

COMBINED PUBLIC NOTICE

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS AND NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN THE 100-YEAR FLOODPLAIN

MIDDLESEX COUNTY

April 24, 2015

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

These notices shall satisfy three separate but related procedural requirements for activities to be undertaken by New Jersey Economic Development Authority (EDA).

Per 24 CFR 58.33 and 24 CFR 55.20(b)(1), the combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI/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 FONSI/NOI-RROF, 100-Year Floodplain, and RROF have been combined.

REQUEST FOR RELEASE OF FUNDS

On or about May 12, 2015, 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 the Stronger New Jersey Neighborhood and Community Revitalization (NCR) Program. EDA expects to fund the project using approximately \$1,993,310 of NCR funds.

The following information pertains to this project:

Project Title: The City of Perth Amboy – Waterfront Revitalization project (NCR39567)

Location: City of Perth Amboy Beach

Estimated Cost: \$2,200,170

Project Description: The proposed project includes repairs and new improvements to a public facility with no change in land use. The project area encompasses approximately 47.87 acres, including a beachfront area, fishing piers, a public park and esplanade, five tennis courts and

improvements in Bayview Park. Repairs and improvements will include refurbishing the boat ramp and installing a new rack for kayaks and canoes, installing volleyball courts and bleachers, constructing a new public restroom, beach wash-down stations, drinking fountains and replacing five existing tennis courts. Bayview Park improvements include terracing the park, installing ADA access ramps, and reconstructing the sidewalk along Front Street. Installing new curbs, striping, signage, landscaping with drip irrigation, and replacing public lighting. Additionally a Tideflex valve will be installed on a pipe discharging into the Staten Island Sound which will prevent water from entering during high tide or storm surges. The city plans to construct a ten foot wide, two-way bicycle path to span the entire length of the project area effectively connecting the two project areas; however, the bicycle path is still in the planning phase and will be funded through separate sources in the future, therefore, it will not be considered part of this proposed project.

The 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. The NCR Program 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.

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 activity is funded under the NCR Program under B-13-DS-34-0001. The proposed project includes repairs and new improvements to a public facility with no change in land use. The project area encompasses approximately 47.87 acres, further defined as Area 1 (38.49 acres) and Area 2 (9.38 acres) for ease of review purposes. Area 1 includes a beachfront area, fishing piers, a public park and esplanade, and five tennis courts. Area 2 encompasses Bayview Park.

Repairs and improvements to Area 1 will include refurbishing the boat ramp and installing a new rack for kayaks and canoes near Second Street as well as a new installation of six volleyball courts and bleachers on the beach. A new public restroom will be constructed on the park area adjacent from the beach in addition to two seasonal open beach wash-down stations installed at the ramps. Other improvements include four drinking fountains and five new tennis courts to replace five of the existing courts. Improvements to Bayview Park (Area 2) include terracing the park to mitigate future erosion, installing ADA access ramps, and reconstructing a 6' wide and 6" thick sidewalk on Front Street. New curbs, striping, signage, and landscaping with drip irrigation will be installed. Damaged public lighting will be replaced. A Tideflex valve will be installed on a pipe discharging into the Staten Island Sound which will prevent water from entering during high tide or storm surges. A bicycle path in the park area adjacent to the beach will be installed, but will be considered future work at the proposed project site, will be funded through separate sources, and will not be a part of this proposed project. While the exact location

of the proposed ten foot wide two-way bicycle path has yet to be determined, it is expected to span the entire length of Areas 1 and 2 as well as the land between the two, effectively connecting both portions of the project site. The project will result in a new and improved waterfront. The proposed improvements will greatly increase attraction to the new amenities and will become a protection for waterfront communities.

The City of Perth Amboy – Waterfront Revitalization project (NCR39567) on the Perth Amboy Beach, Middlesex County, New Jersey encompasses approximately 47.87 acres, in which approximately 41.61 acres are situated within the Special Flood Hazard Area, Zones “AE” (7.62 acres) and “VE” (33.99 acres) as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel 69 of 286, Map Number 34023C0069F, effective July 6, 2010, and FEMA FIRM Panel 157 of 286, Map Number 34023C0157F, effective July 6, 2010.

DCA has considered the following alternatives and mitigation measures to minimize adverse impacts and to restore and preserve natural and beneficial values. The proposed project site is almost entirely within the 100-Year Floodplain and relocating to a site outside the 100-Year Floodplain would not address the dilapidated waterfront areas that are currently in need of repairs and improvements. Additionally, this recreational area is located immediately adjacent to the community that would be best served by the intended repairs and improvements. Limiting project activities to only include areas located outside the 100-Year Floodplain would reduce the project scope to repairing the tennis courts, a portion of the sidewalk system, and the repairs and improvements located in the northernmost portion of Bayview Park. While this would serve some of the immediate needs of the surrounding communities, this scaled-down project alternative would not accomplish the repairs and improvements to the waterfront area necessary to promote the long-term revitalization of this community. Therefore, alternatives to relocate the repairs and improvements to the public facility outside of the floodplain would be contrary to the purpose and function of the proposed activities. A No Action alternative was considered and rejected because taking no action would not address the needed repairs and improvements to revitalize this area, and would not aid the economic recovery of the City of Perth Amboy, New Jersey. Implementation of the proposed action will require local and state permits, which may place additional mitigation requirements on the project.

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 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. The project would reduce flood level, flood risk, and the flow of floodwaters onto the project area. 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).]

FINDING OF NO SIGNIFICANT IMPACT

An Environmental Assessment has been prepared and EDA has determined that this project will have no significant impact on the human environment; therefore, an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (NEPA) is not required. The reason for the decision not to prepare an EIS is that no significant impacts or hazards were identified in the course of the environmental review. 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/>.

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 May 11, 2015, or fifteen (15) days from the actual date of publication, whichever is later, will be considered by DCA and EDA. Comments should specify which Notice (Notice of Finding of No Significant Impact [FONSI], 100-Year Floodplain, or notice of Intent to Request Release of Funds [NOI-RROF]) they are addressing.

RELEASE OF FUNDS

DCA certifies (on or about May 12, 2015) to HUD that Charles A. Richman, in his capacity as Acting 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 fifteen (15) 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.

Charles A. Richman, Acting Commissioner
New Jersey Department of Community Affairs