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**US Army Corps
of Engineers**

Philadelphia District

Public Notice

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CENAP-PL-E-21-03

Date
19 August 2021

In Reply Refer to:
Environmental Resources Branch

Draft

New Jersey Back Bays Integrated Feasibility Report and Tier 1 Environmental Impact Statement 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) Draft Integrated Feasibility Report and Tier 1 Environmental Impact Statement (DIFR-EIS)* and appendices. 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 report outlines a 'Tentatively Selected Plan (TSP)' framework, which includes three storm surge barriers, two cross-bay barriers, and the elevation of more than 18,000 structures to reduce the risk of flood damages associated with storm surge. Please note that the plan is subject to change following input from the public and agency review. In addition, it has not yet been approved by higher authorities, including Congress, and has not been funded for implementation at the federal or state level.

The feasibility study, which was conducted by the Philadelphia District in partnership with New Jersey Department of Environmental Protection (NJDEP), investigates flood damage reduction alternatives within the NJBB 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 (Figure 1) includes approximately 950 square miles and nearly 3,400 miles of shoreline. 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 \$1.8 billion in average annual flood damages if no action is taken.

The study team prepared the 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 (Figure 2) includes the following conceptual features:

- Storm surge barriers at Manasquan Inlet, Barnegat Inlet, and Great Egg Harbor Inlet

- Cross-bay barriers along Absecon Boulevard/Route 30 in Atlantic County and along an extension of 52nd Street (spans across the bay along the old railroad embankment) in Ocean City, Cape May County.
- Elevating 18,800 structures (including homes and businesses) in Monmouth, Ocean, Atlantic, and Cape May counties. (Note: there are approximately 182,000 structure in study area).
- Other non-structural measures and natural and nature-based features (such as enhancing marshes or creating living shorelines) will be looked at in more detail in the next phase of the study and may be added to the plan in the future.

The U.S. Army Corps of Engineers will host two virtual public meetings to discuss the report and answer questions on Sept. 20 and 21:

- September 20 from 6:00-7:30 p.m.
- September 21 from 1:00-2:30 p.m.

In accordance with Section 102 of NEPA, the NJBB DIFR-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 45-day public review period. It is anticipated that the NOA will be posted on Friday August 27, 2021. Because of the large scope, scale and complexity of the affected environment, and the alternatives under consideration, the EIS will be conducted in tiers. Tiering (defined in 40 CFR 1508.28) is a means of making the environmental review process more efficient by allowing parties to “eliminate repetitive discussions of the same issues and to focus on the actual issues suitable for decision at each level of environmental review”. The current EIS evaluates potential impacts of the proposed action in accordance with NEPA, and other applicable state and federal laws and USACE policies at a “Tier 1” level. It is expected that full compliance with NEPA and other applicable state and federal laws would be achieved during subsequent phases and higher tier levels prior to undertaking any of the proposed actions evaluated in this document.

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 DIFR-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 DIFR-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 consistent with a Tier 1 NEPA review has been prepared and submitted to NOAA Fisheries to initiate EFH coordination.

All practicable means to avoid or minimize adverse environmental effects to date have been incorporated into the TSP, which includes compensatory mitigation for unavoidable adverse effects. It is expected that additional means to avoid or minimize adverse environmental effects would be considered in subsequent project phases and reviews and development of a "Tier 2" NEPA document during the Engineering and Design Phase. The public and all agencies are invited to comment on this proposal. More detailed information on this work 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. Peter R. Blum, P.E. ATTN: Environmental Resources Branch, U.S. Army Corps of Engineers, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3396 or by e-mail at PDPA-NAP@usace.army.mil no later than October 12, 2021.

FOR THE DISTRICT ENGINEER:

Peter R. Blum, P.E.
Chief, Planning Division
Philadelphia District
U.S. Army Corps of Engineers

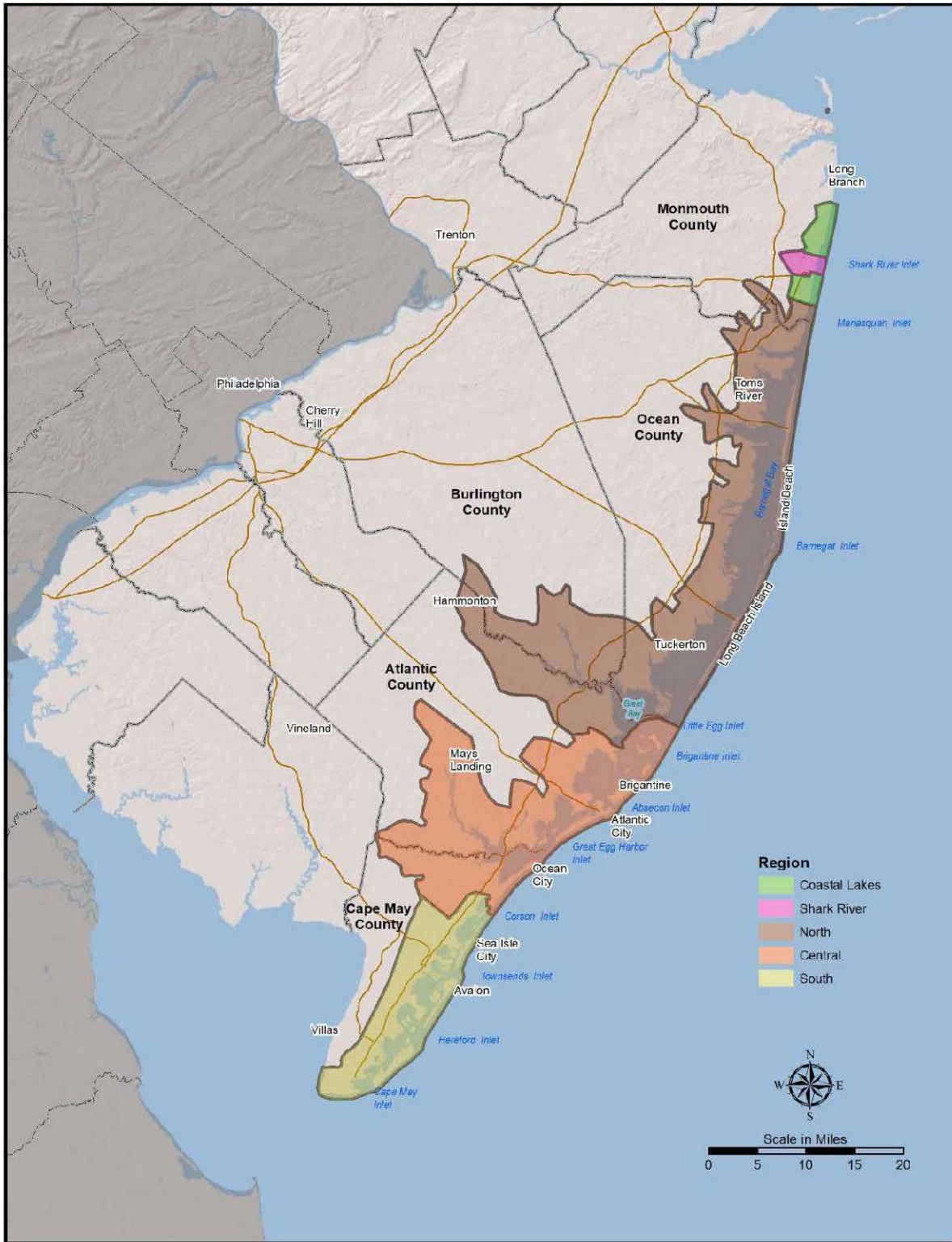


Figure 1. New Jersey Back Bays Draft Integrated Feasibility Report and Tier 1 Environmental Impact Statement Study Regions.

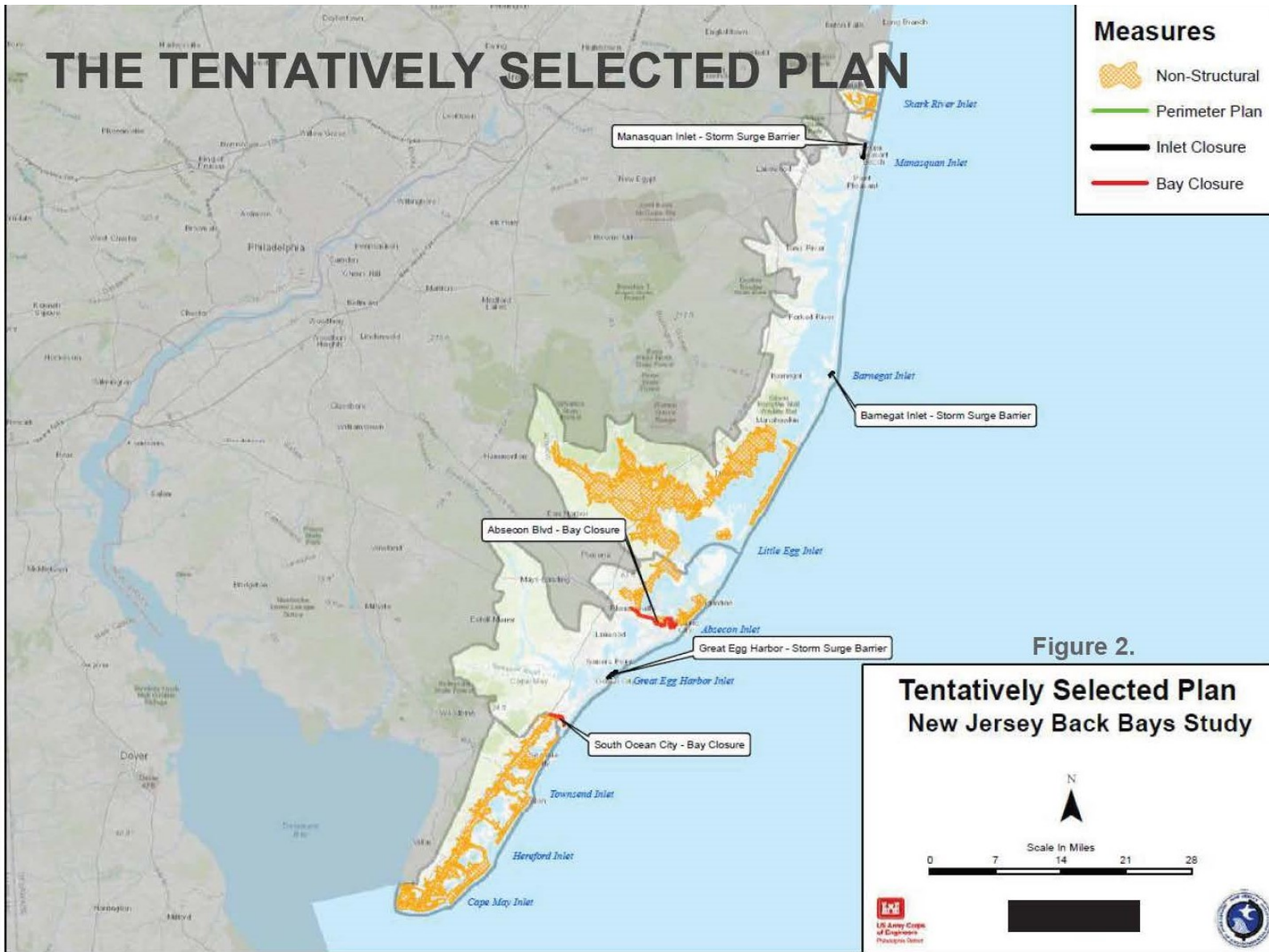


Figure 2. NJBB Tentatively Selected Plan