

N.J.A.C. 7:13
Flood Hazard Area Control Act
Atlantic City Polercoaster
Block 48 Lots 13, 18 & 19

ENGINEER'S REPORT



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A handwritten signature in black ink, appearing to read 'Jon J. Barnhart', is written over a horizontal line.

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The following report has been prepared in response to the policy compliance of the proposed project as it relates to N.J.A.C. 7:13 – Flood Hazard Area Control Act. All items in this report are keyed to the sections within N.J.A.C. 7:13.

SUBCHAPTER 9: INDIVIDUAL PERMITS

7:13-9.1 General Provisions for Individual Permits

The proposed project is subject to the Individual Permit requirements of this chapter.

7:13-9.2 Application Requirements for an individual permit

- (a) All planned activities are shown on the submitted design plans for the project
- (b) All application submittal requirements are met. This project is seeking an individual CAFRA permit. FHA review is performed as part of that permit process.

7:13-9.3 Application review procedures for a verification or an individual permit

No action required by the applicant to comply with this section

7:13-9.4 Duration of an individual permit

No action required by the applicant to comply with this section

7:13-9.5 Individual Permit Conditions

No action required by the applicant to comply with this section

7:13-9.6 Cases where a verification is required prior to obtaining an individual permit

The proposed project is located within the City of Atlantic City, and within a FEMA flood hazard Zone, known as A-8, with a base design elevation of 10.0 (NGVD 29) . The site is to be located within zone AE-10 (NAVD88) as per the current FEMA preliminary FIRM maps for the location. The site does not fall within a floodway, and is not within a riparian zone. The site is considered with be within a flood fringe.

7:13-9.7 Cases where an individual permit can be issued in an approximated flood hazard area

This section is not applicable to this project.

7:13-9.8 Hardship Exceptions for an Individual Permit

(a) No action required by the applicant, no hardship waivers are requested.

SUBCHAPTER 10: INDIVIDUAL PERMIT REQUIREMENTS WITHIN VARIOUS REGULATED AREAS

7:13-10.1 Requirements for a regulated activity in a channel

This section is not applicable to this project since no activity is proposed within a channel.

7:13-10.2 Requirements for a regulated activity in a riparian zone

This section is not applicable to this project since no activity is proposed within a riparian zone

7:13-10.3 Requirements for a regulated activity in a floodway

This section is not applicable to this project since no activity is proposed within a floodway

7:13-10.4 Requirements for a regulated activity in a flood fringe

- (a) The project site falls within a flood fringe area
- (b) No action required by the applicant
- (c) No action required by the applicant
- (d) The project is not subject to the flood storage volume displacement limits of this section since the project falls within a tidal flood hazard area
- (e) Not applicable to this project

7:13-10.5 Requirements for a regulated activity in or along a water with fishery resources

This section is not applicable to this project since no activity is proposed in or along a water with fishery resources.

7:13-10.6 Requirements for a regulated activity in a habitat for threatened or endangered species

This section is not applicable to this project since no activity is proposed in an area documented with habitat for threatened or endangered species.

7:13-10.7 Requirements for a regulated activity in an area with acid producing soils

This section is not applicable to this project since no activity is proposed in an area which contains acid producing soils

SUBCHAPTER 11: INDIVIDUAL PERMIT REQUIREMENTS FOR VARIOUS REGULATED ACTIVITIES

7:13-11.1 Requirements that apply to all regulated activities

- (a) No action required by the applicant
- (b) No action required by the applicant, the project does not cause any significant and adverse impacts on any of the listed items in this section.
- (c) The application is regulated by Cape Atlantic Soil Conservation District and the required permit will be obtained prior to construction
- (d) No action required by the applicant
- (e) Not applicable.
- (f) The project does not adversely affect property not owned by the applicant as follows:
 - 1. All proposed development falls within property owned by the applicant.
 - 2. All stormwater discharge is directed away from adjacent properties and into the municipal storm water management system.
 - 3. The proposed project will not cause increased flood frequency for buildings situated on properties not owned by the applicant.
 - 4. This item not applicable to this project.
 - 5. This item not applicable to this project.
- (g) The project does not change the cross-sectional area or hydraulic capacity of a channel or floodway.

7:13-11.2 Requirements for storm water management

- (a) The project meets all NJDEP storm water requirements as indicated in the storm water policy compliance statement.
- (b) All requirements of the storm water policies are met, as per NJAC 7:8
- (c) Not applicable to this project, no storm water basin is proposed.

7:13-11.3 Requirements for excavation, fill and grading activities

- (a) Grading activities will take place as part of this project.
- (b) The requirements of this section are satisfied as follows:
 - 1. The overland flow characteristics of the property will not be changed. Water can enter and exit freely from the development area.
 - 2. There are no slopes greater than 50 percent within the project area.
 - 3. Excavation, fill and grading will not endanger the integrity of any existing structures.
 - 4. All excavated material will be disposed of lawfully.

7:13-11.4 Requirements for a structure

- (a) Structures will be constructed as part of this project.
- (b) The requirements of this section are satisfied as follows:
 - 1. The structure will be designed to resist impact from debris and water during the flood hazard area design flood.
 - 2. The structure will be designed to resist uplift, flotation, collapse, and displacement due to hydrostatic and hydrodynamic forces resulting from the flood hazard design flood.
 - 3. The structure will be designed to resist overturning pressure, as well as pressure from the freeze/thaw cycle of the soils.
 - 4. The structure will be designed to resist undermining by adjacent channel erosion.

7:13-11.5 Requirements for a building

- (a) Buildings will be constructed as part of this project.
- (b) The proposed buildings will be constructed within a flood hazard area.
- (c) The standards in this section are satisfied as follows:
 - 1. The proposed building is located greater than 25 ft from any top of bank or edge of water.
 - 2. Not applicable to this project.
 - 3. Not applicable to this project.
 - 4. All exterior walls will be designed to resist hydrostatic and hydrodynamic pressure caused by flooding up to the flood hazard area design flood elevation.
- (d) The project does not fall within a floodway and this section is not applicable.
- (e) The project does not fall within a floodway and this section is not applicable.
- (f) The project does not fall within a floodway and this section is not applicable.
- (g) Standard in this section are met as follows:
 - 1. No Applicable
 - 2. Not Applicable
 - 3. Not Applicable
 - 4. The proposed first floor of the structure will not be elevated one foot above the required design elevation. The project complies with the sections of this provision as follows:
 - i. It is not feasible to construct the proposed structure first floor one foot above the required design elevation. The structure is a unique masonry building constructed to contain various amusement rides. The rides create many design challenges in order to accommodate loading and unloading of ride passengers, and varying elevation requirements of the supporting structures of the amusements.
 - ii. The proposed finished first floor of the structure will be a slab that will be at or above the adjacent exterior grade elevation. This will allow for proper maintenance access, loading access, and delivery access to the facility. This is the highest feasible elevation permissible in order to meet the needs of the amusements.

iii. The propose building will be constructed to meet the requirements of a “Dry Flood Proof Building”. As per federal, state, and local standards.

- (h) The requirements of this section are not applicable to this project.
- (i) Not applicable to this project.
- (j) Not applicable to this project.
- (k) Not applicable to this project.
- (l) Not applicable to this project.
- (m) Not applicable to this project.
- (n) Not applicable to this project.
- (o) Not applicable to this project.
- (p) Not applicable to this project.
- (q) The proposed building is designed to meet the requirements of a dry flood proof building, as follows:
 - 1. The building will be dry flood proofed in accordance with the requirements.
 - 2. Not applicable.
- (r) The building is designed to prevent flood waters from entering the building to a point which is 2 ft above the required design elevation, as required by local code.
- (s) Not applicable.
- (t) Not applicable.

7:13-11.6 Requirements for a railroad, roadway or parking area

- (a) No parking areas are proposed as part of this project.
- (b) This section is not applicable.
- (c) This section is not applicable.
- (d) This section is not applicable.
- (e) This section is not applicable.
- (f) This section is not applicable.
- (g) Not applicable to this project.

7:13-11.7 Requirements for a bridge or culvert

This section is not applicable to this project.

7:13-11.8 Requirements for a footbridge

This section is not applicable to this project.

7:13-11.9 Requirements for a utility line

This section is not applicable to this project.

7:13-11.10 Requirements for a stormwater outfall structure

This section is not applicable to this project.

7:13-11.11 Requirements for a dam or a low dam

This section is not applicable to this project.

7:13-11.12 Requirements for a flood control project

This section is not applicable to this project.

7:13-11.13 Requirements for a retaining wall or bulkhead

This section is not applicable to this project.

7:13-11.14 Requirements for a bank stabilization and channel restoration

This section is not applicable to this project.

7:13-11.15 Requirements for sediment and debris removal from a water.

This section is not applicable to this project.

7:13-11.16 Requirements for the storage of unsecure material

This section is not applicable to this project.

7:13-11.17 Requirements for the placement, storage, or processing of hazardous substances

This section is not applicable to this project.

7:13-11.18 Requirements for the placement, storage, or processing of solid waste

This section is not applicable to this project.

7:13-11.19 Requirements for the removal of existing fill or an existing structure

- (a) An existing surface parking area will be removed as part of this project.
- (b) This section is not applicable to this project.

- (c) The existing parking area will be removed from the project site and will comply with the standards in this section as follows:
1. All disturbed areas will be properly stabilized
 2. The project does not lie within a floodway, and this section is not applicable.
 3. No fill will be removed from the project site.
 4. The removed structure will be disposed of outside of any regulated area in accordance with applicable Federal, State and Local laws
 5. The site does not fall within a riparian zone and this section is not applicable.

Conclusion:

The requirements of all portions of this chapter have been met as indicated above. The proposed project complies with the applicable sections of NJAC 7:13 for issuance of an individual flood hazard permit.