



State of New Jersey

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NATURAL & HISTORIC RESOURCES
Office of Engineering and Constructions
501 East State Street
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P. O. Box 420
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BOB MARTIN
Commissioner

March 6, 2015

Peter R. Blum, Chief
Philadelphia District
U.S. Army Corps of Engineers
Planning Division
Wanamaker Building
100 Penn Square East
Philadelphia, Pennsylvania 19107-3390

Re: Fortescue and Gandy's Beach CAP Project in Downe Township, Project Participation Agreement, Delaware Bayshore, Cumberland County, New Jersey, Flood Risk Management Section 205, BCE Project No. 6077

Dear Mr. Blum:

I am writing this letter in support of the Continuing Authorities Project for Fortescue and Gandy's Beach, Delaware Bayshore, Cumberland County, New Jersey, BCE Project No. 6077. The NJDEP Bureau of Coastal Engineering is fully in support of the proposed project and will serve as the Non-Federal sponsor. To this end, we and our counsel reviewed the model PPA provided for this project and can agree to sign this agreement when it is approved by the Corps of Engineers.

We look forward to participating with you in the design and construction phase of this project. If you have any questions, you can contact Megan Rutkowski at 732-255-0765 or megan.rutkowski@dep.nj.gov.

Sincerely,

Dave Rosenblatt, Administrator
Office of Engineering and Construction

C: Brian Mulvenna, USACE
Bill Dixon, Bureau of Coastal Engineering
Megan Rutkowski, Bureau of Coastal Engineering



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Mr. Peter R. Blum, P.E.
Chief, Planning Division
U.S. Army Corps of Engineers, Philadelphia District
100 Penn Square East
Wanamaker Building
Philadelphia, PA 19107-3390

Re: Fortescue and Gandy's Beach CAP Project in Downe Township, Delaware Bayshore,
Cumberland County, New Jersey, Flood Risk Management Section 205, BCE Project No.
6077

Dear Mr. Blum:

In accordance with the provisions of Section 205 of the Flood Control Act of 1948, as amended, which authorizes the Federal government to initiate investigations and studies in the interest of flood risk management, the New Jersey Department of Environmental Protection (NJDEP) hereby makes formal application for a feasibility study of the Delaware Bayshore areas of Fortescue and Gandys Beach in Downe Township.

FEMA's National Flood Insurance Program (NFIP) data indicate that over 91 flooded structures and \$13 million in total damages were reported as a result of Hurricane Sandy in this area and the NJDEP requests your assistance in evaluating hurricane, coastal storm and flood risk management for these locations.

The New Jersey Department of Environmental Protection understands that the problem will be assessed through the conduct of a Feasibility Study. The Federal government will pay 100 percent of the Feasibility Study cost up to \$100,000. The New Jersey Department of Environmental Protection can provide 50 percent of the cost to complete the Feasibility Study in excess of \$100,000. If the necessary Federal interest is demonstrated during the Feasibility Study Phase and the project proceeds into the Design and Implementation Phase, then the New Jersey Department of Environmental Protection will be required to share 35% of the Design and Implementation cost.

In addition, the New Jersey Department of Environmental Protection will provide the following local cooperation and participation:

1. Provide without cost to the Government, during the period of construction, all lands, easements, rights of way, and utility and facility alterations and relocations necessary for the construction and maintenance of the project, regardless of their value.
2. Makes a cash payment of not less than 5% of the total project cost during the period of construction, regardless of the value of the items in (1) above. If the value of the items in (1) above is less than 30% of the total project cost, the local sponsor, shall, during the period of construction, make such additional cash payments as are necessary to bring its total contribution in cash and value of lands, easements, rights of way, and utility and facility alterations and relocations, to an amount equal to 35% of the total project cost.
3. If the sum of items (1) and (2) above exceeds 50% of the total project cost, local contributions in excess of 50% will be reimbursed by the Federal government.
4. Hold and save the Government free from damages that may result from construction and subsequent maintenance of the project except damages due to the fault or negligence of the Government or its contractors.
5. Operate, maintain, and rehabilitate the project upon completion without cost to the Government, in accordance with regulations and directives prescribed by the Secretary of the Army.
6. Prevent future encroachment that might interfere with proper functioning of the project for flood risk management.
7. Assume responsibility for all cost in excess of the Federal per project cost limitation of \$10,000,000.
8. Provide guidance and leadership in preventing unwise future development of the flood plain by use of appropriate flood plain management techniques to reduce flood losses.

We look forward to participating with you in the design and construction phase of this project. If you have any questions, you can contact Megan Rutkowski at 732-255-0765 or megan.rutkowski@dep.nj.gov.

Sincerely,



Dave Rosenblatt, Administrator
Office of Engineering and Construction

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