

# New Jersey

## Department of Community Affairs

### SUPERSTORM SANDY COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY

Public Law 113-2; January 29, 2013  
FR-5696-N-01; March 5, 2013  
FR-5696-N-06; November 18, 2013  
FR-5696-N-11; October 16, 2014



#### ACTION PLAN AMENDMENT NUMBER 54 SUBSTANTIAL AMENDMENT

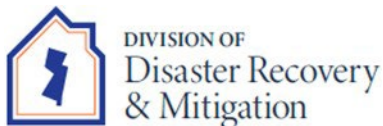
- **Clarification to the State's Housing Recovery Programs**
- **Clarification on the damage threshold for the Homeowner Assistance and Recovery Program**

PUBLIC COMMENT PERIOD: October 11, 2023 – November 9, 2023  
DATE SUBMITTED TO HUD: December 19, 2023  
DATE APPROVED BY HUD: February 5, 2024

Philip D. Murphy  
Governor

Tahesha L. Way  
Lieutenant Governor

Jacquelyn A. Suárez  
Acting Commissioner



*Building stronger communities*



## SECTION 1: OVERVIEW

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New Jersey (State) received approval from the U.S. Department of Housing and Urban Development (HUD) for the State's Community Development Block Grant – Disaster Recovery (CDBG-DR) Action Plan on April 29, 2013. The Action Plan described the State's allocation of \$1,829,520,000 of first-round CDBG-DR funds allocated by HUD to support New Jersey recovery efforts. As a grantee, the New Jersey Department of Community Affairs (DCA) was chosen to administer the CDBG-DR grant. Since that time, HUD has approved 53 amendments. Included in those amendments was Substantial Amendment 7, which detailed the allocation of \$1,463,000,000 of second-round CDBG-DR funds across the recovery programs, and Substantial Amendment 11, which described the allocation of \$501,909,000 of the third (and final) round of CDBG-DR funds intended to address unmet recovery needs.

This Action Plan Amendment 54 (APA 54) is considered a substantial amendment according to the definition stipulated in the March 5, 2013, HUD [Federal Register Notice 5696-N-01](#) and in accordance with the State's citizen participation plan because it changes a program benefit or eligibility criteria; adds or deletes an allowable activity described in the approved application; reallocates more than \$10 million or proposes a reduction in the overall benefit requirement.

APA 54 is available in English and Spanish through DCA's website, <https://www.nj.gov/dca/ddrm/>, and can be requested by email at [DisasterRecoveryandMitigation@dca.nj.gov](mailto:DisasterRecoveryandMitigation@dca.nj.gov) (Subject: Action Plan Amendment 54) or by contacting the Division of Disaster Recovery and Mitigation Constituent Services at (609) 913-4824. To obtain a translated copy in a language other than Spanish, please contact Sylvia Johnston, the language access plan (LAP) coordinator, at 609-913-4247 or [Sylvia.Johnston@dca.nj.gov](mailto:Sylvia.Johnston@dca.nj.gov). For hearing-impaired users, text telephone service is available at (TTY/TDD) 1-800-852-7899.

The public comment period for APA 54 was open from 9 a.m. on October 11, 2023, to 5 p.m. on November 9, 2023. The State received no public comments on this amendment. However, comments were made to the companion amendment to the Hurricane Ida Action Plan (Hurricane Ida Action Plan Amendment 5). The State reviewed the public comments provided during the comment period. All comments received equal consideration regardless of how they were submitted. The comments and written responses prepared by the State are provided in Section 3.

## SECTION 2: CLARIFICATIONS

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Through this Amendment, the State proposes to clarify the State's policy for certain areas of Manville and change the damage impact thresholds in the Homeowner Assistance and Recovery Program (HARP).

### Clarifications to the Housing Recovery Programs

These changes will affect the Small Rental Repair Program (SRRP) and Homeowner Assistance and Recovery Program (HARP) applicants who meet the criteria listed below and will only be offered buyout funding, resulting in HARP and SRRP applicants within this Manville area becoming ineligible for housing repair or elevation assistance. If the applicant declines the buyout grant, funding for neither an elevation nor repair assistance may be offered as an alternative. The criteria will be:

1. The property is in an area that experienced 5.5' or more of inundation during Ida and/or is located within the Lost Valley that has emergency access limitations during flooding events. Final determination on the criteria used to determine the individual properties affected by these criteria will be made in consultation with the New Jersey Department of Environmental Protection and New Jersey Office of Emergency Management.
2. The property is a residential home located in Manville.

The Action Plan modifications include:

Modification to Section 2.2.1 Unmet Needs by adding a description of the total affected households in Manville.

Edit in Section 2.2.1 Disaster Damage and Impacts is as follows:

{insert} As an update to the unmet housing needs as it relates to determining the safest housing solution for residents: After close coordination between NJDEP and NJOEM, an area of repetitive flooding has been identified in Manville. Homes in this area have been flooded in most major and minor flooding events and the likelihood of homes in this area sustaining substantial damage in the next flood event is high. To protect homeowners and tenants from these catastrophic flooding events, applicants to the Small Rental Repair Program (SRRP) and the Homeowner Assistance and Recovery Program (HARP) within the high flood risk area in Manville will be offered a buyout of their property instead of rehabilitation or elevation. Manville residents submitted seventy-five (75) applications for both programs and preliminary determinations indicate a total of forty-five (45) are in areas susceptible to repetitive flooding.

Modification to Section 4.8.6 of the Homeowner Assistance and Recovery Program (HARP) by adding description of Ineligible Applicants that are located in the affected areas of Manville.

Edit in Section 4.8.6 Program Eligibility is as follows:

{insert} Ineligible Applicants: Residents of Manville with a property that is located in a flood hazard area that experienced 5.5' or more of inundation during Ida and/or is located within the Lost Valley area of Manville that has emergency access limitations during flooding events. Final eligibility determinations for individual properties affected by these criteria will be made in consultation with the New Jersey Department of Environmental Protection and New Jersey Department of Office of Emergency Management.

Modification to Section 4.8.25 of the Blue Acres Program by adding the prioritization of Manville residents.

Edit in Section 4.8.25 How the Program Will Promote Housing for Vulnerable Populations is as follows:

{insert} Prioritizing residents of specific flood prone areas within Manville. After close coordination between NJDEP and NJOEM, an area of concern has been identified in Manville that perpetually floods during storm events. For those residents that applied to the HARP or SRRP program, they will instead be offered buyouts through the Blue Acres program so long as they meet other eligibility requirements. The State plans to prioritize these vulnerable residents of Manville, so long as they are:

- Low-to-moderate income and
- Located in a disaster risk area, defined as areas experiencing 5.5' or more of flooding during Ida, and/or are within the Lost Valley area of Manville that has emergency access limitations during flooding events.

Modification to Section 4.8.41 of the Small Rental Repair Program (SRRP) by adding description of Ineligible Applicants that are located in the affected areas of Manville.

Edit in Section 4.8.41 Program Eligibility is as follows:

{insert} Ineligible Applicants: Manville property owners with a property that is located in a flooding hazard area that experienced 5.5' or more of inundation during Ida and/or is located within the Lost Valley area of Manville that has emergency access limitations during flooding events. Final eligibility determinations for individual properties affected by these criteria will be made in consultation with the New Jersey Department of Environmental Protection and New Jersey Office of Emergency Management.

## Clarifications to the Homeowner Assistance and Recovery Program

During application review, DCA discovered that the damage threshold of at least 1 foot of flooding or \$8,000 in damage as determined by FEMA or a program damage assessment is too stringent for the nature of the Ida disaster impacts. DCA discovered that the high damage threshold was excluding many of our Phase 1 LMI households who needed assistance with rehabilitation. Instead, the level of flooding and the monetary amount of damage will be removed and replaced with alternative ways to demonstrate damage impact caused by Ida to the home including a damage assessment, proposals/invoices evidencing repairs and storm related mitigation measures immediately following the storm, or a Program assessment.

The Action Plan modifications include:

Modification to Section 2.2.1 Unmet Needs by adding a description of the total affected households by the change.

Edit in Section 2.2.1 Disaster Damage and Impacts is as follows:

{insert} As an update to the unmet housing needs as it relates to damage thresholds: To better serve the LMI population, the State has determined that a change to the eligibility criteria relative to the damage threshold is needed which will allow the Homeowner Assistance and Recovery Program (HARP) to fund more LMI households. Currently, HARP applicants need to have damage of at least \$8,000 or 1 foot of flooding to livable space to qualify for the program. After investigation, many households sustained damage of less than \$8,000 and/or 1 foot of flooding. These households still have remaining unmet need and the home is not safe and sanitary. The Ida event resulted in flooding events that might not have resulted in 1 foot of standing water or flooding, but still caused damage to the home. DCA does not want the current damage threshold criteria to disqualify a LMI

household. Of the seven hundred and eighty-three (783) LMI HARP applications currently being reviewed only thirty-seven (37) are eligible using the current damage threshold. However, under the proposed revised damage thresholds, potentially all of the applicants could qualify if they meet the less restrictive damage thresholds that will be defined in the HARP policy.

Modification to Section 4.8.6. of the Homeowner Assistance and Recovery Program (HARP) by modifying the description of damage for eligible applicants.

Edit in Section 4.8.6 Program Eligibility is as follows:

- ~~{delete} Home must have at least 1 foot of flooding or \$8,000 in damages, as determined by FEMA or a program damage assessment.~~
- {insert} Must be able to demonstrate damage impact to the home by a damage assessment, proposals/invoices evidencing repairs and storm related mitigation measures immediately following the storm, or a Program assessment.

## SECTION 3: PUBLIC COMMENTS AND RESPONSES

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As required by HUD, this proposed substantial amendment, APA 54, was made available for public comment over a period of at least thirty days.

Commenters were able to submit comments to this proposed amendment (i) via email to [DisasterRecoveryandMitigation@dca.nj.gov](mailto:DisasterRecoveryandMitigation@dca.nj.gov) (Subject: APA 54); or (ii) via U.S. mail. All comments are given the same amount of consideration regardless of the method of submission.

The State received no public comments on this amendment. However, comments were made to the companion amendment to the Hurricane Ida Action Plan (Hurricane Ida Action Plan Amendment 5). The State reviewed all public comments provided during the comment period and, per HUD guidelines, synthesized public comments submitted regarding this proposed amendment. The State then included written responses to those comments as part of the final amendment submitted to HUD for review and approval.

### Public Comment 1:

From the Mayor of Manville: After Hurricane Ida devastated my hometown, you visited and promised to help my residents. Over two years have passed by, and my residents are still hurting. We are extremely disappointed by a recent change in the disaster recovery policy by your administration. The Ida disaster recovery action plan included a program called HARP which allowed for funding home elevations and making storm-damaged repairs for those with no flood insurance. A total of 75 HARP applications were submitted from Manville with 38 approved to move forward for funding. In July of this year, a policy change was announced at a meeting in Manville to discuss “buyouts”. Representatives from NJOEM, NJDEP, Blue Acres, and the Office of Disaster Recovery announced that HARP funding for elevations in Manville was being eliminated because NJOEM felt it was “too risky” to rescue people who lived in certain areas. These determinations were made with no consultation or collaboration with me, the Mayor, my professional floodplain manager, or my OEM Director. Based on your earlier promises, privately funded elevations are currently taking place in the so-called “risk reduction areas” (RRA’s) that your staff identified. Many of these substantially damaged homeowners were in discussions with DCA HARP staff about elevations when the “bombshell” dropped. It is so heartless to do this to my residents who have suffered so much. The goal of NJOEM, knocking every home down, will never be realized because the risk reduction map devised by NJOEM is flawed. With this new policy of buyouts only, the NJOEM and Blue Acres staff are causing more harm to Manville than good. They also refuse to take input from the municipality over the priority of future buyouts. We still have homes with collapsed foundations throughout my community with no buyout offers made, while offers are being made to already repaired homeowners. We cannot afford to remove homes that never had first-floor water in any of our past major flood events and survive financially. This decision to pull HARP funding opportunities should be reversed by you and a new policy implemented going forward for future storm events that includes input from the municipality. I received no cooperation from anyone when asking for a follow-up meeting to discuss this decision and how it was determined. Governor Murphy, the people who are most affected by this decision, can least afford its result. They are low to moderate income; their future buyout offers based on old real estate market values will not come close to making them whole and, sadly, where will they go? Houses in Manville that have been flooded and rebuilt are selling for much more than their pre-Ida values. I welcome you to revisit my hometown. I will take you on a tour so you can see my concerns. You will see areas where elevations are currently taking place since we cannot stop residents from elevating. Several elevations are underway and defeat NJOEM’s goal. See attached photos. Under FEMA regulations, they are obligated to use NFIP insurance monies for the increased cost of compliance (ICC) to elevate above the base flood elevation plus the local freeboard requirement (+4 feet in Manville). We are also a proud FEMA Community Rating System (CRS) level 5 rated Borough, doing everything we can to make Manville more storm

resilient while saving 25% on flood insurance policies. Residents affected by flooding want to stay and live safely in Manville. We do not agree with this change in policy and want to work together with state officials for the future of Manville.

### **Public Comment 2:**

There are homes in my neighborhood in Manville that are currently being raised and are safe from any future flooding. Please have the new rule revoked.

### **Public Comment 3:**

As a longtime resident of Manville, I am all too familiar with the flooding and the personal and financial devastation that follows. Over past 30+ years, my family has had damaged to our residences and our business properties due to the flooding. As a result, we have sold the business properties and cross our fingers each time we have a heavy rain. Our town has struggled to overcome these hurdles and I believe it is a disservice on the part of the state government to no longer help in funding property elevations and storm-damaged repairs; and instead, offering homeowners the opportunity for buyouts through Blue Acres. Many of those affected are low to medium income people who are struggling to rebuild and stay in the town. They deserve and need assistance to do that. Please reconsider your decision.

### **Public Comment 4:**

Moved from Manville/NJ after flooding 3 times and saw no hope for assistance I would have accepted raising the foundation But state n government saw otherwise Buyout of entire valley turning it into sports fields for county use Manville will have to join Bridgewater school system and reuse land for housing.

### **Public Comment 5:**

REJECT APA 5! The proposed amendment, APA 5 for the Ida action plan for disaster recovery, should be rejected outright by officials at HUD. This late change to a disaster recovery plan makes no sense and here's why. State officials at the New Jersey Office of Emergency Management (NJOEM) and state officials at the Office of Disaster Recovery did not include any officials from the local municipality, the Borough of Manville, for input or analysis of the proposed plan for implementation of so-called "risk reduction areas (RRA)" on a proposed RRA map they presented to the Borough in late July of this year. The map itself is flawed and was not shared ahead of the meeting. When requesting to see the backup data that determined the map, state officials would not provide it. Why? Manville's flood plain manager, Manville's mayor, Manville's OEM coordinator, and police Emergency Services Unit had absolutely no input into the reasoning behind such a late, drastic change to the Ida Action Plan after almost two years of waiting for help. Manville did not encounter any loss of life in any previous major flood event. Privately funded elevations are already taking place in their so-called risk-reduction areas where elevations do make sense. NJOEM wants to knock down every house in the RRA-designated zones, even homes that do not flood or already elevated homes! NJOEM officials who determined and proposed this new policy do not live here, do not know the terrain, and asked for no input from local officials. For that reason alone, the proposed APA 5 should be rejected since it also adversely affects the Manville community financially. A community still suffering from the effects of Hurricane Ida. I have residents still displaced, living in hotels, and many busted-up homes with collapsed foundations, and still no federal aid has been given to Manville to help those suffering. I had residents waiting for an elevation program to be funded living in RVs before making required repairs to their homes. This late change to a disaster recovery plan should be rejected by HUD officials since we had no input into NJOEM's proposed plan to knock

down well over 500 homes. PLEASE REJECT APA 5! Please help Manville by restoring the HARP program and its many benefits for Manville and its residents. These are federal tax dollars that Manville deserves to make it more storm resilient.

### **Public Comment 6:**

I'm Councilman Agans from the Borough Of Manville, in my recent 2yrs as councilman I've been the Chairman of our Building n Grounds Committee as well sat on our policy and liaison to our Municipal land use. I'm writing to you in regarding to IDA APA 5 your plan for my community and in my opinion your plan is very inconsistent and really saddening to myself and to the residents of Manville. My community had endeavor many storms mostly man-made phenomenon but during hurricane IDA this was a mother nature. In my town many volunteers and Professionals worked hard and diligently to update our fema and flood maps and zones to assist our residents to get out of harm's way and also stay in Manville. IDA APA 5 Plan however undermines our efforts and work from the very same citizens and people that work, lived in Manville. We weren't even received a considerate discussion this is wrong. Yes, Manville Floods Yes with Data storms will get worse but Manville if you look at Data is a growing town with young families entering from all parts of the State and Businesses are reopening and entering our borough, we are not a town that's on the decline by any means shape. The people who did this plan rushed it through judgement for whatever reason they may have and it's a shame! My Town believed we were getting assistance form the State agencies on ELEVATION projects as well as buyout combination efforts this is not a one fix all solution as we re-entitled to flood mitigation Projects as well INSTEAD MANY GOT RUNAROUNDS AND FALSE HOPE AND HELP! I urge you to reject the IDA APA 5 and talk to myself and my colleagues in a SERIOUS CONVERSATION that will include 3 steps of Buyouts, Elevations and Mitigation. THIS CAN BE DONE IF PEOPLE ARE WILLING TO PUT IN THE WORK I TOOK AN OATH TO DO JUST THAT I HOPE YOU ARE TOO AS YOU REPRESENT ALL OF NJ AND NOT A FEW OF NJ!

### **Public Comment 7:**

This comment came in as a packet from NJRP. There are four sections:

Section 1: Comment from Fair Share Housing Center and the New Jersey Resource Project: We support the smallest part of the Action Plan Amendment for the State of New Jersey Tropical Storm Ida Substantial Amendment #5. We are otherwise wholly opposed. We will start with the good: the modification to Section 2.2.1 so that we are not dependent on FEMA. estimates or one foot of flooding to qualify families for programs is commendable. FEMA is notorious at undercounting damage - this is a positive step forward. As for the rest of the amendment - whose focus is on mandatory buyouts for Manville Ida survivors - we are opposed to approving this part of the amendment. We are calling on HUD not to approve the part of the Action Plan Amendment for the State of New Jersey, Tropical Storm Ida Substantial Amendment #5, which only offers certain Manville residents' access to the buyout program, rather than HARP and SRRP as well as the buyout program. We believe that under the circumstances of Ida recovery, two years after a storm is too late to tell survivors they can only accept a buyout and have no other options besides self-funding repairs and mitigation. Manville residents deserve a chance and a choice: the same. options being offered to Ida survivors statewide. Manville was one of New Jersey's hardest hit areas during Ida. It's even been referred to as ground zero, garnering a visit from President Biden in 2021. The Manville community is 20% senior citizens, 30% people of color, 20% bilingual speakers. Manville is a working-class community - not a wealthy one. One that has been overlooked for Army Corps projects because Manville did not meet the cost-benefit standard for flood protection projects. It is also a tight knit community. This current amendment requires that survivors 1) go through a slow and dysfunctional Blue Acres buyout process which has thus far failed to relocate families quickly



and safely; 2) pay for our repairs and elevation out of pocket, which is simply not possible for working families who have been struggling for two years after the storm; or 3) remain in our homes, with varying degrees of mitigation and repair, likely even more vulnerable to the next storm. We do not believe these outcomes align with HUD's mission to create strong, sustainable, inclusive communities and quality affordable homes for all. Rather, the vast majority of this amendment to the Ida Action Plan will leave families less safe from the effects of extreme weather and less economically secure. The federal disaster recovery system has again failed us: Because FEMA failed to provide rental assistance beyond the initial two months, many Ida survivors are significantly behind on mortgage payments and some face foreclosure or have already lost their homes. Immediately after Ida, 10,000 families were receiving rental assistance under FEMA, by the third month when families would need to re-certify or re-apply, that number dropped: less than 200 Ida survivors in New Jersey who received Continued Temporary Rental Assistance from FEMA, a resource survivors depend on when displaced by storm damage or repairs. Families either paid out of pocket through investing what savings they had, ran up debt or reinvested flood insurance money and SBA loans to make their homes more livable while waiting for additional resources. We cannot overstate the degree to which the lack of rental assistance has impacted Ida recovery, and the health and economic security of families particularly the dual expenses of rent and mortgage payments. This means significant funds have been invested in their storm impacted homes and having credit that is good enough to qualify for a new mortgage will be a challenge in New Jersey's increasingly expensive and competitive housing market. And in a move that the Keith Adams, the director of New Jersey Voluntary Organizations Active in Disaster, called "... the most abysmal, criminal failure that I've ever seen in a disaster case management program in my entire career," New Jersey did not roll out case managers for Ida recovery until sixteen months after the storm. This means flood survivors did not have help apply for or navigate programs with case managers until far too late. Affordable housing is scarce - and often in a flood plain: Unfortunately, much of New Jersey's affordable housing is also in a floodplain or is otherwise vulnerable to flooding and sea level rise. During Ida, 1,022 apartments in New Jersey that received public assistance from the federal government were severely damaged, and more than 800 families were displaced. More than 13,000 New Jersey homes and apartments paid for with federal funding have a "very high" or "relatively high" risk of river flooding, and more than 15,300 such units are at risk of coastal flooding, according to a report from the Public and Affordable Housing Research Corporation and the National Low Income Housing Coalition. If we're asking people to move, we must first and foremost guarantee that they have somewhere they can reasonably afford to move to - without sticking families in yet another unsafe situation. This is a systemic problem that needs to be addressed by moving and rebuilding enclaves of affordable housing in areas with lower flood risks. Buyouts are a key tool for storm recovery, but New Jersey must roll them out equitably for them to have a tangible and beneficial impact: We're not against buyouts as an important option in the storm recovery toolkit. We've been advocating for buyouts to be part of the National Flood Insurance Program for years, such that they would be offered immediately after a storm. Some families would eagerly accept a buyout, if we knew the process would get us into new, affordable homes on a reasonable timeline. Others are hesitant to leave our lifelong homes and neighborhoods and would prefer to mitigate and elevate. But all of us agree: as it stands now, this amendment to the Ida Action Plan will guarantee neither option, and is in no way adequately prepared to serve the needs of the Ida-affected families in Manville. Instead, it will worsen the instability families face from the storm. It doesn't have to be this way. We believe it is possible to make sure residents still have access to affordable housing, keep community members together or near where they need to be to preserve social capital and overall make sure that there is a community-based approach to getting safer. But what does doing that equitably with community health and economic and racial justice look like? A truly equitable buyout process is one that would take into consideration not only an appropriate timeline for both informing residents and rolling out buyout offers, but also a game plan for ensuring affordable housing availability and preserving community social capital. We would love to see a buyout process that really works for low-to-moderate income (LMI) communities: one that includes relocation support to get them out of harm's way quickly, with clear communication, and ensures neighbors are able to preserve social bonds and networks, as these relationships are what grant us support and assistance in challenging situations.

That includes identifying relocation options that allow them to stay at their jobs and kids to remain in their schools if this is what families want. Further, if our state and federal government knows that mandatory buyouts may need to be an option in the case of significant damage, communities need to know before a storm hits – and especially not two or more years later. These buyouts must then be offered immediately, without yet another protracted waiting period before we can get families their offer and everything they need to move into a new home. Please reject the parts of the amendment that do not offer Manville residents a choice and do not represent the best that New Jersey can do for its residents. After Superstorm Sandy, many of our members were able to rebuild right on the waterfront. If we live right on the water and can go home, in the middle of bays and right on the Atlantic Ocean - why are Manville residents being pushed out? Thank you for your consideration.

## Section 2: Firsthand accounts and quotes from Manville residents

Many of the New Jersey Organizing Project (NJOP)'s members are Hurricane Ida survivors from Manville. Here's what they have shared directly about how this change will affect their families and their recovery:

1. As a single mother, one of the highlights in my life was being able to buy my own home for my boys and me. I bought my home in Manville, New Jersey, January 2020. The realtor listing indicated that my home was never flooded. The morning of September 1, 2021, my life was changed when Hurricane Ida pummeled the area. Unlike most of my neighbors, who were aware of the dangers of living in Manville and the possibility of flooding, I was not. I woke up the morning of September 1, 2021, to hearing noises. I opened my blinds and to my surprise, saw that the cars in the driveway were under water. I quickly ran to wake my son. I then opened the basement door and was met with the unbelievable sight of nothing but brown water. Less than 2 minutes later, water started coming into the first floor. My home is a one level house with an attic space and a basement. I lost everything in the basement, everything on the first floor living space, and 2 cars. I stayed in a hotel for about 2 weeks but had to move out quickly upon learning that my insurance would not be covering my stay as I did not have "Loss of Use of Premises" on my policy. I had to pay out-of-pocket for the 2 weeks we had already stayed. I also quickly found out that my flood insurance did not have "Content Replacement" and I would not be covered for our personal belongings lost. To add insult to injury, I practically begged FEMA for some assistance, but to no avail. I produced all documentation requested and for some reason, I was not approved. I was never given a proper explanation for why I wasn't approved. My closest family member lived approximately 1 hour away from Manville. Luckily, my 2 boys and I were welcomed into their home. I now must pay rent on top of continuing to pay my mortgage. I also must buy food more frequently because we did not have space to store many refrigerated or perishable items. This all while I was dealing with the insurance company and trying to find a reputable contractor who did not see this as a get rich scheme for themselves. The stress was overwhelming and at times I felt like I was losing my sanity. I anxiously waited 2 years and counting (like most of us who live here in Manville) for help through the HARP Program as promised to us by the State. The State's decision not to allow us into the HARP Program and to not help us elevate our homes here in Manville is devastating. I love living here in Manville and I am not interested in moving to another community. I don't have the money to move either. Because of this decision I have no idea what comes next. Fast forward, my house is not what it used to be. I am back in my home, but only after dealing with the contractor from hell and fighting tooth and nail through our broken disaster recovery system. My home certainly has a different feel, I have a feeling of anxiety & PTSD when it rains. I am truly grateful for this platform to share the stories of survivors of this process and to assist those in need of information and resources.
2. I had my house in Manville on the market 5 days before it flooded. We even had a family come during the torrential downpour at the beginning of Hurricane Ida for a showing. On September 2, I was paying attention to the Raritan because I knew there was a chance it

would flood - I've lived in Manville for years through other floods. At 5 p.m., the flood gauge I had on my phone projected 27 feet of water in my area, and I knew we'd have to evacuate. We first went down into the basement because we were getting tornado warnings, then back upstairs because they were calling for flooding. There was no notice from the Manville police to evacuate. During previous floods, they would usually come and evacuate people, knock on doors, but they didn't this time. There was only the flood siren. Finally, around midnight, I just called the Manville police myself and they told me, 'if you can get out, leave.' My (now ex) fiancé was at work, and I was at home by myself with all 3 of my kids, 2 dogs. I had to load them all up into the minivan at midnight. Since the police hadn't notified anyone else, I went around to my neighbors' houses and knocked on doors myself to tell them to move their cars to higher ground. As we were driving out, there were cars tipped on their sides, and water pouring in on the streets. Once we got out, we stayed at my father-in-law's house for a few days, but it was hard for him to have all the dogs and kids there, so we got a hotel room in Somerset. When I went home to check on the house, it was destroyed. My fridge was thrown across the kitchen. The mud and the muck were everywhere, and it was like my whole life had been destroyed. We were a whole family living in that hotel for a while. Both FEMA and the Red Cross were talking about hotel vouchers being available to people in my situation, and I was on the phone with them, the Salvation Army, and 211 eight hours a day just trying to get as much assistance as I could because I knew I had lost my home. The Red Cross couldn't help, FEMA vouchers weren't out yet, and at that point our hotel bill was \$5,000. The Red Cross finally made the aid available to me when I wrote into News 12. I had no coverage for contents in my flood policy, which I didn't know. I lost my whole life and FEMA only gave me \$8,000 for \$60,000 worth of stuff. Rent was really expensive at the time and I'm on a forbearance with my mortgage, so after looking for a place to rent for a while, I finally got an RV. As this was all happening, I became a single dad of two toddlers since the stress of the situation broke off my engagement. A year later, we're in the RV, parked in the driveway on my property, and looking ahead at spending another winter there with my two boys. I've been in the ear of every politician, every agency. I'm the only one on my block who didn't rebuild - but I don't want to rebuild, get new furniture, new appliances, and then cross my fingers and hope that I don't flood again before I'm able to lift my house. In the beginning, Manville gave Contact: two options: either raise our house or take a Blue Acres buyout. Now, even more recently, they're saying we either have to take a buyout or fund our recovery ourselves. The government has to get their act together so I can actually mitigate my home and rebuild above the floodplain, like all of my neighbors and I should be able to. And they need to do it soon. Right now, there's more hurricanes developing in the Atlantic. We've had several natural disasters, once in a lifetime events, happen since Ida. I'm frustrated. It's my understanding that people are still recovering 10 years after Sandy, and I don't want to end up being one of those people. I have flood insurance, we were declared a national disaster area, Manville was one of the hardest hit areas in the state, and Biden and Murphy even came to our town. But yet I'm still homeless.

3. In December of 2019 my husband and I purchased our first home together after searching for years. We moved to Manville - the Lost Valley - because we found our dream home - which even had a pool! We moved from Middlesex County and were very excited to start our next chapter together in our new home. On September 1st, 2021, it was a regular weeknight. My husband and I had dinner. I had checked the water level in the pool and decided it could wait to be lowered the next morning. After a few tornado warnings we went to bed to only be woken up at midnight by the sound of a siren. I didn't know what it meant so I looked online and was told that we should move our cars since there was going to be flooding. After we moved the cars, we saw other people walking back into the valley, so we figured we were safe to do the same. After falling asleep for a few hours, I was woken up again by flashing lights outside my bedroom window, right on the bridge. I quickly noticed a wet spot when I put my foot on the floor and noticed my cat who sleeps downstairs was staring at me. Her fur was also wet! Then I looked out the window - through the trees I noticed there were

emergency responders set up at the corner. I tried to rush downstairs, but it was too late - water was already in my home on the 1st floor and already up to the third step on the second staircase in our home. I woke up my husband to tell him what was happening, but he didn't believe me when I said there was water in our home. At this point outside the water was up to the top of our 6-foot fence outside, and we knew we couldn't walk out with our cats because they'd get wet. I screamed out from the second floor that we needed to be rescued. We tried to grab the most important things, but honestly, we didn't know what to take with us since we were in shock. An hour and a half later, it was finally me for the boat rescue to pick us up, and at this point the water was 4 feet high. Thank goodness for the fireman that had us turn off our electric and gas on our way out. We left our home by boat and were then taken by a van to our local VFW which was set up as a shelter. We needed to figure out our next move. Fortunately, we had flood insurance, so I called the insurance office and found out that we had lodging and displacement coverage. We booked a hotel room, but the next challenge was to get someone to pick us up and take us out of Manville so we could get there. The entire process took from 7 am to 4 pm - since the only way into Manville was from Rt. 206. We had never been in a flood before and didn't have any knowledge or information about what to do next. Social media was helpful, and we found out the next day that the water receded early in the morning. Someone kindly posted a video of our house since it's right on the bridge where most people enter and exit the town. So, we came home - and found out the house had experienced 5 feet of flooding. Everything on the first floor was destroyed. We lost both our home and our workplace since we both had been working from home due to Covid. The insurance company didn't give us much direction when we called them again. In fact, our neighbors who had flooded before gave us more info than the insurance company. They advised us to rip out and remove all of our damaged belongings from the first floor so they didn't collect mold. We piled everything we ripped out on the front lawn, and it was still there when the president came to visit Manville - he went to the house that burned down catty corner from where we live. He said a lot of nice things when he was here - but at this point we feel forgotten. While we were able to rebuild and be home within three months; we still have many repairs that need to be done which were not covered by insurance or any programs available to storm survivors. This gap remains on us as a financial burden. Most recently, I received two emails from the state advising me that my home is high risk and not eligible for funding. This hit hard. Our options are now very limited. Either we sell our home that we love or take a buyout - rather than get assistance to stay in our home. For us to raise our home and stay we'd have to pay out of pocket, which would add on to our existing financial burden which is not an option and will never be an option. What I want to know is why the heck did the policy change after we all wasted our time filling out multiple applications? I had hoped for over a year that I would get funding to raise my home to stay home and be safe. While we are home, we are NOT safe nor properly prepared for the next storm.

Our members have also been sharing their stories in the press:

- Either I sell my home or take a buyout, rather than get assistance to stay in my home which I love. Why the heck did the policy change after we all wasted our time filling out repair and elevation applications? I had hoped for over a year that I would get funding to raise my home." (MyCentralJersey)
- "We shouldn't be forced into a buyout that might not even cover your mortgage. Because then what? I'll owe the bank money, I'm going to lose my house, and my credit is shot because of all this so I'll have nowhere else to live." (New Jersey Monitor)
- "We lost everything. And here we are, two years later, our house is still in shambles. I guess I'm going to move [back into my home] and risk being flooded again, because I'm not in a position to buy or rent right now." (FOX Weather)
- "[My buyout offer] is still grossly under what I needed to even break even. And that would leave me and my daughter homeless." (NJ Spotlight)

- “Thanks to Ida, our credit is shot. There’s no chance of being able to afford a home that is not in a flood zone. I just want to have the basics for my kids and to be able to feed them.” (CBS NY)
- “There’s a good possibility that [the Blue Acres buyout program] will offer me less than what I owe on my mortgage. And then what? My credit’s destroyed from all of this. I’m in partial foreclosure.” (NBC NY)
- “[I just received] an email saying, ‘unfortunately, we can’t give you any federal funds because you’re in a floodway, and we suggest you apply to Blue Acres.’ With Ida, it just seems like we’re the forgotten ones. If I could get mortgage forbearance that would be a huge help.” (NJ Spotlight / PBS)
- “A buyout isn’t a bad option to have in the storm recovery toolkit. But this decision is coming nearly two years after the fact, after many have already endured a long period of applying and waiting for aid to repair, elevate, and remain in their homes.” (Star Ledger)
- “Manville’s Hurricane Ida survivors deserve a choice and a chance – not a disaster recovery system that constantly changes the rules on us.” (Gothamist)
- “I’m stuck here. My daughter and I are both stuck here. I don’t know what we’re going to do.” (News 12 NJ)

Section 3: Comment signatures gathered in person in Manville.

The packet contained twenty-one (21) signatures that signed under this paragraph:

Manville’s Hurricane Ida Survivors deserve a chance and a choice. We support the smallest part of the Action Plan Amendment for the State of New Jersey Tropical Storm Ida Substantial Amendment #5. We are otherwise wholly opposed. We will start with the good: the modification to Section 2.2.1 so that we are not dependent on FEMA estimates or one foot of flooding to qualify families for programs is commendable. FEMA is notorious at undercounting damage - this is a positive step forward. As for the rest of the amendment - whose focus is on mandatory buyouts for Manville Ida survivors - we are opposed to approving this part of the amendment. We are calling on HUD not to approve the part of the Action Plan Amendment for the State of New Jersey, Tropical Storm Ida Substantial Amendment #5, which only offers certain Manville residents’ access to the buyout program, rather than HARP and SRRP as well as the buyout program. We believe that under the circumstances of Ida recovery, two years after a storm is too late to tell survivors they can only accept a buyout and have no other options besides self-funding repairs and mitigation. Manville residents deserve a chance and a choice: the same options being offered to Ida survivors statewide.

Section 4: Comment signatures gathered virtually.

The packet contained a spreadsheet containing one-hundred and thirty-seven (137) signatures some had comments against the new policy, and some had no comments.

## Public Comment 8

When Hurricane Ida struck New Jersey on September 1, 2021, Manville was ground zero. Now, only weeks away from the two-year anniversary of Ida, Manville families have abruptly been informed that they will no longer qualify for state grant funding to rebuild, repair, or elevate their homes. Ida survivors need you to take action and REVERSE this decision. Homeowners whose houses were damaged in the storm have long been told that they would qualify for the Homeowner Assistance and Recovery Program (HARP), allowing them the funds they would need to complete necessary repairs and mitigation efforts to remain in their homes. However, on August 3, 2023, the DCA and the DEP suddenly informed a large number of Manville residents that now, the only option available to them would be to accept a buyout from the DEP’s Blue Acres program - whose track record during Ida has been already mired with delays, confusion, and a lack of adequate resources - or get nothing at all. Ida families have already endured many months of waiting, a complicated aid application process, and an excruciatingly slow rollout of aid programs. For many, their credit has also been devastated by the financial burden of the storm. So, even if they accept a buyout now, it may be difficult for them to find a new mortgage, especially due to rising home prices. It’s not fair to change the rules on us

two years down the line - especially when, as far as we can tell, none of the community members who will be impacted by this decision were involved in the decision-making process. Governor Murphy, we need you to reverse this decision now - or to guarantee that the buyout process works for us, not against us. This means that Ida survivors in Manville need 1) support restoring their credit so they're able to move; 2) more money put into the Blue Acres buyout program so homes are fairly compensated; and 3) an expedited timeline to be put into place so families are not waiting another two years for help.

## Response to All Comments

New Jersey is already experiencing adverse impacts to public health, safety, and property due to climate change. Climate change is causing flood risks across New Jersey to increase, and areas that have never flooded before are now seeing regular and significant inundation. In response, the State is taking necessary planning, policy, and regulatory actions to prepare for a shift in the way we develop, redevelop, and recover after climate events. Disaster recovery programs and the Blue Acres program are evolving to couple disaster recovery functions with comprehensive, forward-looking resilience planning. This shift is consistent with a risk-informed approach that will reduce our state's vulnerability to climate impacts in the future, saving lives in the process.

With this context in mind, the State after careful consideration and a thorough analysis has established a resilience and risk reduction policy that prohibits using federal disaster recovery funding to elevate homes and repair storm-damaged homes in areas at high risk of future flooding hazards. This decision was made collaboratively by multiple state agencies, including the New Jersey Office of Emergency Management (NJOEM), DCA, and DEP with the understanding that in some specific areas there is such a high risk of repeated flooding that elevating structures and doing other mitigation measures would not reduce the excessive risk to life and property. However, elevations are still an eligible activity as part of the CDBG-DR Homeowner Assistance Repair Program (HARP) and FEMA HMGP program in Manville outside of the risk reduction area.

The risk reduction policy would redirect seventy-five (75) homeowners from HARP including thirty-three (33) who had applied to both HARP and Blue Acres prior to the establishment of the risk reduction decision.

The Manville resilience and risk reduction areas were determined using the best available planning and science data to inform the use of post Ida recovery and mitigation funds with the goal of reducing future flood risk in a community that has a longstanding flood history. This resilience and risk reduction decision was built on the priority cluster areas established by Manville Borough's 2018 Acquisition Action Plan and emergency management LiDAR data which indicates that several areas of Manville experienced 5.5 ft of flood water (or more) during Ida. Floodwaters at this height are treacherous, the water has velocity, and it is impassable for residents and first responders. Only waterborne rescues can occur. According to engineering data, the Lost Valley neighborhood in Manville is under designed for a 1% flood event. It had significant areas of high floodwater; the northeastern part of this neighborhood is not in a mapped FEMA flood zone, yet it experienced 2-3 feet of floodwater. Indeed, during Hurricane Ida, several homes and structures in Manville exploded due to fires and gas leaks resulting from floodwaters. Elevating these homes or the surrounding homes simply would not fully mitigate these types of dangers. To compound concerns, this neighborhood has only two evacuation points at the Kyle Street tunnel and Bridge Street, both of which become impassable with 3 feet or more of flood water. In essence, a few feet of floodwater cut this neighborhood off from the rest of the community and future flood events are likely to do the same. Dangerous floodwater heights and access concerns in these areas were confirmed by Ida flood inundation data and HEC-RAS simulations developed by Rutgers University. Despite the best of intentions, structures elevated in accordance with the municipal ordinance in these areas of high water will not be sufficient for tomorrow's climate change driven floods. These factors led to the determination that elevations are not the best risk reduction alternative for these risk flood vulnerable areas. Homeowners who elect to self-fund elevations will not be prevented from doing so.

Aside from estimations and simulations Manville has now suffered three catastrophic flooding events to the low-lying areas of town in just over two decades (Hurricane Floyd in 1999, Hurricane Irene in 2011, Hurricane Ida in 2021). These flooding events endanger homeowners and require town-wide solutions to protect residents and, where necessary, remove them entirely from dangerous areas.

When the State was awarded federal CDBG-DR funds to help with Hurricane Ida recovery, DCA set about developing a Hurricane Ida Action Plan in consultation with residents, county and municipal officials, nonprofit organizations, advocacy groups like the New Jersey Organizing Project and other stakeholders in New Jersey, as well as with input DCA received from thousands of people who completed the Hurricane Ida Registration Survey and from scores of people who attended our public meetings in Manville and Newark about the Action Plan. Through that process the State was clear about the very limited federal funding New Jersey was receiving for Ida recovery and about the State's intent to efficiently use the funding to assist as many low to moderate-income households as possible while helping to guard communities against the effects of future storm disasters.

Because federal disaster recovery funding is very limited, the resilience and risk reduction policy is designed to maximize the efficient use of this limited resource by directing elevation and repair funding to those areas at less risk of future flooding. The State is focusing on doing the most we can to help as many households as possible with the limited federal money we have. The State recognizes the impact this risk reduction policy will have on some households and, therefore, took steps to provide households affected with information about the Blue Acres program, including hosting informational sessions residents in Manville that are most immediately impacted by the policy. The Blue Acres buyout program is a permanent state program with voluntary enrollment to the program. The Department of Environmental Protection (DEP) as the administrator of the Blue Acres program will continue to engage in dialogue with organizations, elected officials, and residents about ways to improve the buyout program and process. The non-mandatory Blue Acres program, which purchases properties located in areas at risk of flooding and helps property owners relocate to safer locations. The State has allocated \$22 million of the Hurricane Ida CDBG-DR budget for the Blue Acres program as well as \$18 million in Sandy CDBG-DR through interchangeability towards buyouts for Ida impacted property owners. The State has allocated millions more in federal Hazard Mitigation Grant Program funds towards buyouts for Ida impacted properties. Additionally, the New Jersey Office of Emergency Management (NJOEM) has obligated up to \$10 million of FEMA Flood Mitigation Assistant (FMA) Swift Current funding for buyouts in Manville.

There are other Ida CDBG-DR programs that can assist households affected by this policy in Manville. As mentioned above the Blue Acres buyout program can offer households the current fair market value to purchase their home. The homeowner participant may also be eligible for a safe housing incentive to assist them in moving to lower risk areas within the same community or into another community. Tenants who live in homes that are bought out are also eligible for moving assistance as part of the HUD required uniform relocation assistance and acquisition regulations. Another Ida CDBG-DR program that can be utilized by Manville residents affected by this policy is the Smart Move program. Interested communities can apply to NJ DCA for CDBG-DR funds to incentivize developers to create new affordable single-family housing within their communities. The City of Manville could apply to this program and create affordable housing in lower risk areas within the community. The occupants of the new housing will be first time homebuyers as well as participants in the Blue Acres program. The program will prioritize Blue Acres participants. In addition, seventy (70%) of the homes will be reserved for low-to moderate income households. Blue Acres participants will use their safe housing incentive to purchase the new home. If eligible, the new occupants may also qualify for additional homebuyer assistance as part of the Smart Moves program. The goal of the Blue Acres and Smart Move programs are to assist storm-impacted households to relocate to lower risk areas.