CORRESPONDENCE AND COMMUNICATION APPENDIX

NEW JERSEY BACK BAYS COASTAL STORM RISK MANAGEMENT FEASIBILITY STUDY

PHILADELPHIA, PENNSYLVANIA

APPENDIX E

August 2021

NJBB
NEW JERSEY BACK BAYS STUDY

U.S. Army Corps of Engineers
Philadelphia District

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Background

The New Jersey coastline is a complex and vulnerable system that provides substantial value to the nation. The New Jersey Back Bays (NJBB) Coastal Storm Risk Management (CSRM) Feasibility Study will identify critical data needs to develop and recommend a comprehensive strategy for improving preparedness and reducing coastal storm flood risk through structural and/or nonstructural measures. The United States Army Corps of Engineers (USACE) and the New Jersey Department of Environmental Protection (NJDEP) are working with local, state and Federal agencies as well as stakeholders to achieve a shared vision that will continue to support a vibrant economy, cultivate resilient communities and encourage a healthy ecosystem.

Hurricane Sandy impacted the New Jersey Coastline in October of 2012. In response to the storm, Congress passed PL 113-2 (The Disaster Relief Appropriations Act, of 2013). This act provided funds for the North Atlantic Comprehensive Study (NACCS) that was tasked with identifying coastal communities at risk from hurricane and storm damages. In support of this goal, the NACCS identified nine high risk areas on the Atlantic Coast for an in-depth feasibility level study based on preliminary analyses.

The NJBB CSRM Study is one of the high risk areas severely impacted by Hurricane Sandy that warrants an in-depth investigation into potential coastal storm risk management solutions. The study is evaluating alternatives, including the No Action Alternative, to determine if a recommendation in the Federal interest to manage the risk from coastal storm flooding can be made.

The NJBB CSRM study area is located landward of the New Jersey barrier islands of Monmouth, Ocean, Atlantic and Cape May Counties and includes the set of interconnected water bodies that are separated from the Atlantic Ocean. The non-Federal sponsor for this study is the NJDEP and the original $3,000,000 feasibility study was initiated in April of 2016 with the signature of the Feasibility Costs Sharing Agreement between the NJDEP and the USACE. Given the complexities and scale of the study, subsequent cost sharing agreements have been signed that have increased the study costs based on the complexity of the study area and the level of work to make a recommendation for a CSRM project. Current time and cost estimates for completing this study are $18,050,000 over a six-year period beginning in April of 2016. A study schedule is provided in

Table 1 and the USACE and the NJDEP are scheduled to conclude the study in the form of a Chief of Engineers Report in April of 2022.

USACE will continue to work with NJDEP and others to develop a comprehensive characterization of the entire NJ bay coastline for the purpose of identifying Federal interest in examining the feasibility for recommendations for CSRM coastal storm damage risk management projects within the NJ Back bays.

Table 1: Study Milestones

NJBB Study Milestones	
Milestone	**6 Year Study Schedule**
Feasibility Cost Sharing Agreement (FCSA)	*Apr-16*
Alternative Milestone Meeting	*Dec-16*
FCSA Amended	*Jan-18*
In Progress Review (IPR) Milestone	*Dec-18*
Interim Feasibility Report and Environmental Scoping Document	*Mar-19*
Tentatively Selected Plan Milestone	*Jan - 20*
Draft Report Release	Jul - 21
Agency Decision Milestone	Jan-22
Final Feasibility Report	Nov- 22
State and Agency Review	Feb -23
Chief of Engineers Report	Apr-23

* Items in italics have occurred.

Introduction

The purpose of the USACE NJBB CSRM Feasibility Study is to evaluate strategies to increase resilience and preparedness, and to reduce risk from future storms and the future impacts of sea level change (SLC). The objective of the NJBB CSRM Feasibility Study is to investigate CSRM problems and solutions to reduce damages from coastal flooding affecting communities, critical infrastructure, critical facilities, property, and ecosystems.

The end product of this study will be a comprehensive CSRM Feasibility Report and Environmental Impact Statement for the NJBB developed amongst the USACE Vertical Team, decision makers, elected officials and coastal community stakeholders. With this approach, the NJBB study will align with broader climate change preparedness and adaptation, community resilience planning, and sustainability principles coupled with the ongoing systems approach to geomorphic engineering practices currently being incorporated into USACE Civil Works planning processes.

Communications Goals

The Communication Goals of the NJBB Study are summarized by seven succinct messages.

1. Provide timely and accurate information about the study
2. Socialize and communicate the potential coastal storm risk management measures designed to increase safety and reduce storm damage and associated risk and uncertainty

3. Inform and educate the public and local officials about potential long-term resolutions, including findings of the NJBB Study
4. Provide timely and relevant information to targeted audiences that demonstrates the USACE is a partner with the expertise and commitment to continuing to protect residents along the NJ coast
5. Elicit internal/external feedback throughout the study period
6. Build relationships, promote transparency, understanding, commitment and action to encourage community participation
7. Be honest, transparent, effective and professional

Throughout this study, the Project Delivery Team (PDT) and Communication Team will communicate with the public in a transparent manner, providing maximum disclosure with minimal delay. The Communication Team will use illustrative language to address the important points and provide the public with an understanding of the importance of the NJBB CSRM Feasibility Study.

To reach these goals, the Communication Team will abide by the following guidelines.

- Engage in meaningful collaboration with stakeholders and communities through partnering and communication, face to face meetings, webinars, email inquiries and videos
- Increase situational awareness of the NJBB CSRM project's goals and economic impact
- Share information about how the PDT is using the best available scientific information to make sound recommendations
- Actively communicate information about the study schedule and findings
- Proactively lead public dialogue about the USACE and NJDEP coastal mission
- Reduce misconceptions, misinformation or distractions that could negatively impact efficiency or effectiveness

Plan Overview

The NJBB CSRM Feasibility Study Communications and Outreach Plan (CoOP) has been developed to coordinate with Federal agencies and state, local and tribal officials, academic institutions, private non-profit organizations and the international community to ensure the development of a shared vision for community coastal resilience in a systems context and to ensure consistency with other plans, projects and programs. The goal of this CoOP is to increase the opportunities for stakeholders to understand the purpose, outcomes, and technical products of the NJBB Study. Events include USACE-facilitated workshops, NEPA coordination meetings and webinars on key study topics.

This CoOP outlines the communication goals and approach, stakeholders, outreach efforts with overview, and a summary of key outreach efforts. NJBB CSRM Feasibility Study reading material, talking points, and FAQs are included in Appendix A.

Internal and External Project Communications

Target audiences can be divided into two groups:

1. Vertical Team stakeholders within USACE, NJDEP and the Back Bay Region Communities, the Planning Mentor and Risk Champion, Agency Technical Review and Independent External Peer Review teams, ad-hoc technical advisory committees and/or workgroups, and cooperating and participating Federal agencies and;
2. External stakeholders, including the public, elected officials, media outlets, civic leaders, and businesses, as well as Federal, state, and local regulatory agencies.

1. Internal Communications Plan: Due to the large study scope, the Assistant Secretary of the Army – Civil Works (ASA-CW) recommended that the NJBB CSRM Feasibility Study develop reporting and communications requirements in his recent October of 2018 exemption approval memorandum. For internal communications the project development team and the Vertical Team are proposing the development of a Risk Panel, creations of a new Supplemental Governance Structure, and the continuation of the internal Focus Area Meetings.

Risk Panels - With direction and oversight provided by its higher headquarters, the USACE Philadelphia District will conduct a Risk Panel within 30 days of the receipt of comments of both the Draft Interim Report and the Draft Feasibility Report. These reports are scheduled to be released for public review and Agency Technical Review in March of 2019 and March of 2020, respectively. A public meeting or webinar will be held to present the content of each Draft Report and its role in the study process. The contents of the public meeting as with all public meetings and webinars will be archived on the study web portal. There will be 30 days to review the Draft Interim Report and 45 days to review the Draft Feasibility Report and each report will be posted online for the general public to download. The Risk Panel will meet after the receipt of comments on the draft report(s) to discuss how the study will move forward with the feasibility analysis to the development and release of the Final Feasibility Report in November 2021. The Risk Panel will focus on identification and analysis of significant study risks, the plan to respond to those risks, and methods that will be employed to manage/control those risks. For the panel, the study team will provide substantial detail on the strategy to identify a Tentatively Selected Plan and will analyze potential reductions in scope, schedule, and budget for the remainder of the study. The panel will include all pertinent members of the Vertical Team.

Supplemental Governance Structure - The USACE Philadelphia District will immediately implement a 3-tier supplemental governance utilizing the template in the Coastal NJ Protection and Restoration Feasibility Study, Addendum to Project Management Plan dated 06 January 2016.

This governance structure will facilitate conflict resolution and ensure successful partnering at all levels of the organizations. The following three tiers will be responsible for project oversight and ensuring successful project execution.

Tier 1: The Executive Leadership Team: *Tier 1 Members are responsible for executive level coordination to ensure resource availability and project execution. The Chair will ensure distribution of the quarterly updates or other important materials to appropriate team members. Meetings will occur as scheduled by the chair.*

Tier 2: The Business Process Assurance Team: *Members are responsible for engaging at the senior district and PCX level (GS-15) and assuring that appropriate business processes are employed. The Chair will ensure distribution of the quarterly updates or other important materials to appropriate team members. Meetings will be as scheduled by the chair.*

Tier 3: The Active Management Team: *Members are responsible for engaging at the middle management level providing direct project oversight to assist with project implementation and to inform Tier 1 and 2 decision makers. The Chair will ensure distribution of the monthly meeting brief, quarterly updates, or other important materials to appropriate team members. Meetings will be held at least monthly after district Project Review Board and as scheduled by the chair.*

Focus Area Evaluation (FAE) meetings – These meetings will be organized by the USACE North Atlantic Division in Brooklyn, New York and will include the HQUSACE Regional Integration Team, the Policy Review Team, USACE North Atlantic Division staff, and the PDT. Meetings will be held quarterly or before critical project decisions, whichever is appropriate, and will detail recent plan evaluation results, decisions to be made, schedule and budget performance, and 6 month projection of activities. Currently these meetings are held bi-weekly (every two weeks) with Philadelphia District, USACE North Atlantic Division staff and the HQ RIT.

Senior Executive Accountability – This leader is accountable to the Director of Civil Works for project/program success. He will provide guidance and mentoring to the PDT. The Senior Executive will provide written quarterly updates and a briefing by the Deputy District Engineer will be provided to the USACE North Atlantic Division Programs Director that detail the following:

1. *Graphical depiction of the project baseline;*
2. *Financial data indicating the status of funds obligated, expended, and anticipated;*
3. *A summary level update report on any outstanding issues identified;*
4. *An over-arching roll-up of the above items at the program level; and,*
5. *A projected look at upcoming milestones, significant developments, outreach events, and FAE meetings.*

Project Delivery Team (PDT): An enterprise solution to staffing the study has been employed. Team members currently include experts from the USACE Philadelphia and New York Districts, the USACE Engineering Research and Development Center, and an Architecture/Engineering firm. In addition to PDT members, advisors from across USACE have been engaged to ensure the highest level of technical quality. Team members from the NACCS team have been engaged to help scope this complex and large scale regional study. Staff from the USACE Coastal Storm Risk Management Community of Practice, the Climate Community of Practice and the Cost Engineering Center of Expertise are engaged in the Study to review and critique methods and application. While this project may be managed from within North Atlantic Division, the PDT is truly an enterprise service made up of the best and brightest from USACE and the private sector.

PDT meetings are held on a weekly basis, with issue-specific ad-hoc meetings held more frequently. Face-to-face meetings, phone calls, teleconferences, webinars, video chats, and emails are employed to facilitate PDT communication**.**

2. External Communications Plan: External communications with the public will be maintained through direct interaction at public meetings, maintaining a robust website and a mailing list to distribute project updates, upcoming milestones and upcoming public events to people who have signed up to receive these communications.

Communications and Outreach Plan (CoOP): As part of the CoOP (included herein), the Philadelphia District has developed and maintained an, public website that details study progress, communication opportunities, and solicitation of feedback. Stakeholder, Congressional, and public outreach opportunities will be delineated and dates for future meetings will be established. This document will serve as the CoOP for the NJBB Feasibility Study.

Methods & Tools

Public Meetings

Face-to-face meetings are necessary to meet communication objectives. Public meetings are held periodically. The PDT works with elected officials and stakeholder groups to advertise meetings. A list of previously held public meeting is provided in Table 2. In addition, videos of previous public meetings have been posted on the study webpage for those who were unable to attend in person.

News Releases

The PDT writes and disseminates news releases and media advisories to targeted media outlets. USACE leadership will continue to discuss the study via radio and television interviews on programs whose audience demographics align with target audiences. News releases will be sent prior to public meetings and the release of publicly- available reports.

Emails

The PDT has set up an email distribution list with over 500 email addresses for elected officials, regulatory agencies, stakeholder groups, and residents.

Study Webpage

The PDT has launched a dedicated webpage with a simple, visually-compelling layout that provides quick access to study updates, fact sheets, reports, maps, public comment forms, a project fact card and a project fact sheet, past presentations and poster boards, and other online resources. In addition, videos of previous public meetings have been posted for those who were unable to attend in person. The website is located at:

https://www.nap.usace.army.mil/Missions/Civil-Works/New-Jersey-Back-Bays-Coastal-Storm-Risk-Management/

Study Email Address

The PDT has set up the study email address PDPA-NAP@USACE.ARMY.MIL to receive emails from the public.

Small Group Meetings

The PDT has met with residents in small group meetings to learn about hyper-local problems and opportunities. Generally, the project planner, project manager, and/or coastal engineer will be toured through neighborhoods by residents and community groups. The PDT remains available to meet in such a way.

Public Outreach and Feedback

Communication is critical to study success and the team wants to communicate study goals and objectives, study schedule and findings to date to the public, and also wants the public to be able to voice their concerns to us. That is why all public meetings have had a Public Comment form printed out and available to return to the meeting organizers as well as a location on the Philadelphia District website where people can communicate their problems directly to a PDT member.

A series of public meeting will be held to share information and analyses associated with the release of the draft feasibility Report and Tentatively Selected Plan Milestone Meeting in the period from December 2019 to March 2020.

These forms are on the NJBB website below.
https://www.nap.usace.army.mil/Portals/39/docs/Civil/NJBB/Public-Comment-Form-Sept-2018.pdf

Summary of Past Public Outreach-

https://www.nap.usace.army.mil/Portals/39/docs/Civil/NJBB/NJBB%20Public%20Outreach%20Summary.pdf

Stakeholder Coordination

Coordination with stakeholders has been a critical component of the Study and the development of a regional vision for managing coastal storm risk. Table 2 documents the meetings, workshops, and charrettes that have taken place since the commencement of the study in April of 2016. Stakeholders, as presented below, include but are not limited to, citizens, elected municipal officials, federal agencies, state agencies, non-profit environmental organizations, local and regional planning commissions, and commercial and recreational interests.

Partner/Sponsor:
Study Sponsor:
New Jersey Department of Environmental Protection
Division of Coastal Engineering
1510 Hooper Avenue
Toms River, NJ 08753
PH: (732) 255-0770
FX: (732) 255-0774

Cooperating Agencies:
United State Army Corps of Engineers - USACE
United States Environmental Protection Agency - USEPA
United States Fish and Wildlife Service - USFWS
National Marine Fisheries Service - NMFS

Stakeholders:

Monmouth County	City of Cape May	City of Long Branch
Ocean County	Borough of Cape May Point	Borough of Manasquan
Atlantic County	Township of Dennis	Borough of Neptune City
Cape May County	Township of Lower	Township of Neptune
City of Absecon	Township of Middle	Township of Ocean
City of Atlantic City	City of North Wildwood	Borough of Sea Girt
City of Brigantine	City of Ocean City	Borough of Spring Lake
City of Corbin City	City of Sea Isle City	Bor. of Spring Lake Heights
City of Egg Harbor City	Borough of Stone Harbor	Township of Wall
Township of Egg Harbor	Township of Upper	Borough of West Long Branch
City of Estell Manor	Borough of West Cape May	Borough of Barnegat Light
Township of Galloway	Borough of West Wildwood	Township of Barnegat
Township of Hamilton	City of Wildwood	Borough of Bay Head
City of Linwood	Borough of Wildwood Crest	Borough of Beach Haven
Borough of Longport	Borough of Woodbine	Borough of Beachwood
City of Margate City	Borough of Allenhurst	Borough of Barnegat Light
Township of Mullica	City of Asbury Park	Township of Barnegat
City of Northfield	Borough of Avon-by-the-Sea	Borough of Bay Head
City of Pleasantville	Borough of Belmar	Borough of Beach Haven
City of Port Republic	Borough of Bradley Beach	Borough of Beachwood

City of Somers Point	Borough of Brielle	Township of Berkeley
City of Ventnor City	Borough of Deal	Township of Brick
Township of Weymouth	Township of Howell	Township of Eagleswood
Township of Bass River	Borough of Interlaken	Borough of Harvey Cedars
Township of Washington	Borough of Lake Como	Borough of Island Heights
Borough of Avalon	Village of Loch Arbour	Township of Lacey
Township of Lakewood	Borough of Seaside Park	Township of Ocean
Borough of Lavallette	Borough of Ship Bottom	Borough of Pine Beach
Twp. of Little Egg Harbor	Borough of South Toms Riv.	Bor. of Point Pleasant Beach
Township of Long Beach	Township of Stafford	Borough of Point Pleasant
Borough of Mantoloking	Borough of Surf City	Borough of Tuckerton
Borough of Ocean Gate	Township of Toms River	Borough of Seaside Heights

A more complete list of stakeholders that also contains an email distribution list is maintained by the Public Affairs office and the Project Manager. This list contains over 500 contacts obtained at past public workshops/meetings listed in Table 2 and is and will be used to distribute mass mailings on upcoming project milestones, report releases, upcoming events and will not be provided as input to the COOP plan for privacy reasons.

Table 2: Stakeholder, Public and Agency Coordination Meetings

Session	Date	Description	Stakeholders
Southern Counties Planning Workshop	06/17/2016	Obtain feedback about Problems, Objectives, and Potential Measures within the NJBB CSRM Study Area	Academia, Elected Officials, NGOs, Municipalities, Counties, State and Federal Agencies
Northern Counties Planning Workshop	06/21/2016		
Public Meeting	12/01/2016	First Public Meeting about the NJBB CRSM Feasibility Study	
USACE/NJDEP Partnering Meeting	03/06/2018	NJBB Study overview with several NJDEP Divisions	USACE and NJDEP
USACE & NJDEP Outreach Meeting	05/18/2018	Cape May County Municipal Outreach	Academia, Elected Officials, NGOs, Municipalities, Counties, State and Federal Agencies
USACE & NJDEP Outreach Meeting	05/24/2018	Atlantic County Municipal Outreach	
USACE & NJDEP Outreach Meeting	05/31/2018	Monmouth County Municipal Outreach	
Interagency Regulatory Resource Meeting (#1)	06/06/2018	NJBB Status Update and Perimeter Plan Focus	State and Federal Agencies

Session	Date	Description	Stakeholders
USACE & NJDEP Outreach Meeting	06/19/2018	Ocean County Municipal Outreach	Academia, Elected Officials, NGOs, Municipalities, Counties, State and Federal Agencies
Southern Counties Public Meeting	09/12/2018	Update citizens about Problems, Objectives, and Potential Measures within the NJBB CSRM Study Area	Academia, Elected Officials, NGOs, Municipalities, Counties, State, Federal Agencies and Media
Northern Counties Public Meeting	09/13/2018		
USACE Outreach Meeting	11/13/218	Barnegat Bay Estuary Program	Academia, NGOs, State and Federal Agencies
Interagency Regulatory Resource Meeting (#2)	11/29/2018	NJBB Status Update and Perimeter Plan Focus	State and Federal Agencies
Public Webinar	3/14/2019	Draft Interim Report Overview	Academia, Elected Officials, NGOs, Municipalities, Counties, State, Federal Agencies and Media
USACE Outreach Meeting	3/20/2019	Barnegat Bay Estuary Program	Academia, NGOs, State and Federal Agencies
USACE Cooperating Agency Webinar	4/24/2019	Initial webinar with Cooperating Agencies	USFWS, NOAA, USEPA
Nonstructural Working Group Meeting	5/17/2019	Convene State and Federal Agencies that partner in NJ nonstructural flood risk management activities to share information, ideas and help guide implementation activities.	USACE, NJDEP (Flood Control, Coastal Engineering), NJOEM, FEMA Region 2, NJ Governor's Office of Recovery & Rebuilding
NNBF Workgroup Teleconference	5/21/2019	Working meeting to discuss the application and implementation of NNBFs in the NJBB study area	USACE, NJDEP, TNC, Jacques Cousteau National Estuarine Reserve, Wetlands Institute, Barnegat Bay Partnership
Environmental Impact Assessment for USACE Coastal Storm Risk Management Studies Meeting	6/6/2019	Demonstrate and discuss Conceptual Ecological Impact Model	State and Federal Agencies
USACE Cooperating Agency Webinar	6/26/2019	Regularly scheduled quarterly webinar with Cooperating Agencies	USFWS, NOAA, USEPA

Session	Date	Description	Stakeholders
Barnegat Bay Partnership Advisory Committee	7/9/2019	Science and Technical Advisory Committee (STAC) Status meeting	Barnegat Bay Partnership
USACE Cooperating Agency Webinar	7/31/2019	Regularly scheduled quarterly webinar with Cooperating Agencies	USFWS, NOAA, USEPA
USACE Cooperating Agency Webinar	8/28/2019	Regularly scheduled quarterly webinar with Cooperating Agencies	USFWS, NOAA, USEPA
NNBF Workgroup Teleconference	9/9/2019	Working meeting to discuss the application and implementation of NNBFs in the NJBB study area	USACE, NJDEP, TNC, Jacques Cousteau National Estuarine Reserve, Wetlands Institute, Barnegat Bay Partnership
Brigantine Community Rating System Users Group	9/12/2019	Working meeting to discuss the NJBB Study and coastal resilience applications with the City of Brigantine	City of Brigantine
USACE Cooperating Agency Status Meeting	9/25/2019	Regularly scheduled status meeting with Cooperating Agencies	USFWS, NOAA, USEPA
Ecological Impact Modeling Preliminary Findings Stakeholder Meeting for USACE Coastal Storm Risk Management Studies Meeting	11/14/2019	Demonstrate and discuss Ecological Impact Model	State and Federal Agencies
Atlantic City Community Rating System Users Group	11/20/2019	Working meeting to discuss the NJBB Study and coastal resilience applications with the City of Atlantic City	City of Atlantic City
USACE Cooperating Agency Webinar	11/27/2019	Regularly scheduled quarterly webinar with Cooperating Agencies	USFWS, NOAA, USEPA
Coastal Coalition	12/5/2019	Working meeting to discuss the NJBB Study and coastal resilience applications with the Coastal Coalition	Coastal Coalition including elected, planners and engineers from individual municipalities in southern New Jersey
Ocean County Community Rating System Users Group	12/19/2019	Working meeting to discuss the NJBB Study and coastal resilience applications with Ocean County	Ocean County

Session	Date	Description	Stakeholders
NJBB OFD Meeting w/ NOAA Fisheries and NAD	12/20/2019	Working meeting to discuss the NJBB One Federal Decision path forward and scheduling	NOAA Fisheries
NJBB OFD Meeting w/ USFWS and NAD	12/23/2019	Working meeting to discuss the NJBB One Federal Decision path forward and scheduling	USFWS
NJBB Strategic Engagement: Interagency Webinar	5/11/2021	Webinar to discuss the status and path forward including Draft Feasibility Report release	State and Federal Agencies
NJBB Strategic Engagement: NGO Webinar	5/12/2021	Webinar to discuss the status and path forward including Draft Feasibility Report release	Non-Governmental Organizations
NJBB Strategic Engagement: Elected Official Webinar (North Region)	5/18/2021	Webinar to discuss the status and path forward including Draft Feasibility Report release	Elected Officials
NJBB Strategic Engagement: Elected Official Webinar (South Region)	5/19/2021	Webinar to discuss the status and path forward including Draft Feasibility Report release	Elected Officials

A variety of stakeholders have been identified that will be interested in the conduct of the NJBB Study. These groups include:

- Federal and State Agencies
- Regional entities and non-governmental agencies
- Tribes
- Academia
- Communities affected by Hurricane Sandy (including local governments and community groups)
- Congressional and Political Leaders
- Media

Federal agency stakeholders include USACE (Institute of Water Resources, Engineering Research and Development Center, Sliver Jackets), FEMA, USGS, NOAA (NWS and NMFS), USDOI, USDA/NRCS, HUD, BOEM, NASA, SBA, USFWS, USEPA, and NPS. State agency stakeholders include NJDEP, NJDOT, NJOEM, NJ Department of Community Affairs (CDBG), NJSHPO and NJFWS. Private Non-Profit organizations include TNC, NFWF, Barnegat Bay

Partnership, Rockefeller Foundation, Jacques Cousteau National Estuarine Research Reserve, NJ Adapt, American Littoral Society, Sustainable Jersey, and the Trust for Public Lands. Future stakeholder meetings will be coordinated around the TSP milestone, the release of the draft report and the release of the final report.

Future coordination and outreach for the NJBB CSRM Feasibility Study will include:

- Two public meetings with the general public, and regional stakeholders associated with the release of the Draft Feasibility Report to discuss the findings/progress of the study to date;
- Environmental agency coordination meetings to be held on a monthly basis;
- Cooperating agency meetings to be held on a quarterly basis;
- Environmental Conceptual Model meeting with resource agencies to be held in May 2019 and;
- Regular updates to the NJBB web portal.

Key Messages

The key messages associated with this NJBB Communications and Outreach Plan include the following.

- USACE and NJDEP contribute to the safety, economic success and quality of life of local communities along the NJ coast by supporting flood risk management and coastal storm risk management initiatives to reduce the risk of loss of life, reduce long-term economic damages to the public and private sector, and improve the natural environment.
- USACE and NJDEP have launched a study that will help develop a comprehensive characterization of the entire NJ coast and examine the feasibility for recommendations of coastal storm damage risk management and ecosystem restoration projects coast wide.
- USACE and NJDEP will collaborate with others who are working on similar studies within the region
- Partnering between state and Federal members will best identify avenues to engage key counties and cities in the coastal NJ region and partnering opportunities that address coastal storm risk management and ecosystem restoration.
- Partnering engagements promote shared objectives for managing NJ coastal priorities on current and future potential partnered studies and projects.
- USACE offers a variety of Federal programs to assist the public with the preparation of comprehensive plans for the development, use and conservation of water and related land resources along the NJ coast. These programs are either available on a 50 percent federal/50 percent non-federal cost-shared basis, such as under the General Investigations and Planning Assistance to States Programs, or offered at full Federal expense, such as under the Floodplain Management Services Program.

- The PDT is working with local, state and Federal agencies to achieve a shared vision that will continue to support a vibrant economy, cultivate a resilient community and encourage a healthy ecosystem.
- The PDT will openly discuss challenges and share success stories that will help us build awareness of this much needed study while actively identifying barriers that could hinder our progress.
- Environmental restoration opportunities are maximized through CSRM and NNBF opportunities including wetlands as part of the district's projects.

Contact Information

Media Query Guidance:
All media inquiries should be directed to USACE Philadelphia District Public Affairs Office.

Attention: Stephen Rochette
Philadelphia District, Public Affairs
100 Penn Square E.
Philadelphia, PA 19107
215-656-6432

APPENDIX A. KEY MESSAGES AND FAQS

NEW JERSEY BACK BAYS COASTAL STORM RISK MANAGEMENT FEASIBILITY STUDY

KEY MESSAGES

1) Study Purpose & Problem - Historic storms have severely impacted the Back Bay communities of coastal New Jersey. The study area includes nearly 3,500 miles of shoreline with more than 180,000 structures, many of which are vulnerable to flooding and impacts associated with sea level change. USACE is committed to studying potential solutions to this complex problem in New Jersey.

2) Managing Risk: No coastal storm risk management project can eliminate the risk of flooding. The study is looking at measures that can cost-effectively ***reduce*** the risk of damages from coastal flooding that affects population, critical infrastructure, critical facilities, property, and ecosystems.

3) Difficult Choices and Shared Responsibility: Managing flood risk in the New Jersey Back Bays Study area is a highly complicated endeavor from an economic, environmental and engineering standpoint. It will require difficult choices and involve all levels of government and society at large.

4) Collaboration, Environmental & Future Process: The study is being conducted in collaboration with Federal agencies, the state of New Jersey, local government, non-profit organizations, academia and other stakeholders to ensure the development of a shared vision of coastal resilience and consistency with other plans, projects and programs. Specific emphasis will be placed upon the environmental analyses and will be communicated through various avenues through the NEPA process.

Common Questions:

Why does it take so long to study and construct one of these projects?

Simply put, studying and constructing large-scale projects takes time. There's a detailed process in place to make sure projects are done in accordance with the law. With a feasibility study, we're looking at a general problem and answering the question of whether we can implement a solution that is economically justified, environmentally acceptable, and technically sound. Specifically, the geographic scope of this study is large and the problem is complex, requiring significant data gathering, detailed analyses, and coordination with other government agencies.

STUDY OVERVIEW AND GENERAL QUESTIONS

Q: Why didn't you look at this earlier? Everyone has known this is THE problem in coastal New Jersey.

It's important to note that U.S. Army Corps of Engineers studies are developed in partnership with non-Federal entities (primarily state and local government) and at the direction of Congress (with

the need for authorization and funding to initiate a study). The problem was further demonstrated with devastating flooding impacts associated with Hurricane Sandy and the development of the North Atlantic Coast Comprehensive Study in January 2015.

Q: What does this prove/demonstrate about the USACE beachfill program?

The dune and berm systems along the New Jersey Shore reduce the risk of storm damages primarily from erosion, wave attack and inundation during storm events. Bay flooding is a different problem – one where storm surge is pushed through coastal inlets, raising the water surface elevations of the bays, which floods homes, businesses and infrastructure. The dune and beachfill projects mitigate against breaching and overwash, which can exacerbate bay flooding. This occurred at Mantoloking during Hurricane Sandy. Ultimately, the solution on the oceanfront is more straightforward from a technical standpoint. Simply put, these are different problems with different solutions.

Q: Is this a sure thing to happen?

A: No, if it is determined that alternative plans or the selected plan does not meet USACE planning criteria or are environmentally or economically unacceptable, the study can be terminated.

Q. What if the public, interested stakeholders and/or resource agencies are opposed to the plan with the highest economic benefits to the nation?

USACE is required to identify the plan with the highest net benefits to the Nation (National Economic Development – NED Plan); however, the non-Federal sponsor may direct the USACE to recommend a Locally Preferred Plan (LPP). A LPP is a deviation from the NED Plan that can be requested by the non-Federal sponsor and approved by the Assistant Secretary of the Army for Civil Works (ASA - CW). If the LPP is smaller in scope, it must not only have positive net benefits (i.e a positive benefit/cost ratio), but also must have greater net benefits than smaller scale plans. If the sponsor prefers a LPP that is more costly than the NED Plan and the increased scope of the plan is not sufficient to warrant full Federal participation, the ASA - CW may grant an exception as long as the sponsor pays the difference in cost between the NED and the LPP. In this case, the LPP must have outputs similar in kind, and equal to or greater than the outputs of the NED Plan.

Q: What if nothing comes out of this study? Is it a waste of money?

If nothing comes out of the study in the near-term, that does not mean something won't come out of the study in the future. Future storms could change priorities and the funding mechanisms at the Federal and state level. Back bay flooding remains a significant problem in New Jersey so it's important for us to study and analyze potential solutions. The final plan will likely include an array of measures and recommendations that can be implemented incrementally at different scales and various levels (Federal, state, and local). Additionally, the study team is conducting modeling and economic analyses that will remain useful tools in the future.

Q: Why is this important?

A: Historic storms, including Hurricane Sandy, have severely impacted the Back Bay communities of coastal New Jersey. The study area includes more than 182,000 structures, many of which are vulnerable to flooding and impacts associated with sea level change.

Q: Can I still submit a comment?

Yes, the study is ongoing and comments will be a made a part of the record and taken into account. We will also have formal comment periods on the draft feasibility report in the future as part of the formal National Environmental Policy Act process.

ENVIRONMENTAL, NON-STRUCTURAL AND NNBF:

Q: Can you give examples of what "Possible nonstructural measures" and "Possible natural and nature-based features" are?

A: Natural and Nature-based features include measures like living shorelines, tidal marshes, vegetated dunes, and oyster reefs. Nonstructural features are structure elevation, acquisition, wet, and dry flood proofing.

Q: For nonstructural elevation and acquisition measures – is USACE and/or the state going to pay for certain homes to elevated?

A: If the final plan includes non-structural elevation and acquisition, then construction of that alternative would be cost-shared by the Federal government and non-Federal/local sponsor. However, at this stage of the process, the implementation of such a recommendation has not been developed.

Q: What are the environmental impacts of surge barriers?

We're currently conducting modeling to better understand the impact surge barriers have on tidal flow. Impacts will be addressed in an Environmental Impact Statement and will involve extensive coordination with Federal and state resource agencies (including National Marine Fisheries Service, U.S. Fish & Wildlife Service). Additionally, it should be noted that there are significant environmental benefits associated with reducing flooding via surge barriers including reducing the risks to leaks of chemical/fuel/sewage and wastewater treatment facilities.

ENGINEERING

Q: Are there places in America with similar measures already in place? Other places in the world?

A: All measures that have been identified in all the conceptual alternatives have been constructed successfully, quite often in ecologically sensitive areas and in recent years, both in this country and a number of other countries. Having said that, every estuary is unique so we do need to evaluate them for the specific features and resources of the New Jersey Back Bays area. There

are storm surge barriers in Rhode Island, Connecticut, and Louisiana. Additionally, there are several studies ongoing now which are considering similar measures in Texas, Connecticut, New York, Maryland and Virginia.

Q: How far above the waterline would the floodwalls or surge barriers reach?

A. The height of seawalls as well as storm surge barrier gates depend heavily upon the specific design features of the seawall or the storm surge barrier gates and the location in which they are sited. While all seawalls would be above the waterline (based on the prior description), not all storm surge barrier gates are above the waterline during normal conditions.

Q: Would a surge barrier limit the ability of the bay to drain during a storm?

A. Under normal conditions no, but this is a significant design consideration for when the barriers might be closed. Storm surge barriers will most likely be built with associated pump stations that would address fluvial/riverine flooding that typically empties into the coastal estuary environment.

Q: How would surge barriers allow the bay waters to reach the Atlantic?

A. Generally, surge barriers are designed to have as minimal impact to existing flows during normal conditions as feasible. That being said, USACE is preliminarily evaluating the possible effects to daily tidal flows (as well as storm event conditions) related to the various alternatives that involve storm surge barriers.

Q: Would these surge barriers restrict tidal flow?

A. Storm surge barriers typically involve gate type mechanisms that allow for flow during normal conditions and that close during impending storm event conditions to prevent storm surges from entering the areas behind the barriers, whereas seawalls are structures that permanently block tidal flows. Detailed circulation and environmental impact modeling to assess tidal flow effects will be conducted after the Tentatively Selected Plan.

Q: How would the U.S. Coast Guard, fishing and recreational vessels enter an inlet with a surge barrier?

It's important to note that surge barriers would remain open for the vast majority of the time. If a surge barrier measure moves forward as part of this process, those issues would be addressed, but at this time we do not have detailed information to share about the logistical and operational components of a surge barrier.

Q: Can you explain the perimeter based measures? Are these basically rings of levees around towns that face extreme flood-risk?

A: When we refer to a "perimeter plan", we are referencing floodwalls and levee type structures that would encircle developed portions of the Back Bay area.

ECONOMICS & COSTS:

Q: How do you calculate a "Benefit to Cost" ratio?

Preliminary estimated Benefit to Cost ratios have been developed based on the preliminary screening of estimated damages of structures and cost estimated based on a limited level design.

Q: How is the study funded? How will construction be funded?

A. This study is funded 50% by the Federal government with Energy and Water appropriations made to the U.S. Army Corps of Engineers. The other 50% is funded by the non-Federal study sponsor, the New Jersey Department of Environmental Protection. Construction would be Federally funded through Energy and Water Appropriations by Congress. Construction would also involve a "non-Federal" cost share.

E-2) JUNE 2016 STAKEHOLDER WORKSHOPS

Summary

On June 17, 2016 and June 21, 2016 the United States Army Corps of Engineers (USACE) Philadelphia District (NAP) and New Jersey Department of Environmental Protection (NJDEP) conducted Stakeholder Planning Workshops for the New Jersey Back Bays (NJBB) Coastal Storm Risk Management (CSRM) Feasibility Study. The purpose of these workshops was to obtain feedback from stakeholders to assist NAP in developing problems, objectives, and potential measures throughout the NJBB study area. In recognition of the diversity of the existing conditions and CSRM issues throughout the study area, NAP sent out invitations to a wide range of stakeholders including representatives from Federal agencies, state agencies, counties, municipalities, non-governmental organizations (NGOs), elected officials, and academia.

A total of 39 and 52 stakeholders attended the June 17 and June 26 workshops, respectively. Feedback was gathered from discussion at the meetings as well as written responses submitted during and after the meetings. Analysis of stakeholder feedback on coastal flooding issues identified problems, opportunities, considerations and constraints in the NJBB study.

Several approaches were used to assess feedback from the public meeting. Meeting attendees were invited to fill out Coastal Flooding Problem Identification forms to be submitted either at the meeting or after the meeting via e-mail. PDT members also took notes during the Q&A and open house sessions of the meeting to collect public input.

NAP will use the problems, opportunities, considerations, constraints, and potential measures discussed at the stakeholder workshops and public meeting to inform the plan formulation process and develop different alternatives to address coastal flooding in the NJBB study area.

E-3) DECEMBER 2016 PUBLIC MEETINGS

Summary

On the evening of December 01, 2016 from 6:00 pm to 8:00 pm at the Campus Center of Richard Stockton University, the NAP conducted a Public Meeting for the NJBB CSRM Feasibility Study. The purpose of this meeting was to provide an introduction of the study to the general public and obtain feedback from the general public to assist NAP in identifying problems, opportunities, objectives, constraints, potential CSRM measures throughout the NJBB study area.

The public meeting consisted of a brief 15 minute introductory presentation to the NJBB study area with welcomes from both USACE and NJDEP, a question and answer session of approximately 45 minutes, and an hour long “open house” session with tables related to the USACE study process and different management measures for more in-depth and personalized interactions between the public and USACE Project delivery Team (PDT) members. At least 119 people attended the meeting, as counted using the sign in sheet at the “Welcome Table” at the meeting. Approximately a quarter of attendees were from the general public.

Several approaches were used to assess feedback from the public meeting. Meeting attendees were invited to fill out Coastal Flooding Problem Identification forms to be submitted either at the meeting or after the meeting via e-mail. PDT members also took notes during the Q&A and open house sessions of the meeting to collect public input.

NAP will use the problems, opportunities, considerations, constraints, and potential measures discussed at the stakeholder workshops and public meeting to inform the plan formulation process and develop different alternatives to address coastal flooding in the NJBB study area.

E-4) SEPTEMBER 2018 PUBLIC MEETINGS

Summary

On the evenings of September 12 and 13, 2018 from 6:00 pm to 8:00 pm at the Ventnor Education Community Complex (September 12) and the Campus Center of Richard Stockton University (September 13), the NAP conducted a Public Meeting for the NJBB CSRM Feasibility Study. The purpose of this meeting was to update the general public and stakeholder about the study process and results to date.

The public meetings consisted of a 30 minute "open house" session with posters staffed by PDT members that provided background on the various measures under consideration in the study. The open house session also allowed the public the opportunity to directly interact with the study team and ask questions. After the open house session, the meeting transitioned into a formal presentation by NJBB Project Manager, J.B. Smith, on the current status of analyses underway for the NJBB Study. The last hour of each meeting was an open question and answer session. Meeting attendees had the option to state their questions at a microphone or were able to submit questions written on index cards if they would rather remain anonymous or were not comfortable speaking. At least 147 people attended the meeting on September 13th, as counted on the sign in sheet located at the "Welcome Table" at the meeting. Approximately a third of attendees were from the general public.

Several approaches were used to assess feedback from the public meeting. Meeting attendees were invited to submit comments either in writing at the meeting or after the meeting via e-mail. PDT members also took notes during the Q&A and open house sessions of the meeting to collect public input.

NAP will use the feedback obtained at the September 2018 public meetings to inform the plan formulation process; specifically, the feedback will help to inform the PDT's approach to evaluating various alternatives under the Other Social Effects account.

Public and Stakeholder Question and Responses

New Jersey Back Bays Feasibility Study
September 2018 Public Meeting
Stakeholder Input and Questions
With USACE Responses

Questions from index cards

QUESTION: Why isn't dredging being considered as a measure to reduce coastal storm risk in the New Jersey Back Bays?

RESPONSE: Dredging specifically to deepen channels does not reduce coastal storm risk. While it seems intuitive that dredging increases the volume of the backs bays, this increase in volume does not correlate to the ability of bays to absorb floodwaters and subsequently does not reduce water levels associated with coastal flooding.

QUESTION: How will the study include recommendations for local land use development management strategies as park of risk management options?

RESPONSE: Recommendations for local land use development management strategies including stormwater management, drainage and associated pump stations will be identified by local municipal entities and integrated into the more regional, large-scale Federal effort through the New Jersey Back Bays (NJBB) Feasibility Study though a collaborative effort between both entities. This collaboration and solutions will be developed as the study identifies a recommended plan.

QUESTION: How will the height of a floodwall be established? Existing bulkheads vary in elevation from property to property.

RESPONSE: Floodwalls and Levees are designed specifically to manage flood risk for an entire community and will be designed as a comprehensive approach rather than on a property by property basis. Crest elevations for floodwalls and levees will be established based on the design water levels and waves. Traditionally, the crest elevation of floodwalls and levees is determined by limiting wave overtopping below a tolerable limit for the design condition. In subsequent phases of the NJBB study, the performance and crest elevation of structures will be optimized (cost vs benefits) over a range of design water levels to aid in the selection of the final floodwall/levee crest elevation.

QUESTION: Some of the coastal areas are "within" the jurisdiction of the Pinelands Land National Reserve. What is the involvement of the state Pineland's managers as to alternative consideration?

RESPONSE: The focused array of alternatives include several measures that are within the Pinelands National Reserve that include the SSB at Barnegat Inlet and a number of non-structural areas that are also within the State Pinelands Area. The Philadelphia District is engaged with the Pinelands Commission, and will coordinate all future actions that occur within either the national reserve or Pinelands Commission boundary.

QUESTION: This is a macro-project (Huge area, very broad brush look at problems)! Looking ahead when (how many years) do you anticipate that you will be doing design level engineering and cost estimation at a municipality project level? When could it be started?

RESPONSE: Design level engineering and cost estimation will not be performed at a municipality project level. Detailed design for the Federal project will occur at 2026 at the earliest.

QUESTION: How do you plan on correcting road flooding on high tides?

RESPONSE: High-frequency flooding, also known as nuisance flooding, recurrent flooding, or sunny-day flooding, are flood events caused by tides and/or minor storm surge that occur more than once per year. High-frequency flooding mostly affects low-lying and exposed assets or infrastructure, such as roads, public storm-, waste- and fresh-water systems (Sweet et. al 2018) and is likely more disruptive (a nuisance) than damaging. However, the cumulative effects of high-frequency flooding may be a serious problem to

residents who live and work in these low-lying areas. The number of high-frequency flood days is accelerating in the study area in response to RSLC.

Flooding from rainfall and inadequate stormwater systems are closely related to high-frequency flooding but are treated separately in this study. It is common for municipalities in the study area to have gravity based stormwater systems that are unable to drain water when tidal level exceeds the elevation of the storm drain. When this happens, water starts ponding around the drain and may flood many of the same low-lying areas as high-frequency flooding. The frequency and impact of rainfall flooding will increase as the probability of the tide level exceeding storm drains will increases in response to RSLC. Some municipalities are actively addressing this problem by installing pump stations that are capable of draining water during elevated water levels.

The primary focus of the NJBB study is managing risk to severe storm surge events (i.e. Hurricane Sandy), not flooding associated with inadequate storm sewer systems and/or high-frequency flooding. It is USACE policy (ER 1165-2-21) that stormwater systems are a local non-federal responsibility. While flooding from high frequency flooding and inadequate stormwater systems is not the focus of the NJBB study, it is acknowledged that nonstructural and storm surge barrier measures may not provide any relief from these problems. Therefore, complementary measures to address these problems will be investigated and may be recommended as part of a comprehensive Federal project or recommended for implementation at the local non-federal level.

QUESTION: Have you considered the impact to Island Beach State Park by not include it in the beach replenishment project. Also, what are the considerations on impact will the bay project have on IBSP?
RESPONSE: IBSP is a natural area and has no development which needs to be protected and therefore is not included in the beach nourishment project. Based on previous experiences, there will be minimal impacts from the beach nourishment project on IBSP which will be limited to shoreline changes. Also, there will be limited impacts on IBSP from the constriction of NJBB measures as these measures will not be constructed in IBSP proper. Effects of the construction of storm surge barriers at inlets have not been identified yet but will be during future phases of the study.

QUESTION: Are wind generated waves considered in the study?

RESPONSE: Yes, wind generated waves are considered in the study. Wind generated waves are factored into the design crest elevations of floodwalls, levees, and storm surge barriers. Wave overtopping calculations were performed to determine the necessary freeboard, height of structure above the still water level, to limit wave overtopping below tolerable thresholds.

QUESTION: How do you do an economic analysis to determine if a plan is justified with a BCR > 1.0?

RESPONSE: Economic analysis of the study area is a complex and iterative process, but essentially boils down to determining whether the avoided future storm damages (benefits) for an area are greater than the cost to construct and maintain a project to avoid those damages in that area. Analysis includes constructing a detailed structure inventory of the study area and then simulating the storm impacts on that structure inventory for the next 50 years. By combining the value and characteristics of the inventory with the estimated frequency and intensity of future coastal storm events, USACE can estimate the total experienced

damages and compare that number to the proposed cost of the storm surge barrier / levee / floodwall/ etc. plan.

QUESTION: Considering the size of the study area, will there be multiple project sites with individuals BCRs (that can stand alone) or will there be one project that either gets approved/built or not?

RESPONSE: This is an ongoing discussion and will ultimately depend on the final recommended plan. If the plan contains interdependent pieces (multiple storm surge barriers / bay closures acting in tandem) then it necessitates only a single BCR and construction schedule. If the plan contains mostly independent pieces (non-interacting perimeter floodwalls) then each independent piece can be assigned a BCR and perhaps appropriated/constructed independently. The final decision will be made once the recommended plan is determined.

QUESTION: Regarding environmental regulations: USFWS is the process of updating/revisiting the Costal Barrier Resource system under the CBRA. Will USACE be able to request a moratorium on the revisions until this study is completed and the proposed CBRAS revisited to accommodate the preferred selection?

RESPONSE: In a letter dated July 10, 2018, the Philadelphia District provided formal comments for the proposed CBRA changes. In this letter the Philadelphia District identified a number of changes to existing CBRS units and Otherwise Protected Areas that involved expansions or reclassifications that would have impacts on existing CSRM and Navigation projects or have potential impacts on future CSRM projects (including the NJBB Study). In this letter a number of concerns were identified where CBRA changes were proposed, and the Philadelphia District provided recommendations to avoid or minimize the CBRA change impacts on USACE missions in the area such as CSRM and Navigation.

QUESTION: How is flow through the inlets measured for Storm Surge Barriers? Will they stand up to our winters?

RESPONSE: Numerical model simulations were conducted with CSTORM, to calculate storm surge propagation through inlets. The numerical model is capable to simulating back bay water levels with and without storm surge barriers and evaluate the effectiveness of stand-alone storm surge barriers (i.e. Barnegat Bay) or alternatives several storm surge barriers. The storm surge barriers will be designed, constructed, and maintained to New Jersey's winters. Several storm surge barriers designed and built by the USACE are still in operation in New England (i.e. New Bedford, Fox Point)

QUESTION: Why does it seem that all studies are done on Coastal Waterways and not back bays?

RESPONSE: Studies are authorized by Congress to address societal and economic needs. Many of the studies in the past have addressed navigation needs which includes the NJ IntraCoastal Waterway. Other studies in the past have addressed environmental needs. The awareness of the risk of coastal flooding in back bay regions has heighted since Hurricane Sandy in 2012. Since that time, the NJBB Study as well as many smaller Continuing Authority Studies have been initiated and are being conducted which address back bay flooding concerns.

QUESTION: Why use Army Corps for work?

RESPONSE: The USACE is the Nation's engineer and is authorized by congress to conduct efforts such as the NJBB Study by Congress.

QUESTION: Will there be funding in WRDA to not only undertake the selected measures BUT ALSO to undertake the environmental mitigation associated with the damage to resources caused by these measures?

RESPONSE: Congress authorizes laws such as WRDA as well as appropriations to fund the detailed design and construction of the selected plan and associated environmental mitigation. It is difficult to say at this time if congress will fund these efforts during that phase of the project, but the USACE will identify the path forward to Congress to reach that goal.

QUESTION: In Ocean County between Bay Head and Seaside Park, the NJDOT has installed 12 pump stations to move rain water from the street. How are these existing pump stations going to be incorporated into your plan?

QUESTION: Will sewers be improved? Water backs up into street.

RESPONSE: The primary focus of the NJBB study is managing risk to severe storm surge events (i.e. Hurricane Sandy), not flooding associated with inadequate storm sewer systems and/or high-frequency flooding. It is USACE policy (ER 1165-2-21) that stormwater systems are a local non-federal responsibility. While flooding from high frequency flooding and inadequate stormwater systems is not the focus of the NJBB study, it is acknowledged that nonstructural and storm surge barrier measures may not provide any relief from these problems. Therefore, complementary measures to address these problems will be investigated and may be recommended as part of a comprehensive Federal project or recommended for implementation at the local non-federal level.

Some of the structural measures such as floodwalls and levees may require pump stations and stormwater system improvements to ensure that structural measures don't make any existing stormwater problems worse by blocking runoff at the location of the structural measures. Existing pump stations will be incorporated into the study during detailed investigations of whether additional pump stations and stormwater improvements are required as part of floodwall and levee measures.

QUESTION: Make walls more visually attractive. Colors, painted scenes, texture.

RESPONSE: The improvement of floodwalls aesthetics is being considered in the NJBB Study both in terms of color, painted scenes and texture.

QUESTION: Many of these lagoon communities have little water flow toward the rear end – several community associations want to put pipes in to connect back lagoons to the adjoining marshes. This would greatly increase water flow, help with cleaning the upland rain runoff that now collects first in back lagoons

Running lagoon water out through the marsh naturally filters it and returns it on the next incoming tide seem a simple solution.

RESPONSE: Connecting the rear end of the lagoons hydraulically with adjacent marshes would improve circulation and water quality in the lagoons, although it could possibly have adverse impacts on the adjacent marsh. Measures that improve water quality and environmental services are not the primary focus of the NJBB study authority. The focus of the study is managing risk to severe storm surge events (i.e. Hurricane Sandy). However, there may be opportunities to incorporate measures that improve the environment as part of a comprehensive plan.

Comments from Letters

QUESTION: I understand the need to, in very many cases, protect existing property. Can't always be avoided for now. However the practical, cost-efficient long-term solution that benefits the majority of citizens is to restore/return vulnerable lands to nature. It may not be your job to convince homeowners to accept buy-outs, that would perhaps threaten your role in all of this, but that is the only real RESPONSE to climate change and the losses that will ensue.

RESPONSE: The acquisition of property is definitely an alternative that will be addressed during the conduct of the study. The specific methodology for acquisition of property has not be conducted yet. However, both the Federal government on behalf of the US Army Corps of Engineers and the State of New Jersey have program which have been implemented at other locations to acquire these properties. The NJBB Study will build upon these experiences. This effort will be a collaborative effort between the Federal government and the State of New Jersey regardless.

QUESTION: I do not wish to see a Storm Wall being built along the bayside - this would impede our access to boating - which is why we chose to live at the beach - we did not build a steel wall along the beach - but instead built dunes - this same idea could be implemented along the bay side - or put in the levee along the inlet - that could be closed when a storm is brewing.

RESPONSE: Dunes are an appropriate alternative to reducing the risk of coastal flooding on the beach side of a barrier island. On the bay side of a barrier island, levees and floodwalls are a more appropriate alternative than dunes and are under consideration in the NJBB Study. Storm surge barriers are being considered for tidal inlet localities associated with the NJBB Study.

QUESTION: I was wondering if there was any information on the potential jobs created by these projects. If there's any estimation on how many jobs are required to complete these projects, the skill level required of workers, etc. I understand this might be a little wonky, but I thought I'd ask. Thank you for your time and hope to hear from you soon.

RESPONSE: The construction of flood management features associated with the NJBB Study will definitely create jobs. A analyses per se has not been performed regarding the exact number of jobs that will be created and will not be performed until the selected plan for construction is identified.

QUESTION: How is flooding coming up from storm sewers considered in the study?

RESPONSE: The intake for storm sewers located on the bay are often below storm high tides and therefore are submerged during these conditions. As a result, given the lack of a flap gate to prevent water entry, the water enters the storm sewer and exists at the path of least resistance which is the storm drain on the street.

QUESTION: Will oyster reefs be considered for wave attenuation?

RESPONSE: Oyster reefs are a viable NNBF component that while not considered in the draft interim report to be released in the Spring 2019, these reefs will be considered in future reports and associated analyses to be released in 2020 and 2021.

QUESTION: Require the NJ Dept. of Transportation with NJ DEP buy-in to allow our bayside street outfalls to tie into their bayside pump stations to quickly evacuate street flooding which always follows a strong NE wind for a few days, or a spring tide, etc.

RESPONSE: The primary focus of the NJBB study is managing risk to severe storm surge events (i.e. Hurricane Sandy), not flooding associated with inadequate storm sewer systems and/or high-frequency flooding. It is USACE policy (ER 1165-2-21) that stormwater systems are a local non-federal responsibility. While flooding from high frequency flooding and inadequate stormwater systems is not the focus of the NJBB study, it is acknowledged that nonstructural and storm surge barrier measures may not provide any relief from these problems. Therefore, complementary measures to address these problems will be investigated and may be recommended as part of a comprehensive Federal project or recommended for implementation at the local non-federal level.

QUESTION: I know that Back Bay flooding is an issue that is plaguing the entire East Coast as time continues to pass and ocean levels continue to rise. I was wondering if there was any cooperation with other States in regards to coming up with solutions to this problem? In particular I know that when faced with solving this problem, the city of Boston is considering implementing canals, similar to Venice or Amsterdam, which they found would help absorb a majority of the flooding caused specifically by Back Bay flooding.

RESPONSE: Yes, there is coordination at the Federal Level between several active coastal storm risk management studies being conducted for New York City, NY, Nassau County, NY, Norfolk, VA and Houston, TX. These studies are all focused on managing coastal storm risk with the threat of accelerated sea level rise.

QUESTION: I am in favor of tidal doors at Manasquan, Shark River and Barnegat Inlets. I feel very strongly that this will stop the back-bay flooding by limiting the amount of water entering the rivers and being held in by the storm surges. However, one must consider these facts; 1. The flow of water down the rivers from the land behind the doors. Pumps would have to be installed to remove river/rainwater flow out from behind the doors. 2. Speaking of flow by placing the design presented at the meeting you are going to create an increase in water flow in the inlets on incoming and outgoing tides in the area of the piers.

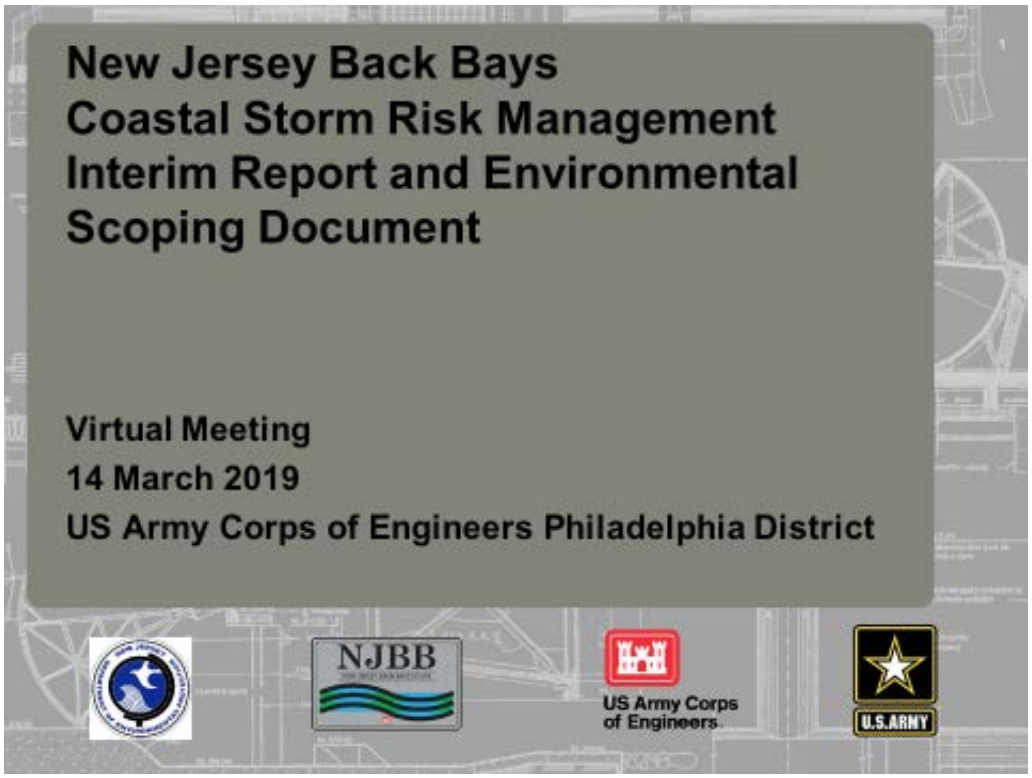
RESPONSE: Storm surge barriers at Shark River, Manasquan, and Barnegat Inlet are under consideration. Preliminary engineering and economic analyses indicate that a storm surge barrier at Shark River is not justified (i.e. Costs >> Damages Prevented). However, storm surge barriers at Manasquan Inlet and Barnegat Inlet are still under consideration. Yes, the flow of water from the watershed and rivers needs to be evaluated and consideration given to whether pump stations are needed. It appears unlikely that pump stations at the storm surge barriers would be required because the back bay provides sufficient storage to accommodate the discharge (flow), additional investigations will be performed before the completion of the feasibility to confirm these assumptions.

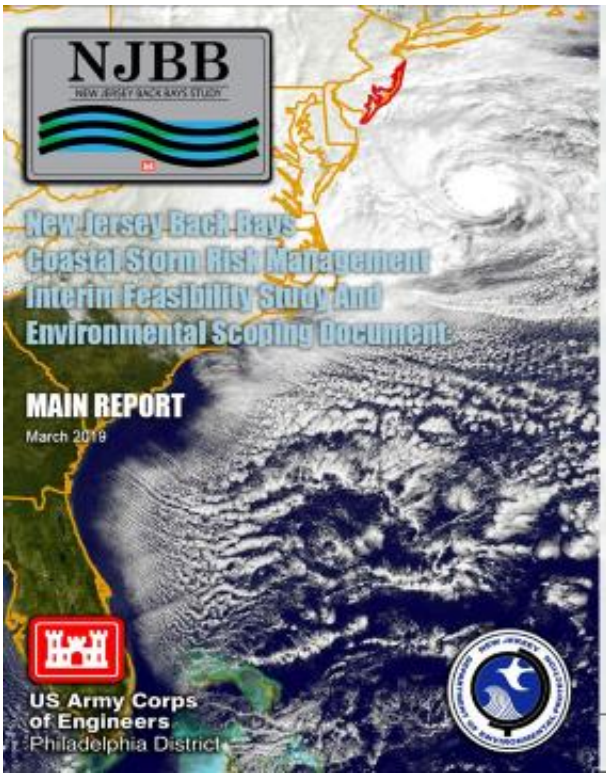
QUESTION: How will concrete floodwalls stand up to winter and estuary conditions?

RESPONSE: Floodwalls will be constructed of steel or concrete and will be designed to stand up to winter and tidal estuary conditions in New Jersey. These floodwall types have been constructed in other areas in the northeast US and have demonstrated capabilities to hold up to these conditions.

E-5) MARCH 2019 WEBINAR

A virtual meeting for the public was held via webinar on March 14, 2019 to summarize the results of the NJBB CSRM Interim Feasibility Report and Environmental Scoping Document. The presentation highlighted some of the take home messages of the Report and provided specific locations where that information could be located. Approximately thirty attendees participated in the webinar. The slide deck from the virtual meeting is presented below.





Agenda

- Report Highlights
- Focused Array Overview
- Process Overview
- Questions & Answers
- Closing Comments

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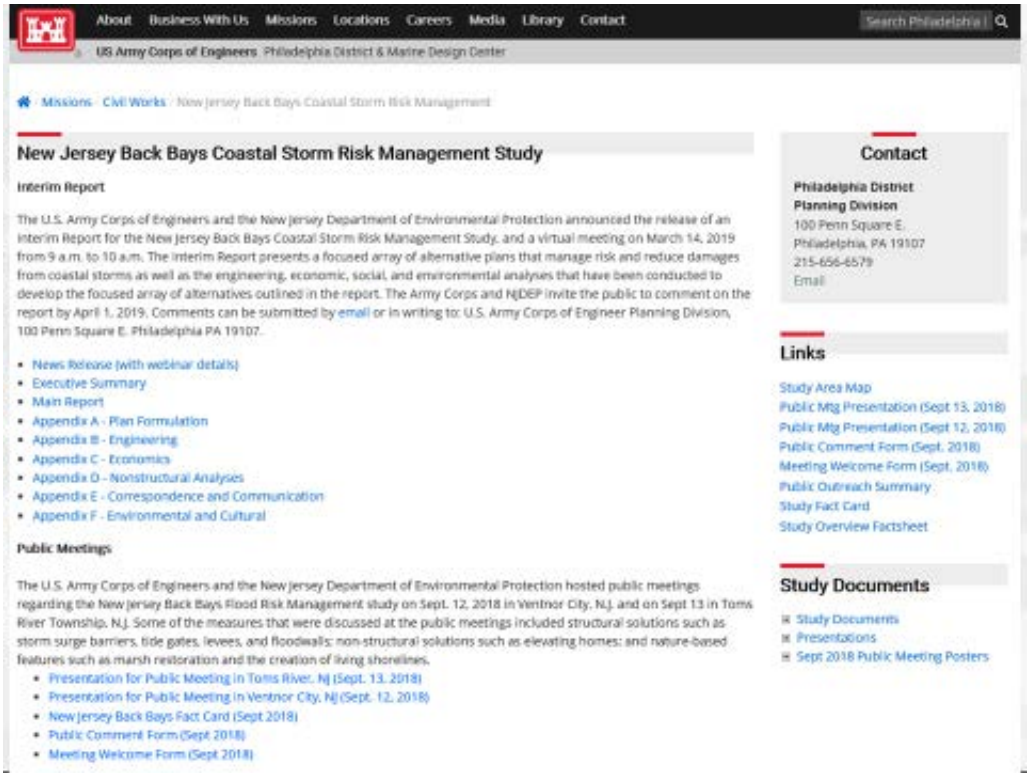
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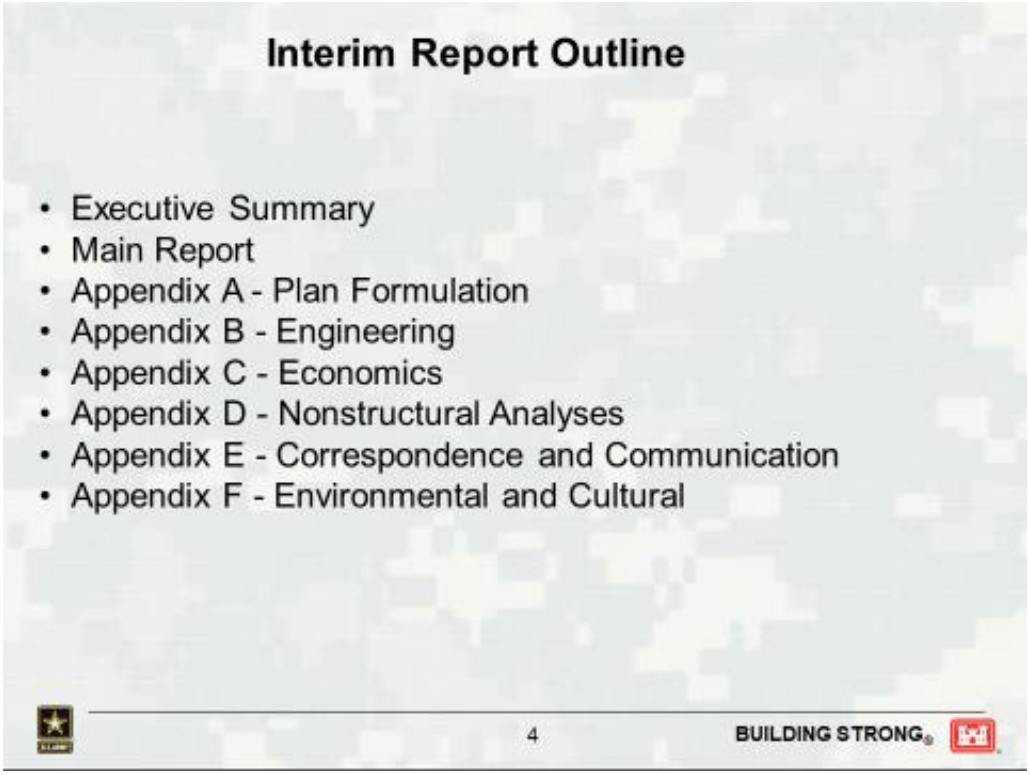
Missions Civil Works New Jersey Back Bays Coastal Storm Risk Management
New Jersey Back Bays Coastal Storm Risk Management Study
Interim Report
The U.S. Army Corps of Engineers and the New Jersey Department of Environmental Protection announced the release of an interim Report for the New Jersey Back Bays Coastal Storm Risk Management Study, and a virtual meeting on March 14, 2019 from 9 a.m. to 10 a.m. The Interim Report presents a focused array of alternative plans that manage risk and reduce damages from coastal storms as well as the engineering, economic, social, and environmental analyses that have been conducted to develop the focused array of alternatives outlined in the report. The Army Corps and NJDEP invite the public to comment on the report by April 1, 2019. Comments can be submitted by email or in writing to: U.S. Army Corps of Engineer Planning Division, 100 Penn Square E. Philadelphia PA 19107.
News Release (with webinar details)
Executive Summary
Main Report
Appendix A - Plan Formulation
Appendix B - Engineering
Appendix C - Economics
Appendix D - Nonstructural Analyses
Appendix E - Correspondence and Communication
Appendix F - Environmental and Cultural
Public Meetings
The U.S. Army Corps of Engineers and the New Jersey Department of Environmental Protection hosted public meetings regarding the New Jersey Back Bays Flood Risk Management study on Sept. 12, 2018 in Ventnor City, N.J. and on Sept 13 in Toms River Township, N.J. Some of the measures that were discussed at the public meetings included structural solutions such as storm surge barriers, tide gates, levees, and floodwalls; non-structural solutions such as elevating homes; and nature-based features such as marsh restoration and the creation of living shorelines.
Presentation for Public Meeting in Toms River, NJ (Sept. 13, 2018)
Presentation for Public Meeting in Ventnor City, NJ (Sept. 12, 2018)
New Jersey Back Bays Fact Card (Sept 2018)
Public Comment Form (Sept 2018)
Meeting Welcome Form (Sept 2018)
Contact
Philadelphia District
Planning Division
100 Penn Square E.
Philadelphia, PA 19107
215-656-6579
Email
Links
Study Area Map
Public Mtg Presentation (Sept 13, 2018)
Public Mtg Presentation (Sept 12, 2018)
Public Comment Form (Sept. 2018)
Meeting Welcome Form (Sept. 2018)
Public Outreach Summary
Study Fact Card
Study Overview Factsheet
Study Documents
Study Documents
Presentations
Sept 2018 Public Meeting Posters

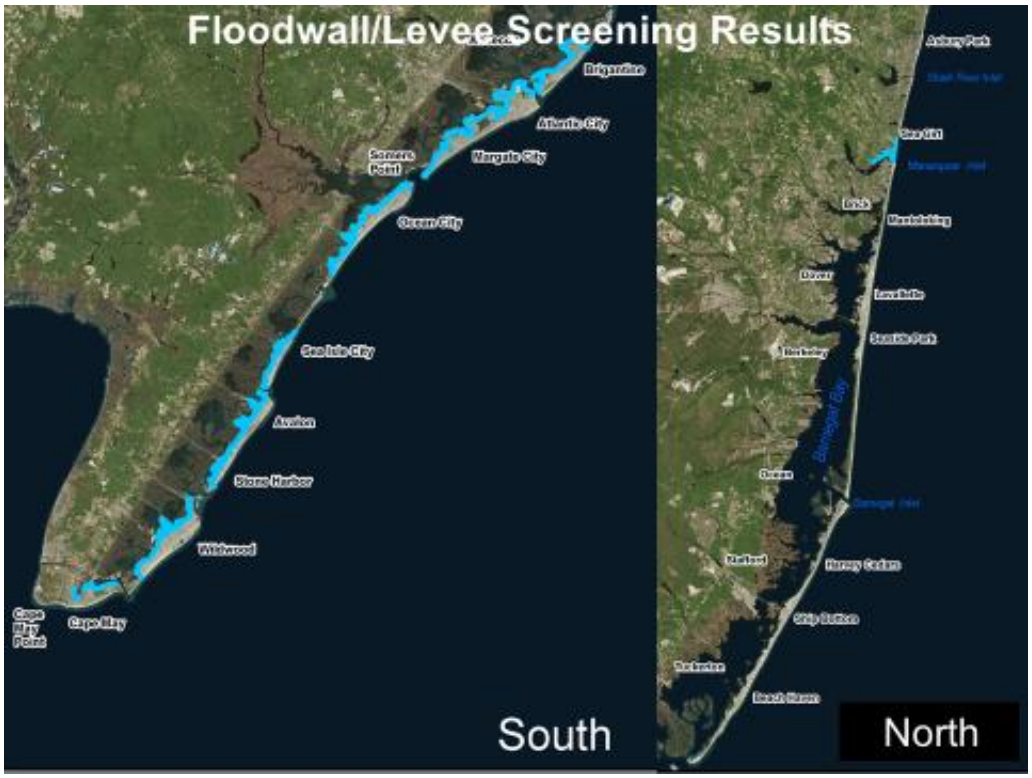

Interim Report Outline
Executive Summary
Main Report
Appendix A - Plan Formulation
Appendix B - Engineering
Appendix C - Economics
Appendix D - Nonstructural Analyses
Appendix E - Correspondence and Communication
Appendix F - Environmental and Cultural
4
BUILDING STRONG®

Structural Measure – Floodwalls & Levees

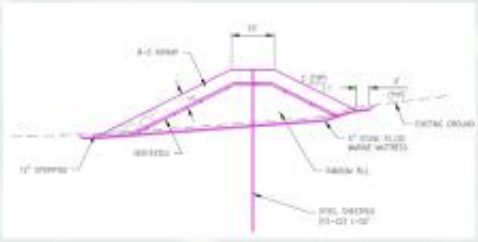
- **Main Report (Ch 9.4, p. 130)**

Visual Impacts

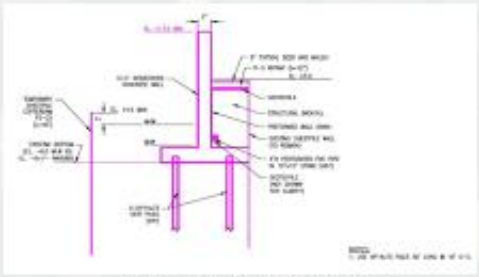
BUILDING STRONG®



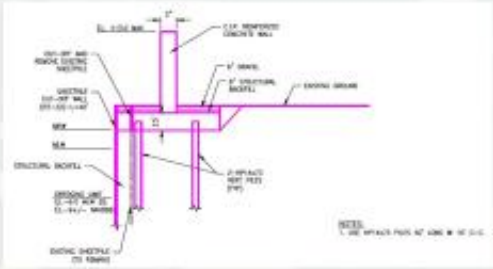
Floodwall/Levee Typical Sections



Levee



Floodwall – water construction

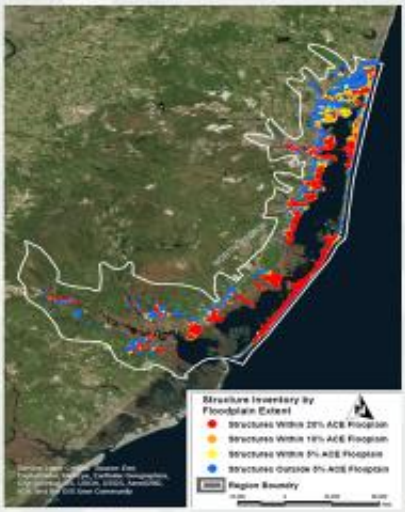


Floodwall – land construction

7

Nonstructural Measures – Building Elevation

- **Main Report (Ch 9.4, p. 137)**
  - Primary Nonstructural measures
    - Building elevation
    - Acquisition and relocation later
  - Recommended in combination with structural measures to formulate economically justified hybrid plans
  - The process
    - Develop structure inventory
    - Identify Design Flood Elevation (DFE) = FEMA BFE + 3 feet
    - Approximately 30,000 structures in the 20-year floodplain
    - Additional floodplains beyond 5-, 10-, and 20-year floodplains



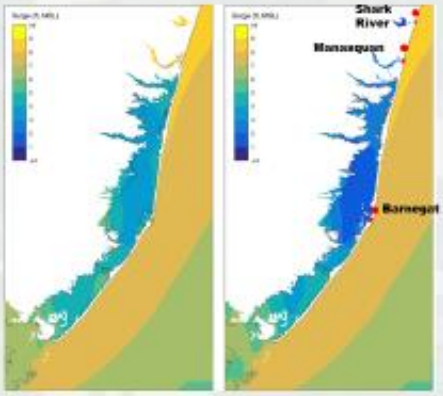
BUILDING STRONG®

Structural Measure - Storm Surge Barriers

- **Main Report Ch 8, 9**

Seabrook - New Orleans, LA

Example at Barnegat Inlet, NJ



Existing Conditions

Barrier Alternative

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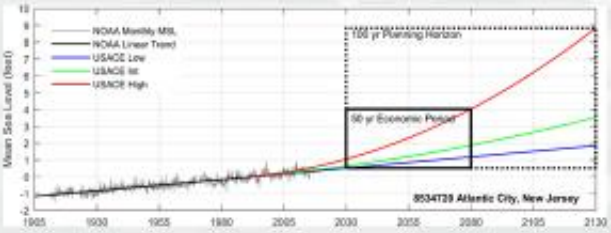
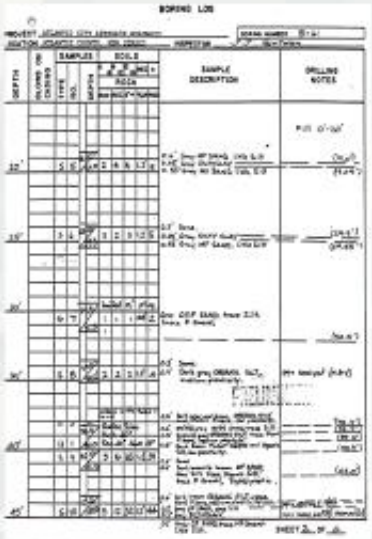
Interim Report Engineering Highlights

- **Appendix B - Engineering**



Relative sea level changes for the study area

NWS stage floodplains

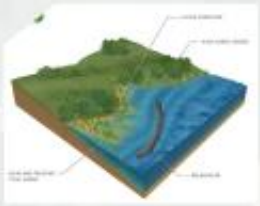


Geotechnical boring log

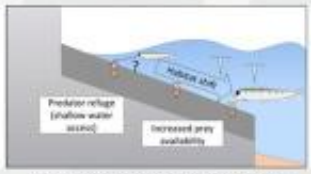
Natural and Nature Based Features (NNBF)

- **Main Report Ch 9.2 and 10.2**

- Primary NNBF measure under consideration is living shorelines. Current criteria for this measure include:
  - Unarmored shorelines adjacent to infrastructure
  - Complementary to structural measures such as floodwalls and levees
- NJBB study is also considering modifications that can be made to structural measures that can increase their habitat value:
  - Habitat benches to restore more natural slope along shorelines
  - Textured concrete to support colonization of algae and invertebrates



Construction of living shoreline in Camp Pecometh, MD



Conceptual diagram of habitat bench

Textured concrete

Alternative Screening, Evaluation, and Comparison using System of Accounts

- **Main Report Ch 9; Appendix A – Plan Formulation**

NED Screening

If Average Annual Net Benefits were < 0, the alternative failed the NED criteria and was screened out.

EQ Screening

Alternatives were assessed for their impact on a range of different environmental categories on an ordinal scale from 0-6. Any score of 0 resulted in an alternative failing the EQ criteria. The EQ scores for each environmental category were averaged to create an EQ ranking.

OSE and RED Evaluation

Criteria to assess OSE included feedback from Public Meetings, Social Vulnerability Risk and Exposure indices from the NACCS, and mapped infrastructure and evacuation routes.

RED evaluation is still under development

Remaining alternatives are evaluated as part of the focused array

Environmental Considerations of the Focused Array of Alternatives

- **Main Report Ch 6, 11; Appendix F**

STRUCTURAL MEASURES

Perimeter Plans: Floodwalls/Levees

Temporary Impacts:
- Water Quality/Turbidity
- Habitat disturbance
- Air Quality/Noise
- Community

Permanent/Cumulative Impacts:
- High Direct Habitat Losses
- High Mitigation Costs
- Community/Visual Aesthetics

Storm Surge Barriers: Inlet/Bay Closures

Temporary Impacts:
- Water Quality/Turbidity
- Habitat disturbance
- Air Quality/Noise
- Community

Permanent/Cumulative Impacts:
- Lower Direct Habitat Losses
- Potential High Indirect Impacts
- Potential High Mitigation Costs
- Potential T & E species impacts at some locations
- Localized Community/Visual Aesthetics

NON-STRUCTURAL MEASURES

Building Raising

Temporary Impacts:
- Water Quality/Turbidity
- Low or no Habitat disturbance
- Minor Air Quality/Noise
- Community

Permanent/Cumulative Impacts:
- Low or no Direct Habitat Losses
- Potential High Cultural Resources Impacts
- Community

Acquisition

Temporary Impacts:
- Community
- Water Quality/Turbidity if earth disturbance from building razing

Permanent/Cumulative Impacts:
- Community
- Potential High Cultural Resources Impacts
- Potential Beneficial Environmental Effect if Building Razing Removes Impervious Surface

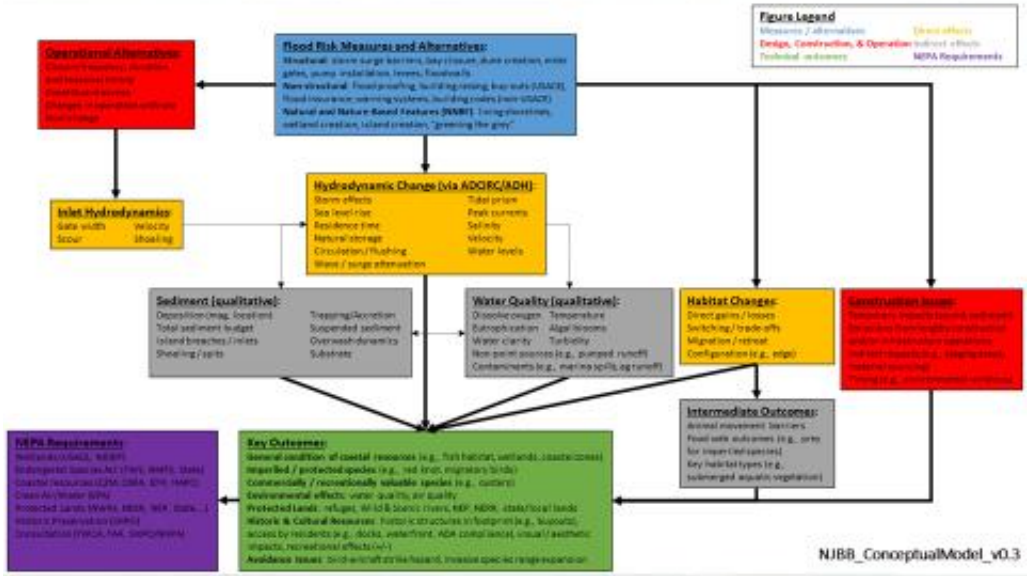
Natural and Nature Based Features (NNBF)

Wetlands/SAVs/ Living Shorelines

Temporary Impacts:
- Water Quality/Turbidity
- Habitat disturbance
- Air Quality/Noise
- Community

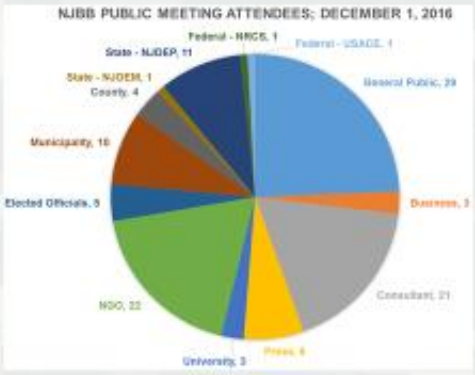
Permanent/Cumulative Impacts:
- Beneficial Ecological Uplift
- Increase in Environmental Services

Preliminary Impact Assessment Conceptual Model



Interim Report Highlights

- **Appendix E - Correspondence and Communication**



Detailed summaries

U.S. Army Corps of Engineers
New Jersey Back Bays
Flood Risk Management Planning Workshop

Coastal Risk Management Strategy Profile

CONTACT INFORMATION (Name, Affiliation, Email, Phone):

LOCATION (Describe the precise location of the problem; provide a map if possible):

PROBLEM (Define the problem and its general location)

•Discuss if any work has been done on analysis, repairs, advocacy for this problem:

•Provide any specific elevation information of existing management measures:

Local flooding profile

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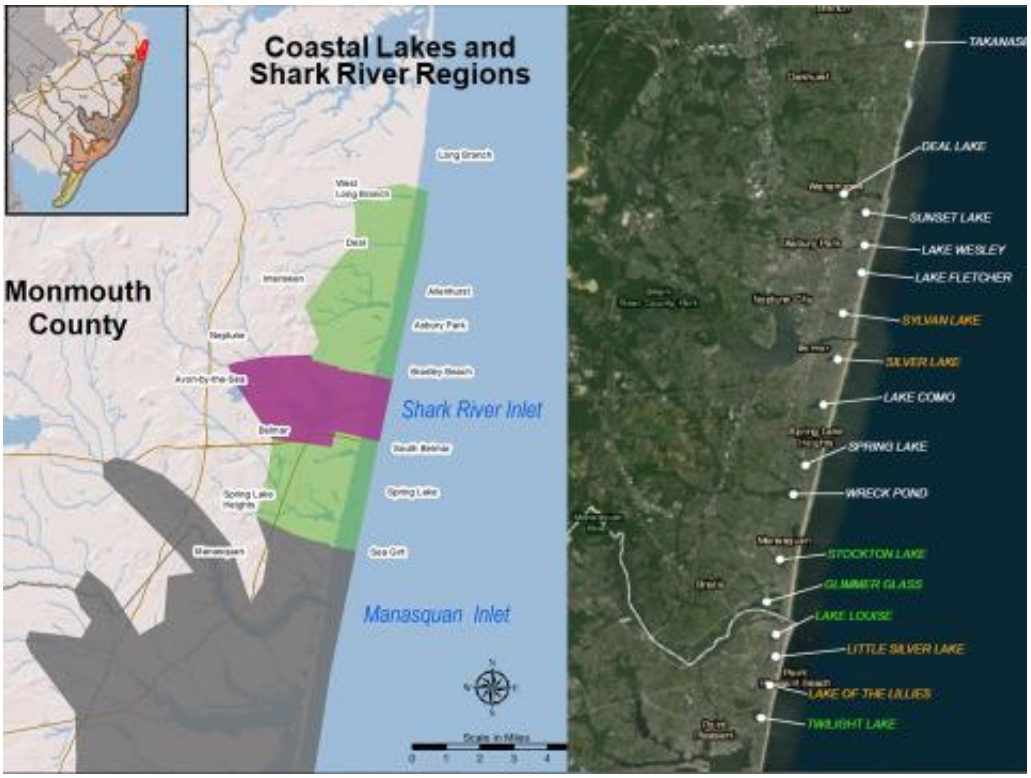
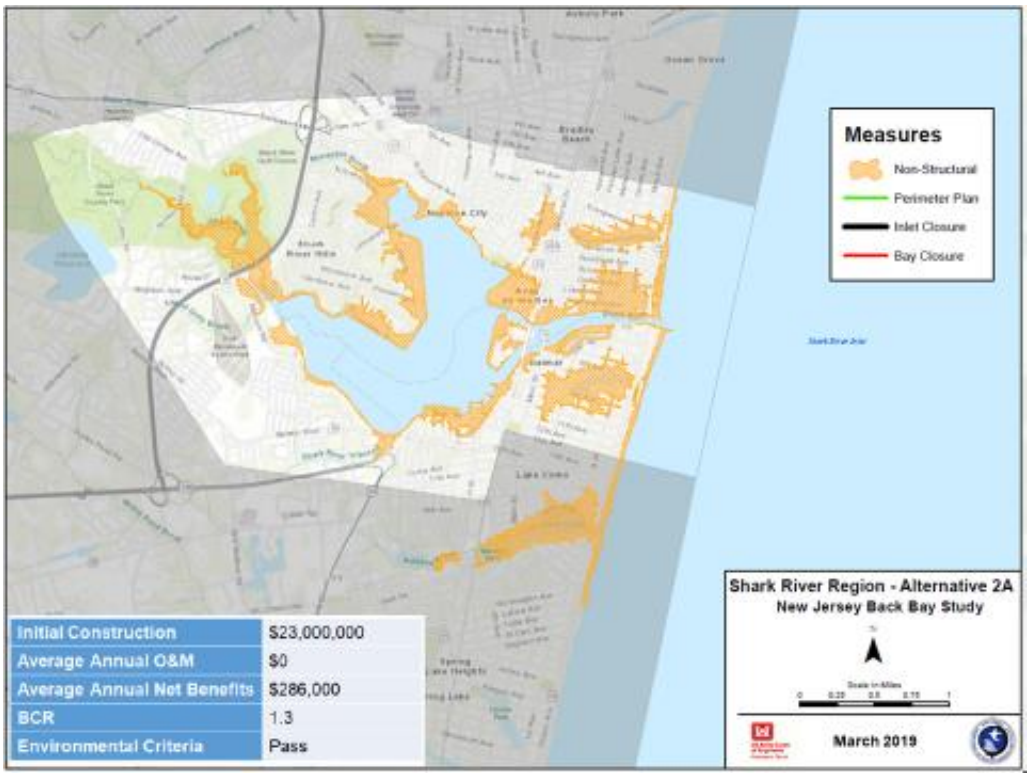
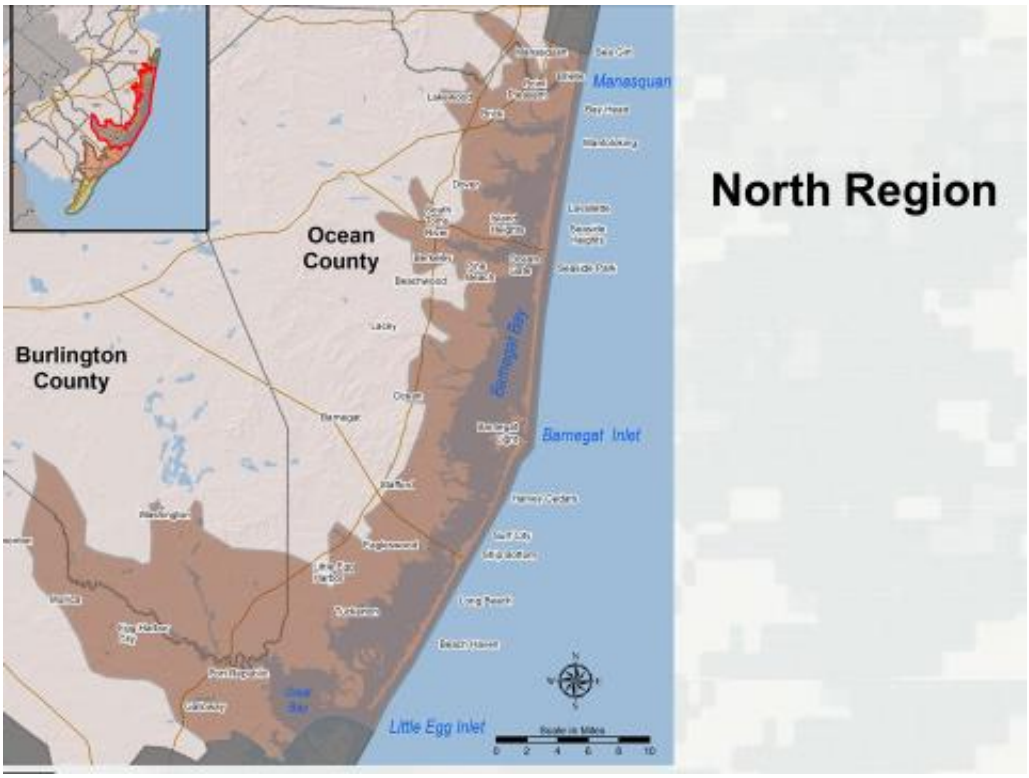
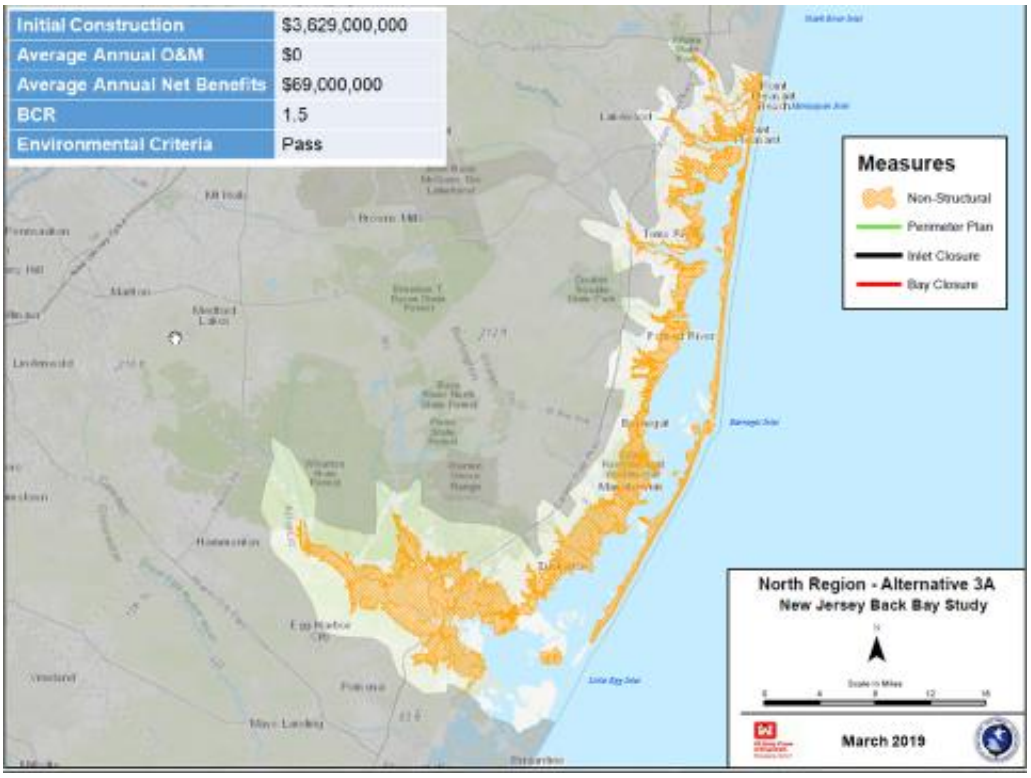
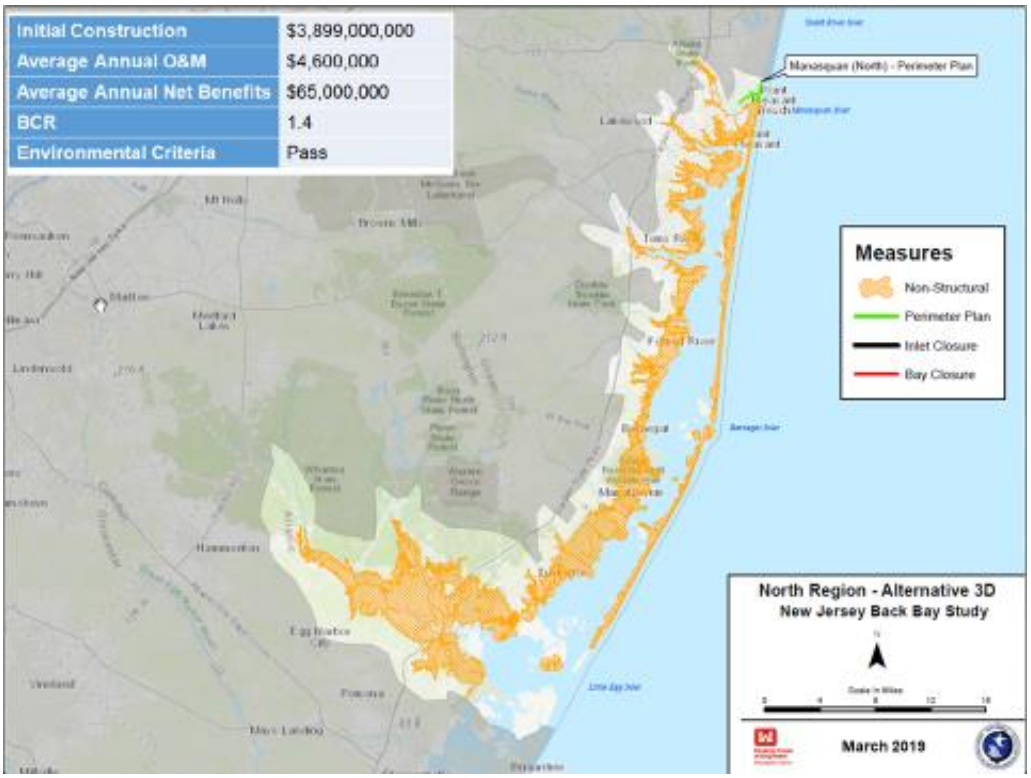
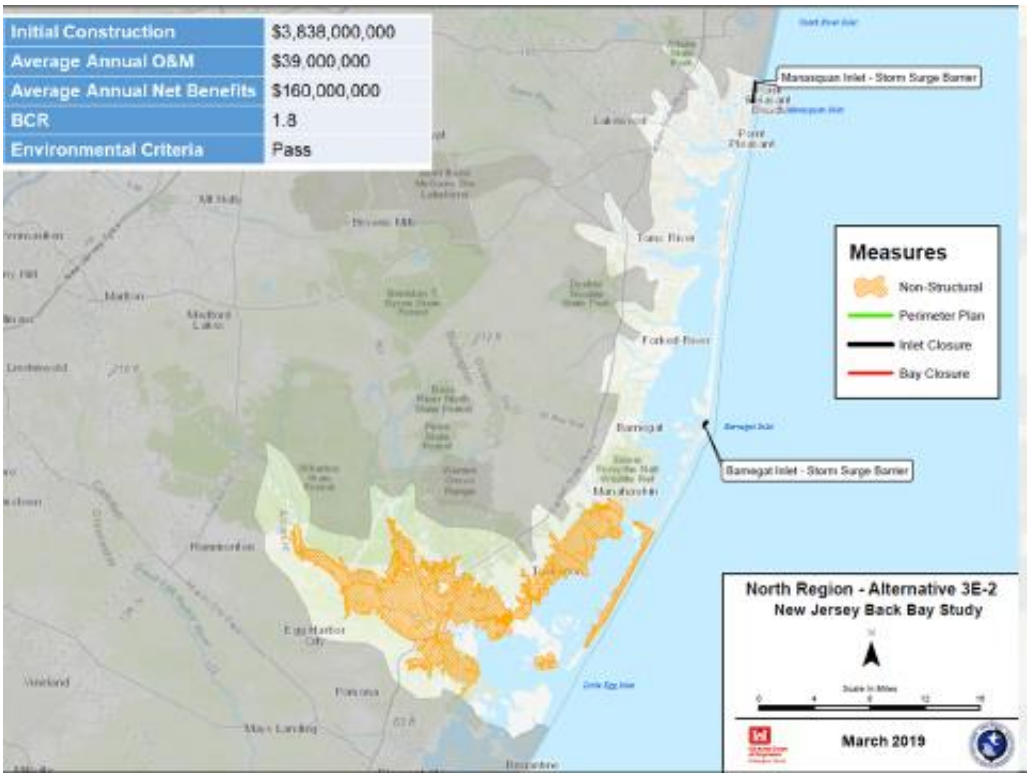


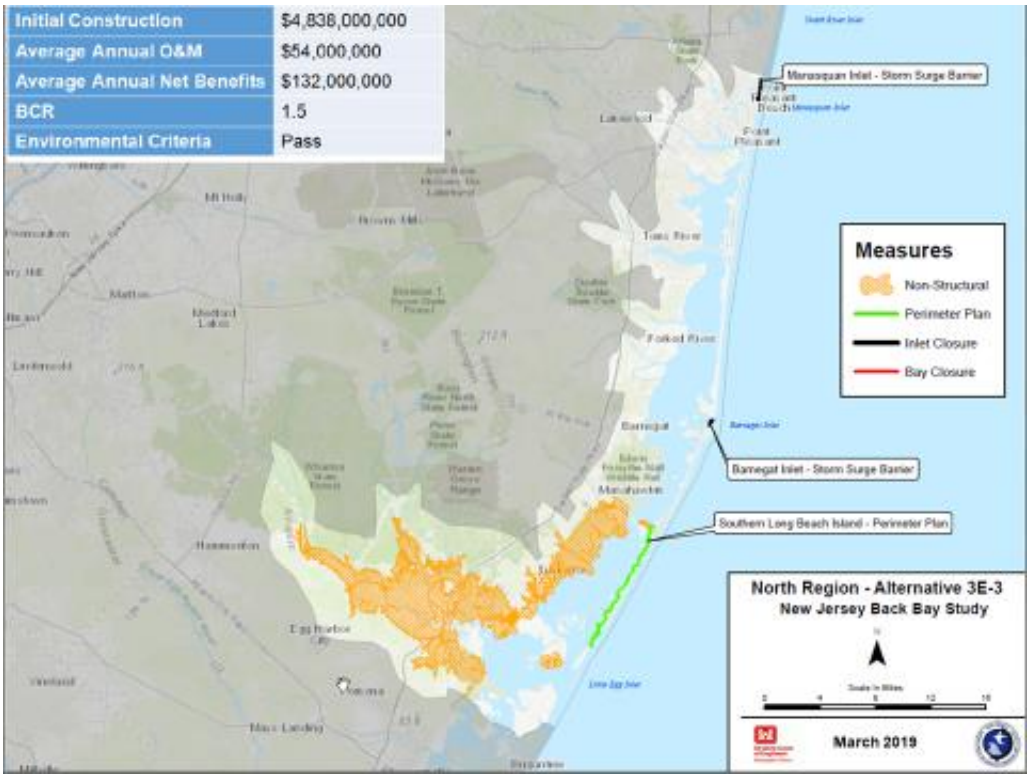

Measures
Non-Structural
Perimeter Plan
Inlet Closure
Bay Closure
Shark River Region - Alternative 2A
New Jersey Back Bay Study
March 2019
Initial Construction $23,000,000
Average Annual O&M $0
Average Annual Net Benefits $286,000
BCR 1.3
Environmental Criteria Pass

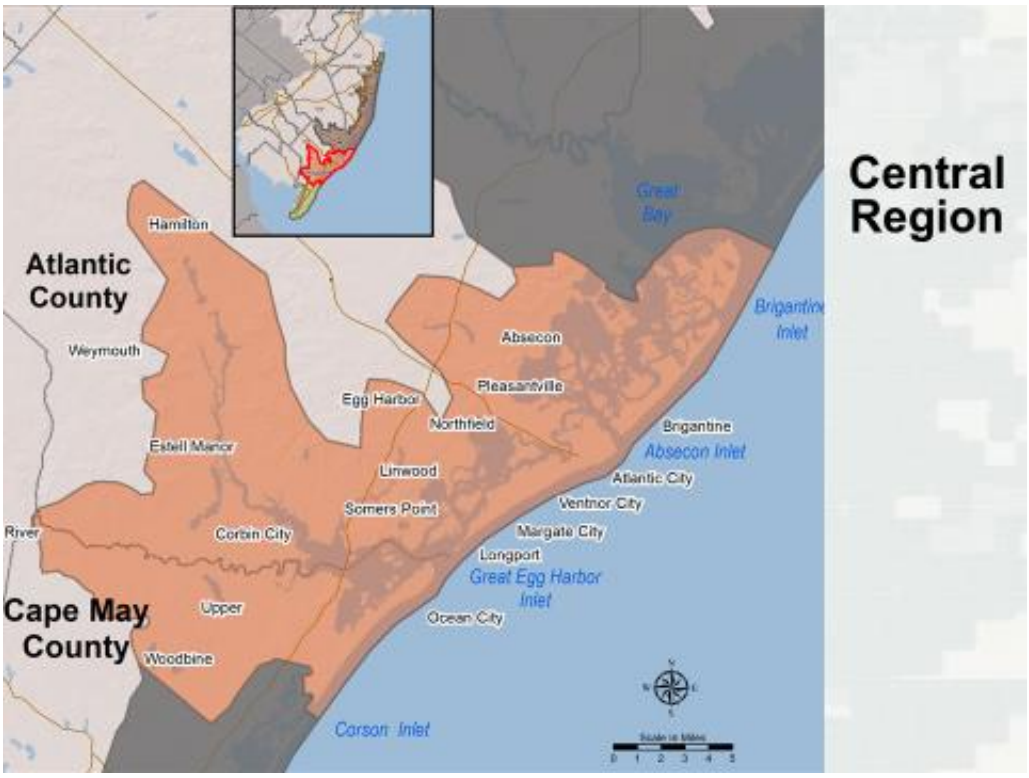

North Region
Ocean County
Burlington County
Manasquan
Barnegat Bay
Barnegat Inlet
Little Egg Inlet

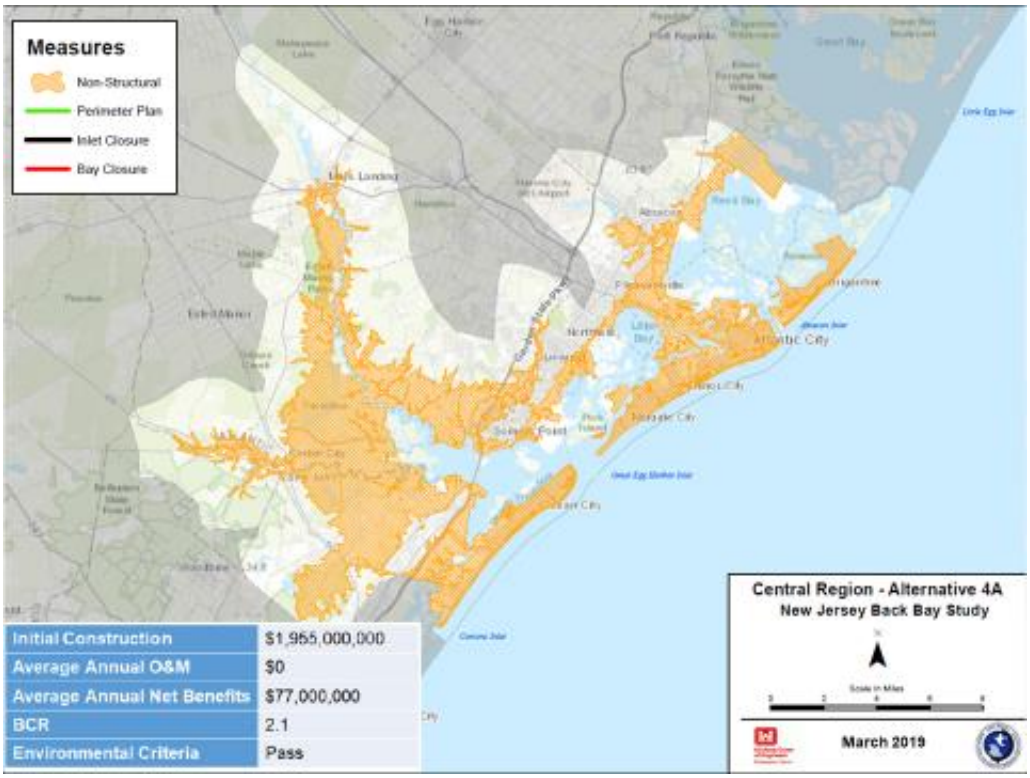

Initial Construction $3,629,000,000
Average Annual O&M $0
Average Annual Net Benefits $69,000,000
BCR 1.5
Environmental Criteria Pass
Measures
Non-Structural
Perimeter Plan
Inlet Closure
Bay Closure
North Region - Alternative 3A
New Jersey Back Bay Study
March 2019

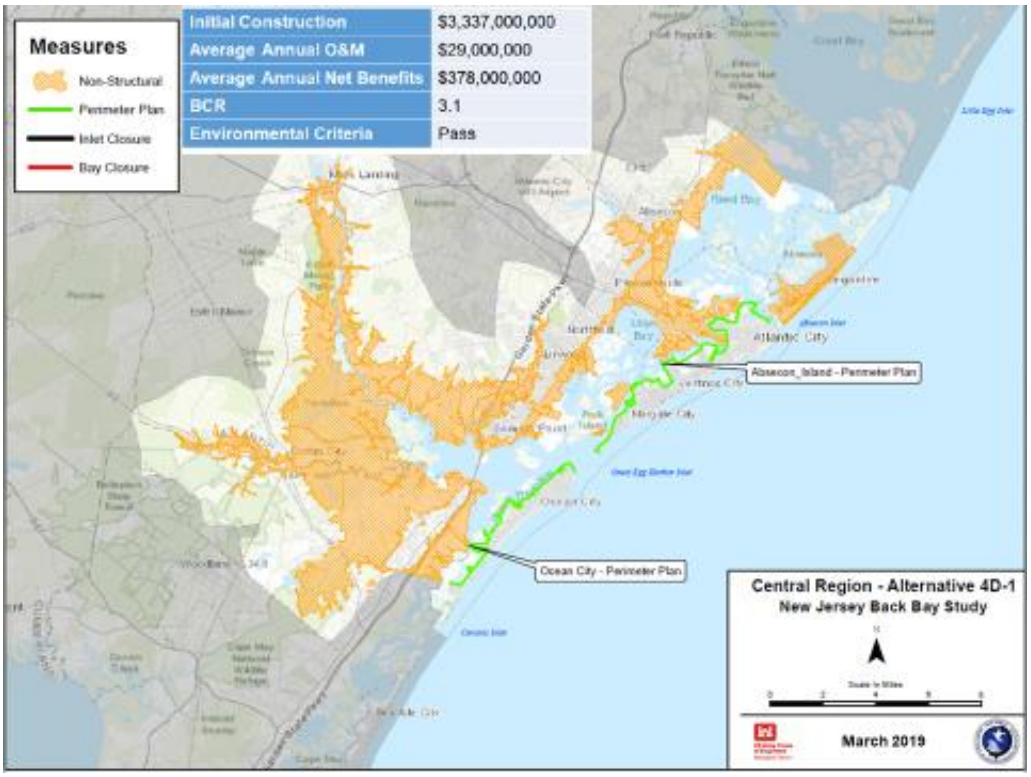

Initial Construction $3,899,000,000
Average Annual O&M $4,600,000
Average Annual Net Benefits $65,000,000
BCR 1.4
Environmental Criteria Pass
Manasquan (North) - Perimeter Plan
Measures
Non-Structural
Perimeter Plan
Inlet Closure
Bay Closure
North Region - Alternative 3D
New Jersey Back Bay Study
March 2019

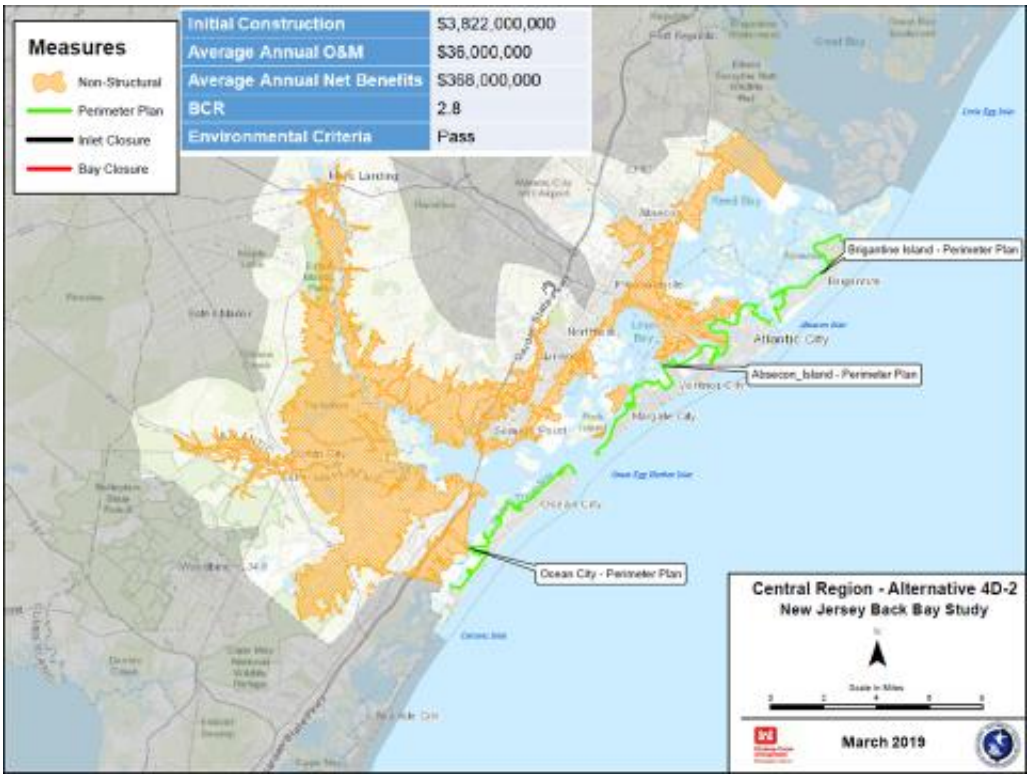

Initial Construction $3,838,000,000
Average Annual O&M $39,000,000
Average Annual Net Benefits $160,000,000
BCR 1.8
Environmental Criteria Pass
Manasquan Inlet - Storm Surge Barrier
Barnegat Inlet - Storm Surge Barrier
Measures
Non-Structural
Perimeter Plan
Inlet Closure
Bay Closure
North Region - Alternative 3E-2
New Jersey Back Bay Study
March 2019

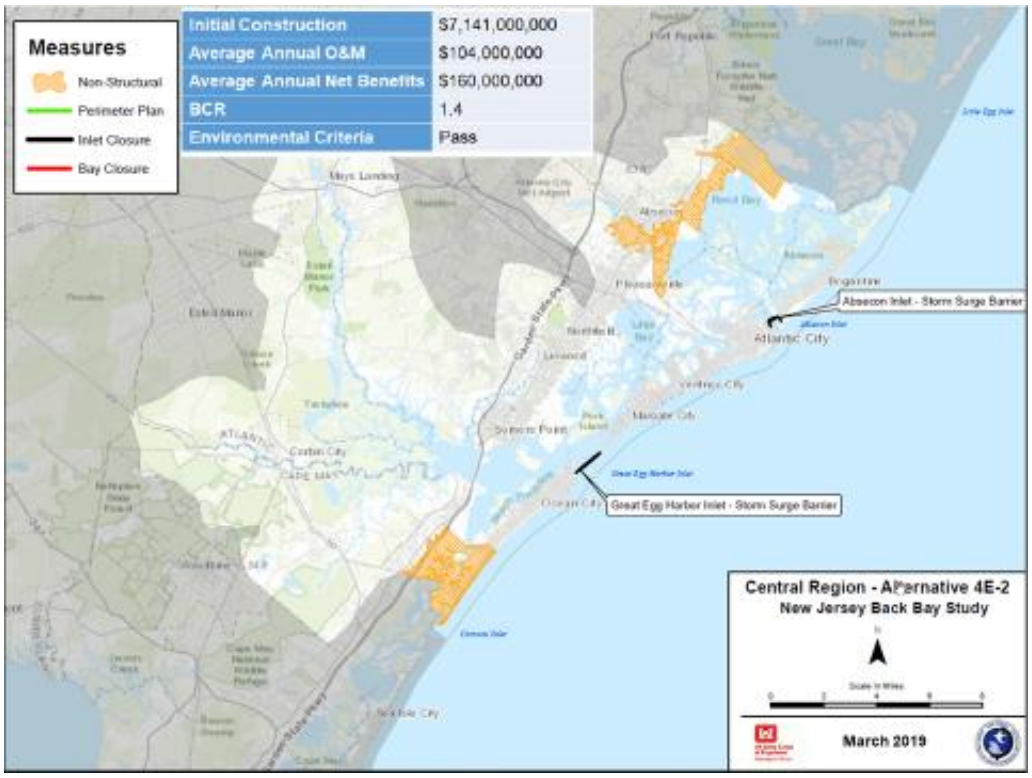

Initial Construction $4,838,000,000
Average Annual O&M $54,000,000
Average Annual Net Benefits $132,000,000
BCR 1.5
Environmental Criteria Pass
Manasquan Inlet - Storm Surge Barrier
Barnegat Inlet - Storm Surge Barrier
Southern Long Beach Island - Perimeter Plan
Measures
Non-Structural
Perimeter Plan
Inlet Closure
Bay Closure
North Region - Alternative 3E-3
New Jersey Back Bay Study
March 2019

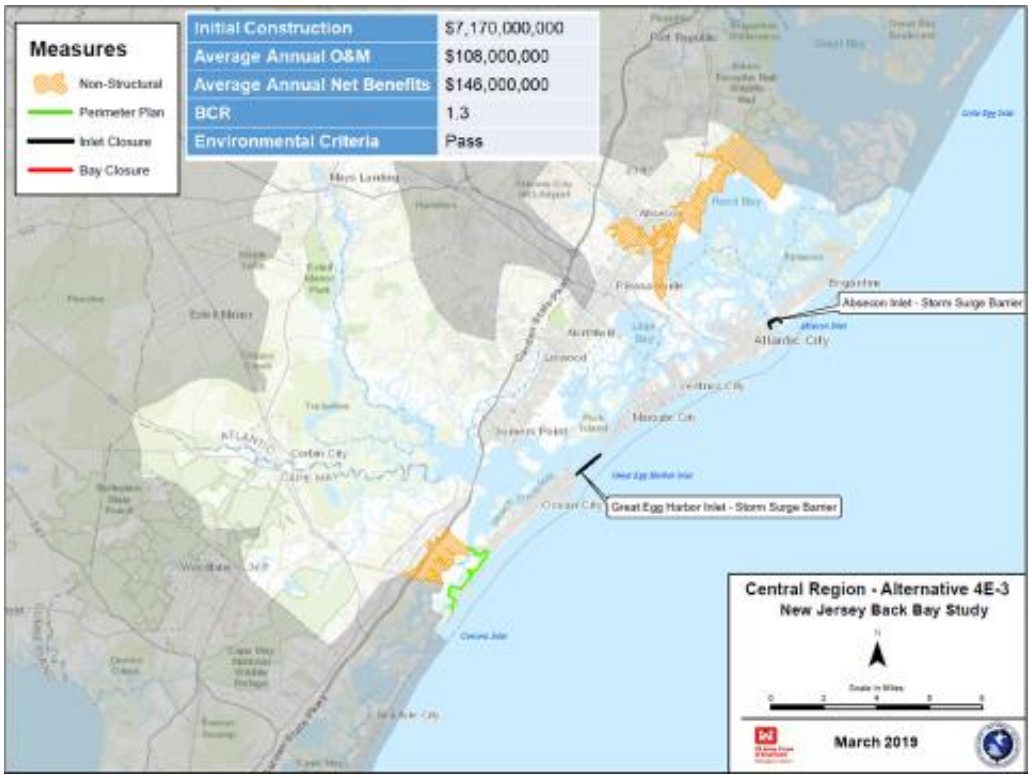

Central Region
Great Bay
Hamilton
Atlantic County
Weymouth
Absecon
Brigantine Inlet
Pleasantville
Egg Harbor
Northfield
Brigantine
Estell Manor
Absecon Inlet
Linwood
Atlantic City
Somers Point
Ventnor City
River
Corbin City
Margate City
Longport
Great Egg Harbor Inlet
Cape May County
Upper
Ocean City
Woodbine
Corson Inlet

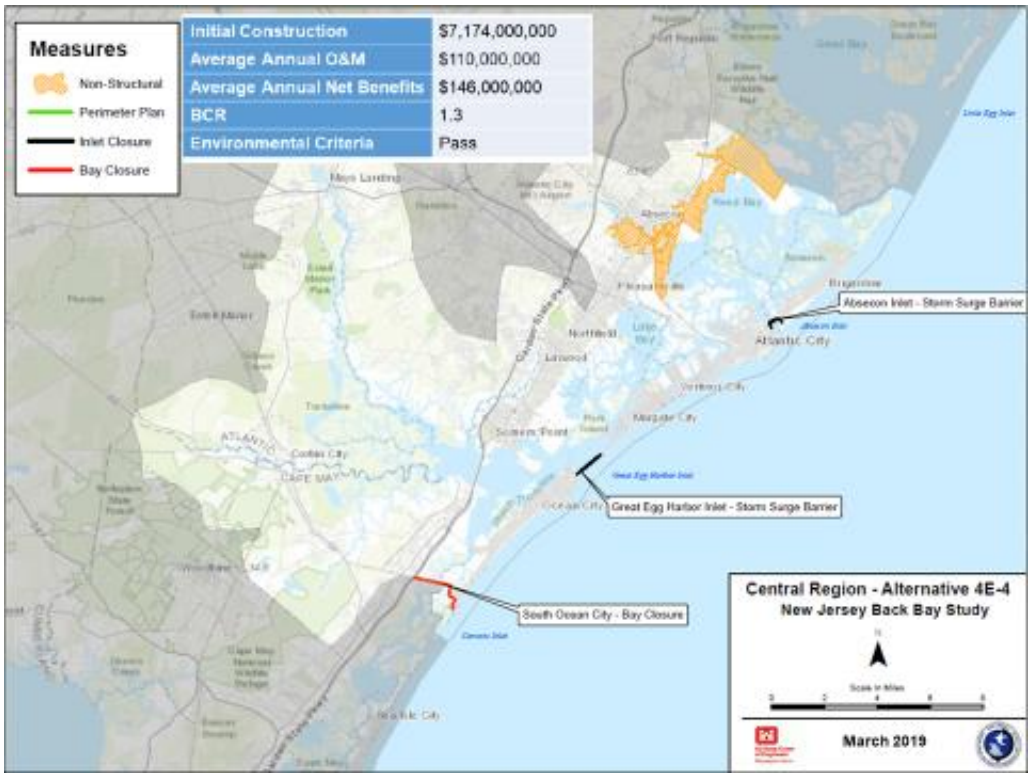

Measures
Non-Structural
Perimeter Plan
Inlet Closure
Bay Closure
Initial Construction $1,955,000,000
Average Annual O&M $0
Average Annual Net Benefits $77,000,000
BCR 2.1
Environmental Criteria Pass
Central Region - Alternative 4A
New Jersey Back Bay Study
March 2019

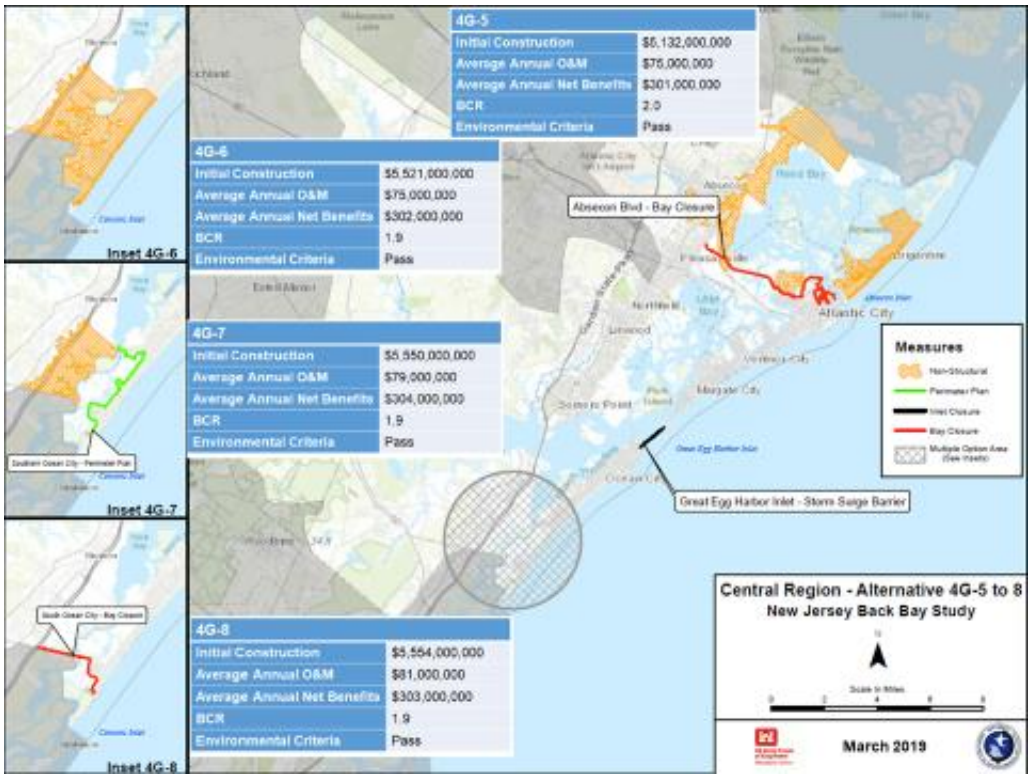

Measures
Non-Structural
Perimeter Plan
Inlet Closure
Bay Closure
Initial Construction $3,337,000,000
Average Annual O&M $29,000,000
Average Annual Net Benefits $378,000,000
BCR 3.1
Environmental Criteria Pass
Absecon_Island - Perimeter Plan
Ocean City - Perimeter Plan
Central Region - Alternative 4D-1
New Jersey Back Bay Study
March 2019

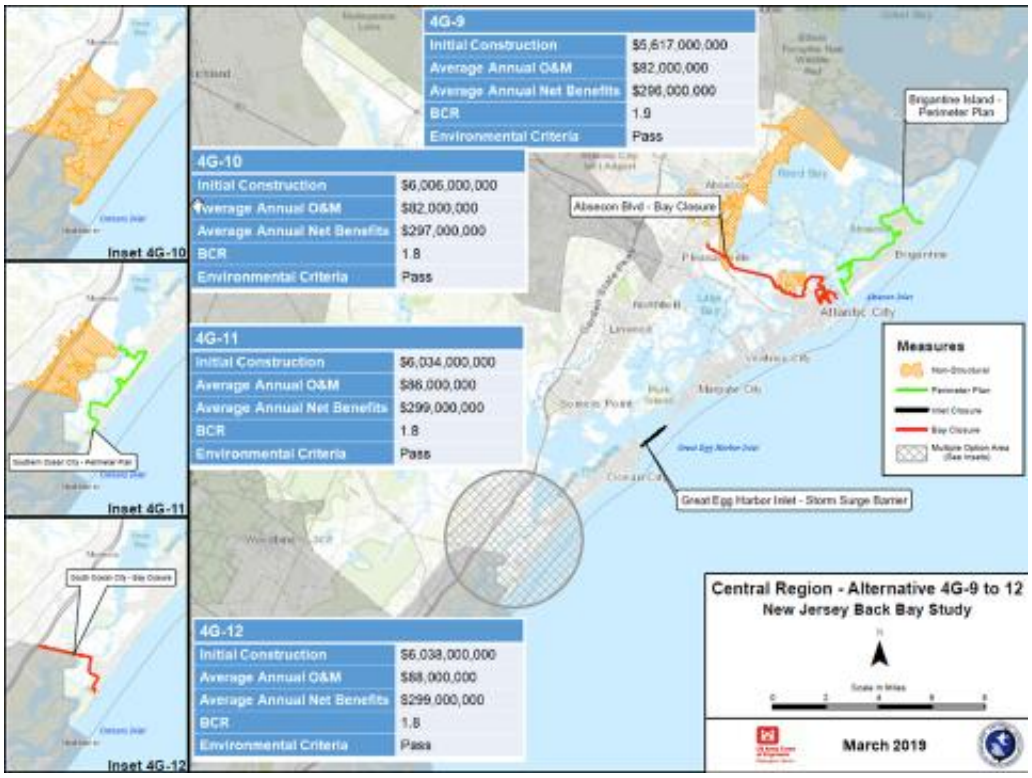

Measures
Non-Structural
Perimeter Plan
Inlet Closure
Bay Closure
Initial Construction $3,822,000,000
Average Annual O&M $36,000,000
Average Annual Net Benefits $368,000,000
BCR 2.8
Environmental Criteria Pass
Brigantine Island - Perimeter Plan
Absecon_Island - Perimeter Plan
Ocean City - Perimeter Plan
Central Region - Alternative 4D-2
New Jersey Back Bay Study
March 2019

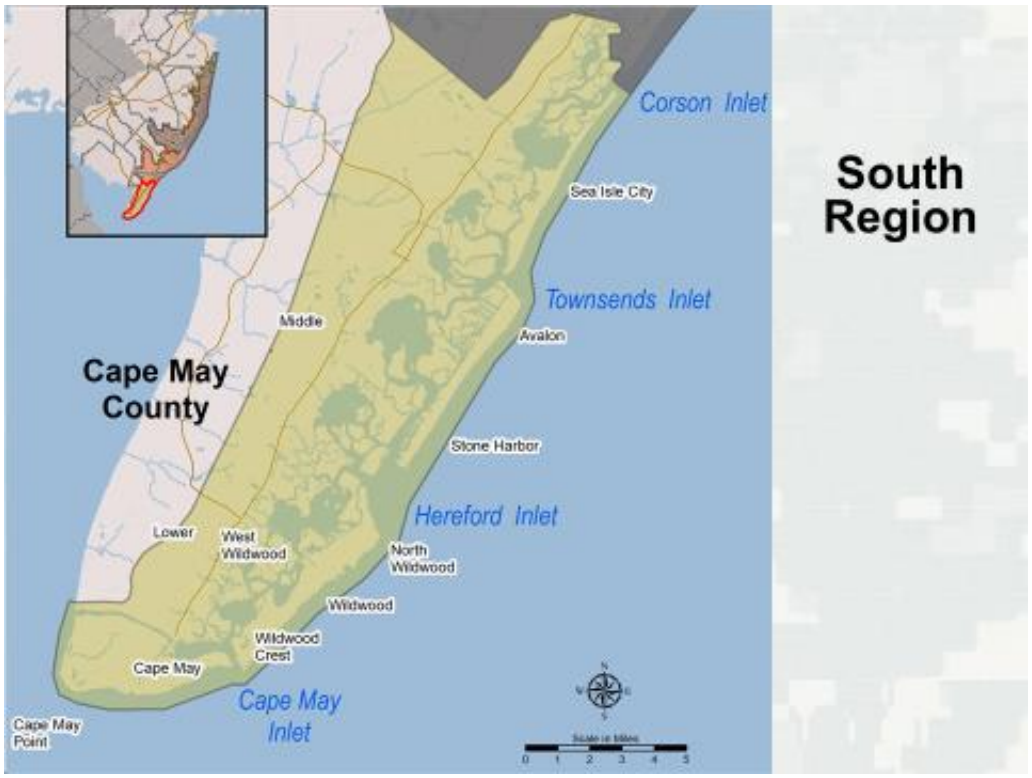

Measures
Non-Structural
Perimeter Plan
Inlet Closure
Bay Closure
Initial Construction $7,141,000,000
Average Annual O&M $104,000,000
Average Annual Net Benefits $160,000,000
BCR 1.4
Environmental Criteria Pass
Absecon Inlet - Storm Surge Barrier
Great Egg Harbor Inlet - Storm Surge Barrier
Central Region - Alternative 4E-2
New Jersey Back Bay Study
March 2019

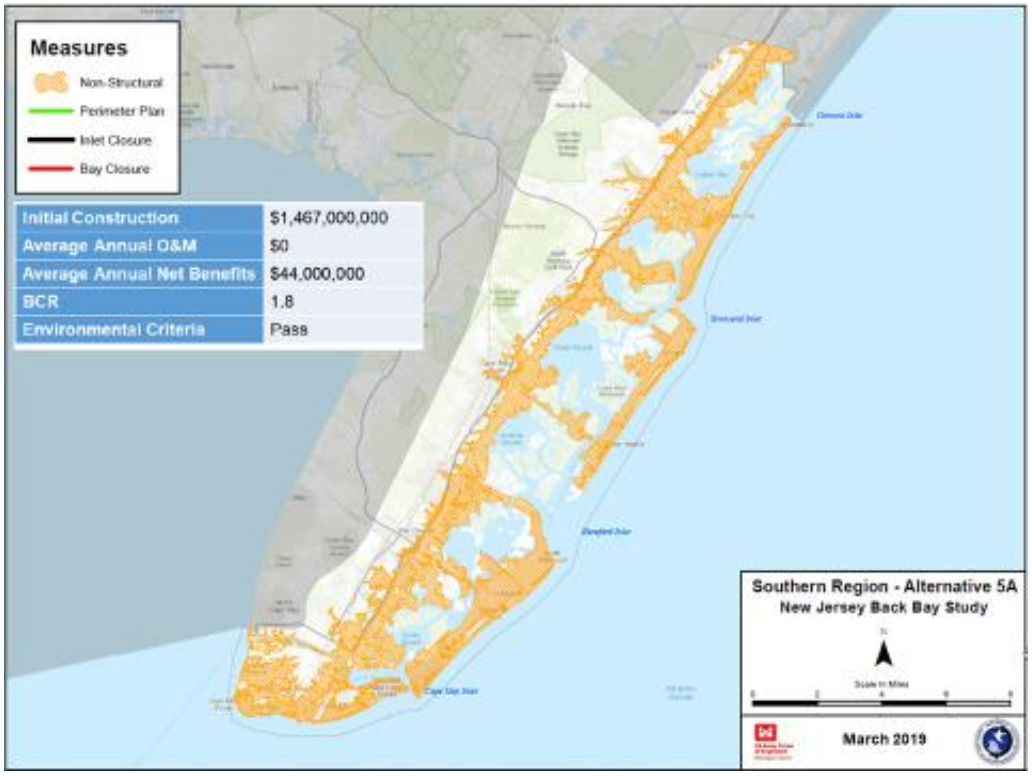

Measures
Non-Structural
Perimeter Plan
Inlet Closure
Bay Closure
Initial Construction $7,170,000,000
Average Annual O&M $108,000,000
Average Annual Net Benefits $146,000,000
BCR 1.3
Environmental Criteria Pass
Absecon Inlet - Storm Surge Barrier
Great Egg Harbor Inlet - Storm Surge Barrier
Central Region - Alternative 4E-3
New Jersey Back Bay Study
March 2019

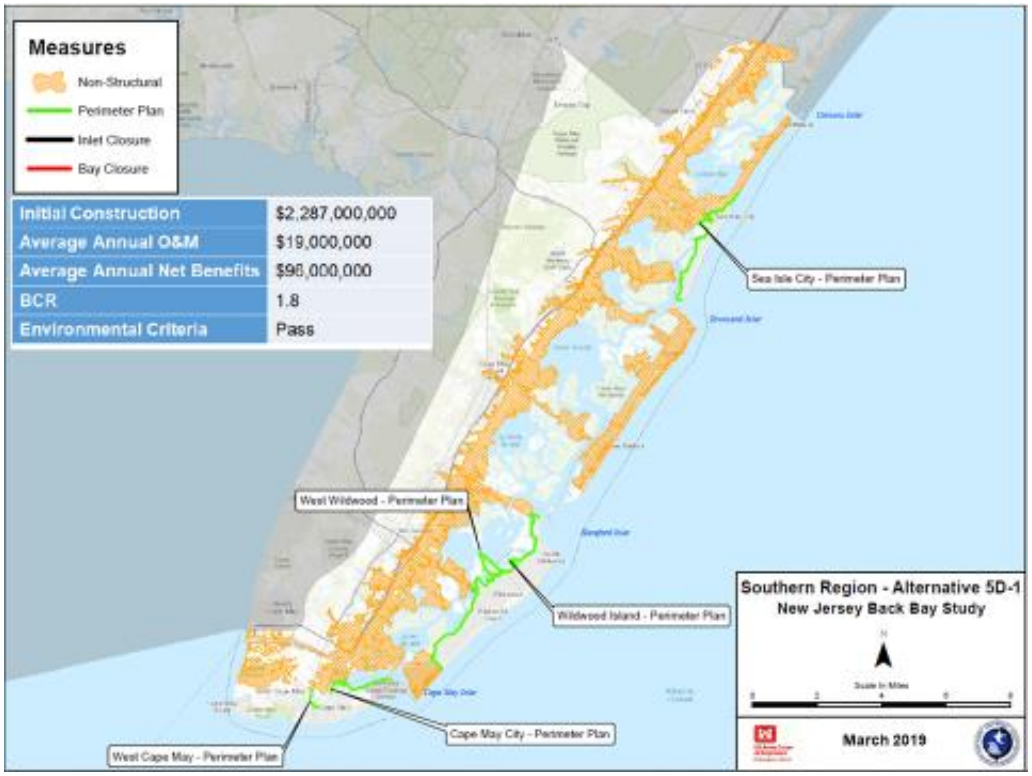

Measures
Non-Structural
Perimeter Plan
Inlet Closure
Bay Closure
Initial Construction $7,174,000,000
Average Annual O&M $110,000,000
Average Annual Net Benefits $146,000,000
BCR 1.3
Environmental Criteria Pass
Absecon Inlet - Storm Surge Barrier
Great Egg Harbor Inlet - Storm Surge Barrier
South Ocean City - Bay Closure
Central Region - Alternative 4E-4
New Jersey Back Bay Study
March 2019

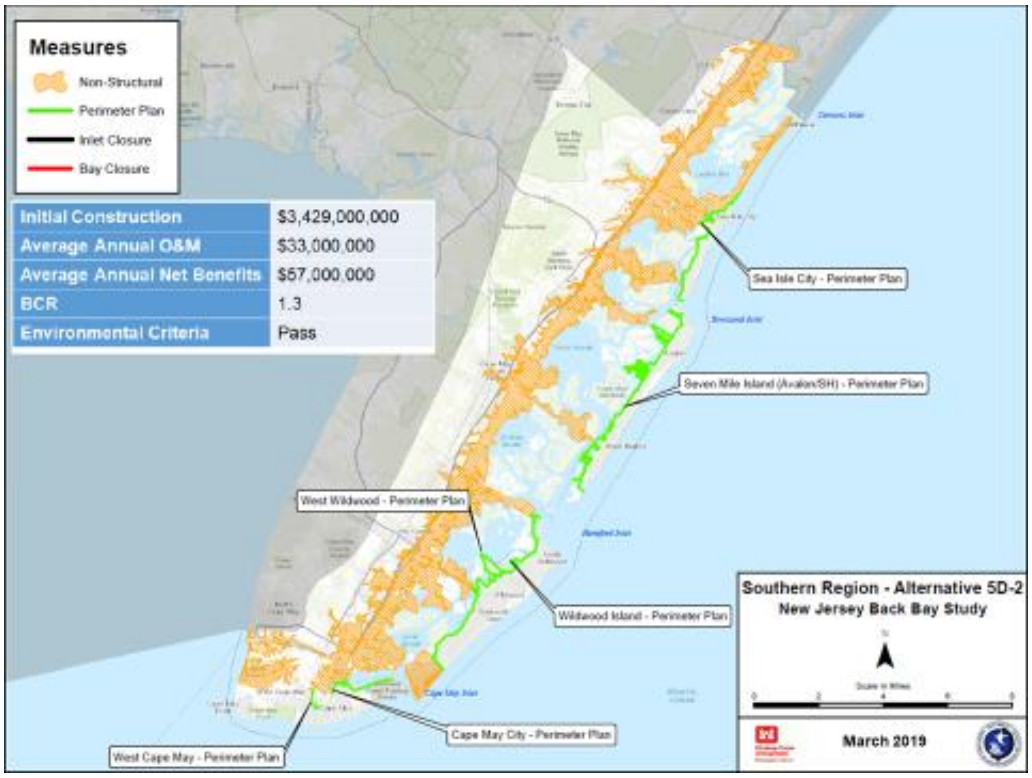

4G-5
Initial Construction $5,132,000,000
Average Annual O&M $75,000,000
Average Annual Net Benefits $301,000,000
BCR 2.0
Environmental Criteria Pass
4G-6
Initial Construction $5,521,000,000
Average Annual O&M $75,000,000
Average Annual Net Benefits $302,000,000
BCR 1.9
Environmental Criteria Pass
4G-7
Initial Construction $5,550,000,000
Average Annual O&M $79,000,000
Average Annual Net Benefits $304,000,000
BCR 1.9
Environmental Criteria Pass
4G-8
Initial Construction $5,554,000,000
Average Annual O&M $81,000,000
Average Annual Net Benefits $303,000,000
BCR 1.9
Environmental Criteria Pass
Absecon Blvd - Bay Closure
Great Egg Harbor Inlet - Storm Surge Barrier
Measures
Inset 4G-6
Inset 4G-7
Inset 4G-8
Central Region - Alternative 4G-5 to 8
New Jersey Back Bay Study
March 2019

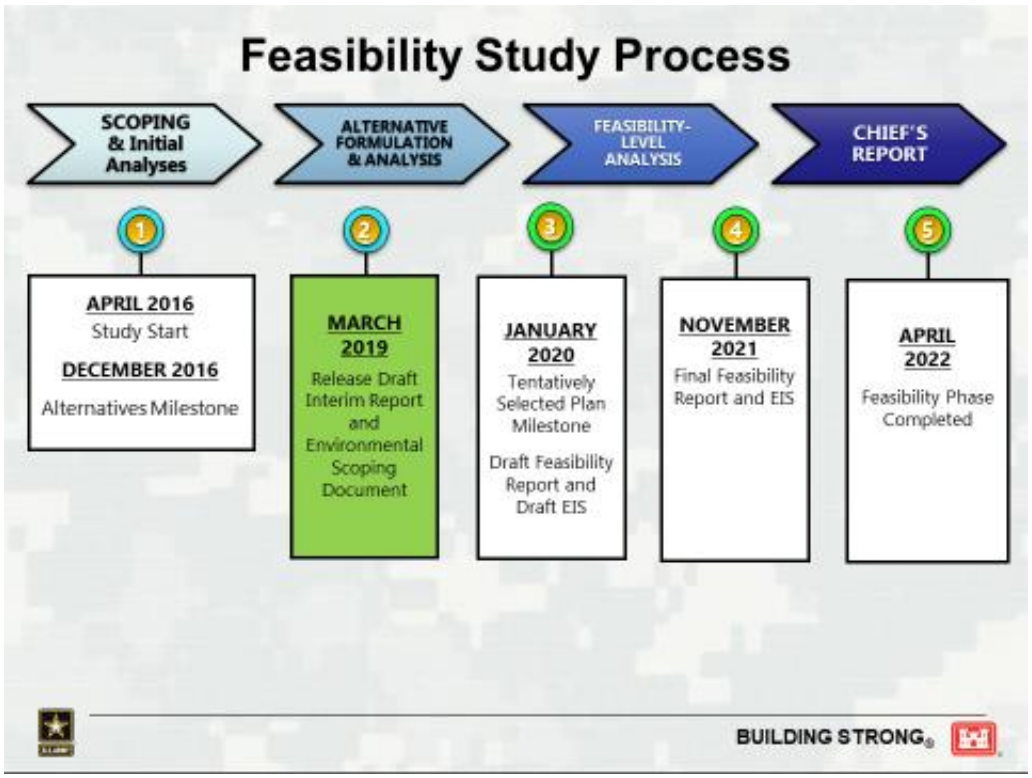

4G-9
Initial Construction $5,617,000,000
Average Annual O&M $82,000,000
Average Annual Net Benefits $296,000,000
BCR 1.9
Environmental Criteria Pass
4G-10
Initial Construction $6,006,000,000
Average Annual O&M $82,000,000
Average Annual Net Benefits $297,000,000
BCR 1.8
Environmental Criteria Pass
4G-11
Initial Construction $6,034,000,000
Average Annual O&M $86,000,000
Average Annual Net Benefits $299,000,000
BCR 1.8
Environmental Criteria Pass
4G-12
Initial Construction $6,038,000,000
Average Annual O&M $88,000,000
Average Annual Net Benefits $299,000,000
BCR 1.8
Environmental Criteria Pass
Inset 4G-10
Inset 4G-11
Inset 4G-12
Brigantine Island - Perimeter Plan
Absecon Blvd - Bay Closure
Great Egg Harbor Inlet - Storm Surge Barrier
Measures
Central Region - Alternative 4G-9 to 12
New Jersey Back Bay Study
March 2019


Corson Inlet
Sea Isle City
Townsends Inlet
Middle
Avalon
Cape May County
Stone Harbor
Hereford Inlet
Lower
West Wildwood
North Wildwood
Wildwood
Wildwood Crest
Cape May
Cape May Inlet
Cape May Point
South Region


Measures
Non-Structural
Perimeter Plan
Inlet Closure
Bay Closure
Initial Construction $1,467,000,000
Average Annual O&M $0
Average Annual Net Benefits $44,000,000
BCR 1.8
Environmental Criteria Pass
Southern Region - Alternative 5A
New Jersey Back Bay Study
March 2019


Measures
Non-Structural
Perimeter Plan
Inlet Closure
Bay Closure
Initial Construction $2,287,000,000
Average Annual O&M $19,000,000
Average Annual Net Benefits $96,000,000
BCR 1.8
Environmental Criteria Pass
Sea Isle City - Perimeter Plan
West Wildwood - Perimeter Plan
Wildwood Island - Perimeter Plan
Cape May City - Perimeter Plan
West Cape May - Perimeter Plan
Southern Region - Alternative 5D-1
New Jersey Back Bay Study
March 2019


Measures
Non-Structural
Perimeter Plan
Inlet Closure
Bay Closure
Initial Construction $3,429,000,000
Average Annual O&M $33,000,000
Average Annual Net Benefits $57,000,000
BCR 1.3
Environmental Criteria Pass
Sea Isle City - Perimeter Plan
Seven Mile Island (Avalon/SH) - Perimeter Plan
West Wildwood - Perimeter Plan
Wildwood Island - Perimeter Plan
Cape May City - Perimeter Plan
West Cape May - Perimeter Plan
Southern Region - Alternative 5D-2
New Jersey Back Bay Study
March 2019


Feasibility Study Process
SCOPING & Initial Analyses
ALTERNATIVE FORMULATION & ANALYSIS
FEASIBILITY-LEVEL ANALYSIS
CHIEF'S REPORT
1
APRIL 2016
Study Start
DECEMBER 2016
Alternatives Milestone
2
MARCH 2019
Release Draft Interim Report and Environmental Scoping Document
3
JANUARY 2020
Tentatively Selected Plan Milestone
Draft Feasibility Report and Draft EIS
4
NOVEMBER 2021
Final Feasibility Report and EIS
5
APRIL 2022
Feasibility Phase Completed
BUILDING STRONG®

Design & Construction Process

POST CHIEF'S REPORT

6 — **2022** WRDA Bill Authorization & Congressional Approval

7 — **2022** Construction Funds Appropriation

8 — **2023** Preconstruction Engineering & Design Initiation

9 — **2026** Incremental Construction Commencement

10 — **2027** Monitor & Adapt

* Dates tentative pending funding

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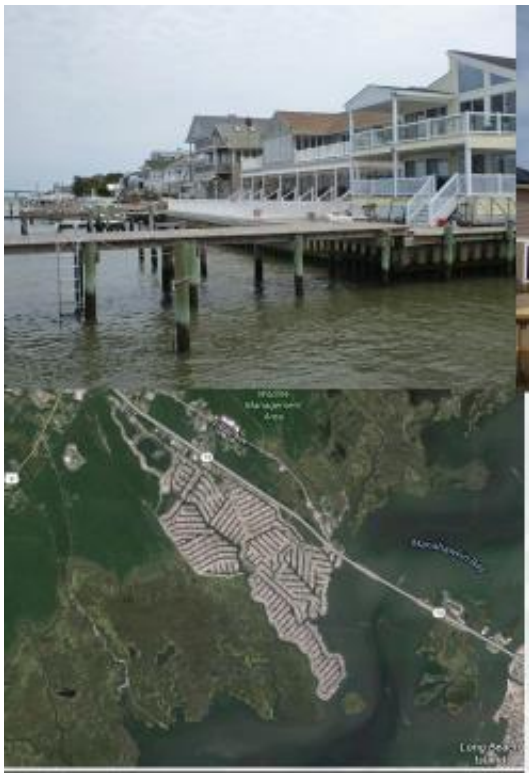
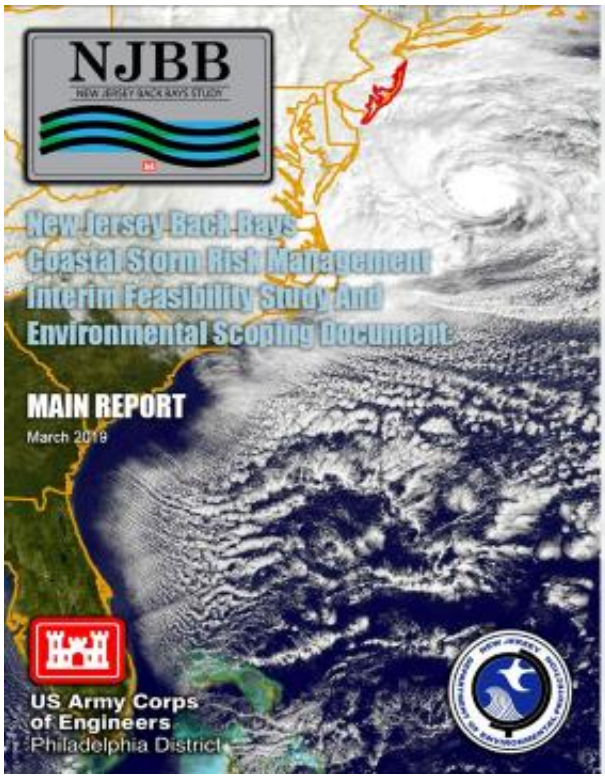
Questions & Answers

BUILDING STRONG®



Closing Comments



The
New Jersey Back Bays
Coastal Storm Risk Management
Virtual Meeting
has concluded.

Thanks for your interest!

E-6) NJBB INTERIM FEASIBILITY STUDY AND ENVIRONMENTAL SCOPING DOCUMENT COMMENTS

147 Comments were received from the review of the NJBB CSRM Interim Feasibility Report and Environmental Scoping Document distributed in March of 2019 by the public, stakeholders and environmental resource agencies. An 'Interim Report Comment Response Document' developed and subsequently distributed to the public on May 08, 2019 is provided below:

The U.S. Army Corps of Engineers
New Jersey Back Bays Coastal Storm Risk Management
Feasibility Study

Interim Report Comment Response Document
8 May 2019

The Philadelphia District of the U.S. Army Corps of Engineers (USACE) would like to thank stakeholders and the general public for their comments on the New Jersey Back Bays (NJBB) Coastal Storm Risk Management Feasibility Study Interim Report. These diligent and informed comments will inform ongoing analyses and will be incorporated into the Draft Feasibility Report scheduled for release in the Spring of 2020.

A total of 147 comments within 36 separate comment submittals have been evaluated towards facilitating the overarching goal of the NJBB Study which is to reduce the risk of damages from future storms and the future impacts of sea level change (SLC) and to identify strategies to increase resilience and preparedness in the Back Bays of New Jersey. This strategy is most effectively realized through the consideration of a comprehensive plan consisting of structural, nonstructural and natural and nature based features (NNBF).

The majority of comments were received from Federal resource agencies and non-profit organizations, with a lesser amount of comments from individual municipalities and interested stakeholders. The majority of comments addressed the environmental impacts of structural features, namely storm surge barriers (Figure 1). Specifically, these comments addressed the need for a detailed EIS ultimately, impacts to tidal flow and circulation, impacts to natural and cultural/historical resources, sediment transport and distribution, recreational opportunities, and impacts to Federal agency resources and managed lands. Continued, ongoing environmental modeling will assist in addressing these study facets and the finding will be communicated to interested parties during future study milestones. Interest was also expressed regarding historical rates and future habitat loss estimates, as well as ecological services consideration in benefit calculations.

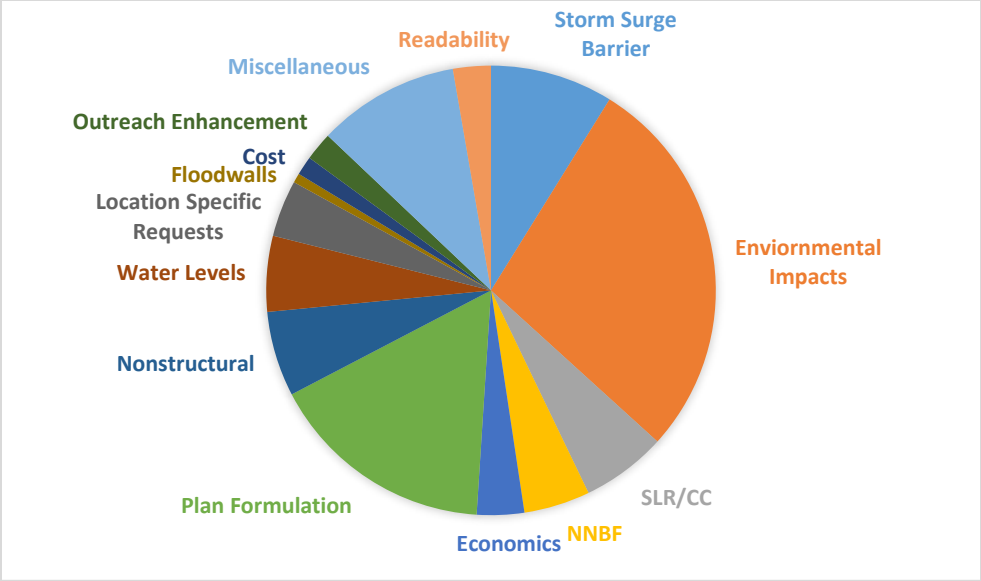


Figure 1. NJBB Interim Report Comment Classification

A number of comments were also made on the plan formulation aspects of the study and address measure screening and ranking methodology including consideration of data gaps/uncertainty as well as risk and uncertainty in structural measure formulation and associated assumptions. Additional plan formulation topics addressed the inclusion of regional management plan perspectives, and enhanced outreach. Further comments reflected the need to more comprehensively consider sea level rise projections (including land subsidence) and clearer identification of strategies to manage the risk from future sea level rise. Commenters suggested clarification or enhanced/continued analyses of nonstructural measures, benefit and cost analyses, design and associated assumptions, and induced flooding and high frequency flooding analyses and associated stormwater management. Interest was also expressed regarding coastal lake analysis refinement, innovative technologies including flumes/culverts and glass floodwalls, location specific requests, Green Acres Program consideration refined definition of resilience, and report readability improvements including resilience plan components.

As discussed in the NJBB Communications and Outreach Plan available on the study webpage at https://www.nap.usace.army.mil/Missions/Civil-Works/New-Jersey-Back-Bays-Coastal-Storm-Risk-Management/, public, stakeholder and agency outreach, meetings and webinars will be held in the future as the USACE incorporates these comments on the Interim Report. The study team anticipates that public webinars will be held both in the Winter of 2019 associated with the Tentatively Selected Plan Milestone Meeting as well as in the Spring of 2020 associated with the release of the draft feasibility report. Regular resource agency meetings will also be held on a regular basis. News Releases, study webpage updates and communications through email will be provided associated with major milestone events. As always, emails from the public can be delivered to PDPA-NAP@USACE.ARMY.MIL.

The USACE and the NJBB Project Delivery Team thanks you for your interest in the NJBB Study, and looks forward to continued association moving forward.

E-7) NEPA SCOPING

Public Notice

THIS IS NOT A PAID ADVERTISEMENT

US Army Corps of Engineers
Philadelphia District

Public Notice

Public Notice No. CENAP-PL-E-16- 02

Date October 31, 2016

In Reply Refer to:
Project Development Branch

New Jersey Back Bays Coastal Storm Risk Management Feasibility Study

Notice is hereby given that the U.S. Army Corps of Engineers in partnership with the New Jersey Department of Environmental Protection (NJDEP) are conducting a feasibility level investigation for coastal storm risk management problems within the New Jersey Back Bay (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 (Figure 1). The NJBB study area includes approximately 950 square miles and nearly 3,400 miles of shoreline.

Devastation in the wake of Hurricane Sandy revealed a need to address the vulnerability of populations, infrastructure, and resources at risk throughout the New Jersey Back Bay Region. This coastline is characterized by low elevation areas and highly developed residential and commercial infrastructure. In response to P.L. 113-2 and the Water Resources and Reform Development Act (WRDA) of 2014, the North Atlantic Coast Comprehensive Study (NACCS) identified 9 focus areas with vulnerable coastal populations and for where U.S. Army Corps of Engineers cost-shared studies were not underway. The NJBB Coastal Storm Risk Management (CSRM) Study is one of these focus areas.

The objective of the NJBB CSRM Study is to investigate CSRM problems and solutions to reduce damages from coastal flooding that affects population, critical infrastructure, critical facilities, property, and ecosystems. Participation of the general public and other interested parties and stakeholders in identifying significant issues and alternatives is being solicited by means of this public notice.

A public workshop meeting will be held on Thursday, December 01, 2016 between 6:00 PM and 8:00 PM at the Stockton University Campus Center located at 101 Vera King Farris Drive, Galloway, NJ 08205. The event will commence in the theater, which is on the main level of the Campus Center. Free parking is available directly in front of the Campus Center, Lots 2 and 3.

For more information on this study, please contact:

Mr. J. Bailey Smith
U.S. Army Corps of Engineers
ATTN: CENAP-PL-PC
Wanamaker Bldg., 100 Penn Square
East Philadelphia, PA 19107-3390

Phone: (215) 656-6579
Fax: (215) 656-6543
e-mail: J.B.Smith@usace.army.mil

Mr. Mark Eberle
U.S. Army Corps of Engineers
ATTN: CENAP-PL-E
Wanamaker Bldg., 100 Penn Square
East Philadelphia, PA 19107-3390

Phone: (215) 656-6562
Fax: (215) 656-6543
e-mail: Mark.D.Eberle@usace.army.mil

Peter R. Blum

Peter R. Blum P.E.
Chief, Planning Division

www.nap.usace.army.mil

Figure 1: New Jersey Back Bays Study Area

www.nap.usace.army.mil

Federal Register Notice of Intent – December 27, 2017

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Intent To Prepare a Draft Integrated Environmental Impact Statement (EIS) for the New Jersey Back Bays (NJBB) Coastal Storm Risk Management (CSRM) Feasibility Study

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: The action being taken by the U.S. Army Corps of Engineers (USACE) is an evaluation of CSRM problems, and an evaluation of alternative structural, non-structural, and natural and nature-based feature (NNBF) measures to address the CSRM problems in the coastal communities of the New Jersey Back Bays and Coastal Lakes in Monmouth, Ocean, Burlington, Atlantic, and Cape May Counties, New Jersey. The purpose of any consequent work would be to implement any one or a number of recommended plans and/or strategies that address CSRM problems evaluated in the feasibility study and integrated environmental impact statement.

ADDRESSES: U.S. Army Corps of Engineers, Philadelphia District, CENAP–PL–E, 100 Penn Square East, Wanamaker Building, Philadelphia, PA 19107–3390.

FOR FURTHER INFORMATION CONTACT: Questions, comments, and suggestions regarding the Draft Integrated EIS should be addressed to Mr. Steven D. Allen at the above address; Phone: (215) 656–6559; email: *steven.d.allen@usace.army.mil.*

SUPPLEMENTARY INFORMATION:

1. Proposed Action

a. The NJBB CSRM Feasibility Study area is one of 9 focus areas with vulnerable coastal populations identified in the North Atlantic Coast Comprehensive Study (NACCS). The NACCS was conducted in response to Public Law 113–2 and the Water Resource and Reform Development Act (WRRDA) of 2014 following the devastation in the wake of Hurricane Sandy, which greatly affected the study area in October of 2012. The purpose of the NJBB CSRM Feasibility Study is to identify comprehensive CSRM strategies to increase coastal resilience, and to reduce flooding risk from future storms and impacts of sea level change. The objective of the Study is to investigate CSRM problems and solutions to reduce damages from coastal flooding that affect population, critical infrastructure, critical facilities, property, and ecosystems.

b. The authority for the proposed project is the resolution adopted by the U.S. House of Representatives Committee on Public Works and Transportation and the U.S. Senate Committee on Environment and Public Works dated December 1987.

2. Alternatives

In addition to the no action alternative, the alternatives considered for CSRM will fall into structural, non-structural, and NNBF categories. The structural measures being evaluated for CSRM include measures that would provide barrier protection and/or protection to the bays perimeters, which include: inlet storm surge barriers, interior flood gates, road/rail elevation, levees, floodwalls, bulkheads, seawalls, revetments, beach restoration, breakwaters, storm system drainage improvements or combinations thereof. Non-structural elements under consideration include building retrofit (elevation and flood proofing), managed coastal retreat, emergency evacuation plans, early warning systems, public education education/risk communication, working with other Federal, state and local government agencies to incorporate National Flood Insurance Program improvements into the study recommendations, and combinations thereof. NNBF considerations include wetland restoration, living shorelines, green stormwater management, reefs, and submerged aquatic vegetation. NNBF features may be combined with other proposed CSRM elements.

3. Scoping

a. Scoping is conducted in accordance with Section 1501.7 of the National Environmental Policy Act, and is defined as an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action. For the NJBB CSRM Feasibility Study, the scoping process is on-going and has involved preliminary coordination with 2 stakeholder meetings in June 2016, and the distribution of scoping letters to Federal, state, and local agencies, tribes and other non-government organizations. The general public and other interested parties and organizations were invited to participate by means of a public notice and a public workshop meeting held on December 1, 2016. Additional scoping meetings may be announced at major study milestone decision points. Agency and public input are being solicited throughout the study, and will help inform the identification of a Tentatively Selected Plan (TSP). The TSP milestone is expected to be reached in December 2018.

b. Significant issues and concerns that have been identified in addition to the premise of the CSRM study (flood risks associated with storms and sea level rise) include, but are not limited to the potential for impacts on aquatic biota, fisheries, intertidal habitat, shallow water habitat, endangered species, water quality, hydrodynamics, flood plain management, air quality, cultural resources, sustainability, and socio-economics.

c. The USACE is the lead Federal agency, and the New Jersey Department of Environmental Protection is the non-Federal sponsor. The USACE will be inviting key resource agencies with jurisdiction by law as a cooperating and/or participating agency in accordance with Section 1501.6 of Title 40 Code of Federal Regulations and Section 1005 of the Water Resources Reform and Development Act of 2014. Federal agencies interested in participating as a Cooperating Agency are requested to submit a letter of intent to Lieutenant Colonel Kristen Dahle, District Engineer, at U.S. Army Corps of Engineers, Philadelphia District, 100 Penn Square East, Wanamaker Building, Philadelphia, PA 19107–3390.

4. Availability

It is estimated that the Draft Integrated EIS and Feasibility Study will be made available to the public in January 2019.

Peter R. Blum,

Chief, Planning Division.

[FR Doc. 2017–27952 Filed 12–26–17; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2017–ICCD–0132]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and approval; Comment Request; DC School Choice Incentive Program

AGENCY: Office of Innovation and Improvement (OII), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension of an existing information collection.

DATES: Interested persons are invited to submit comments on or before January 26, 2018.

Federal Register Notice of Intent – December 17, 2019

Notice of Intent To Prepare a Tiered Environmental Impact Statement for the New Jersey Back Bays Coastal Storm Risk Management Feasibility Study

A Notice by the Engineers Corps on 12/17/2019

This document has a comment period that ends in 30 days. (01/16/2020)

DOCUMENT DETAILS

Printed version:
PDF (https://www.govinfo.gov/content/pkg/FR-2019-12-17/pdf/2019-27122.pdf)

Publication Date:
12/17/2019 (/documents/2019/12/17)

Agencies:
Department of the Army, Corps of Engineers (https://www.federalregister.gov/agencies/engineers-corps)

Dates:
Comments and suggestions must be submitted by January 16, 2020.

Comments Close:
01/16/2020

Document Type:
Notice

Document Citation:
84 FR 68910

Page:
68910-68911 (2 pages)

Document Number:
2019-27122

DOCUMENT DETAILS

PUBLISHED DOCUMENT

AGENCY:

U.S. Army Corps of Engineers, DoD.

ACTION:

Notice of intent.

SUMMARY:

Pursuant to the requirements of the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers, Philadelphia District (Corps) is preparing an integrated Feasibility Report/Tiered Environmental Impact Statement (EIS) for the proposed New Jersey Back Bays (NJBB) Coastal Storm Risk Management (CSRM) Feasibility Study. The study is assessing the feasibility of coastal storm risk management alternatives to be implemented within the authorized study area with a specific emphasis on the back bay areas along the New Jersey Atlantic Coast extending from Cape May Inlet to Shark River Inlet including the NJ Coastal Lakes Area.

DATES:

Comments and suggestions must be submitted by January 16, 2020.

ADDRESSES:

Pertinent information about the study can be found at: *https://www.nap.usace.army.mil/Missions/Civil-Works/New-Jersey-Back-Bays-Study/ (https://www.nap.usace.army.mil/Missions/Civil-Works/New-Jersey-Back-Bays-Study/).* Interested parties are welcome to send written comments and suggestions concerning the scope of issues to be evaluated within the Tiered EIS to Steven D. Allen, Environmental Resources Branch, Planning Division, U.S. Army Corps of Engineers, Philadelphia District. Mail: Steven D. Allen, U.S. Army Corps of Engineers, Philadelphia District, CENAP-PL-E, Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107-3390; phone: (215) 656-6559; email: *Steven.D.Allen@usace.army.mil (mailto:Steven.D.Allen@usace.army.mil).*

FOR FURTHER INFORMATION CONTACT:

Questions about the overall NJBB study should be directed to J.B. Smith, Project Manager, U.S. Army Corps of Engineers, Philadelphia District, Planning Division, Project Development Branch. Mail: J.B. Smith, U.S. Army Corps of Engineers, Philadelphia District, CENAP-PL-PC, Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107-3390; Phone: (215) 656-6579; email: *J.B.Smith@usace.army.mil (mailto:J.B.Smith@usace.army.mil).*

SUPPLEMENTARY INFORMATION:

1. Background

The U.S. Army Corps of Engineers (Corps), in partnership with the New Jersey Department of Environmental Protection (NJDEP), as the non-federal sponsor, are undertaking this study. The NJBB CSRM Feasibility Study area is one of 9 focus areas with vulnerable coastal populations identified in the North Atlantic Coast Comprehensive Study (NACCS). The NACCS was conducted in response to Public Law 113-2 (https://www.govinfo.gov/link/plaw/113/public/2?link-type=html) and the Water Resource and Reform Development Act (WRRDA) of 2014 following the devastation in the wake of Hurricane Sandy, which greatly affected the study area in October of 2012. The purpose of the NJBB CSRM Feasibility Study is to identify comprehensive CSRM strategies to increase coastal resilience, and to reduce flooding risk from future storms and impacts of sea level change. The objective of the Study is to investigate CSRM problems and solutions to reduce damages from coastal flooding that affect population, critical infrastructure, critical facilities, property, and ecosystems. The authority for the proposed project is the resolution adopted by the U.S. House of Representatives Committee on Public Works and Transportation and the U. S. Senate Committee on Environment and Public Works dated December 1987. A Feasibility Cost Sharing Agreement (FCSA) was executed in 2016 with the NJDEP.

2. Study Area

The study area encompasses approximately 950 square miles located behind the New Jersey barrier islands of Monmouth, Ocean, Burlington, Atlantic and Cape May Counties, and includes the set of interconnected water bodies and coastal lakes that are separated from the Atlantic Ocean.

3. Corps Decision Making

As required by Council on Environmental Quality's Principles, Requirements and Guidelines for Water and Land Related Resources Implementation Studies all reasonable alternatives to the proposed Federal action that meet the purpose and need will be considered in the Tiered EIS. Tiering, which is defined in 40 CFR 1508.28 (/select-citation/2019/12/17/40-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" (40 CFR 1502.20 (/select-citation/2019/12/17/40-CFR-1502.20)). The Study will consider the full array of structural, non-structural, and natural and nature-based measures, and will consider past, current, and future coastal storm risk management and resilience planning initiatives and projects underway by the USACE and other Federal, State, and local agencies.

4. Public Participation

The Corps and the NJDEP hosted two agency workshop meetings in June 2017, with representatives from federal and state agencies, counties, municipalities, non-governmental organizations (NGOs), elected officials and academia. The Corps initially announced the preparation of an integrated Feasibility Report/EIS for study in the December 27, 2017 **Federal Register**. Two public NEPA scoping meetings were later held in the southern and northern regions of the study area in September 2018. Subsequent to the publication of the December 27, 2017 NOI, the Study was granted an exemption from the requirement to complete the feasibility study within 3 years, as required in Section 1001(a) of the Water Resources Reform and Development Act of 2014. This exemption was granted on October 31, 2018 on an interim basis, and allowed for an additional 17 months to complete the Draft Integrated Feasibility Report and Tier 1 EIS. Therefore, in order to align the revised study schedule with Executive Order 13807, (/executive-order/13807) Notice to Withdraw the original NOI was published in the February 20, 2019 **Federal Register**. To further provide the public with study information, an Interim Feasibility Report and Environmental Scoping Document was

released on February 28, 2019 that identified the preliminary economic, environmental, engineering and other studies performed to date of the above referenced alternatives. This report presented the selection of a focused array of alternatives for further evaluation. A webinar was later held on March 14, 2019 to present the findings of the report and to solicit comments from the general public and stakeholders. In addition, comments, concerns and information submitted to the Corps are being evaluated and considered during the development of the Draft EIS. Comments received are continuing to aid the study progress and included in the draft report and will be part of the administrative record

Start Printed Page 68911

5. Lead and Cooperating Agencies

The U.S. Army Corps of Engineers is the lead federal agency for the preparation of a Tiered EIS in order to meet the requirements of the NEPA and the NEPA Implementing Regulations of the President's Council on Environmental Quality (40 CFR 1500 (/select-citation/2019/12/17/40-CFR-1500)-1508). The following agencies have accepted the invitation to be Cooperating Agencies: The U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, and the National Marine Fisheries Service. The preparation of a Tiered EIS will be coordinated with New Jersey State and local municipalities with discretionary authority relative to the proposed actions. The Draft Integrated Feasibility Report/Tiered EIS is currently scheduled for distribution to the public in March of 2020.

Dated: December 9, 2019.

Jeffrey L. Milhorn,

Major General, U.S. Army, Commander, North Atlantic Division.

[FR Doc. 2019-27122 (/a/2019-27122) Filed 12-16-19; 8:45 am]

BILLING CODE 3720-58-P

PUBLISHED DOCUMENT

E-8) COOPERATING AGENCIES INVITATIONS (NMFS)

National Marine Fisheries Service

DEPARTMENT OF THE ARMY
PHILADELPHIA DISTRICT, CORPS OF ENGINEERS
100 PENN SQUARE EAST, 7th FLOOR WANAMAKER BUILDING
PHILADELPHIA, PENNSYLVANIA 19107-3390

Environmental Resources Branch

JAN 11 2018

SUBJECT: Invitation to be a Cooperating Agency in the Environmental Review for the New Jersey Back Bays (NJBB) Coastal Storm Risk Management (CSRM) Feasibility Study

John Bullard
Regional Administrator
Greater Atlantic Region Fisheries
Office of National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930

Dear Mr. Bullard:

The U.S. Army Corps of Engineers, Philadelphia District (District), in partnership with the State of New Jersey Department of Environmental Protection (NJDEP) is undertaking a feasibility study to examine measures to reduce future flood risk and the economic costs and risk associated with flood and storm events that affect the NJBB study area, which encompasses five counties and approximately 1,300 square miles (950 miles) of coastline along New Jersey's Atlantic Coastal Bays and Inlets (Figure 1). This Study will also contribute to the resilience of communities, important infrastructure, and the environment. As part of the feasibility study, the District will prepare an integrated Draft Environmental Impact Statement (DEIS) pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended. The DEIS will evaluate environmental impacts from reasonable study alternatives and determine the potential for significant impacts related to reducing coastal storm risks in ways that support the long-term resilience and sustainability of the coastal ecosystem and surrounding communities as it relates to sea level rise, local subsidence and storms, as well as to reduce the economic costs and risk associated with large scale flood and storm events in the area. The NJBB CSRM Feasibility Study will build upon and supplement the North Atlantic Coast Comprehensive Study: Resilient Adaption to Increasing Risk (NACCS, published in January 2015) and ongoing local, state, and Federal efforts by other agencies and groups to improve regional resiliency.

The District is undertaking this effort pursuant to its responsibilities under Section 7 of the Endangered Species Act and the Magnuson-Stevens Fisheries and Conservation Management Act, and has been coordinating with the Protected Resources Division and Habitat Conservation Division. An initial NEPA scoping letter was sent to these offices on July 22, 2016, and the Habitat Conservation Division participated in a public

workshop meeting in 2016 along with several meetings and telephone conversations with Philadelphia District staff.

The District anticipates that there will be a draft Tentatively Selected Plan (TSP) by October 2018 with an integrated DEIS available in January 2019. As part of the environmental review process for this project, the District is required by law[1] to identify, as early as practicable, any Federal and non-Federal agencies that may have an interest in the Study, and invite such agencies to become participating agencies in the environmental review process[2]. This letter is a formal invitation to participate as a cooperating agency for the Study.

Should your agency choose to assume cooperating status, your agency's specific responsibilities as a cooperating agency will include:

- Attendance at and input during agency coordination meetings;
- Comment and feedback on the schedule, overall scope of the NEPA document(s), significant issues to be evaluated, environmental impacts, study and assessment methodologies, range of alternatives and proposed compensatory mitigation, if applicable;
- Guidance on relevant technical studies required as part of the NEPA analysis;
- Identification of issues related to your agency's jurisdiction by law and special expertise;
- Participation, as appropriate, at public meetings and hearings;
- Timely review of the administrative and public drafts of the Draft Integrated Feasibility Report (IFR)/NEPA document and Final IFR/NEPA document;
- Providing staff support at the lead agency's request to enhance the interdisciplinary capability for the study.

As a cooperating agency, you have the right to expect that the NEPA document will enable your agency to perform its jurisdictional responsibilities. Likewise, you have the obligation to tell the District if, at any point in the process, your agency's requirements are not being met. We expect that, at the end of the process, the NEPA document(s) will satisfy your NEPA requirements including those related to study alternatives, environmental consequences and mitigation.

If your agency does not wish to be a cooperating agency, your agency still has the opportunity to become a participating agency in the environmental review process. As a

[1]Section 2045 of the Water Resources Development Act of 2007 (33 U.S. C. 2348), as amended.
[2]Designation as a "participation agency" or "cooperating agency" does not imply that the participating agency supports the proposed project or has any jurisdiction over, or special expertise concerning the proposed project or its potential impact. A "participating agency" differs from a "cooperating agency", which is defined in regulations implementing the National Environmental Policy Act as "any Federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment" 40 CFR 4-1508.5

participating agency, you will be afforded the opportunity, together with the public, to be involved in defining the purpose and need for the project, as well as in determining the range of alternatives to be considered for the project. These opportunities will build on the early participation opportunities that were provided during the alternatives analysis process. In addition, you will be asked to:

- Provide input on the environmental impact assessment methodologies and analysis level of detail in accordance with your agency's area of expertise;
- Participate in coordination meetings, conference calls, and joint field reviews, as appropriate;
- Review and comment on section of the pre-draft or pre-final environmental documents to communicate any concerns of your agency on the adequacy of the document, the alternatives considered, and the anticipated impacts and mitigation.

In order to give your agency adequate opportunity to weigh the relevance of your agency's participation as either a cooperating agency or a participating agency or both in this environmental review process, written response to this invitation is requested by February 15, 2018.

A response is also requested if you elect to not become a cooperating agency indicating that your agency has no jurisdiction or authority with respect to the study area, no expertise or information relevant to the study area, or does not intend to submit comments on the project[3]. A negative response may be transmitted electronically to Steve Allen, Project Biologist, at Steven.D.Allen@usace.army.mil.

We look forward to your response to this request and your role as a cooperating or participating agency on this study. If you have questions or would like to discuss in more detail the study or our agency's respective roles and responsibilities during the study process, please contact Steve Allen at (215) 656-6559 or by e-mail above.

Sincerely,

Peter R. Blum P.E.
Chief, Planning Division

[3]Per Section 1005 of WRRDA 2014, which amends Section 2045 of WRDA 2007

Figure 1. New Jersey Back Bay Study Area.

U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA DISTRICT

MAIL REQUEST

For use of this form, see AR 25-51, AR 600-8-3 and DA Pamphlet 25-52; the proponent agency is CEIT-OPI-RE.

SECTION I - SHIP TO

1. NAME (*Last, First MI*)	2. COMPANY	
BULLARD, JOHN, REG ADMIN, GREAT ATL REG FISHERIES	OFFICE OF NATIONAL MARINE FISHERIES SERVICE	
3. ADDRESS (*Street, City, State and Zip Code, no Post Office (PO) Boxes for Delivery*) 55 GREAT REPUBLIC DR, GLOUCESTER, MA 01930		4. TELEPHONE NUMBER 978-281-9200
5. PACKAGE TYPE (*Select - X one*). ☒ a. LETTER. ☐ b. PACKAGE. ☐ c. CRATE. ☐ d. OTHER (*Specify*).		
6. DELIVER BY (*Select - X one, no weekends*). ☒ a. OVERNIGHT (*by 10:00 a.m.*). ☐ b. NEXT DAY (*by 3:00 p.m.*). ☐ c. 2-3 DAY PRIORITY. ☐ d. USPS.		
7. ADDRESS TYPE (*Select - X one*). ☒ a. COMMERCIAL. ☐ b. RESIDENTIAL.		

SECTION II - SENDER

1. NAME (*Last, First MI*)	2. E-MAIL
AMON, MARGUERITE	Marguerite.K.Amon@usace.army.mil
3. OFFICE SYMBOL CENAP-PL	4. TELEPHONE NUMBER 215-656-6542

SECTION III - MAILROOM RECEIVER *(This Section, Mailroom Use Only)*

1. RECEIVED IN MAILROOM BY (*Last, First MI*)	2. RECEIPT DATE *(YYYYMMDD)*	3. RECEIPT TIME *(0001-2400)*
4. WHEN SHIPPED	a. DATE *(YYYYMMDD)*	b. TIME *(0001-2400)*
5. TRACKING NUMBER (*if applicable*)		

6. SPECIAL CONDITIONS / COMMENTS (*if applicable, e.g., date and time stamp, numerous packages*)

SIGNED RECEIPT.

CENAP FORM 43, JUN 2017 PREVIOUS EDITIONS ARE OBSOLETE. VERSION 1.1

E-9) EXECUTED FCSAs

Original FCSA – 11 April 2016

AGREEMENT
BETWEEN
THE DEPARTMENT OF THE ARMY
AND
THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
FOR THE
NEW JERSEY BACK BAYS COASTAL STORM RISK MANAGEMENT STUDY

THIS AGREEMENT is entered into this 11th day of April, 2016, by and between the Department of the Army (hereinafter the "Government"), represented by the U.S. Army Engineer, Philadelphia District (hereinafter the "District Engineer") and the State of New Jersey Department of Environmental Protection (hereinafter the "Non-Federal Sponsor"), represented by the Assistant Commissioner of NJDEP.

WITNESSETH, THAT:

WHEREAS, resolutions adopted by the Committee on Public Works and Transportation of the U.S. House of Representatives and the Committee on Environment and Public Works of the U.S. Senate in December 1987, and by House resolution adopted by the Committee on Public Works and Transportation on December 10, 1987 authorizes conduct of study along the coast of New Jersey including the investigation of coastal storm risk management problems and solutions for the New Jersey Back Bays Area to reduce damages from coastal flooding affecting population, critical infrastructure, critical facilities, property, and ecosystems;

WHEREAS, Section 105(a) of the Water Resources Development Act of 1986, Public Law 99-662, as amended (33 U.S.C. 2215(a)), specifies the cost-sharing requirements; and

WHEREAS, the Government and the Non-Federal Sponsor have the full authority and capability to perform in accordance with the terms of this Agreement.

NOW, THEREFORE, the parties agree as follows:

ARTICLE I - DEFINITIONS

A. The term "Study" means the activities and tasks required to identify and evaluate alternatives and the preparation of a decision document that, as appropriate, recommends a coordinated and implementable solution for the investigation of coastal storm risk management problems and solutions to reduce damages from coastal flooding affecting population, critical infrastructure, critical facilities, property, and ecosystems at the New Jersey Back Bays Area.

B. The term "shared study costs" means all costs incurred by the Government and Non-Federal Sponsor that are directly related to performance of the Study and cost shared in accordance with the

terms of this Agreement. The term includes, but is not necessarily limited to, the Government's costs for preparing the PMP; for plan formulation and evaluation, including costs for economic, engineering, real estate, and environmental analyses; for preparation of a floodplain management plan if undertaken as part of the Study; for preparing and processing the decision document; for supervision and administration; for Agency Technical Review and other review processes required by the Government; and for response to any required Independent External Peer Review; and the Non-Federal Sponsor's creditable costs for in-kind contributions. The term does not include any costs for dispute resolution; for participation in the Study Coordination Team; for audits; for an Independent External Peer Review panel, if required; or for negotiating this Agreement.

C. The term "PMP" means the project management plan, and any modifications thereto, developed in consultation with the Non-Federal Sponsor, that specifies the scope, cost, and schedule for Study activities and tasks, including the Non-Federal Sponsor's in-kind contributions, and that guides the performance of the Study.

D. The term "in-kind contributions" means those planning activities (including data collection and other services) that are integral to the Study and would otherwise have been undertaken by the Government for the Study and that are identified in the PMP and performed or provided by the Non-Federal Sponsor after the effective date of this Agreement, and in accordance with the PMP.

E. The term "maximum Federal study cost" means the $1,500,000 Federal cost limit for the Study, unless the Government has approved a higher amount.

F. The term "fiscal year" means one year beginning on October 1st and ending on September 30th of the following year.

ARTICLE II - OBLIGATIONS OF THE PARTIES

A. In accordance with Federal laws, regulations, and policies, the Government shall conduct the Study using funds appropriated by the Congress and funds provided by the Non-Federal Sponsor. The Non-Federal Sponsor shall perform or provide any in-kind contributions in accordance with applicable Federal laws, regulations, and policies.

B. The Non-Federal Sponsor shall contribute 50 percent of the shared study costs in accordance with the provisions of this paragraph and provide required funds in accordance with Article III.

1. No later than 15 calendar days after the effective date of this Agreement, the Non-Federal Sponsor shall provide funds in the amount of $25,000, for the Government to initiate the Study, including preparation of the PMP. In the event more funds are needed to develop the PMP, the Government shall provide the Non-Federal Sponsor with a written estimate of the amount of funds required from the Non-Federal Sponsor, and no later than 15 calendar days after such

notification, the Non-Federal Sponsor shall provide the full amount of such funds to the Government.

2. As soon as practicable after completion of the PMP, and after considering the estimated amount of credit for in-kind contributions that will be afforded in accordance with paragraph C. of this Article, the Government shall provide the Non-Federal Sponsor with a written estimate of the amount of funds required from the Non-Federal Sponsor to meet its share of the shared study costs for the remainder of the initial fiscal year of the Study. No later than 15 calendar days after such notification, the Non-Federal Sponsor shall provide the full amount of such funds to the Government.

3. No later than August 1st prior to each subsequent fiscal year of the Study, the Government shall provide the Non-Federal Sponsor with a written estimate of the amount of funds required from the Non-Federal Sponsor during that fiscal year. No later than September 1st prior to that fiscal year, the Non-Federal Sponsor shall provide the full amount of such required funds to the Government.

C. The Government shall include in the shared study costs and credit towards the Non-Federal Sponsor's share of such costs, the costs, documented to the satisfaction of the Government, that the Non-Federal Sponsor incurs in providing or performing in-kind contributions, including associated supervision and administration. Such costs shall be subject to audit in accordance with Article VI to determine reasonableness, allocability, and allowability, and crediting shall be in accordance with the following procedures, requirements, and limitations:

1. As in-kind contributions are completed and no later than 60 calendar days after such completion, the Non-Federal Sponsor shall provide the Government appropriate documentation, including invoices and certification of specific payments to contractors, suppliers, and the Non-Federal Sponsor's employees. Failure to provide such documentation in a timely manner may result in denial of credit. The amount of credit afforded for in-kind contributions shall not exceed the Non-Federal Sponsor's share of the shared study costs less the amount of funds provided pursuant to paragraph B.1. of this Article.

2. No credit shall be afforded for interest charges, or any adjustment to reflect changes in price levels between the time the in-kind contributions are completed and credit is afforded; for the value of in-kind contributions obtained at no cost to the Non-Federal Sponsor; for any items provided or performed prior to completion of the PMP; or for costs that exceed the Government's estimate of the cost for such item if it had been performed by the Government.

D. To the extent practicable and in accordance with Federal laws, regulations, and policies, the Government shall afford the Non-Federal Sponsor the opportunity to review and comment on solicitations for contracts prior to the Government's issuance of such solicitations; proposed contract modifications, including change orders; and contract claims prior to resolution thereof. Ultimately, the contents of solicitations, award of contracts, execution of contract modifications, and resolution of contract claims shall be exclusively within the control of the Government.

E. The Non-Federal Sponsor shall not use Federal Program funds to meet any of its obligations under this Agreement unless the Federal agency providing the funds verifies in writing that the funds are authorized to be used for the Study. Federal program funds are those funds provided by a Federal agency, plus any non-Federal contribution required as a matching share therefor.

F. Except as provided in paragraph C. of this Article, the Non-Federal Sponsor shall not be entitled to any credit or reimbursement for costs it incurs in performing its responsibilities under this Agreement.

G. In carrying out its obligations under this Agreement, the Non-Federal Sponsor shall comply with all the requirements of applicable Federal laws and implementing regulations, including, but not limited to: Title VI of the Civil Rights Act of 1964 (P.L. 88-352), as amended (42 U.S.C. 2000d), and Department of Defense Directive 5500.11 issued pursuant thereto; the Age Discrimination Act of 1975 (42 U.S.C. 6102); and the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Army Regulation 600-7 issued pursuant thereto.

H. If Independent External Peer Review (IEPR) is required for the Study, the Government shall conduct such review in accordance with Federal laws, regulations, and policies. The Government's costs for an IEPR panel shall not be included in the shared study costs or the maximum Federal study cost.

I. In addition to the ongoing, regular discussions of the parties in the delivery of the Study, the Government and the Non-Federal Sponsor may establish a Study Coordination Team to discuss significant issues or actions. The Government's costs for participation on the Study Coordination Team shall not be included in the shared study costs, but shall be included in calculating the maximum Federal study cost. The Non-Federal Sponsor's costs for participation on the Study Coordination Team shall not be included in the shared study costs and shall be paid solely by the Non-Federal Sponsor without reimbursement or credit by the Government.

ARTICLE III - PAYMENT OF FUNDS

A. As of the effective date of this Agreement, the shared study costs are projected to be $3,000,000, with the Government's share of such costs projected to be $1,500,000 and the Non-Federal Sponsor's share of such costs projected to be $1,500,000. These amounts are estimates only that are subject to adjustment by the Government and are not to be construed as the total financial responsibilities of the Government and the Non-Federal Sponsor.

B. The Government shall provide the Non-Federal Sponsor with quarterly reports setting forth the estimated shared study costs and the Government's and Non-Federal Sponsor's estimated shares of such costs; costs incurred by the Government, using both Federal and Non-Federal Sponsor funds, to date; the amount of funds provided by the Non-Federal Sponsor to date; the estimated amount of any creditable in-kind contributions; and the estimated remaining cost of the Study.

C. The Non-Federal Sponsor shall provide to the Government required funds by delivering a check payable to "FAO, USAED, [Philadelphia District, EROC code (E5)" to the District Engineer, or verifying to the satisfaction of the Government that the Non-Federal Sponsor has deposited such required funds in an escrow or other account acceptable to the Government, with interest accruing to the Non-Federal Sponsor, or by providing an Electronic Funds Transfer of such required funds in accordance with procedures established by the Government.

D. The Government shall draw from the funds provided by the Non-Federal Sponsor to cover the non-Federal share of the shared study costs as those costs are incurred. If the Government determines at any time that additional funds are needed from the Non-Federal Sponsor to cover the Non-Federal Sponsor's required share of the shared study costs, the Government shall provide the Non-Federal Sponsor with written notice of the amount of additional funds required. Within 60 calendar days of such notice, the Non-Federal Sponsor shall provide the Government with the full amount of such additional funds.

E. Upon conclusion of the Study and resolution of all relevant claims and appeals, the Government shall conduct a final accounting and furnish the Non-Federal Sponsor with the written results of such final accounting. Should the final accounting determine that additional funds are required from the Non-Federal Sponsor, the Non-Federal Sponsor, within 60 calendar days of written notice from the Government, shall provide the Government with the full amount of such additional funds. Should the final accounting determine that the Non-Federal Sponsor has provided funds in excess of its required amount, the Government shall refund the excess amount, subject to the availability of funds. Such final accounting does not limit the Non-Federal Sponsor's responsibility to pay its share of shared study costs, including contract claims or any other liability that may become known after the final accounting.

ARTICLE IV - TERMINATION OR SUSPENSION

A. Upon 30 calendar days written notice to the other party, either party may elect at any time, without penalty, to suspend or terminate future performance of the Study. Furthermore, unless an extension is approved by the Assistant Secretary of the Army (Civil Works), the Study will be terminated if a Report of the Chief of Engineers, or, if applicable, a Report of the Director of Civil Works, is not signed for the Study within 3 years after the effective date of this Agreement.

B. In the event of termination, the parties shall conclude their activities relating to the Study. To provide for this eventuality, the Government may reserve a percentage of available funds as a contingency to pay the costs of termination, including any costs of resolution of contract claims, and resolution of contract modifications.

C. Any suspension or termination shall not relieve the parties of liability for any obligation previously incurred. Any delinquent payment owed by the Non-Federal Sponsor pursuant to this Agreement shall be charged interest at a rate, to be determined by the Secretary of the Treasury, equal to 150 per centum of the average bond equivalent rate of the 13 week Treasury bills auctioned

immediately prior to the date on which such payment became delinquent, or auctioned immediately prior to the beginning of each additional 3 month period if the period of delinquency exceeds 3 months.

ARTICLE V - DISPUTE RESOLUTION

As a condition precedent to a party bringing any suit for breach of this Agreement, that party must first notify the other party in writing of the nature of the purported breach and seek in good faith to resolve the dispute through negotiation. If the parties cannot resolve the dispute through negotiation, they may agree to a mutually acceptable method of non-binding alternative dispute resolution with a qualified third party acceptable to the parties. Each party shall pay an equal share of any costs for the services provided by such a third party as such costs are incurred. The existence of a dispute shall not excuse the parties from performance pursuant to this Agreement.

ARTICLE VI - MAINTENANCE OF RECORDS AND AUDIT

A. The parties shall develop procedures for the maintenance by the Non-Federal Sponsor of books, records, documents, or other evidence pertaining to costs and expenses for a minimum of three years after the final accounting. The Non-Federal Sponsor shall assure that such materials are reasonably available for examination, audit, or reproduction by the Government.

B. The Government may conduct, or arrange for the conduct of, audits of the Study. Government audits shall be conducted in accordance with applicable Government cost principles and regulations. The Government's costs of audits for the Study shall not be included in shared study costs, but shall be included in calculating the maximum Federal study cost.

C. To the extent permitted under applicable Federal laws and regulations, the Government shall allow the Non-Federal Sponsor to inspect books, records, documents, or other evidence pertaining to costs and expenses maintained by the Government, or at the request of the Non-Federal Sponsor, provide to the Non-Federal Sponsor or independent auditors any such information necessary to enable an audit of the Non-Federal Sponsor's activities under this Agreement. The costs of non-Federal audits shall be paid solely by the Non-Federal Sponsor without reimbursement or credit by the Government.

ARTICLE VII - RELATIONSHIP OF PARTIES

In the exercise of their respective rights and obligations under this Agreement, the Government and the Non-Federal Sponsor each act in an independent capacity, and neither is to be considered the officer, agent, or employee of the other. Neither party shall provide, without the consent of the other party, any contractor with a release that waives or purports to waive any rights a party may have to seek relief or redress against that contractor.

ARTICLE VIII - NOTICES

A. Any notice, request, demand, or other communication required or permitted to be given under this Agreement shall be deemed to have been duly given if in writing and delivered personally or mailed by certified mail, with return receipt, as follows:

If to the Non-Federal Sponsor:

Assistant Commissioner of Engineering and Construction
New Jersey Department of Environmental Protection
Mail Code 501-01A
PO Box 420
Trenton, New Jersey 08625-0420

If to the Government:

Philadelphia District
U.S. Army Corps of Engineers
Wanamaker Building
100 Penn Square East
Philadelphia, Pennsylvania 19107-3390

B. A party may change the recipient or address for such communications by giving written notice to the other party in the manner provided in this Article.

ARTICLE IX - CONFIDENTIALITY

To the extent permitted by the laws governing each party, the parties agree to maintain the confidentiality of exchanged information when requested to do so by the providing party.

ARTICLE X - THIRD PARTY RIGHTS, BENEFITS, OR LIABILITIES

Nothing in this Agreement is intended, nor may be construed, to create any rights, confer any benefits, or relieve any liability, of any kind whatsoever in any third person not a party to this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, which shall become effective upon the date it is signed by the District Engineer.

DEPARTMENT OF THE ARMY

BY: _____
MICHAEL A. BLISS
Lieutenant Colonel, U.S. Army
District Engineer

DATE: 11 APR 2016

THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
DAVID ROSENBLATT
Assistant Commissioner
Engineering and Construction
New Jersey Department of Environmental Protection

DATE: 3/10/16

CERTIFICATE OF AUTHORITY

I, DAVID C. APY, do hereby certify that I am the principal legal officer of the State of New Jersey Department of Environmental Protection, that the State of New Jersey Department of Environmental Protection is a legally constituted public body with full authority and legal capability to perform the terms of the Agreement between the Department of the Army and the State of New Jersey Department of Environmental Protection in connection with the New Jersey Back Bays Coastal Storm Risk Management Study, and to pay damages, if necessary, in the event of the failure to perform in accordance with the terms of this Agreement and that the persons who have executed this Agreement on behalf of the State of New Jersey Department of Environmental Protection have acted within their statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification this 11TH day of MARCH 2016.

JOHN JAY HOFFMAN
ACTING ATTORNEY GENERAL
STATE OF NEW JERSEY
BY: DAVID C. APY
ASST. ATTORNEY GENERAL

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

DAVID ROSENBLATT
ASSISTANT COMMISSIONER
ENGINEERING AND CONSTRUCTION
NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

DATE: 3/10/16

NON-FEDERAL SPONSOR'S
SELF-CERTIFICATION OF FINANCIAL CAPABILITY
FOR AGREEMENTS

I, Adrienne Kreipke, do hereby certify that I am the Chief Financial Officer of the State of New Jersey Department of Environmental Protection (the "Non-Federal Sponsor"); that I am aware of the financial obligations of the Non-Federal Sponsor for the New Jersey Back Bays Coastal Storm Risk Management Study; and that the Non-Federal Sponsor has the financial capability to satisfy the Non-Federal Sponsor's obligations under the New Jersey Back Bays Coastal Storm Risk Management Study.

IN WITNESS WHEREOF, I have made and executed this certification this 25th day of November, 2015.

BY: _____

TITLE: Director, Division of Budget and Finance

DATE: 11/25/15

CERTIFICATION OF REVIEW FOR LEGAL SUFFICIENCY

The draft Feasibility Cost Share Agreement between the Department of the Army and the New Jersey Department of Environmental Protection for the New Jersey Back Bays Coastal Storm Risk Management Feasibility Study, New Jersey has been fully reviewed by the Philadelphia District Office of Counsel, USAED, Philadelphia, PA and is legally sufficient.

Date: 22 Oct 15

William A. Wilcox
District Counsel

AMENDMENT NO. 1
TO THE AGREEMENT
BETWEEN
THE DEPARTMENT OF THE ARMY
AND
THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
FOR THE
NEW JERSEY BACK BAYS COASTAL STORM RISK MANAGEMENT STUDY

THIS AMENDMENT NO.1 is entered into this 18 day of January, 2018, by and between the Department of the Army (hereinafter the "Government"), represented by the U.S. Army Engineer, Philadelphia District (hereinafter the "District Engineer") and the State of New Jersey Department of Environmental Protection (hereinafter the "Non-Federal Sponsor"), represented by the Assistant Commissioner of NJDEP.

WITNESSETH, THAT:

WHEREAS, the Government and the Sponsor entered into an agreement (hereinafter the "Agreement") to conduct a feasibility study for the New Jersey Back Bays Coastal Storm Risk Management Study Area Jersey Shore Protection, Hereford Inlet to Cape May Inlet, New Jersey on April 11, 2016 (hereinafter the "Study");

WHEREAS, Section 105(a) of the Water Resources Development Act of 1986, Public Law 99-662, as amended (33 U.S.C. 2215(a)), specifies the cost-sharing requirements; and

WHEREAS, the Government and the Non-Federal Sponsor have the full authority and capability to perform in accordance with the terms of this Agreement.

NOW, THEREFORE, the parties agree to amend the agreement as follows:

1. Article 1.E is amended by replacing the entire sentence with:

"The term "maximum Federal study cost" means the $3,000,000 Federal cost limit for the Study, unless the Government has approved a higher amount.

2. Article III is amended by replacing the existing paragraph H. with the following:

"A. As of the effective date of this Agreement, the shared study costs are projected to be $6,000,000, with the Government's share of such costs projected to be $3,000,000 and the Non-Federal Sponsor's share of such costs projected to be $3,000,000. These amounts are estimates only that are subject to adjustment by the Government and are not to be construed as the total financial responsibilities of the Government and the Non-Federal Sponsor."

3. All other terms and conditions of the Agreement remain unchanged.

IN WITNESS WHEREOF, the parties hereto have executed Amendment No. 1, which shall become effective upon the date it is signed by the District Engineer.

DEPARTMENT OF THE ARMY

BY: _____
KRISTEN N. DAHLE
Lieutenant Colonel, U.S. Army
District Engineer

DATE: 18JAN18

THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
DAVID ROSENBLATT
Assistant Commissioner
Engineering and Construction
New Jersey Department of Environmental Protection

DATE: 1-13-17

CERTIFICATE OF AUTHORITY

I, David C. Apy, do hereby certify that I am the principal legal officer of the New Jersey Department of Environmental Protection, that the New Jersey Department of Environmental Protection is a legally constituted public body with full authority and legal capability to perform the terms of the Agreement between the Department of the Army and the New Jersey Department of Environmental Protection in connection with the New Jersey Back Bays Coastal Storm Risk Management Study, and to pay damages, if necessary, in the event of the failure to perform in accordance with the terms of this Agreement and that the persons who have executed this Agreement on behalf of the New Jersey Department of Environmental Protection have acted within their statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification this 11TH day of January 2018.

David C. Apy
Assistant Attorney General

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

DAVID ROSENBLATT
ASSISTANT COMMISSIONER
ENGINEERING AND CONSTRUCTION
NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

DATE: 11-13-17

NON-FEDERAL SPONSOR'S
SELF-CERTIFICATION OF FINANCIAL CAPABILITY
FOR AGREEMENTS

I, Adrienne Kreipke, do hereby certify that I am the Chief Financial Officer of the State of New Jersey Department of Environmental Protection (the "Non-Federal Sponsor"); that I am aware of the financial obligations of the Non-Federal Sponsor for the New Jersey Back Bays Coastal Storm Risk Management Study; and that the Non-Federal Sponsor has the financial capability to satisfy the Non-Federal Sponsor's obligations under the New Jersey Back Bays Coastal Storm Risk Management Study.

IN WITNESS WHEREOF, I have made and executed this certification this 3rd day of November, 2017

BY: A Kreipke

TITLE: Director, Division of Budget + Financial Operations

DATE: 11/3/2017

CERTIFICATION OF REVIEW FOR LEGAL SUFFICIENCY

The draft Feasibility Cost Share Agreement between the Department of the Army and the New Jersey Department of Environmental Protection for the New Jersey Back Bays Coastal Storm Risk Management Feasibility Study has been fully reviewed by the Philadelphia District Office of Counsel, USAED, Philadelphia, PA and is legally sufficient.

Date: 13 October 2017

Amanda Phily
District Counsel

E-10) 3x3x3 RULE EXEMPTION CORRESPONDENCE

New Jersey Back Bays (NJBB) Feasibility Study 3x3x3 Rule Exemption, LTC Michael A. Bliss Memorandum

DEPARTMENT OF THE ARMY
PHILADELPHIA DISTRICT, CORPS OF ENGINEERS
100 PENN SQUARE EAST, 7th FLOOR WANAMAKER BUILDING
PHILADELPHIA, PENNSYLVANIA 19107-3390

CENAP-PL-P

APR 10 2017

MEMORANDUM FOR COMMANDER, North Atlantic Division, 302 General Lee Avenue, Fort Hamilton Military Community, Brooklyn, NY 11252

SUBJECT: New Jersey Back Bays (NJBB) Feasibility Study 3x3x3 Rule Exemption

1. Purpose. To provide the subject feasibility study 3x3x3 rule exemption request for your endorsement, seeking approval for an $18 million and 5.5 year study. Enclosed in accordance with Planning Bulletin No. 2012-04 are the following:

a. Report Synopsis
b. Risk Register
c. SMART Project Management Plan (PMP)
d. Table of original and revised study budget
e. Table of original and revised milestone schedule
f. (The District Commander's presentation will be provided electronically under separate cover, per PB 2012-04).

2. Background. This 3x3x3 rule exemption request is for the New Jersey Back Bays (NJBB) Study. A feasibility-cost sharing agreement (FCSA) was signed with the NJ Department of Environmental Protection (NJDEP) in April 2016 to initiate the study based on the 3X3X3 model. It was apparent at the outset that an exemption would be necessary and it was agreed among the Vertical Team that this would be submitted approximately mid-way between the 16 December 2016 Alternatives Milestone Meeting (AMM) and the originally scheduled (August 2017) Tentatively Selected Plan (TSP) milestone.

3. Authority. This study is a "focus area" that was identified in the North Atlantic Coast Comprehensive Study (NACCS) for further study. The original study authority derives from resolutions for the "Coast of New Jersey" adopted by U.S. House of Representatives and U.S. Senate Committees in December 1987. The NJBB study is being formulated primarily for coastal storm risk management (CSRM) purposes.

4. Summary. The NJBB study is addressing the problem of coastal flood risk along the back bays of New Jersey. The study area extends along 110 miles of the NJ coast and encompasses 950 square miles of land, wetlands, open water, and coastal lakes across parts of five counties and 90 municipalities. There are approximately 235,000 structures and a permanent population of about 700,000 within the study area. Seasonal tourism and recreation drive the population of study area significantly above that measured by the US Census statistics. Hurricane Sandy in 2012 demonstrated

that in addition to the coastal storm risk posed to public and private infrastructure, there is a significant life-safety risk posed by coastal storms and the flooding that they cause.

Twelve inlets provide hydraulic connections between the Atlantic Ocean and the back bays, making all of the back bays susceptible to flooding from the ocean. During coastal storms, elevated ocean water levels propagate through the inlets into the back bays, causing flood damage proportional to the geographic extent, duration, and height of the ocean storm surge. Most of the study area infrastructure at risk from coastal flooding is residential, with important commercial and critical public infrastructure components. This infrastructure exists where it is because of the attraction of living, recreating, or working on or near tidewater with easy access to the ocean and bays, and it provides a significant contribution to the $40 billion NJ coastal economy.

An exemption to the USACE 3x3x3 planning process is necessary due to the large size of the study area, its complex hydraulic, environmental, and economic characteristics, and the requirement to formulate plans in accordance with P&G criteria: completeness, effectiveness, efficiency, and acceptability. This exemption package reflects the process recommended by NAP to complete the feasibility study as expeditiously as possible, while meeting all USACE policy requirements and delivering comprehensive, system-wide recommendations that can be implemented at the Federal or non-federal levels to reduce risks associated with coastal storm flooding.

5. Risks. Complex planning, engineering and environmental analyses will be required during the study. However, the Philadelphia District is utilizing the SMART planning approach to reach decisions as quickly and efficiently as possible by having early vertical team and agency coordination, and increased levels of effort as the plan is vetted through the vertical team prior to approval. The risks are identified in the exemption package.

6. Recommendation. I recommend CENAD support of the exemption request. I recommend you endorse the exemption request for the NJBB Study for $18 million and 5.5 years and forward the enclosed exemption package to HQUSACE for approval and subsequent forwarding to ASA (CW).

7. Point of Contact: Mr. Peter R. Blum, PE, Chief Planning Division at 215-656-6540 or Peter.R.Blum@usace.army.mil.

5 Encls

MICHAEL A. BLISS
LTC, EN
Commanding

Request for Exemption from the 3x3x3 Feasibility Study Rule for the New Jersey Back Bays Coastal Storm Risk Management Focus Area Study, Brigadier General William H. Graham Memorandum

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS NORTH ATLANTIC DIVISION
FORT HAMILTON MILITARY COMMUNITY
302 GENERAL LEE AVENUE
BROOKLYN NY 11252-6700

13 APRIL 2017

CENAD-PD-P

MEMORANDUM FOR Director of Civil Works, U.S. Army Corps of Engineers (CECW-NAD-RIT/Mr. Wimbrough), 441 G Street NW, Washington DC 20314-1000

SUBJECT: Request for Exemption from the 3x3x3 Feasibility Study Rule for the New Jersey Back Bays Coastal Storm Risk Management Focus Area Study

1. References:

a. Memorandum, CECW-CP, 8 February 2012, subject: U.S. Army Corps of Engineers Civil Works Feasibility Study Program Execution and Delivery.

b. Planning Bulletin NO. PB 2012-04, subject: 3x3x3 Rule Exemption Process (11 January 2013).

c. New Jersey Back Bays Coastal Storm Risk Management Focus Area Study Project Strategy Paper to Accompany the Exemption Request, dated 17 March 2017.

d. New Jersey Back Bays Coastal Storm Risk Management Focus Area Study Report Synopsis for Exemption Request, dated 17 March 2017.

2. The Philadelphia District has requested an exemption from the 3x3x3 requirement for the feasibility study to investigate Coastal Storm Risk Management (CSRM) solutions for the New Jersey Back Bays Focus Area Study. A Feasibility Cost Sharing Agreement was signed with the non-Federal sponsor, the New Jersey Department of Environmental Protection (NJDEP) in April 2016, to initiate the study based on the 3x3x3 model. The Project Delivery Team (PDT) initially proposed a 3-year study at a cost of $3,000,000 to study the appropriate measures and develop technically feasible, environmentally acceptable and economically justified alternatives to address coastal storm risk along the shoreline of the back bays of New Jersey that could be implemented by the U.S. Army Corps of Engineers, the NJDEP, other agencies, as well as other local municipalities.

3. Following the Alternatives Milestone Meeting (AMM) on 16 December 2016, the PDT continued work toward the Tentatively Selected Plan (TSP) and determined that the level of effort would exceed what could be accomplished in a 3-year study timeframe and would exceed the $3,000,000 cost limit. It was apparent at the outset that an exemption would be necessary and it was agreed among the Vertical Team that the exemption request would be submitted approximately mid-way between the AMM and the TSP, originally scheduled for October 2017. After detailed coordination with the vertical team, the PDT now proposes a 5.5-year schedule at a cost of $18,000,000 to complete the New Jersey Back Bays Focus Area Study. The $18,000,000 estimate includes the study sunk costs as of this memorandum.

4. Factors impacting schedule: Schedule is proposed to extend to 5.5 years due to the abnormally large geographic scope (110 miles of the NJ coast, encompassing 950

square miles of land, wetlands, open water, and coastal lakes across parts of five counties and 90 municipalities) and the complexity of adequately addressing coastal storm risk for the study area.

5. Factors impacting cost: The types of measures being considered, the geographic scope and the density of the population at risk within the study area all impact the cost, suggesting a cost above $3,000,000 should be warranted. The current estimate included in this exemption package is $18,000,000, but additional cost reduction opportunities may exist to adequately address coastal storm risk reduction for the study area.

6. Consequences of limiting the study to the 3x3x3 requirement: The level of planning and analysis to adequately address coastal storm risk for the entire New Jersey Back Bays study area would be significantly constrained and would result in alternatives with above normal cost contingencies and an poorly informed environmental impact analysis. This would make it very difficult to receive support from the non-Federal sponsor as well as to receive the environmental permits required prior to implementation of the recommended plan.

7. Recommendation: Review of the proposed exemption request which currently stands at a 5.5-year study at a cost of $18,000,000 is requested in order to adequately address the coastal storm risks of the New Jersey Back Bays Focus Area Study. The geographic scope, complexity of alternatives considered and potential for environmental impacts would indicate a cost significantly greater than $3,000,000. I suggest a Vertical Team charrette to investigate potential for additional schedule and cost reductions.

8. The point of contact is Mr. Joseph R. Vietri, Chief, Planning and Policy Division, at 347-370-4570 or Joseph.R.Vietri@usace.army.mil.

WILLIAM H. GRAHAM
Brigadier General, USA
Commanding

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 2016
REPORT 114-91
Accompanies HR 2028
PLANNING MODERNIZATION

"The Committee remains strongly supportive of efforts to reduce the length of time and the funding required to complete studies while maintaining quality analysis and an appropriate level of information for congressional authorization and funding decisions. The Committee is aware that multiple studies, termed Legacy Studies, were rightly not required to transition to the new SMART planning process. The Corps shall be prepared to brief the Committee not later than 60 days after the enactment of this Act on the status of the Legacy Studies, including a schedule for bringing each study to completion.

North Atlantic Coast Comprehensive Study Focus Areas.--Several of the nine identified focus areas, including the three areas proposed for funding in fiscal year 2016, involve geographic scopes and levels of complexity not seen in the typical Corps study. As such, confining these studies to the standard 3x3x3 planning restrictions for time and cost is not advisable. Rather than starting with the attempt to meet these arbitrary timing and funding goals and requesting waivers at the end of the study process, the Corps is directed to evaluate each focus area expeditiously to determine the appropriate scope, schedule, and cost, without the initial time and cost limits of the 3x3x3 process."

DEPARTMENT OF THE ARMY
PHILADELPHIA DISTRICT, CORPS OF ENGINEERS
100 PENN SQUARE EAST, 7th FLOOR WANAMAKER BUILDING
PHILADELPHIA, PENNSYLVANIA 19107-3390

CENAP-PL-P

APR 10 2017

MEMORANDUM FOR COMMANDER, North Atlantic Division, 302 General Lee Avenue, Fort Hamilton Military Community, Brooklyn, NY 11252

SUBJECT: New Jersey Back Bays (NJBB) Feasibility Study 3x3x3 Rule Exemption

1. Purpose. To provide the subject feasibility study 3x3x3 rule exemption request for your endorsement, seeking approval for an $18 million and 5.5 year study. Enclosed in accordance with Planning Bulletin No. 2012-04 are the following:

a. Report Synopsis
b. Risk Register
c. SMART Project Management Plan (PMP)
d. Table of original and revised study budget
e. Table of original and revised milestone schedule
f. (The District Commander's presentation will be provided electronically under separate cover, per PB 2012-04).

2. Background. This 3x3x3 rule exemption request is for the New Jersey Back Bays (NJBB) Study. A feasibility-cost sharing agreement (FCSA) was signed with the NJ Department of Environmental Protection (NJDEP) in April 2016 to initiate the study based on the 3X3X3 model. It was apparent at the outset that an exemption would be necessary and it was agreed among the Vertical Team that this would be submitted approximately mid-way between the 16 December 2016 Alternatives Milestone Meeting (AMM) and the originally scheduled (August 2017) Tentatively Selected Plan (TSP) milestone.

3. Authority. This study is a "focus area" that was identified in the North Atlantic Coast Comprehensive Study (NACCS) for further study. The original study authority derives from resolutions for the "Coast of New Jersey" adopted by U.S. House of Representatives and U.S. Senate Committees in December 1987. The NJBB study is being formulated primarily for coastal storm risk management (CSRM) purposes.

4. Summary. The NJBB study is addressing the problem of coastal flood risk along the back bays of New Jersey. The study area extends along 110 miles of the NJ coast and encompasses 950 square miles of land, wetlands, open water, and coastal lakes across parts of five counties and 90 municipalities. There are approximately 235,000 structures and a permanent population of about 700,000 within the study area. Seasonal tourism and recreation drive the population of study area significantly above that measured by the US Census statistics. Hurricane Sandy in 2012 demonstrated

that in addition to the coastal storm risk posed to public and private infrastructure, there is a significant life-safety risk posed by coastal storms and the flooding that they cause.

Twelve inlets provide hydraulic connections between the Atlantic Ocean and the back bays, making all of the back bays susceptible to flooding from the ocean. During coastal storms, elevated ocean water levels propagate through the inlets into the back bays, causing flood damage proportional to the geographic extent, duration, and height of the ocean storm surge. Most of the study area infrastructure at risk from coastal flooding is residential, with important commercial and critical public infrastructure components. This infrastructure exists where it is because of the attraction of living, recreating, or working on or near tidewater with easy access to the ocean and bays, and it provides a significant contribution to the $40 billion NJ coastal economy.

An exemption to the USACE 3x3x3 planning process is necessary due to the large size of the study area, its complex hydraulic, environmental, and economic characteristics, and the requirement to formulate plans in accordance with P&G criteria: completeness, effectiveness, efficiency, and acceptability. This exemption package reflects the process recommended by NAP to complete the feasibility study as expeditiously as possible, while meeting all USACE policy requirements and delivering comprehensive, system-wide recommendations that can be implemented at the Federal or non-federal levels to reduce risks associated with coastal storm flooding.

5. Risks. Complex planning, engineering and environmental analyses will be required during the study. However, the Philadelphia District is utilizing the SMART planning approach to reach decisions as quickly and efficiently as possible by having early vertical team and agency coordination, and increased levels of effort as the plan is vetted through the vertical team prior to approval. The risks are identified in the exemption package.

6. Recommendation. I recommend CENAD support of the exemption request. I recommend you endorse the exemption request for the NJBB Study for $18 million and 5.5 years and forward the enclosed exemption package to HQUSACE for approval and subsequent forwarding to ASA (CW).

7. Point of Contact: Mr. Peter R. Blum, PE, Chief Planning Division at 215-656-6540 or Peter.R.Blum@usace.army.mil.

5 Encls

MICHAEL A. BLISS
LTC, EN
Commanding

Congressional Letter of Support from NJ Officials

Congress of the United States
Washington, DC 20515

May 15, 2017

The Honorable Douglas W. Lamont
Acting Assistant Secretary of the Army (Civil Works)
108 Army Pentagon
Washington, D.C. 20310-0108

Dear Acting Assistant Secretary Lamont:

We are writing to express our support for the New Jersey Back Bays (NJBB) coastal flood risk management study, being conducted by the Philadelphia District in partnership with the New Jersey Department of Environmental Protection (NJDEP). While Hurricane Sandy in 2012 demonstrated the effectiveness of the Corps' coastal projects, it also showed that the people, property, and infrastructure adjacent to the back bays remain completely vulnerable to storm damage. This study developed out of the larger North Atlantic Coast Comprehensive Study (NACCS) which identified nine high-risk areas on the Atlantic Coast for further in-depth analysis.

Undertaking a comprehensive study of this large and heavily populated area will certainly require a waiver to the standard 3 years, $3 million limit prescribed by the USACE 3x3x3 planning process Therefore, we urge your office, the Corps and NJDEP to quickly complete the waiver package and identify the appropriate schedule, scope and cost estimate needed to deliver specific recommendations that can be implemented at the Federal or non-federal levels to reduce risks associated with coastal storm flooding in the back bay areas.

The study area extends along 110 miles of the New Jersey coast and encompasses 950 square miles of land, wetlands, open water, and coastal lakes across parts of five counties and 90 municipalities. There are approximately 235,000 structures and a permanent population of about 700,000 within the study area. Seasonal tourism and recreation drive the population of the study area significantly above that measured by the US Census statistics. These areas will remain completely vulnerable to storm damage, as all other Corps efforts underway or completed were limited to the ocean side of the coastline.

Twelve inlets provide hydraulic connections between the Atlantic Ocean and the back bays, making all of the back bays susceptible to flooding from the ocean. During coastal storms, elevated ocean water levels propagate through the inlets into the back bays, causing flood damage proportional to the geographic extent, duration, and height of the ocean storm surge. Most of the study area infrastructure at risk from coastal flooding is residential, with important commercial and critical public infrastructure components. This infrastructure exists where it is because of the attraction of living, recreating, or working on or near tidewater with easy access to the ocean and bays, and it provides a significant contribution to the $40 billion New Jersey coastal economy.

Thank you for your past support of efforts to protect New Jersey's coasts. We appreciation your full consideration to waiver request on this important study.

Sincerely,

Robert Menendez
United States Senator

Cory A. Booker
United States Senator

Frank Pallone, Jr.
Member of Congress

Frank A. LoBiondo
Member of Congress

Tom MacArthur
Member of Congress

Christopher H. Smith
Member of Congress

CC: Theodore (Tab) Brown, Chief, Planning and Policy Division
Lieutenant Colonel Michael A. Bliss, Commander, USACE Philadelphia District

New Jersey Back Bays (NJBB) Feasibility Study, New Jersey, 3x3x3 Rule Exemption, Director of Civil Works James C. Dalton Memorandum

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET, NW
WASHINGTON, DC 20314-1000

CECW-NAD

JUN 0 8 2017

MEMORANDUM FOR Commander, U.S. Army Corps of Engineers, North Atlantic Division (CENAD-PD-P)

SUBJECT: New Jersey Back Bays (NJBB) Feasibility Study, New Jersey, 3x3x3 Rule Exemption

1. References:

a. CENAD-PD-P Memorandum dated 13 April 2017, subject: Request for Exemption from the 3x3x3 Study Rule for the New Jersey Back Bays Coastal Storm Risk Management Focus Area Study.

b. CENAP-PL-P Memorandum dated 10 April 2017, subject: New Jersey Back Bays Feasibility Study 3x3x3 Rule Exemption.

2. The NJBB focus area study investigating coastal storm risk management solutions, has been recommended by the Philadelphia District (NAP) for a 3x3x3 exemption for schedule and funding. The study area extends along 110 miles of the NJ coast and encompasses 950 square miles of uplands, open water, wetlands, coastal lakes, and developed shoreline, extending across parts of five counties and 90 municipalities. NAP has proposed a study cost of $18 million and a duration of 5.5 years, due to the large size of the study area, its complex hydraulic, environmental, and economic characteristics, and the requirement to formulate plans in accordance with Principles & Guidelines criteria. Vertical alignment for the study has not been attained and NAP has indicated there will be no further schedule or cost revisions at this time.

3. Exemption requests for two NAD studies, the Norfolk Harbor Deepening General Reevaluation Report and New Haven Harbor Feasibility Study, were previously approved by HQUSACE and transmitted to the Assistant Secretary for the Army (Civil Works) (ASA(CW)) on 27 February 2017. In response, ASA(CW) indicated that the exemption requests were premature, and a determination of complexity could not be made in accordance with the five criteria identified in Section 1001(d)(2) of the Water Resources Reform and Development Act of 2014 (WRRDA 2014). Further, ASA(CW) requested that HQUSACE reexamine the process and modify guidance for 3x3x3 exemptions.

4. Section 1001 of WRRDA 2014 implementation guidance is under review, with the objective being clarification of current guidance and alignment of the exemption and the feasibility study processes. SMART principles would be further clarified with guidance as necessary. Exemption process updates would include: the timing of exemption requests;

the level of effort/resources being expended to develop exemption requests; and the nexus between the model Feasibility Cost Sharing Agreement, the budget process, Project Management Plan development, and the timing of exemption approvals.

5. Per the email communication from the Chief, Planning and Policy Division, dated 12 April 2017, formal exemption requests should be deferred until the Tentatively Selected Plan/Agency Decision Milestone timeframe, when the detailed scope to complete the study has been sufficiently developed and the factors can be adequately addressed for consideration. While the expectation remains that most studies are able to be completed within 3 years and within $3 million, it is recognized that there will be exceptions. It is also expected that studies will diligently pursue all appropriate actions to embrace SMART planning principles, to include consideration of innovative and alternate approaches to utilize available information early in the study process.

6. An initial completeness review of the 3x3x3 Exemption Package for the NJBB Feasibility Study that was forwarded by NAP to HQUSACE has been conducted. As discussed during a vertical meeting at HQUSACE on 15 May 2017, the study does not meet current guidance received from ASA(CW), nor does it meet current USACE criteria for planning studies. Specifically, the following SMART Planning Principles were not integrated into the scope/strategy: a) the level of detail proposed is not supported by the decisions to be made, b) the amount of environmental analysis seems inflated and unnecessary to release a draft report, c) key drivers and uncertainties are not identified, d) proper vertical integration was not practiced, and e) there is insufficient utilization of existing information.

7. Although HQUSACE, NAD, and the National Planning Center of Expertise for Coastal Storm Risk Management have indicated that the exemption request is premature and does not comply with SMART planning principles, NAP has requested that the exemption request be reviewed by HQUSACE with the intent to convene a Senior Leader Panel (SLP) for resolution. The NJBB SLP has been scheduled for 20 June 2017.

8. Questions or concerns regarding this matter should be directed to Catherine Shuman, Deputy Chief, North Atlantic Division Regional Integration Team, at (202) 761-1379 or catherine.m.shuman@usace.army.mil.

James C. Dalton, P.E.
Director of Civil Works

New Jersey Back Bays (NJBB) Feasibility Study, New Jersey, 3x3x3 Rule Exemption, Major General Scott A. Spellmon Memorandum

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET, NW
WASHINGTON, DC 20314-1000

OCT 23 2018

CECW-NAD

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS)

SUBJECT: New Jersey Back Bays Coastal Storm Risk Management Study, 3x3x3 Rule Exemption

1. Purpose. To provide the subject 3x3x3 rule interim exemption request for your approval of a study extension to September 2020 in order to execute an Agency Decision Milestone (ADM) and process a final exemption. Total duration for this study is 6 years, with the Chief's Report to be completed in April 2022; however, a final 3x3x3 rule exemption will be required for time beyond the ADM. The exemption would also increase the total study cost to $18.05M ($9.1M federal/$8.95M non-federal). Approximately $12.8M is required to execute to the ADM.

2. Background. This 3x3x3 rule exemption request is for the New Jersey Back Bays Costal Storm Risk Management Study. The non-federal study sponsor is the New Jersey Department of Environmental Protection (NJDEP). The New Jersey Shore Protection Study was authorized under resolutions adopted by the Committee on Public Works and Transportation of the U.S. House of Representatives and the Committee on Environmental and Public Works of the U.S. Senate in December of 1987. The New Jersey Back Bays study area encompasses portions of five counties (Monmouth, Ocean, Atlantic, Burlington, and Cape May) and includes the network of interconnected tidal water bodies located landward of the New Jersey ocean coastline. The NJBB study area includes a total land and water area of 950 square miles with approximately 3,400 miles of shoreline.

3. Authority. Per Section 1001 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014), U. S. Army Corps of Engineers (USACE) final feasibility reports are, to the extent practicable, to be completed in three years and have a maximum federal cost of $3M. Section 1001 provides further that the Secretary of the Army may extend the timeline or approve federal costs greater than $3M, subject to notification to the non-federal sponsor and the Senate Committee on Environment and Public Works and the House of Representatives Committee on Transportation and Infrastructure.

4. Summary. The Feasibility Cost Sharing Agreement was signed in April 2016 and the Alternatives Milestone was completed in December 2016. An Interim Draft Feasibility Report will be released in February 2019 to solicit feedback from the public, stakeholders, and other agencies. The Tentatively Selected Plan Milestone is scheduled for completion in January 2020, the ADM in July 2020, the final report completed by November 2021, and the Chief's Report completed by April 2022. The primary drivers of the increased cost and schedule requirements include the overall scope and complexity of the study area, requiring

systems-level analysis of multiple alternatives, the magnitude of cost and impacts associated with the identified alternatives, and the anticipated level of public engagement and coordination required to recommend a federal action.

Headquarters USACE has completed its review of the 3x3x3 exemption request for the New Jersey Back Bays Study that was submitted on 05 October 2018. The Senior Leaders Panel recommended an interim extension of the study duration to the ADM, along with a funding increase to $18.05M on 9 October 2018, with $12.8M required to complete an ADM. Two additional months have been included in the interim exemption to account for processing of the final exemption after the ADM. Additional efforts will be made throughout the remaining duration of the study to realize schedule and cost savings in accordance with risk-based planning practices, with a vertical team Risk Panel being conducted after circulation of the Interim Draft Feasibility Report. The non-federal sponsor is supportive of the revised study schedule.

5. Funding Stream. Total study cost is $18.05M ($9.1M federal/$8.95M non-federal). Additional Fiscal Year (FY) 2019 federal funds of $3M (only $852K remains in the DCG approved $3M Fed or $6M Total study cost), FY 2020 federal funds of $3.551M, and FY 2021 federal funds of $401K are required to complete the study.

6. Additional Requirements:

a. Risk Panel - With direction and oversight provided by the MSC, the district will conduct a Risk Panel within 30 days of receipt of comments on the Interim Draft Report. The Risk Panel will focus on identification and analysis of significant study risks, the plan to respond to those risks, and methods that will be employed to manage/control those risks. For the panel, the PDT will provide substantial detail on the strategy to identify a Tentatively Selected Plan and will analyze potential reductions in scope, schedule, and budget for the remainder of the study. The panel will include all pertinent members of the vertical team.

b. Communications and Outreach Plan (CoOP) - within 30 days of exemption approval, NAP will develop and submit an adequate Communications and Outreach Plan (CoOP) to the MSC for review and approval. As part of the CoOP, the district will develop and maintain an aggressive, robust public website that details study progress, communication opportunities, and solicitation of feedback. Stakeholder, Congressional, and public outreach opportunities will be delineated and dates for future meetings will be established.

c. Supplemental Governance Structure - The district will immediately implement a 3-tier supplemental governance utilizing the template in the Coastal Texas Protection and Restoration Feasibility Study, Addendum to Project Management Plan dated 06 January 2016.

d. Focus Area Evaluation (FAE) meetings will be organized by the MSC and will include the HQUSACE Regional Integration Team, the Policy Review Team, MSC staff, and Project Delivery Team. Meetings will be held quarterly or before critical project decisions,

whichever is appropriate, and will detail recent plan evaluation results, decisions to be made, schedule and budget performance, and 6 month projection of activities.

e. Senior Executive Accountability - Written quarterly updates and a briefing by the Deputy District Engineer will be provided to the MSC Programs Director that detail the following:

i. Graphical depiction of the project baseline;

ii. Financial data indicating the status of funds obligated, expended, and anticipated;

iii. A summary level update report on any outstanding issues identified;

iv. An over-arching roll-up of the above items at the program level; and,

v. A projected look at upcoming milestones, significant developments, outreach events, and FAE meetings.

7. Recommendation. I concur with the findings of the Senior Leaders Panel on the schedule extension request. I recommend you approve the request for New Jersey Back Bays Coastal Storm Risk Management Feasibility Study for a study extension to September 2020 (17 month extension) and $18.05M total budget, and also forward the enclosed letters to the Authorization Committees.

SCOTT A. SPELLMON
Major General, USA
Deputy Commanding General
for Civil and Emergency Operation

3 Encls
1. NAP memo dtd 08 October 18
2. Draft House notification letter
3. Draft Senate notification letter

New Jersey Back Bays Coastal Storm Risk Management Study, 3x3x3 Rule Exemption, Assistant Secretary of the Army (Civil Works) R. D. James Memorandum

DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
CIVIL WORKS
108 ARMY PENTAGON
WASHINGTON DC 20310-0108

31 OCT 2018

MEMORANDUM FOR THE DEPUTY COMMANDING GENERAL FOR CIVIL AND EMERGENCY OPERATIONS

SUBJECT: New Jersey Back Bays Coastal Storm Risk Management Study, 3x3x3 Rule Exemption

1. Reference memorandum, CECW-NWD, 23 October 2018, subject: New Jersey Back Bays Coastal Storm Risk Management Study, 3x3x3 Rule Exemption.

2. I am responding to your memorandum requesting that I grant an exemption to the requirement identified in section 1001(a) of the Water Resources Reform and Development Act of 2014 that feasibility reports are, to the extent practicable, to be completed in three years.

3. My staff has reviewed the memorandum and background information and I have determined that the time and funding to complete the study through the Agency Decision Milestone is warranted. I hereby grant an interim exemption for 17 months (53 months total) so that the Corps can complete the Agency Decision Milestone. If a final exemption for time is necessary to complete the feasibility study a request for additional time must be submitted in advance of September 2020. To ensure the study is funded in future budgets, I have approved the request for the $9.1 million Federal funding.

4. I request your diligent attention on actively managing the study cost and schedule. I also request that you strive to submit the study in less than the proposed six year schedule, if practical. If there are any questions, please contact Mr. Mark Kramer, Project Planning and Review at (202) 761-0041.

R.D. James
Assistant Secretary of the Army
(Civil Works)