

March 5, 2014

**Via Email:** [Sandy.publiccomment@dca.state.nj.us](mailto:Sandy.publiccomment@dca.state.nj.us)

Richard Constable, Commissioner  
Department of Community Affairs  
State of New Jersey  
PO Box 800  
Trenton, NJ 08625-0800

**Re: Comments on the Proposed CDBG-DR Action Plan Amendment Number 7 for the Second Allocation of CDBG-DR Funds**

Dear Commissioner Constable:

Thank you for the opportunity to comment on the State of New Jersey's proposed Community Development Block Grant Disaster Recovery (CDBG-DR) Action Plan Amendment Number 7 (Draft Plan), which describes how the state proposes to spend the \$1.46 billion that is the second allocation of federal funding for Sandy recovery.

The following groups of smart-growth, planning and county organizations calls on the Department of Community Affairs (DCA) to amend the Draft Plan, prior to submission to HUD, to ensure adequate resources for local and regional planning. Many of our organizations are submitting individual letters of comment, but we are using this letter to convey our shared conviction that communities urgently need additional planning resources to assess future risks fully and guide development and infrastructure investments accordingly, in order to be resilient in the face of future storms.

Municipalities and counties cannot recover fully from Sandy, nor do so in a way that makes them safer and more resilient, without additional resources for planning. FEMA learned this lesson from its experience after Hurricane Katrina, and encapsulated it in the National Disaster Recovery Framework, which highlights the importance of local planning capacity. Consider the new tasks municipalities face on top of basic post-Sandy recovery: They must revise plans and ordinances for land use, infrastructure and hazard mitigation to incorporate the new understanding of risk as depicted through data on storm damage, new FEMA A and V zones and maps projecting future damage that will be exacerbated by sea level rise. Counties must incorporate updated risk analysis into multi-jurisdictional hazard mitigation plans, transportation and open space plans, and other planning activities. Neighboring states like New York, Maryland, Delaware and Connecticut are helping their communities respond by offering significant planning grants and targeted technical assistance. New Jersey has taken small steps, but much more is needed.

We appreciate the provision in the Draft Plan to provide additional funds to the DCA Post-Sandy Planning Grant Program, although it's not clear how much, if any, of those funds would actually be used for the program, given that of the \$10-million allocation for planning activities, 1) the state may set aside an unlimited amount of funding "to enable communities facing unique or significant challenges to undertake more in-depth planning;" and 2) the state may use up to \$5 million for statewide and regional planning activities.

We believe that this allocation is a step in the right direction, but does not match the need. We recommend that the Action Plan Amendment allocate \$20 million dedicated to an expanded DCA Post-Sandy Planning Grant Program.<sup>1</sup> These dedicated funds will:

1. Provide funds for municipalities and counties not currently participating in the program and additional funds for municipalities already in the program so they can prepare forward-looking risk assessments (see no. 3 below) and complete secondary eligible planning efforts.
2. Expand the list of municipalities and counties eligible to receive Planning Assistance Grants to include Cumberland County and those of its municipalities that have been damaged by Sandy and other storms and face significant future risks. These municipalities include Lawrence, Maurice River, Commercial, Downe and Greenwich townships. Risk assessments can help these communities identify safe areas for investment. Additional planning grants can help them identify methods to enhance resilience in areas of high vulnerability and channel future growth toward low-risk areas.
3. Create a new grant category to encourage participation in the FEMA Community Rating System (CRS) program. The National Flood Insurance Program's (NFIP) Community Rating System is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. As a result, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community actions that reduce flood damage to insurable property, strengthen and support the insurance aspects of the NFIP, and encourage a comprehensive approach to floodplain management. As of October 1013, only 81 New Jersey municipalities participate in the CRS. With grant assistance, additional communities could join the CRS, resulting in reduced flood risk and reduced flood insurance premiums for all policy holders. In addition, participating communities could enhance their flood-mitigation activities and achieve greater premium reductions for policy holders. (*Estimated cost per municipality: \$30,000.*)
4. Expand the scope of the required municipal Strategic Recovery Plan Report (SRPR) to include a forward-looking assessment of risk and vulnerability from storm surge and sea-level rise. The Draft Plan commits the state to reviewing projections for sea-level rise and how they will affect risks from future storms through increased storm surge and flooding. The state should also assist local governments in developing and adopting their own forward-looking assessment of risks and vulnerabilities. These assessment should use planning horizons of 2030, 2050 and 2100, to match the lifespan of infrastructure and buildings. Municipalities should identify areas that will be at risk and the resulting vulnerability of the built environment, critical infrastructure, natural resources, and population.

The state should require those grant recipients who have already completed an SRPR to also perform a vulnerability assessment as a condition of receiving any additional DCA Post-Sandy Planning Grants. Attached for consideration by DCA is the Expanded Scope of Work for the SRPR that New Jersey

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<sup>1</sup> Note that these funds would be in addition to: 1) the initial \$5-million allocation in the first Action Plan and 2) the \$5 million allowed by the draft amendment for state and regional planning activities.

Future local recovery planning managers are implementing. (*Estimated additional cost per municipality: \$10,000.*)

5. Provide funding for local recovery management services to help municipal staff develop and implement long-term recovery and rebuilding plans and provide ancillary recovery planning services. As noted in the HUD notice governing the second allocation of CDBG-DR funds (FR-5696-N-06), local disaster recovery managers help to coordinate and manage the overall long-term recovery and redevelopment of a community, ensure that federal funds are used properly and help local governments address the need for long-term recovery coordination.

In total, we recommend that the Sandy Action Plan Amendment dedicate an additional \$20 million for an expanded Post-Sandy Planning Grant Assistance Program, in addition to the program's initial funding of \$5 million from the first CDBG allocation, and in addition to the proposal in the Draft Plan for up to \$5 million for state and regional planning purposes. The combined total of \$27.5 million for planning is less than 1% of all CDBG-DR spending, but will help ensure municipalities and their counties have the resources they need for resilient rebuilding and that taxpayer dollars are invested wisely to help New Jersey communities withstand future storms

The local government, planning and smart growth community thanks you for considering these comments. We welcome the opportunity to meet with you to discuss these issues and proposed solutions to foster more resilient and sustainable New Jersey communities. We would be happy to provide more detailed suggestions for improvement to and expansion of the Post-Sandy Planning Grant Assistance Program. If you have any questions, please contact Chris Sturm at 609-393-0008, x114 or [csturm@njfuture.org](mailto:csturm@njfuture.org).

Sincerely,

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## **Strategic Recovery Planning Report EXPANDED SCOPE OF SERVICES**

The Strategic Recovery Planning Report (SRPR) is intended to help guide municipal recovery efforts from the effects of Superstorm Sandy and reduce vulnerabilities to future storms in these municipalities.

- a. The Report will evaluate the impacts on affected community features and address the conditions created or exacerbated by the storm.
- b. The Report will articulate the planning goals, strategies, and priority actions that are most urgently needed to improve public safety, increase resistance to damage from future storms.
- c. The Report will contain detailed descriptions of each of the projects proposed; a statement of need that demonstrates how each project relates to the impacts of Superstorm Sandy; why the project is important to the economic and environmental health of the community; the major tasks associated with each project; the estimated cost of implementation; identification of potential or actual funding sources to pay for project implementation; and estimated implementation dates.

### **Task 1: Community Participation**

- 1.1 Establish a steering committee of municipal leaders to guide the community outreach process and the preparation of the SRPR. The steering committee should include representation from the county's Office of Emergency Management and Department of Planning.
- 1.2 Conduct periodic public-workshop meetings, as outlined in the task descriptions below, to solicit input and familiarize the public with the findings, conclusions and recommendations of the SRPR.
- 1.3 Develop a web-based community outreach strategy to solicit broad-based participation through community-wide surveys, polls, etc., and to disseminate information about the planning process and the findings, conclusions and recommendations of the SRPR.
- 1.4 Steering Committee Meeting No. 1 - Conduct a steering committee kickoff meeting to present objectives of the plan and the project schedule.

**Deliverables:** Project schedule, steering committee meeting minutes.

### **Task 2: Existing-Conditions Analysis and Vulnerability Assessment**

- 2.1 Using FloodMapper, developed by the Jacques Cousteau National Estuarine Research Reserve, and the shared resources of the Coastal Vulnerability Index created by the New Jersey Department of Environmental Protection and the Coastal Vulnerability Assessment prepared by the Rutgers Climate Institute, create inundation scenarios to map areas of critical current and future vulnerability to flooding, storm surge, and sea-level rise. This assessment shall be based on detailed mapping of the characteristics described in Part 1 of the attached "Elements of a Vulnerability Assessment" summary. The assessment shall evaluate potential impacts of a range of hazards (coastal storm events/flood patterns, category 1-4 hurricanes, erosion, flooding, sea-level rise, storm surge) for past events, existing conditions, and year-2030, -2050, and -2100 planning horizons.

- 2.2 Based on the determination of risk-prone areas identified through the analysis performed in Task 2.1, conduct a detailed assessment of the vulnerability of the community's built environment, natural resources and vulnerable populations, as described in Part 2 of the attached "Elements of a Vulnerability Assessment" summary. This vulnerability assessment shall include a detailed evaluation, using maps and narrative, of Superstorm Sandy's community impacts and of areas of repetitive loss and severe repetitive loss.
- 2.3 Evaluate the vulnerability and determine the probability of disruption in services of the community's critical infrastructure in accordance with the "Infrastructure Systems Rebuilding Principles" developed by the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Army Corps of Engineers (USACE), dated Feb. 28, 2013. In addition to determining risk-reduction strategies, this assessment is intended to meet eligibility requirements for CDBG-DR II funding.
- 2.4 Assist the community to perform a "Getting to Resiliency" assessment, which will help to determine risk-reduction strategies and provide a baseline for the municipality's participation in the National Flood Insurance Program Community Rating System.
- 2.5 Steering Committee Meeting No. 2 – Conduct meeting with steering committee to review findings and maps from Task 2 existing-conditions analysis and vulnerability assessment.
- 2.6 Public Workshop No. 1 - Conduct a public workshop with government officials, local businesses and residents to identify the municipality's most pressing concerns and recommendations for rebuilding the community.

**Deliverables:** A narrative existing-conditions analysis and vulnerability assessment report and map series documenting the findings from Tasks 2.1 to 2.4; steering committee and public workshop meeting minutes.

### **Task 3: Alternatives Assessment**

- 3.1 Identify and evaluate a range of alternative strategies to address current and probable flood hazards, storm surge and sea-level rise scenarios. Develop options for flood mitigation, evaluating potential green infrastructure, gray infrastructure, and combined options, to include seawalls, living shorelines, dredging, installing bulkheads, flood-storage capacity, and increased permeable surfaces. Evaluate options in terms of effectiveness and cost. Model flood mitigation measures using year-2030, -2050 and -2100 storm-surge and sea-level-rise scenarios developed in Task 2. Provide cost estimates and permit requirements and recommended priorities for implementing suggested alternatives.
- 3.2 Steering Committee Meeting No. 3 – Conduct meeting with steering committee to review the alternatives assessment and recommended recovery strategies and establish project implementation priorities.

**Deliverables:** A narrative assessment of infrastructure vulnerability, an assessment of various response alternatives, preliminary implementation priorities, steering committee meeting minutes.

### **Task 4: Implementation Strategy**

- 4.1 Based on public input obtained through Task 2.6 and the risk-assessment and engineering analyses, develop detailed recommendations for planning and flood mitigation measures.

- 4.2 Recommend and prioritize municipal actions (short- and long-range) to promote recovery from the effects of Sandy and reduce vulnerabilities to future storms. For each recommendation, identify major tasks, develop estimated implementation costs, delineate a timeframe for task completion and identify who should have chief responsibility to manage project implementation. This task will include the preparation of preliminary contextual, concept sketches of up to four priority recovery projects, to be selected in conjunction with the municipalities, to help municipal officials and/or residents of the communities understand the visual and physical impacts of the project.
- 4.3 Steering Committee Meeting No. 4 – Conduct meeting with steering committee to review the implementation strategy.
- 4.4 Public Workshop No. 2 - Conduct a public workshop with government officials, local business owners and residents to present the vulnerability and alternatives assessments, recommended implementation strategies and recommended project priority ranking.

**Deliverables:** Narrative and graphic implementation strategy; steering committee and public-workshop meeting minutes.

**Task 5: Integration with local regulations/county plan**

- 5.1 Based on the results of the alternatives assessment and selected implementation strategies described above, examine the adequacy of the existing documents listed below and describe what changes are needed, if any, to support municipal planning needs and goals related to post-storm recovery and to mitigate future storm impacts.
- Community and/or county Master Plan, land-use regulations, master plan elements, capital improvement plans, Stormwater Management Plan and any associated official maps.
  - County Hazard Mitigation Plan.
  - Approved but not constructed site plans, and approved but not completed subdivisions.
  - Adopted redevelopment plans.
  - Evacuation and emergency management plans.
- 5.2 Through review of existing plans and ordinances, develop recommendations for changes to allow for the implementation of recommended flood-mitigation strategies. Such plans should include, but are not limited to Master Land Use Plan, zoning ordinance, building codes, stormwater management plan, and capital improvement plans.
- 5.3 Present the community's proposed implementation strategies to representatives of the county's Office of Emergency Management and Department of Planning to ensure that the municipality's SRPR is consistent with the county Hazard Mitigation Plan and that the municipality's implementation strategies are included in the county's plan.

**Deliverables:** A narrative report detailing recommendations for modifying local regulations, codes and capital investment programs and formal recommendations submitted to the county to integrate local recovery strategies into the county Hazard Mitigation Plan.

**Task 6: Final Report**

- 6.1 Synthesize local elected-official, stakeholder and public comments obtained during the community participation process described in Task 3 above, the staff's review comments and the products from Tasks 1 through 5 as a basis for an illustrative and narrative draft SRPR. The draft report will include the following elements:
- An existing-conditions analysis that summarizes community vulnerabilities and opportunities

created or exacerbated by the storm and lists critical infrastructure elements and their vulnerability to disruption of services.

- An alternatives analysis that identifies approaches to rebuilding that will be more resistant to damage from future storm events.
- An implementation strategy that recommends and prioritizes municipal actions (short- and long-range) to promote recovery from the effects of Sandy and reduce vulnerabilities to future storms. The strategy will also describe proposed projects specifically related to an application for a New Jersey Department of Community Affairs Post-Sandy Planning Assistance Grant.
- Maps of areas of critical current and future vulnerability, including FEMA flood plain zones and elevation requirements.
- A detailed plan for integrating the SRPR into local plans and regulations and the county Hazard Mitigation Plan.

6.2 Steering Committee Meeting No. 5 – Conduct meeting with steering committee to review the draft final SRPR.

6.3 Public Workshop No. 3 - Conduct a workshop with government officials, local businesses and residents to present the draft final SRPR.

6.4 Based on comments from the steering committee meeting and public workshop, modify, compile, prepare and submit final SRPR to the steering committee, municipal elected officials and the New Jersey Department of Community Affairs, Office of Local Planning Services.

**Deliverables:** SRPR – 15 copies and one digital copy; steering committee and public-workshop meeting minutes.

**Task 7: Project Manager**

7.1 Prepare and submit, subject to community authorization, monthly progress reports documenting major findings, issues and the status of project tasks that have been completed. Progress reports will be submitted to the project steering committee and the New Jersey Department of Community Affairs, Office of Local Planning Services.

**Deliverables:** Detailed monthly progress reports.

ELEMENTS OF A VULNERABILITY ASSESSMENT<sup>2</sup>

1. Flood-Prone Determination - Need to map exposure based on a range of potential hazards (coastal storm events/flood patterns, category 1-4 hurricanes, erosion, flooding, sea-level rise, storm surge) and time frames (past events, existing conditions, 2030, 2050, 2100)
  - Slope: Low-lying coastal areas with very little slope (1 percent or less)
  - Flood-Prone Areas: FEMA FIRM V-Zones/A-Zones, 100-year floodplain, 500-year floodplain
  - Drainage: Well-drained to poorly-drained soils, SSURGO classifications
  - Erosion: Susceptibility characteristics, historic shorelines
  - Geomorphology: Shoreline types
  - Storm Surge: Inundation-scenario mapping needs to differentiate shallow flooding due to typical seasonal tidal activity (spring tides), storm surge and sea-level rise at mean high water and mean higher high water
2. Vulnerability Analysis – Community assets that are located within hazard-prone areas
  - Built environment, natural resources, social vulnerability (at block or parcel level), current land-use patterns, zoning, master plan vision
  - Repetitive loss/severe repetitive loss, extent of Sandy damage, insurance claims and payouts, ratables loss

## Built environment includes:

- Evacuation routes, power and communications systems, emergency shelters, hospitals
- Roads, bridges, railroads, public water, sanitary sewer systems, stormwater discharge structures
- Police and fire
- Municipal buildings/public works facilities
- Parks and recreation facilities, schools, Libraries, museums, landmarks, historic/cultural facilities, post offices, prisons
- Community centers, nursing homes, houses of worship
- Business districts, shopping centers, manufacturing sites
- Point-source pollution sites, landfills, gas stations, dry cleaners, brownfields sites, known contaminated sites
- Housing (type (single-family, multi-family, mobile homes, built prior to NFIP)
- Development density (housing units/sq mile)

## Natural resources include:

- Wetlands, forest lands
- Environmentally sensitive lands (beaches, bulkheads, dikes, marshes, open waters, coastal barrier resources)
- Conservation easements
- Blue Acres/Green Acres lands

## Social vulnerability includes:

- Population density
- Elderly, minority, lower income/poverty, disabled, youth, single-parent/single-mother head of household, homeless

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<sup>2</sup> Based on *Coastal Communities Vulnerability Assessment Mapping Protocols*, NJDEP Office of Coastal Management, 12/11