

CHRISTOPHER H. SMITH
4TH DISTRICT, NEW JERSEY

CONSTITUENT SERVICE CENTERS:

MONMOUTH
112 Village Center Drive
Freehold, NJ 07728-2510
(732) 780-3035

OCEAN
405 Route 539
Plumsted, NJ 08514-2303
(732) 350-2300; (609) 286-2571

MERCER
4573 South Broad Street
Hamilton, NJ 08620-2215
(609) 585-7878



Congress of the United States
House of Representatives

May 11, 2015

SENIOR MEMBER, FOREIGN AFFAIRS
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GLOBAL HUMAN RIGHTS, AND
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COOPERATION IN EUROPE

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COMMISSION ON CHINA

DEAN, NEW JERSEY DELEGATION

Mr. Jerome Hatfield
Regional II Administrator
Federal Emergency Management Agency
26 Federal Plaza
New York, New York 10278-0004

COPY

Dear Administrator Hatfield,

I write to you today to request your assistance in providing a swift resolution to the New Jersey Department of Environmental Protection's (NJDEP) appeal of the Federal Emergency Management Agency (FEMA) denial of funding for Project Worksheet (PW) 04846 for the removal of sediment in waterways which resulted from Superstorm Sandy.

As the Dean of the New Jersey Congressional Delegation and representative for New Jersey's Fourth Congressional District which includes hard-hit areas in Monmouth and Ocean Counties, I have seen firsthand how Superstorm Sandy wreaked havoc on the lives of thousands across our state and devastated economic activity, tourism and recreation in our shore communities. Specific to this appeal, in my district, for example, the Shark River is in dire need of dredging with shallow channel depths that render navigable channels non-navigable during all but a few hours of the day. This has had a negative impact on the local economy and environment; it has resulted in damage to property as boats get stuck; and the shallow channels may result in personal injury as vessels become grounded.

You may know that my staff and I have personally met with federal, state, and local officials and stakeholders to seek out an immediate and permanent solution for the dredging needs of the Shark River and other waterways in New Jersey. Now, two-and-a-half years since Sandy hit, the recovery efforts detailed in this application remain unresolved and are still so desperately needed.

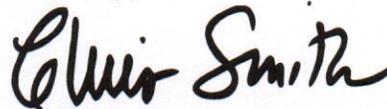
As you may be aware, NJDEP submitted PW 4846 in September 2013 and supplied substantiating documentation on November 15, 2013. This documentation contained thousands of data points and calculations and tens of thousands of photographs. One month later, FEMA denied the eligibility of all but a small amount of the work included in the PW, and also denied the estimated quantities of eligible Sandy-related materials to be removed. In July 2014, NJDEP submitted their appeal.

The information provided by NJDEP in their appeal is extensive and focuses on the U.S. Army Corps of Engineers' (USACE) final report dated December 18, 2013 wherein USACE highlighted issues with methodology and quality of data previously submitted by NJDEP. As a result of the report, which became available after NJDEP's original application, NJDEP undertook a massive review of data, analysis and photographs and addressed these issues in the appeal. Their scholarly experts validated channel logs against photos in the geo-database and all questions and issues identified by the USACE were resolved. The quality assurance and quality control measures produced what NJDEP officials believe to be "an accurate, repeatable and defensible quantification of Sandy-related material in each of the non-federally maintained channels contained in the appeal."

It is important to note that the USACE has performed dredging on different portions of the federal channel in Shark River multiple times since Sandy. The state-maintained channels, however, have not been dredged, but are scheduled to be cleared following the receipt of federal support through the FEMA process and in this case PW 04846. Thus, I respectfully request that you and your staff carefully review the updated and superior data incorporated into the appeal and use whatever discretion may be appropriate and proper to assist the State of New Jersey with these important dredging projects.

Thank you for your attention to this important matter. I know you will give it all due courtesy and appropriate consideration. Should you require additional information which I may be able to provide, please do not hesitate to contact me at my Freehold Constituent Center at 732-780-3035.

Sincerely,

A handwritten signature in black ink that reads "Chris Smith". The signature is written in a cursive, slightly slanted style.

CHRISTOPHER H. SMITH
Member of Congress

CHS:jss