

Memorandum

To: Project File

From: Patrick Dunn

Date: November 4, 2014

Subject: New Jersey CDBG-DR Program
**Blue Acres Acquisition Program: Linden
Number of Proposed Activity Sites**

The Task Order assigned for the Blue Acres Acquisition Program: Linden Environmental Assessment was issued on August 11, 2014 for 46 sites. A finalized list of 43 sites was provided by the New Jersey Department of Environmental Protection on September 17, 2014. All 43 sites were included on the previous list of 46 sites.

All agency correspondence sent before September 17, 2014 reflected the larger list of 46 sites.

Dunn, Patrick

From: Ryan Anderson <Ryan.Anderson@dep.nj.gov>
Sent: Thursday, September 11, 2014 8:41 AM
To: Dunn, Patrick
Cc: Macwan, Vanessa; Steven.Sherman@icfi.com
Subject: RE: CDBG-DR Blue Acres EAs (Old Bridge and Linden) - Coastal Jurisdictional Determination
Attachments: 0000-14-0024.1 JD Letter.pdf.pdf

Please find attached a JD for the proposed work. Let me know if you have questions

Ryan J. Anderson
Supervising Environmental Specialist
Bureau of Coastal Regulation
Division of Land Use Regulation
(609) 292-1230

From: Dunn, Patrick [<mailto:DunnPW@cdmsmith.com>]
Sent: Friday, August 22, 2014 3:31 PM
To: Ryan Anderson
Cc: Macwan, Vanessa; Steven.Sherman@icfi.com
Subject: RE: CDBG-DR Blue Acres EAs (Old Bridge and Linden) - Coastal Jurisdictional Determination

Ryan,

Thank you very much for your quick follow-up. We did not receive a more formal application package for the Blue Acres projects, just a list of properties and supporting documentation in the form of demolition guidelines (which I have attached). I think the attached documents will assist in answering your questions about the total scope and the grading/filling/planting to occur (starting on pg. 19 of the RFP for Demolition Design PDF is a good description of this). There will not be project plans for these.

I will get maps put together that will show all proposed sites and their relationship to the coastal zones. I won't be able to get the maps to you until Tuesday.

The attached spreadsheet has a tab for each project (Linden and Old Bridge) and lists the sites with the block and lot(s) as you requested. The site IDs in the lists will correspond to identifiers shown on the project maps.

Thank you very much for all your help.

Patrick Dunn, AICP, CFM
Planner
CDM Smith
125 S. Wacker Drive, Suite 600
Chicago, IL 60606
Phone: 312-780-7726
dunnpw@cdmsmith.com

From: Ryan Anderson [<mailto:Ryan.Anderson@dep.nj.gov>]
Sent: Friday, August 22, 2014 9:45 AM
To: Dunn, Patrick
Cc: Colleen Keller; Jessica Cobb; Macwan, Vanessa; Jablon, Rebecca; Steven.Sherman@icfi.com
Subject: RE: CDBG-DR Blue Acres EAs (Old Bridge and Linden) - Coastal Jurisdictional Determination

Patrick

The best way to handle this would be to forward me any descriptions you have of the project as well as any maps that you have. If you have conceptual plans, that would work also. Being that it is just demo, there may not be plans at all which is fine. We would also want to know what is proposed other than removal of houses (i.e. any grading/filling/planting). If we have any questions, we will just circle back with you. Thanks

Ryan J. Anderson
Supervising Environmental Specialist
Bureau of Coastal Regulation
Division of Land Use Regulation
(609) 292-1230

From: Dunn, Patrick [<mailto:DunnPW@cdmsmith.com>]
Sent: Thursday, August 21, 2014 5:24 PM
To: Ryan Anderson
Cc: Colleen Keller; Jessica Cobb; Macwan, Vanessa; Jablon, Rebecca; Steven.Sherman@icfi.com
Subject: CDBG-DR Blue Acres EAs (Old Bridge and Linden) - Coastal Jurisdictional Determination

Ryan,

I received an out of office response from Colleen Keller, the identified consultation contact for coastal zone management, which directed me to contact Jessica Cobb. Upon sending Jessica an e-mail, I received an out of office from her as well that directed me to contact you for HUD/CDBG projects.

I am tasked with completing the environmental assessments for two Community Development Block Grant-Disaster Recovery (CDBG-DR) projects for the Blue Acres Program. The proposed projects are the acquisition of properties and demolition of all man-made features on the properties. The properties would remain permanently as open space. BA_Linden is the acquisition and demolition of 46 properties in Linden Township, Union County. BA_Old Bridge is the acquisition and demolition of 42 properties in Old Bridge Township, Middlesex County.

For BA_Linden, 41 of the sites are in the Upland Waterfront Development Zone. For BA_Old Bridge, 41 of the sites are in the CAFRA zone and 1 of the sites is in the Upland Waterfront Development Zone.

This is my first time going through this process, so I would like to know what you would need for your review to make a jurisdictional determination to determine if a coastal permit is required for these projects. Do you only require maps showing the proposed activity sites and their relation to the coastal zone?

I also see you are the consultation contact for wetland protection. Several proposed activity sites may impact wetlands and we may need a jurisdictional determination for wetlands. I have to wait for site inspections to take place to get a field verification of the proximity of mapped wetlands to the sites. More to come on this later.

Thank you very much.

Patrick Dunn, AICP, CFM
Planner

CDM Smith
125 S. Wacker Drive, Suite 600
Chicago, IL 60606
Phone: 312-780-7726
dunnpw@cdmsmith.com



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Land Use Regulation
Mail Code 501-02A, P. O. Box 420
Trenton, New Jersey 08625-0420
www.state.nj.us/dep/landuse

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

September 11, 2014

Patrick Dunn
CDM Smith
125 South Wacker Drive, Suite 600
Chicago, IL 60606

Re: JURISDICTIONAL DETERMINATION
Environmental Review - Community Development Block Grant-Disaster Recovery
DLUR File No.: 0000-14-0024.1
DLUR Activity Number: CDT140001
Grant Application ID Number: BA_Old Bridge & BA_Linden
Applicant: State of New Jersey Blue Acres Program
Block: 1, Lots: 1.11, 1.12, 4-13, 15, 17-25, 28-30 & 32-39
Block: 1000, Lots: 8-11; Block: 1075, Lots: 62-76
Block: 26049, Lot: 27, Old Bridge Township, Middlesex County
Block: 524, Lots: 44 & 48; Block: 529, Lots: 10 & 11; Block: 535, Lot: 4
Block: 576, Lot: 7; Block: 579, Lots: 1-4 & 6-10
Block: 582, Lots: 2-15, 17, 18.1, 18.2, 19, 30-35 & 46-52, Linden City, Union County

Dear Mr. Dunn:

This letter is in response to an application submitted by the above referenced applicant for funding under the Community Development Block Grant-Disaster Recovery (CDBG-DR) program. This jurisdictional determination is for the demolition of single family homes and restoration of floodplains on the above referenced sites. Specifically, the work consists of the removal of all structures (homes, septic systems, outbuildings, etc.) on the properties, backfilling of any excavated areas (foundations, basements, septic systems, etc.) and restoration of the site to the existing grade. Potentially applicable statutes include Waterfront Development Act (N.J.S.A. 12:5-3 et. seq.), Wetlands Act of 1970 (N.J.S.A. 13:9A-1 et. seq.), Coastal Area Facility Review Act, CAFRA, (N.J.S.A. 13:9-1 et. seq.), Flood Hazard Area Control Act (N.J.S.A. 58:16A et. seq.) and the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B et. seq.).

Based on a review of the information submitted and a review of information as maintained on the Department's Geographic Information System, the following determination is made:

Based on a review of the Coastal Permit Program Rules, the following determination is made:

- A Waterfront Development permit is not required.**
 A Waterfront Development Permit will be required because:
- Work will be performed at or below (outshore) the Mean High Water Line.
 - Work will be performed within 100/500 feet of the MHWL outside the coastal area.

There is no work proposed at or below the MHWL. However, work is proposed within 100 feet of the MHWL on some of the listed properties. The Department has made the findings that the proposed project is exempt from the Waterfront Development provisions pursuant to N.J.A.C. 7:7-2.3(d)3.

Based on a review of the Coastal Permit Program Rules, the following determination is made:

- A CAFRA permit is required.
- A CAFRA permit is not required.

The proposed activities do not meet the definition of a "development" in a CAFRA area pursuant to N.J.A.C. 7:7-1.3, and therefore would not require a permit.

Based on a review of the Coastal Wetlands Maps, the following determination is made:

- Coastal Wetlands permit is required. Coastal Wetlands are mapped on this site. Activity is proposed at or below the Upper Wetlands Boundary.
- Coastal Wetlands permit is not required. Based on a review of the Coastal Wetlands Maps, it is determined that there are no mapped wetlands on the site.
- Coastal Wetlands permit is not required. Coastal Wetlands are mapped on this site. However, no activity is proposed at or below the Upper Wetlands Boundary.

In addition, the Department has reviewed the proposed activities for compliance with the requirements of the Flood Hazard Control Act rules (N.J.A.C. 7:13). The project appears to meet the requirements of a permit-by-rule pursuant to N.J.A.C. 7:13-7.2(b)2 and therefore would not require a Flood Hazard Area permit.

It has not been determined whether any demolition activities are within or adjacent to freshwater wetlands. If it is determined that activities will impact freshwater wetlands, then a consultation with the Division is required. If activities are to occur adjacent to freshwater wetlands (within transition area), then the Division would consider the activities "normal property maintenance" pursuant to N.J.A.C. 7:7A-2.6(b)1i(9) and permits would not be required.

This letter does not relieve the applicant of the responsibility of obtaining any other required State, Federal or local permits or approvals as required by law and is based on the information submitted in accordance with existing regulation. This determination shall be considered null and void if the submitted information is incorrect, site conditions or regulations change. The project may be presumed to be consistent with the New Jersey Coastal Zone Management Program and a Water Quality Certificate is authorized.

Please contact me by e-mail at Ryan.Anderso@dep.nj.gov or by phone at (609) 633-2289 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,



Ryan J. Anderson, Supervisor
Division of Land Use Regulation