant B-21-DF-34-0001. The proposed project is located along Penhorn Creek in Jersey City, Hudson County, New Jersey and is located in a floodplain and wetland.

The proposed Penhorn Creek Pump Station project consists of the demolition and disposal of an existing stormwater pump station facility and the construction of a new pump station as an elevated platform, complete with stairs for access and an emergency standby generator. Work shall also be performed to repair the existing bulkhead, and 30-inch diameter culvert drains with tide valves. The existing pump station building contains two (2) 12-inch diameter [solids] handling pumps. These units are to be replaced each with a 16-inch diameter axial pump mounted on an elevated platform. This platform is to be raised to meet compliance with FEMA regulations for flood elevation. These pumps will be responsible for pumping at the same rate as the existing pumps. The bulkhead would be replaced directly in front of existing and both of the two (2) 30-

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inch diameter culvert drains would be removed and replaced, complete with new tide valves. The project would also involve a temporary easement to allow the County of Hudson access to conduct construction activities. The temporary easement would become a permanent easement upon completion of the proposed improvements, granting the County of Hudson unrestricted site access to their facilities for regular maintenance and operation, as required. The proposed project would have a direct impact on 0.118 acres of floodplains and 0.005 acres of wetlands.

The DCA has considered the following alternatives and mitigation measures to minimize adverse impacts and to restore and preserve natural and beneficial functions and intrinsic values of the existing floodplain/wetland:

Alternatives

No Action Alternative

A no-action alternative was determined to be infeasible for the Penhorn Creek Pump Station. In its current condition, the pump station is incapable of conveying stormwater flow over the bulkhead as the pumps are not functioning correctly, if at all. In its current state, the Penhorn Creek Pump Station utilizes a trailermounted diesel-fueled pump to convey stream flow over the bulkhead. Therefore, the pump station cannot operate above approximately 35% of its normal operating capacity. The existing pump station building is deteriorating, as well as the internal components, including electrical panels, existing pumps, and the CMU structure itself. The existing bulkhead is deteriorating at a faster rate than the existing building due to its exposure to brackish water (from the Hackensack tidal influence. If allowed to continue to operate, the pump station will become completely obsolete and will not function anymore.

Alternate Pump Station Location

This alternative consisted of relocating the existing pump station from its original location and placing it in a new location along the Penhorn Creek. It was quickly determined, however, that the relocation of the pump station would not be feasible in any way. The existing pump station is located on the bulkhead at the confluence of the Penhorn Creek and the Hackensack River. Relocating the pump station would immediately affect the pumps and the proposed pump configuration. The existing pumps require vacuum-assisted priming in order to prime the suction piping and the pump volute. By moving the pump station to an upstream location and using these types of self-priming pumps, there would be a large increase in demand on the vacuum-priming system, and after a certain point, the priming system would no longer work. Furthermore, changing the location of the pump station would also require the extension of all proposed pump discharge piping, regardless of the type of pumps chosen. This would increase the pumping demand required for the new pumps and would subsequently increase the size of the pumps. By increasing the size of the pumps, the electrical demand is increased, and so is the emergency power requirement. In turn, the emergency standby generator and the associated sub-base fuel tank would all increase in size. The farther the pump station moves from the bulkhead, the more these items will increase in size and demand. Locations along the Penhorn Creek are also identified as wetlands, and it was determined by RVE after the NJDEP pre-application process that modifying the existing station to raise its elevation and keep the location the same would be far easier and more cost effective than moving the entire pump station along the associated wetlands.

Pump Station Removal

This alternative consisted of removing the pump station facility in its entirety and allowing the Penhorn Creek to naturally flow through the existing culvert drains running through the existing facility's bulkhead. Because this alternative did not provide a mechanical means for conveying the creeks natural flow and any stormwater flow over the bulkhead during high tide conditions,

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this alternative was determined to be infeasible given the conveyance requirements necessary for Penhorn Creek.

*Pump Station Rehabilitation*

This alternative consisted of rehabilitating the existing pump station building and internal components to re-establish a functioning pump station. A hydraulic capacity analysis, as well as a hydrology analysis was conducted to determine the potential for stormwater flow and the capacity of the existing high-pressure [solids handling] pumps. The natural discharge of the creek during a rainfall event was determined to far exceed the pumping capacity of the existing high-pressure [solids handling] pumps. Furthermore, it was determined that, in a severe-enough rainfall event, there was potential for the Penhorn Creek to overtop the existing bulkhead structure and inundate the pump station building, flooding the existing facility. After performing further evaluation on-site to determine the potential for station rehabilitation (and waterproofing of the existing facility), a final determination was made that rehabilitation of the station and surrounding facilities would not prevent future flooding, and that waterproofing the existing facility was not guaranteed to protect the existing electrical panels located within the building.

Mitigation

The proposed project alternative has been designed to mitigate flooding damage through the placement of the pump station and culverts on raised platforms. Additionally, flood insurance for the structure would be mitigation/condition of the proposed project approval. Additionally, the project would require several State and Federal authorizations which would avoid and minimize environmental impacts to floodplain and wetlands, including Waterfront Development Permit (N.J.A.C. 7:7), Freshwater Wetland Permit (N.J.A.C. 7:7a), Flood Hazard Area Permit (N.J.A.C. 7:13), compliance with Stormwater Management Rules (N.J.A.C. 7:8), a Soil Conservation District SESC plan certification (N.J.A.C. 2:90), and USACE Section 10 and Section 404 authorization.

Conclusion

The DCA has reevaluated alternatives to building in the floodplain and wetland and has determined that it has no practicable alternative to floodplain and wetland development. Environmental files documenting compliance with Executive Order 11988, Executive Order 11990 and 24 CFR 55, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplain and wetland 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 floodplain and wetland 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 floodplain and wetland, 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 Samuel Viavattine, Deputy Commissioner, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 800, Trenton, NJ 08625-0800. Comments may also be submitted via email at [DRM.EHPComments@dca.nj.gov](mailto:DRM.EHPComments@dca.nj.gov). All comments received by April 15, 2026, or fifteen (15) days from the actual date of publication,

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whichever is later, will be considered by DCA. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The DCA certifies to HUD that Samuel Viavattine in his capacity as Deputy Commissioner 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 NEPA and related laws and authorities and allows the County of Hudson to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of fund and the DCA's certification for a period of fifteen 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 the DCA; (b) the 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 or other participants in the development process have committed funds, 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, Sec. 58.76) and shall be addressed to Gerilee Bennett, ODR, 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.

Samuel Viavattine, Deputy Commissioner  
Department of Community Affairs