



**US Army Corps
of Engineers**

Philadelphia District

Public Notice

Public Notice No.
CENAP-PLE-24-05

Date
19 December 2024

In Reply Refer to:
Environmental Resources Branch

**New Jersey Back Bays Supplemental Draft Integrated Feasibility Report and
Environmental Impact Statement (EISX-202-00-E5P-1734174725)
Monmouth County, Ocean County, Burlington County, Atlantic County,
And Cape May County, New Jersey**

In accordance with Section 102 of the National Environmental Policy Act (NEPA), as amended, Section 404 of the Clean Water Act, and Section 10 of the Rivers and Harbors Act, notice is hereby given that the U.S. Army Corps of Engineers, Philadelphia District, is issuing the *New Jersey Back Bays (NJBB) Supplemental Draft Integrated Feasibility Report and Environmental Impact Statement (SDIFR-EIS)* and appendices. The Unique ID is: EISX-202-00-E5P-1734174725. These documents are available to the public for review on the Philadelphia District's web site at:

<https://www.nap.usace.army.mil/Missions/Civil-Works/New-Jersey-Back-Bays-Study/>.

The draft report outlines an updated plan (The Tentatively Selected Plan or "TSP"), which includes the elevation of approximately 6,400 residential structures; floodproofing 279 critical infrastructure facilities (police, fire, ambulance, hospitals); and the implementation of nature-based solutions (NBS) (using dredged material to enhance 217 acres of salt marsh habitat vulnerable to sea level change at 7 locations in the back bay area).

This document is a supplement to the Draft Integrated Feasibility Report and Tier 1 Environmental Impact Statement, which was released for public and agency review via a Notice of Availability published in the Federal Register on August 27, 2021. That document evaluated a complex structural and nonstructural plan involving the construction of storm surge barriers across three coastal inlets and two cross bay barriers. Following the public and agency review, the large structural measures were determined to be "inactionable" to reach full environmental compliance at the feasibility level. Therefore, the inactionable elements will be deferred for future study and evaluation. The measures determined to be "actionable" (nonstructural and NBS) at the feasibility level were evaluated further as part of the current document, which is the Draft Supplemental Integrated Feasibility Report and Environmental Impact Statement (DSIFR-EIS). Additionally, the updated plan will no longer require "tiering" (defined in 40 CFR 1508.28) to meet study planning requirements.

The U.S. Army Corps of Engineers, in partnership with New Jersey Department of Environmental Protection (NJDEP), is conducting the feasibility study within the New Jersey Back Bay area, defined as the network of interconnected tidal water bodies located landward of the New Jersey Ocean coastline in Monmouth, Ocean, Atlantic, Burlington, and Cape May Counties. The study area includes approximately 950 square miles and nearly 3,500 miles of shoreline across 89 municipalities. The objective of the study is to investigate problems and solutions to reduce damages from coastal storm-related flooding that affects population, critical infrastructure, property, and ecosystems. Engineering and economic analyses indicate the study area could experience \$2.6 billion in average annual flood damages if no action is taken.

The study team prepared the supplemental draft report to present the study's purpose, problem identification, alternatives, technical analyses, and to outline the TSP. The document describes engineering, economic, social, and environmental analyses. The TSP (Figures 2 and 3) includes the following nonstructural and nature-based solutions (NBS) features:

- The elevation of 6,421 residential structures within the 20% Annual Exceedance Probability (5-year) floodplain to the 1% base flood elevation in 2090 accounting for intermediate rates of sea level change;
- The floodproofing up to +3' to + 4.5' above existing ground elevation for 279 Critical Infrastructure elements (police, fire, ambulance, hospital, pharmacy);
- Nature- Based Solutions (NBS) utilizing dredged material to enhance 217 acres of salt marsh habitat vulnerable to sea level change at 7 locations in the back bay area. Sediment sources include navigation dredging and mining of existing nearby confined disposal facilities (CDFs). Sediments would be required to meet NJDEP sediment quality guidelines for beneficial use placement.

In accordance with Section 102 of NEPA, the NJBB SDIFR-EIS will be posted in the Federal Register e-NEPA system. The date the Notice of Availability (NOA) posts in the Federal Register will start a 60-day public review period. It is anticipated that the NOA will be posted on Friday December 20, 2024, and the comment period will close on February 18, 2025.

In accordance with Section 401 of the Clean Water Act, Water Quality Certification is being coordinated with the NJDEP. It is expected that the TSP would result in discharges requiring Section 401 Water Quality Certification, and coordination with NJDEP has been initiated with circulation of the SDIFR-EIS.

In accordance with Section 307 (c) of the Coastal Zone Management Act of 1972, an activity affecting land or water uses in a State's coastal zone must comply with the State's Coastal Zone Management Program. It has been determined that the TSP would have effects within New Jersey's coastal zone and coordination with NJDEP has been initiated with circulation of the SDIFR-EIS.

It has been determined that the proposed TSP could adversely affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. A Biological Assessment has been prepared and submitted to the U.S. Fish and Wildlife Service and NOAA Fisheries to initiate formal Section 7 consultation.

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, the U.S. Army Corps of Engineers determined that the TSP may have the potential to have an effect, or potential adverse effect, to historic properties eligible for or listed on the National Register of Historic Places. A Programmatic Agreement between the USACE and the New Jersey State Historic Preservation Office is being negotiated and once executed, will guide further consultation during the design and construction phases.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all Federal agencies to consult with the NOAA Fisheries on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). A preliminary assessment of the effects of the proposed action on Federally managed species and their life stages within this area indicates the project could adversely affect EFH. An EFH assessment has been prepared and submitted to NOAA Fisheries to initiate EFH coordination.

All practicable means to avoid or minimize adverse environmental effects have been incorporated into the TSP. The public and all agencies are invited to comment on the SDIFR-EIS. More detailed information on this proposed plan is available for public review at the Philadelphia District Office.

Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this proposal. Requests for a public hearing shall state, in detail, the reasons for holding a public hearing.

All comments on the work described in this public notice should be directed to Mr. Adrian Leary, ATTN: Environmental Resources Branch, U.S. Army Corps of Engineers, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2004 or by e-mail at PDPA-NAP@usace.army.mil no later than February 18, 2025.

FOR THE DISTRICT ENGINEER:

FOR
Adrian Leary
Chief, Planning Division
Philadelphia District
U.S. Army Corps of Engineers

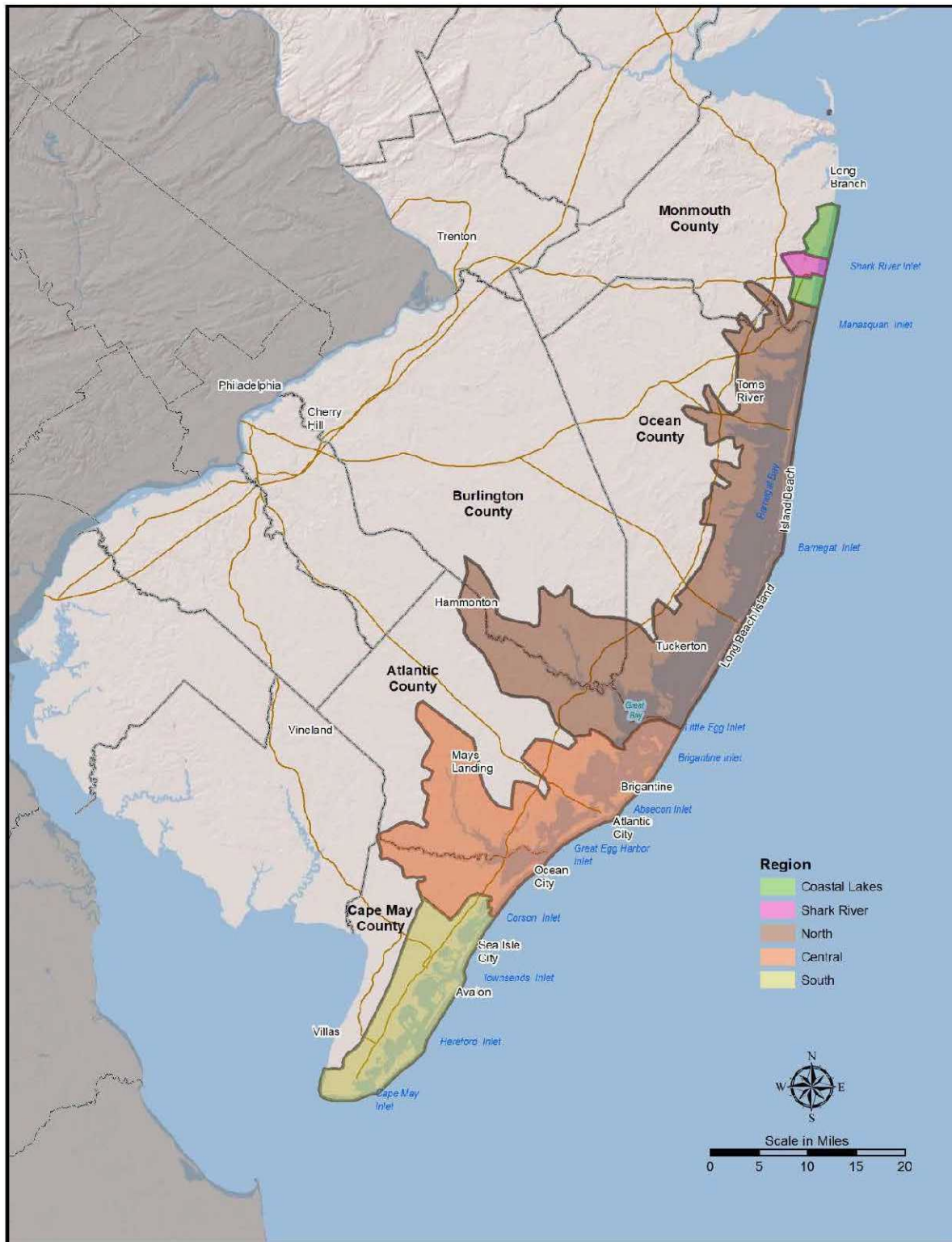


Figure 1. New Jersey Back Bays Supplemental Draft Integrated Feasibility Report and Environmental Impact Statement Study Regions.

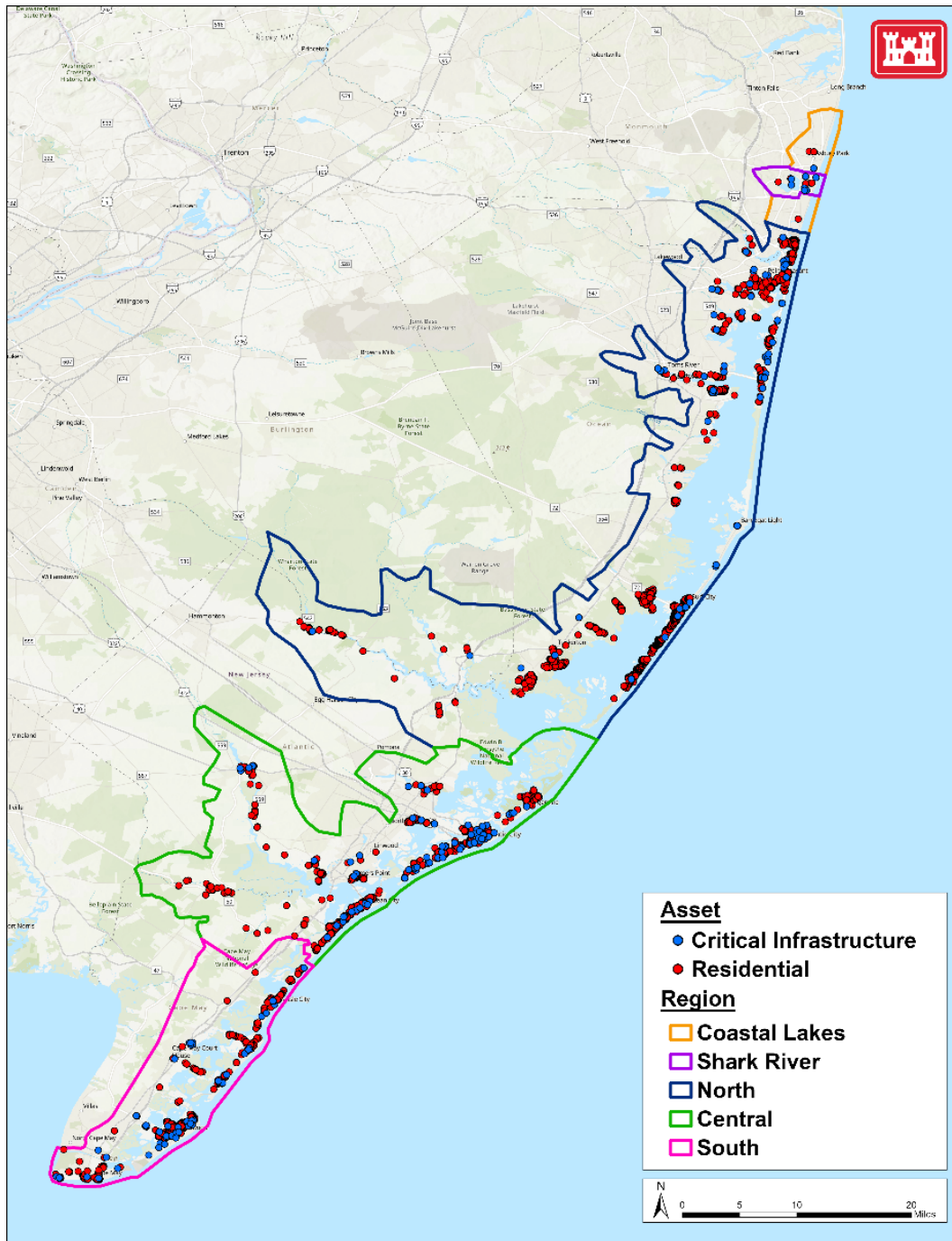


Figure 2. NJBB Tentatively Selected Plan Nonstructural Measures

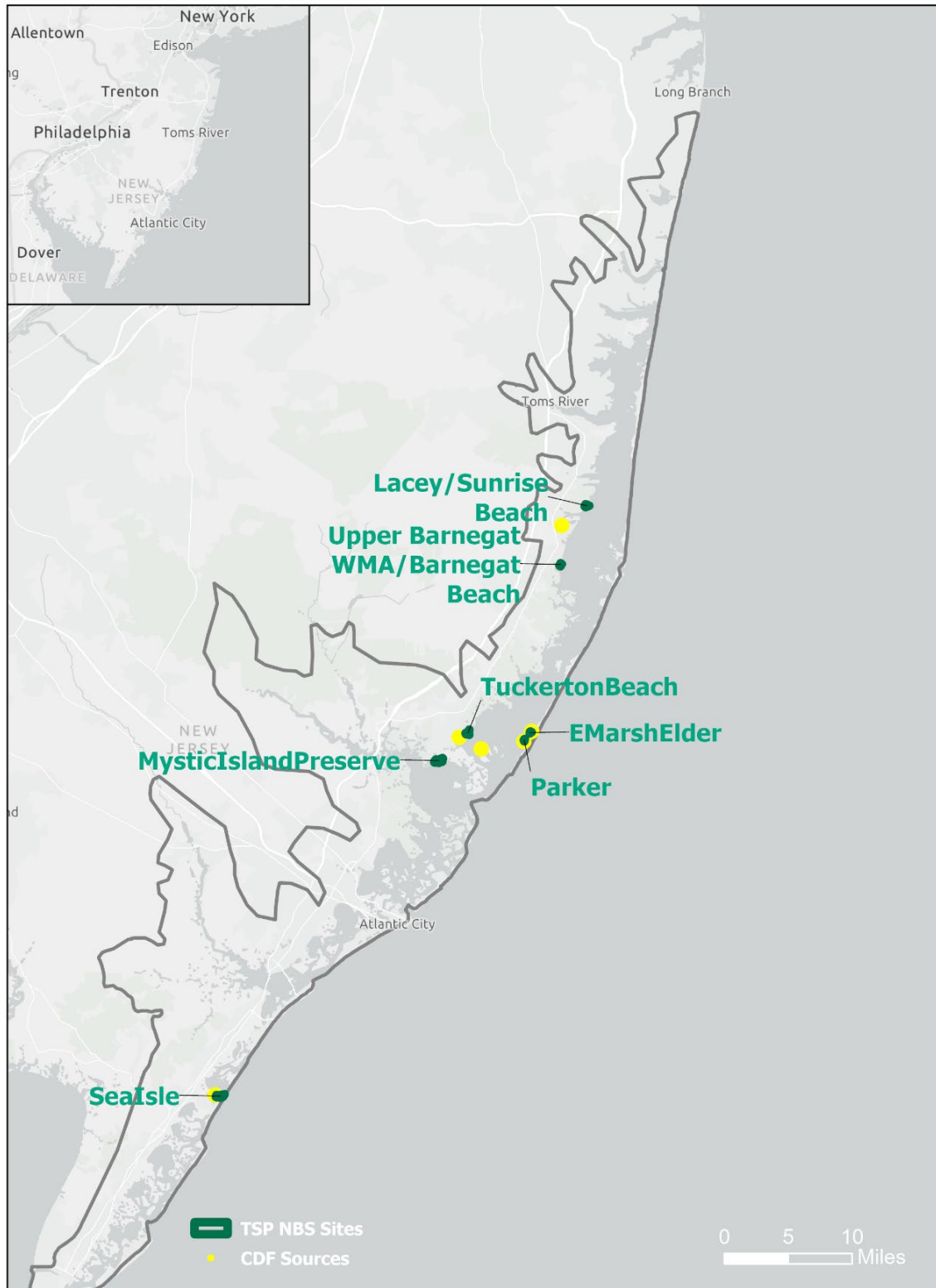


Figure 3. NJBB Tentatively Selected Plan Nature Based Solutions (NBS) Locations