

## COMBINED PUBLIC NOTICE

### NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS AND FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN

#### BERGEN COUNTY

April 29, 2016

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

Per 24 CFR 58.33, and 24 CFR 55.20(b)(1), the 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 NOI-RROF, 100-Year Floodplain, and RROF 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 May 9, 2016, 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 Low-to-Moderate Income (LMI) Homeowner Rebuilding Program. DCA expects to fund the project using approximately \$150,000.00 of LMI funds.

#### PROJECT DESCRIPTION

Application ID number: LMI0001673R  
Project Title: Ronald D. Ray  
Location: 14 West 3<sup>rd</sup> Street, Moonachie, Bergen County, New Jersey  
The total estimated project cost is \$159,328.56.

This proposed project involves the reconstruction and elevation of one manufactured housing unit (MHU) located at 14 West 3rd Street, in Moonachie, Bergen County, New Jersey (portion of

Block 62, Lot 2). The MHU, built in 1974 based on insurance records on file with the mobile home park management office, comprises a total of one unit that was damaged as a result of Superstorm Sandy. The applicant proposes to replace their current storm-damaged MHU, which will be demolished, with a new unit and install it on the currently occupied concrete pad. Elevation of the entire MHU is also proposed. A concrete masonry unit (CMU) foundation sill up to 6 feet high will be built on the existing pad to elevate the new MHU. The entire project area occupies one mobile home park lot that measures an estimated 20 by 60 feet or approximately 0.0275 acres and is located within the Special Flood Hazard Area Zone AE, as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) number 34003C0254G dated September 30, 2005.

The Responsible Entity, DCA, has determined that the proposed project is Categorically Excluded Subject to §58.5 authorities per 24 CFR 58.35(a). As such, a Statutory Checklist has been completed in order to determine whether the project is in compliance with the authorities cited at 24 CFR§58.5.

Additional project information is contained in the Environmental Review Record 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/>.

#### 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 is located at 14 West 3rd Street in Moonachie, Bergen County, New Jersey (Block 62, Lot 2 [portion of]) and involves the demolition of the existing, temporary MHU, removal of one 270-gallon fuel oil storage tank, asbestos abatement, and addition of American with Disabilities Act (ADA) accessible bath tub with grab bars, shower wand, seat and accessible vanity. Elevation of the new MHU is also proposed. The new MHU will be installed on the currently occupied concrete pad. A CMU foundation sill up to 6 feet high will be built on the existing pad to elevate the new MHU. Repairs reported to have been completed since October 29, 2012, include application of anti-microbial agent, priming/sealing/painting of wall and ceilings, application of polyurethane foam to confined spaces, tear out baseboard, subfloor and sleepers and bag for disposal, removal of wet, non-salvageable carpet and associated pad, installation of carpet and carpet pad, installation of plywood sheathing, replacement of an insulated, metal exterior door and lockset/deadbolt, hanging/taping/floated drywall, replacement of lower base and upper wall kitchen cabinets, replacement of laminate countertop, single basin kitchen sink, freestanding gas range, and refrigerator, removal of non-salvageable vinyl flooring, preparation of floor for resilient flooring, installation of vinyl floor covering, assembly of storm

door, and replacement of forced air furnace. This entire action is located in a 100-year floodplain. The entire project area occupies one mobile home park lot that measures an estimated 20 by 60 feet or approximately 0.0275 acres and is located within the Special Flood Hazard Area Zone AE, as shown on the FEMA FIRM number 34003C0254G dated September 30, 2005.

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: Relocation of the proposed action to a location outside of the 100-year floodplain, which would include acquisition of another existing MHU and identification of an available MHU lot, would not serve the purpose of the proposed project. The proposed project involves the demolition of an existing, temporary MHU and reconstruction and elevation of a new MHU. Even if another suitable MHU, MHU lot, and/or willing seller could be identified, relocation within Moonachie would not avoid the 100-year floodplain and relocation outside of Moonachie could potentially generate residential or commercial displacements that would be detrimental to the applicant, community and economic development of Moonachie. As the project site is currently developed with an MHU, 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.

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 demolish their storm-damaged MHU and reconstruct and elevate a new MHU. As a result of the no action alternative, the existing MHU would continue to be vulnerable to future flooding conditions, and the applicant may not be able to recover. In addition, the no action alternative would not satisfy the need for post-Hurricane Sandy economic revitalization within this substantially impacted community.

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.

## PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to Laura Shea, Assistant Commissioner, 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 May 9, 2016, or seven (7) 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 seven (7) 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