

Floodplain 8-Step Process in accordance with Executive Order 11988: Floodplain Management
New Jersey Economic Development Authority, Stronger New Jersey Business Loan (SBL) Program
Providence Seashore House, LLC (SBL39524)

Atlantic County

December 2014

This Floodplain 8-Step Process document addresses the requirements of Executive Order 11988, “Floodplain Management” for Providence Seashore House, LLC (SBL39524), an applicant for HUD-CDBG funding under the New Jersey Economic Development Authority’s Stronger New Jersey Business Loan (SBL) Program. This document pertains to proposed activities in the 100-year floodplain (A and V Zones) as delineated on the latest FEMA floodplain maps, whether advisory, preliminary, or final.

The Stronger NJ Business Loan (SBL) Program provides loans to small businesses and non-profit organizations that were impacted by Superstorm Sandy, for renovation, new construction, equipment, and working capital projects to restore storm-impacted communities.

The proposed project will involve interior and exterior repairs and improvements to a two-story building housing Providence Seashore House, LLC, as well as the purchase of equipment which will be used to repair and maintain the facility. Providence Seashore House provides daytime care, social and medical services to underprivileged physically and mentally disadvantaged residents of Atlantic City and Atlantic County.

Step ONE: Determine if the Proposed Action Is in the 100-year Floodplain

The proposed project is located at 35 South Annapolis Avenue, Atlantic City, Atlantic County, New Jersey. The 0.48 acre parcel is entirely located within the Special Flood Hazard Area Zone “A8”, which is part of the 100-year Floodplain as indicated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), Panel 4 of 5, Map Number 3452780004D, effective August 15, 1983.

Step TWO: Early Public Review

A 15-day “Notice for Early Public Review of a Proposed Activity in a 100-Year Floodplain” was published in The Press of Atlantic City and El Diario on December 8, 2014. The ad targeted local residents, including those in the floodplain. The notice was also sent electronically to interested Federal and State agencies and posted to DCA’s website <http://www.nj.gov/dca/divisions/sandyrecovery/review/> for further review. The 15-day comment period expired on December 23, 2014.

The Division of Land Use Regulation and NOAA Fisheries Greater Atlantic Regional Fisheries Office Habitat Conservation Division responded, affirming previously completed consultations in addition to compliance with all regulated activities. DCA received no public comments on this notice.

Step THREE: Identify and Evaluate Practicable Alternatives to Locating in the Base Floodplain

The Stronger New Jersey Business Loan (SBL) Program provides grant awards to eligible small businesses (as defined by the U.S. Small Business Administration) and non-profit organizations that sustained a minimum of \$5,000 in physical damage from Superstorm Sandy, for activities including renovations, construction, new equipment, and/or working capital. Program efforts will focus on the most impacted communities throughout

the state.

New Jersey is the most densely populated state in the country and therefore a policy to prohibit any development in the floodplain is not considered practicable due to the disproportionately large amount of land area located within the floodplain in the communities most affected by Superstorm Sandy. The following alternatives to locating in the base floodplain were considered:

- Relocation of the project by reconstructing a public facility at a different location outside of the 100-Year Floodplain.
- No Action.

Relocation of the project by relocating the facility outside of the 100-Year Floodplain. Relocating would require the applicant to purchase another commercial property and incur the costs necessary to renovate and retrofit the building as necessary to meet the unique needs of this facility in order to operate as it currently does. Alternatively, the applicant could purchase vacant property and construct a new, custom-designed building to meet the facility's needs. However, the applicant owns their current property and their current building is retrofitted to accomplish their primary operational goals. Thus, relocating the facility would be cost prohibitive. Additionally, relocating Providence Seashore House, LLC would be contrary to the purpose and function of the proposed project. The facility is located within the community the project is intended to serve. This community, like most of Atlantic City, is heavily developed and densely populated, with very limited land area outside of the 100-Year Floodplain. Thus, relocating the project outside of the 100-Year Floodplain would hinder the facility from providing services to this community. Therefore, relocating the facility outside the 100-Year Floodplain is not a feasible alternative.

No Action Alternative. The "No Action Alternative" means that the proposed project would not be implemented and the existing storm-damaged building would remain in its current condition and may not receive the funding needed to make repairs and improvements, and to purchase equipment needed to repair and maintain the building. Additionally, the building would not be required to comply with the applicable elevation/flood proofing and construction requirements and would continue to be vulnerable to flood hazards. Taking no action would not address the vital needs of this community and would not aid in community and economic recovery in Atlantic City, New Jersey.

Implementation of the proposed action will require local and state permits, which may place additional mitigation requirements on the project.

Step FOUR: Identify the Impacts of the Proposed Action

The proposed project will involve repairing the roof, repairing exterior siding, replacing two steel entry doors, adding additional lighting for security, and installing an interior elevator to make the second floor accessible to handicapped children and clinic patients. Additional renovation work on the property includes some clearing and grubbing, re-grading, landscaping, repaving the parking area, access points, and runoff control structures. The project will also include the purchase of equipment to be used to repair and maintain the facility.

All activities will be limited to the disturbed area of the developed lot. Project activities including landscaping, repaving the parking area, access points, and runoff control, are intended to repair storm damage to the project site and will not impact flood levels, flood risk, or the flow of floodwaters on the project site or surrounding areas. Additionally, the project will not result in an increase in floodplain development in comparison to pre-storm conditions and would not increase floodplain occupancy.

All required permits must be identified and obtained prior to commencement of construction. The project qualifies for Flood Hazard Area Control Act, Permits-By-Rule and must comply with all permit requirements.

Additionally, mitigation measures and Best Management Practices (BMPs) will be utilized to minimize any potential impacts to the floodplain. Overall, implementation of the project is not anticipated to have any significant adverse impacts on the floodplain.

Step FIVE: Minimize Threats to Life and Property and to Natural and Beneficial Floodplain Values. Restore and Preserve Natural and Beneficial Floodplain Values.

The project is required to meet all applicable elevation and construction requirements in accordance with the National Flood Insurance Program (NFIP) and all local floodplain ordinances. In accordance with 44 CFR 60.3(d) Flood plain management criteria for flood-prone areas, when the Federal Insurance Administrator has provided a notice of final base flood elevations within zones A1-30 and/or AE on the community's FIRM and, if appropriate, has designated AH zones, AO zones, A99 zones, and A zones on the community's FIRM, and has identified on the community's FIRM coastal high hazard areas by designating Zones V1-30, VE, and/or V (see SBL39524FIRM) , the community shall meet the requirements of paragraphs (d)(1) through (9) and (c)(1) through (14) of this section and require the standards of paragraph (b) of this section within all A1-30 zones, AE zones, A zones, AH zones, and AO zones, on the community's FIRM. In accordance with 44 CFR 60.3(c), all new construction and substantial improvements of non-residential structures within Zones A1-30, AE and AH zones on the community's firm must have the lowest floor (including basement) elevated to or above the base flood level or, together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

Where a non-residential structure is intended to be made watertight below the base flood level, a registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of 44 CFR 60.3(c)(3)(ii), and provide a certificate which includes the specific elevation (in relation to mean sea level) to which such structure is flood proofed.

For all new construction and substantial improvements, fully enclosed areas below the lowest floor (usable solely for parking of vehicles, building access or storage in an area other than a basement) which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

Additionally, as required by NFIP and Program guidelines, all proposed reconstruction and repair of “substantially damaged” structures in the floodplain must adhere to the latest (most recent) requirements in accordance with the Emergency Flood Hazard Area Control Act rules (N.J.A.C. 7:13). Flood elevations to be determined either using the higher of the ABFE, the effective BFE, or the design flood elevation shown on the FEMA flood maps. Flood insurance, in accordance with 24 CFR 58.6, must be obtained and maintained for the economic life of the project.

These regulations are intended to minimize the threat of flood damage to life and property, reduce the impact of development on the Floodplain and protect floodplain values. Based on the scope of the project, the proposed project would not result in significant adverse impacts to flood levels, flood risk, or the flow of waters on the project or surrounding areas. The rehabilitation to Providence Seashore House, LLC will not

adversely impact the floodway or increase the risk of the loss of life or property.

Step SIX: Reevaluate Alternatives

DCA has reevaluated the project alternatives 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 alternative to relocate the project by relocating the facility outside of the 100-Year Floodplain was determined to be financially infeasible and contrary to the purpose and function of the proposed project. Therefore, the relocation alternative was considered and rejected.

The 'No Action' alternative would not require the project to comply with the applicable elevation/flood proofing and construction requirements and the project would continue to be vulnerable to flood hazards. This option would not meet the program's objectives to reduce the impact of the development on floodplains and reduce future risk from flooding. Therefore, the 'No-Action' alternative was also considered and rejected.

DCA has determined that it has no practicable alternative and has decided to proceed with the proposed project and to minimize any potential adverse impacts through the use of BMPs and mitigation measures.

Step SEVEN: Issue Findings and a Public Explanation

It has been determined that there is no practicable alternative to locating the proposed project in the 100-year floodplain. Providence Seashore House, LLC is located entirely within the 100-year floodplain and relocating the facility would be financially infeasible and contrary to the purpose and function of the proposed project. Implementation of the proposed project would reduce the impact of the development on floodplains and reduce future risk from flooding through compliance with floodplain regulations. The 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).

In accordance with 24 CFR 55, a "Final Notice and Public Explanation" of Policy Determination will be published in The Press of Atlantic City and El Diario for a 7-day comment period. The notice will state the reasons why the project must be located in the floodplain, a list of alternatives considered, and all mitigation measures to be taken to minimize adverse impacts and preserve natural and beneficial floodplain values.

In accordance with 24 CFR 55.20 Subpart C, all comments received by DCA will be taken under consideration and responded to prior to project implementation.

Step EIGHT: Implement the Action

Step Eight is implementation of the proposed action. BMPs and mitigation measures will be incorporated into the proposed project to minimize any potential adverse impacts and to restore and preserve natural and beneficial floodplain values where possible.