

## COMBINED PUBLIC NOTICE

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

#### CAPE MAY COUNTY

June 26, 2014

New Jersey Economic Development Authority  
36 West State Street  
PO Box 990  
Trenton, NJ 08625-0990  
609-858-6700

This notice shall satisfy two separate but related procedural requirements for activities to be undertaken by the New Jersey Economic Development Authority (EDA).

Per 24 CFR 58.33 and 24 CFR 55.20(b)(1), the Combined Notice of Intent to Request Release of Funds (NOI-RROF) and the Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain will be published simultaneously with the submission of the Request of Release of Funds (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.

#### **REQUEST FOR RELEASE OF FUNDS**

On or about June 28, 2014 the New Jersey Department of Community Affairs (DCA) on behalf of EDA will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Federal funds under the Community Development Block Grant Program (CDBG) pursuant to the Disaster Relief (DR) Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013) for Neighborhood and Community Revitalization (NCR) program]. EDA expects to fund the project using approximately \$999,894 of NCR funds.

The following information pertains to this project:

Project Title: Sea Isle City Streetscape Revitalization project (NCR38958)

Location: Landis Ave. from 39th St to 40th St and from 41st St. to 43rd St., Sea Isle City, NJ

Estimated Cost: \$999,894

Project Description: The project consists of the reconstruction of sidewalks and crosswalks with decorative pavers and the installation of new streetlights, bollards, benches, bike racks, and landscaping along two sections of Landis Avenue from 39th St. to 40th St. and from 41st St. to 43rd St. within the City of Sea Isle in Cape May County.

The NJ Neighborhood and Community Revitalization (NCR) Program supports the long-term recovery of small businesses and communities by funding projects that contribute to the economic revitalization throughout New Jersey, but focusing on the nine most impacted counties. NCR supports projects that retain or hire new employees, contribute to the State's

economy, serve Low or Moderate Income (LMI) areas, create or maintain LMI jobs, remove slum or blight, or address an urgent need related to Superstorm Sandy. These projects are commercial or mixed use projects, typically development and public improvement or streetscape revitalization.

EDA has determined that the proposed project is Categorically Excluded SUBJECT to §58.5 authorities per 24 CFR 58.35(a)(4)(i). 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§50.4 and 58.5.

Additional project information is contained in the Environmental Review Record (ERR) on file at the New Jersey Economic Development Authority, 36 West State Street, PO Box 990, Trenton, New Jersey 08625. The record is available for review and may be examined or copied weekdays 9 A.M. to 5 P.M. by contacting Erin B. Gold at 609-858-6718 or may be viewed online at <http://www.nj.gov/dca/divisions/sandyrecovery/review/>.

## **NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN**

This is to give notice that the EDA has conducted an evaluation as required by Executive Order (EO) 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 under the NCR program under (B-13-DS-34-001). The proposed project involves the reconstruction of sidewalks and crosswalks with decorative pavers and the installation of new streetlights, bollards, benches, bike racks, and landscaping along a three-block section of Landis Avenue from 39th St. to 40th St. and from 41st St. to 43rd St. within the City of Sea Isle City, Cape May County.

The proposed project site is located in a designated Special Flood Hazard Area “AE” Zone (area of special flood hazard with water surface elevations determined) floodplain as indicated on the FEMA Flood Insurance Rate Map (FIRM) Map Number 3453180001C, effective January 6, 1983 and the FEMA Post-Sandy Preliminary Work Map. Areas designated as a Special Flood Hazard Area are those subject to inundation by the 1% annual chance flood (e.g., a 100-year flood), also known as the base flood.

DCA has considered the following alternatives and mitigation measures to minimize adverse impacts and to restore and preserve natural and beneficial values. One alternative is to relocate the relocate the proposed action outside of the 100-year floodplain. However, approximately 94% of parcels within the city are classified as being entirely or partially within the 100-year floodplain, approximately 5% of parcels within the city are classified as being entirely or partially outside the 100-year floodplain but susceptible to the 0.2 percent annual chance flood hazard (i.e. the 500-year flood); less than 1% of parcels in the city are classified as being entirely or partially outside the 100-year floodplain and 500-year floodplain. Therefore, relocating the proposed project to another available nearby parcel would not necessarily avoid floodplain effects. A No Action alternative was also considered and rejected because the No Action alternative would not address the post-Sandy economic revitalization needs of Sea Isle City. Similarly, no alternative actions that would serve the same purpose and would avoid construction

within the 100-year floodplain were identified as the entire CBD of the city is within a designated flood hazard area.

DCA has reevaluated the alternatives and determined that the proposed action is the most practicable alternative by avoiding adverse impacts to the floodplain in the local vicinity while helping to meet the community's need for economic revitalization to support local employment and the tourism industry. Relocation of the project to another site within the Sea Isle City CBD would not avoid or further minimize impacts to the floodplain nor meet the intent of the project. The project, as proposed, would minimize potential hazards to human safety, health, and welfare.

DCA has determined that while the proposed streetscape revitalization improvements would occur within the 100-year floodplain, the overall design would have minimal effect on potential damage as a result of the flooding. The project would replace existing concrete-slab sidewalks with decorative pavers and include the addition of street lighting, benches, bicycle racks, bollards, and street trees. The project would result in no net-change in impervious area or floodplain development within the urbanized CBD.

Overall, construction of the proposed project would not result in significant adverse impacts to flood levels, flood risk, or the flow of flood waters on the project site or surrounding areas. Therefore, the proposed project would be compliant with the National Flood Insurance Act of 1968 (44 CFR § 59) and Executive Order 11988 on Floodplain Management (42 FR 26951).

## **PUBLIC COMMENTS**

Any individual, group, or agency disagreeing with this determination or wishing to comment on this project may submit written comments to Stacy Bonnaffons, Assistant Commissioner, Sandy Recovery Division, 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 July 12, 2014 will be considered by DCA and EDA. Comments should specify which Notice they are addressing.

## **RELEASE OF FUNDS**

DCA certifies (on or about June 28, 2014) to HUD that Richard E. Constable, III, 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 Program 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 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) 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 Richard E. Constable, III  
New Jersey Department of Community Affairs