

**COMBINED PUBLIC NOTICE**

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

**ATLANTIC COUNTY**

August 29, 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 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 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 August 30, 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 (CDBG) Program pursuant to the Disaster Relief (DR) Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013) for the Neighborhood and Community Revitalization (NCR) program. EDA expects to fund the project using approximately \$377,069 of NCR funds.

The following information pertains to this project:

Project Title: City of Margate Streetscape Project (NCR39448)

Location: Along Ventnor Ave: from Douglas Avenue to Essex Avenue (north side); Essex Avenue to Exeter Avenue (north side); Benson Avenue to Decatur Avenue (north side); and Adams Avenue to Jefferson Avenue (north side), Margate, Atlantic County, NJ

Estimated Cost: \$377,069

Project Description: NCR39448 proposes streetscape improvements from Douglas Avenue to Essex Avenue; from Essex Avenue to Exeter Avenue; from Benson Avenue to Decatur Avenue; and from Adams Avenue to Jefferson Avenue in the City of Margate in Atlantic County. The project includes replacing the sidewalk and driveways with decorative brick pavers and installing street lighting, landscaping, and street furniture. Street lights, each consisting of a single lamp and hanging floral baskets, will provide lighting for pedestrians. Street trees with tree grates will be installed along the curb line. The base of the sidewalk pavers will be concrete to prevent heaving due to extreme weather

conditions. Handicapped ramps on Ventnor Avenue will be checked for ADA compliance and will be replaced if needed.

The Stronger 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 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The following activities are funded under the NCR program under (B-13-DS-34-001).

NCR39448 - The proposed project runs from Douglas Avenue to Essex Avenue (north side); from Essex Avenue to Exeter Avenue (north side); from Benson Avenue to Decatur Avenue (north side); and from Adams Avenue to Jefferson Avenue (north side) in the City of Margate in Atlantic County. The project includes replacing the sidewalk and driveways with decorative brick pavers and installing street lighting, landscaping, and street furniture. Streetlights, each consisting of a single lamp and hanging floral baskets, will provide lighting for pedestrians. Street trees with tree grates will be installed along the curb line. The base of the sidewalk pavers will be concrete to prevent heaving due to extreme weather conditions. Handicapped ramps at the corners of Ventnor Avenue will be checked for ADA compliance and will be replaced if needed. The project is located entirely within the Special Flood Hazard Area Zones "AE (EL 9)", "AE (EL 10)", and "AE (EL 11)" Zone floodplains, as shown on Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Map (FIRM) Panel 453 of 457 Map Number 34001C0453F and Panel 434 of 457 Map Number 34001C0434F, both revised May 30, 2014.

DCA has considered the following alternatives and mitigation measures to minimize adverse impacts of NCR39448 and to restore and preserve natural and beneficial values. Relocating the Proposed Action outside of the 100-year floodplain was considered. However, due to its geography and physical shape as part of a barrier island (Absecon Island), much of Margate is considered to be within the 100-year floodplain. A GIS analysis using the latest FEMA Preliminary FIRM mapping and Atlantic County parcel data was performed to further characterize land parcels and floodplain designations in Margate and approximately 92% of land parcels within the city are classified as being located within the 100 year floodplain (Zones "AE", "AO" and "VE"); and approximately 7% of land parcels within the city are

classified as being outside the 100-year floodplain (Zone "X"), but are susceptible to the 0.2 percent annual chance flood hazard. Therefore, relocating the proposed project to another parcel would not necessarily avoid floodplain effects. A No Action alternative was considered and rejected because it would not address the post-Sandy economic revitalization needs of Margate City. No alternative actions were identified that would serve the same purpose and avoid the 100-year floodplain.

DCA has reevaluated alternatives to building in the floodplain and has determined that there are no practicable alternatives. 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 delineated in the last paragraph of this notice for receipt of comments.

DCA has determined that construction and operation of the proposed project would not result in significant adverse impacts to flood levels, flood risk, or the flow of floodwaters 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 EO 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 September 6, 2014 will be considered by DCA and EDA. Comments should specify which Notice (Notice of Intent to Request Release of Funds [NOI-RROF] or Notice of Public Review of a Proposed Activity in a 100-year Floodplain) they are addressing.

#### RELEASE OF FUNDS

DCA certifies (on or about August 30, 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