

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

OCEAN COUNTY

January 16, 2015

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 and 100-Year Floodplain have been combined.

REQUEST FOR RELEASE OF FUNDS

On or about January 17, 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 (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 following project using approximately \$1,500,000 of NCR funds.

The following information pertains to these projects:

Project Title: Borough of Beach Haven Emergency Operations Center/Coast Guard Building (NCR40023)

Location: 420 Pelham Avenue, Beach Haven, Ocean County, NJ 08008

Estimated Cost: \$1,500,000

Project Description: NCR40023 planned improvements include: new siding; windows; flood proof entry doors; re-grading of the parking lot; demolition of the existing wooden staircases and construction of new entry stairs and platform on the north and west sides of the building; and the installation of an elevator to ensure the building is ADA compliant.

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 projects are 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).

NCR40023 planned improvements include: new siding; windows; flood proof entry doors; re-grading of the parking lot; demolition of the existing wooden staircases and construction of new entry stairs and platform on the north and west sides of the building; and the installation of an elevator to ensure the building is ADA compliant. The 1.38-acre proposed project is situated on a lagoon located on Long Beach Island and is entirely within the Special Flood Hazard Area "AE" Zone floodplain, as shown on the Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Map (FIRM) Panel 592 of 660, Map Number 34029C0592G, revised March 28, 2014. The proposed project is located at 420 Pelham Avenue, Borough of Beach Haven in Ocean County. Preliminary base flood elevation determined for the property is 8 feet.

DCA has considered the following alternatives and mitigation measures to minimize adverse impacts of NCR40023 and to restore and preserve natural and beneficial values.

No Action Alternative: Under this alternative, the applicant would not be provided financial assistance to rehabilitate and flood proof the existing building. Without repair, the property would be more vulnerable to future flooding events and could potentially compromise the Borough of Beach Haven's ability to effectively provide crucial municipal and emergency services to the public. Lack of effective municipal emergency services could exacerbate the loss of life and property in future flooding events.

Alternative 1 - Relocate the Proposed Action Outside of the 100-year floodplain: Due to its geography and location on a barrier island, most of Beach Haven Borough is located within the 100 year floodplain (A), the 500 year floodplain (0.2-percent chance flood), and the Coastal High Hazard Area floodplain (V). Of the 547 acres of possible developable land in Beach Haven Borough, approximately 21 acres are currently not in a flood hazard area. This small section of land not in a flood hazard area currently consists of urban development; therefore no practicable alternatives exist for relocating the proposed action outside of a flood hazard area.

Alternative 2: Rehabilitation with No Elevation of Structure: This alternative would involve multiple repairs and flood proofing improvements to the current structure's exterior with no elevation. Repairs would include: new siding; windows; flood proof entry doors; re-grading of the parking lot; demolition of the existing wooden staircases and construction of new entry stairs and platform on the north and west sides of the building; and the installation of an elevator to ensure the building is ADA compliant. The existing complex is already elevated 12.0-13.0 feet above sea level. Under this alternative, the existing footprint of the structure would remain the same.

Alternative 3: Rehabilitation with Elevation of Structure: This alternative would be similar to Alternative 2 but include additional elevation of the Emergency Operations Center/Coast Guard Station complex. However, aside from building mechanical equipment and a fitness center area, most of the ground floor of the Emergency Operations Center is unused space. Under this alternative, the existing footprint of the structure would remain the same. Further elevation of the complex would not provide appreciable added protection to life and property, in comparison to Alternative 2, and would require substantial additional cost and delay in meeting the crucial governmental and services needs of the borough.

DCA has reevaluated the 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 under Alternative 2 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).]

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on these projects 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 January 16, 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 January 17, 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