

## 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

December 9, 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).

#### REQUEST FOR RELEASE OF FUNDS

On or about December 19, 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 (LMI) Homeowner Rebuilding Program . DCA expects to fund the project using approximately \$239,908.52 of LMI funds.

#### PROJECT DESCRIPTION

Application ID number: LMI0002096R and LMI0002116R (Moonachie MH LMI)  
Location: 23 & 25 Sale Street, Moonachie, Bergen County, NJ 07074  
The total estimated project cost is \$239,908.52 – (cost for LMI0002096R is \$122,541.76 and cost for LMI0002116R is \$117,366.76).

The proposed project consists of new residential construction involving the acquisition and construction of two manufactured homes within the Metropolitan Mobile Home Park at 23 & 25 Sale Street, Moonachie Borough, Bergen County. The existing homes of the applicants were previously located within the same manufactured home community (at 15 Spruce Street and 45 Adult Drive) and were damaged during Superstorm Sandy. The project would provide for the development of two new manufactured homes and relocation to two new lots within the mobile home community.

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 23 & 25 Sale Street, Moonachie Borough, Bergen County. The applicants propose the acquisition and erection of two manufactured homes within the Metropolitan Mobile Home Park. The existing homes of the applicants were previously located within the same manufactured home community (at 15 Spruce Street and 45 Adult Drive) and were damaged during Superstorm Sandy.

The subject parcel is 9.8 acre in size and is located entirely within the Special Flood Hazard Area "AE" zone floodplain (i.e. the 100-year floodplain) as shown on the FEMA Preliminary Flood Insurance Rate Map (FIRM) Map Number 34003C0254J, effective August 29, 2014. The FEMA-designated base flood elevation (BFE) for the subject property is 8.0 feet. Each of the proposed manufactured home lots are approximately 1,300 square feet. Therefore, the total proposed floodplain impact is 2,600 square feet or 0.06 acres.

The proposed project is viewed as the most practicable alternative by avoiding significant adverse impacts to the floodplain in the local vicinity while helping to meet the community's need for safe and decent housing that is affordable. Elevation of the structures will minimize flood hazards to lives and property and not increase floodplain occupancy in comparison with pre-Sandy conditions.

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:

Alternative 1a (*Relocate the Proposed Action Outside of the 100-year floodplain*) would not necessarily avoid or further minimize impacts to the floodplain due to the extent of the floodplain within Moonachie Borough, and would generate additional impacts through residential or commercial displacements.

Alternative 1b (*Relocate the Proposed Action to another Site*) would also not avoid floodplain areas, and would be inconsistent with community planning objectives.

Alternative 2 (*No Action or Alternative Actions that Serve the Same Purpose*) would not meet the intent of the state's LMI program. The no action alternative also remains impracticable because it will not satisfy the need for post-Sandy rehabilitation within this substantially impacted community.

DCA has reevaluated the alternatives to building in the floodplain and has determined that it has no practicable alternative. This is due to: 1) the need to provide for safe and decent housing opportunities, both locally and regionally, in the wake of Superstorm Sandy; 2) the lack of alternative and comparable locations outside of a flood hazard area within Moonachie Borough; 3) the additional housing opportunities provided through use of this existing developed parcel, and 4) the negligible effect on human health, public property, and floodplain values posed by the project as designed.

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 December 19, 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