

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

MONMOUTH COUNTY

April 22, 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).

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 Final 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. Commenters may submit comments to DCA and objections to the U.S. Department of Housing and Urban Development (HUD) to ensure they will receive full consideration.

REQUEST FOR RELEASE OF FUNDS

On or about May 2, 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 Neighborhood Enhancement Program (NEP). DCA expects to fund the project using approximately \$725,000 of NEP funds.

PROJECT DESCRIPTION

Application ID number: NEP0288

Project Title: Single-unit Structures Acquisition, Rehabilitation and Elevation

The locations of the multi-site proposed project are:

Site A - 7 Shoreland Terrace, Middletown, New Jersey

Site B - 7 Sycamore Avenue, Middletown, New Jersey

Site C - 13 Highland Avenue, Middletown, New Jersey

Site D - 683 Monmouth Avenue, Port Monmouth, New Jersey

The total estimated project cost is \$1,267,994, of which only \$725,000 will be funded through the NEP program. Since site C is not located within the 100-Year Floodplain, it is not subject to floodplain evaluation.

Sites A, B and D consist of existing single-unit residential structures in which repairs will be conducted on the structure interiors and exteriors. Each encompassing 0.12 acres, the scope of repairs at both sites A and B will include but is not limited to elevation; remodeling of the kitchen and bathrooms; painting; installation of sheetrock, flooring, windows, and mechanical systems; and repair of the roof and exterior siding. The scope of repairs for the 0.11-acre site D will include but is not limited to elevation; gutting the interior of the home; remodeling of the kitchen and bathrooms; painting; installation of sheetrock, flooring, windows, and mechanical systems; and repair of the roof and exterior siding.

The NEP provides funding to stabilize “threatened but viable” neighborhoods, through the creation of affordable housing, and is a component of local plans to invest in and rebuild these communities. The NEP funds the rehabilitation or re-use of abandoned, foreclosed and vacant housing, structures or lots and addresses the shortage of affordable housing caused by the storm, while at the same time returning blighted buildings to viability. \$30,000,000 in CDBG-DR funds have been allocated to this program. The program will provide up to \$250,000 in subsidy per unit (based on need and number of bedrooms), and the maximum award is \$1,750,000.

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, Floodplain Management, 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.

Site A and site B are located at 7 Shoreland Terrace and 7 Sycamore Avenue, respectively, in Middletown, New Jersey. Each totaling 0.12 acres, the property site consists of an existing single-unit residential structure built in 1928. The proposed project at these locations will involve the acquisition, rehabilitation and elevation of the single-family units in which repairs will be made to the interiors and exteriors. Both sites are entirely within the Special Flood

Hazard Area (SFHA) Zone “AE” floodplain, as shown on the FEMA FIRM Panel 55 of 457, Map Number 34025C0055F, effective September 25, 2009 and the FEMA Preliminary FIRM, Panel 55 of 457, Map Number 34025C0055G, issued January 31, 2014. Site D, located at 683 Monmouth Avenue, Port Monmouth, New Jersey, also involves the acquisition, rehabilitation, and elevation of an existing single-unit residential structure built in 1930. The entire 0.11-acre proposed action site is located within the SFHA Zone “AE” floodplain, as shown on the FEMA FIRM Panel 61 of 457, Map Number 34025C0061F, effective September 25, 2009 and the FEMA Preliminary FIRM, Panel 61 of 457, Map Number 34025C0061G, issued January 31, 2014. For all three sites A, B and D, the digital flood zone and preliminary FIRM data provided by New Jersey and HUD also show the entire properties within an SFHA Zone A. These flood maps incorporate all “A” categories, including in these cases category “AE”. According to the NJDEP Wetlands Protection Map, there are no mapped/potential Wetlands located on or near the proposed project; consequently, this project will have no direct or indirect effect on coastal or freshwater wetlands.

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: 1) Rehabilitation and elevation of the existing single-unit residential structures at the three sites in accordance with all applicable local, state and federal floodplain requirements will greatly assist the future tenants who meet the low-moderate income criteria and will further protect them from future storm surges as the proposed action will require elevation and the rehabilitation of the structure to meet current minimum property standards with the use of better and higher quality building materials. Thus, funding this project would provide safe and affordable housing for the tenants, prevent future loss of life, and enhance housing opportunities for low and moderate income residents of Middletown Township and Port Monmouth. This also meets the object of the NEP which was created to address the affordable housing shortage exacerbated by Superstorm Sandy, and has therefore been selected. 2) Relocating the three units by acquiring existing similarly sized residential structures outside the 100-Year Floodplain would be extremely difficult and cost prohibitive due to Middletown Township and Port Monmouth being densely developed communities in which land with vacant residential structures that are not in the SFHA is severely limited. Further, vacant land that is not within mapped wetlands is seen to be unavailable. The proposed action sites are previously developed as single family residential homes and the proposed project will not change the land use or further encroach into the 100-year Floodplain. Additionally, the current structures are vacant and inhabitable, and by not rehabilitating the existing structures would contribute to a continued shortage of safe and affordable housing in their respective areas most impacted by the storm. This would ultimately not meet the purpose of the NEP. Additionally, the potential residents, most likely displaced from the storm in the surrounding area, would have to seek places further away and leave their community where they presumably work and have established neighborhood ties and social networks. Furthermore, relocating further away would be a financial burden, as the residents are also targeted to be low-to-moderate income and likely do not have the means to relocate farther away from their respective places of employment. Therefore, relocation would be contrary to the purpose and function of the proposed project and would not further efforts to restore safe housing in the current respective communities. 3) The No Action Alternative would not result in the program’s goal of restoring safe and affordable rental housing for residents in the storm impacted areas. This would not address the vital housing needs of the area for low-moderate income residents

and would not aid in the recovery of the neighborhoods of Middletown Township and Port Monmouth. Further, it would also adversely impact proposed action Site C as it is part of this proposed project and if the project is not implemented, all four sites would remain in disrepair. The No Action Alternative would not meet the need to rehabilitate and elevate the structures, nor would it result in the structures within the floodplain to meet the most stringent applicable construction and elevation requirements and be protected from flood hazards and minimize risks to human life and property. The proposed action sites are mostly in foreclosure, in disrepair, and in need of renovation; thus, the no action alternative would result in the respective structures to potentially continue to deteriorate and contribute to a decline that will lead to blighted conditions resulting in poor housing in their respective neighborhoods, create a public safety hazard at the property and the community, and may instead even serve to lower the value of the surrounding real estate. Therefore, this alternative was considered and also rejected.

The project activities will be conducted on existing structures on previously developed land that is limited to each structure's footprint and will not: involve any change in land use; result in a net increase in floodplain development in comparison to pre-storm conditions; increase floodplain occupancy, paved areas, or roof areas that will have an adverse effect of the volume and velocity of runoff from the site; and have any adverse impacts to flood levels, flood risk, or the flow of floodwaters. The proposed project will adhere to the all local, state and federal floodplain requirements and protection procedures.

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 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, 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 2, 2016, 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