

## **COMBINED PUBLIC NOTICE**

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

#### **CAPE MAY COUNTY**

October 12, 2018

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 three separate but related procedural requirements for activities to be undertaken by New Jersey Department of Community Affairs (DCA).

#### **REQUEST FOR RELEASE OF FUNDS**

On or about October 29, 2018, 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 Flood Hazard Risk Reduction and Resiliency Program. DCA expects to fund the project using approximately \$12,362,557.50 of Flood Hazard Risk Reduction and Resiliency Program funds.

#### **PROJECT DESCRIPTION**

Application ID number: FHR0000509

Project Title: Flood Remediation of Pacific Avenue

Location: The proposed project would be located in an area of southwest Wildwood, Cape May County, New Jersey.

The total estimated project cost is \$13,362,557.50.

The proposed project would construct stormwater infrastructure improvements in an area of southwest Wildwood bounded by E. Cresse Ave., Pacific Ave., E. Spicer Ave., and the Atlantic Ocean. Improvements would include construction of storm sewers, a pump station, and an underground storage chamber. A 60-inch prestressed concrete cylinder pipe (PCCP) force main would be constructed from the proposed pump station extending approximately 2,880 feet into the Atlantic Ocean. Eight existing stormwater outfalls on the public beach would be removed.

## 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, 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.

The proposed project is located in an area of southwest Wildwood, Cape May County, New Jersey. The proposed project would construct stormwater infrastructure improvements including construction of storm sewers, a pump station, and an underground storage chamber. A 60-inch PCCP force main would be constructed from the proposed pump station extending approximately 2,880 feet into the Atlantic Ocean. Eight existing stormwater outfalls on the public beach would be removed. The entire proposed project area, approximately 97 acres, is within the 100-year floodplain. Proposed work on the public beach would be within a V floodplain zone and the proposed pump station and other activities landward of the boardwalk would be within an A floodplain zone. The proposed project is shown on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) panels 34009C0302F and 34009C306F effective October 5, 2017.

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) undertaking the proposed project as proposed; 2) relocating the proposed project outside the 100-year floodplain; and 3) not undertaking the project (No Action). Being on a barrier island, practically the entire City is in the 100-year floodplain and the proposed project could not meet its purpose and need without being located in the 100-year floodplain. Therefore, the 100-year floodplain cannot be avoided, and no practicable alternatives exist outside of the 100-year floodplain. In the absence of the proposed project, the City's stormwater infrastructure would remain inadequate and street flooding, particularly along Pacific Ave., would continue to occur during storm events. The existing stormwater outfalls terminating on the public beach lead to a potentially polluted and bacteria-ridden stormwater accumulation, which would remain a hazardous condition to the public.

The proposed project must obtain a waterfront development permit and a Coastal Area Facility Review Act (CAFRA) permit and all permit conditions must be complied with. All structures funded in the 100-year floodplain must be covered by flood insurance and the flood insurance must be maintained for the economic life of the structure. If HUD assistance is provided as a loan, insurance must be maintained for the term of the loan and in the amount of the loan (or up to the maximum allowable coverage, whichever is less). The proposed project must implement and maintain best management practices for erosion and sedimentation control. A certificate from the Cape Atlantic Conservation District will be required. The proposed project must reestablish vegetation on exposed soil as soon as possible after work has been completed and the project must protect existing drain inlets from debris, soil and sedimentation. No equipment maintenance or fueling of construction equipment shall take place on the job sites. If handling of fuels on site is to occur, caution must be exercised to prevent spills of oils and grease that may

reach the receiving waters. Safe storage and handling procedures must be followed in order to prevent the contamination of water from fuel spillage, lubricants and chemicals.

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.

#### FINDING OF NO SIGNIFICANT IMPACT

The DCA has determined that this project will have no significant impacts on the human environment. Therefore, an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) 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/>.

#### PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on this project may submit written comments to Samuel Viavattine, Deputy Commissioner, 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 October 29, 2018 or fifteen (15) 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 Lieutenant Governor Sheila Y. Oliver, in her 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 fifteen (15) days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of DCA; (b) DCA has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs 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.

Lieutenant Governor Sheila Y. Oliver, Commissioner  
New Jersey Department of Community Affairs