

Copiague American Venice Bridges Improvements

Floodplain Management (EO 11988) and
Wetlands Protection (EO 11990) Plan

Copiague American Venice Bridges Improvements
Floodplain Management EO 11988 and Wetlands Protection EO 11990 Determination
Community Reconstruction Program within NY State Community Development Block Grant Disaster
Recovery Program
December 14, 2016

Introduction & Overview

The purpose of Executive Order 11988, Floodplain Management, is “to avoid to the extent possible the long- and short-term adverse impacts associated with occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.” The purpose of Executive Order 11990, Protection of Wetlands, is “to avoid to the extent possible the long- and short-term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands wherever there is a practicable alternative.” This plan contains the analysis prescribed by 24 CFR Part 55.

This project involves Community Development Block Grant Program – Disaster Recovery (CDBG-DR) funding for functionally dependent bridge structures for a single municipality impacted by Superstorm Sandy. The analysis that follows focuses on floodplain and wetland impacts, as there are direct wetland impacts associated with this project. Based on the type of land use and facility and other case characteristics described herein, it is concluded that there is a reasonable basis to proceed with funding for this project/activity within floodplain and wetland. The CDBG-DR funding is administered through the New York State Rising Community Reconstruction Program which is using bottom-up community participation and State-provided technical expertise to develop resilient and sustainable communities. Thus, alternatives preventing or impeding the development of resilient and sustainable communities are not considered reasonable alternatives.

Description of Proposed Action & Land Use

The two bridges carry East Riviera and West Riviera Drive in the hamlet of Copiague, Town of Babylon, Suffolk County, New York. The bridges span over the Santa Barbara Canal and are oriented in a North-South direction. The bridges are separated by the adjacent Grande Canal. The canals are connected to the Great South Bay. Each bridge serves as the single vehicular access point for a geographically distinct and separate neighborhood.

Project activities will involve the removal of the two adjacent bridges and a replacement with new bridges of higher carrying capacity. The current bridges’ roadways are 19-feet and 1-inch (19’ 1”) wide, with an additional 5’ 9” wide sidewalk. The existing bridges have a total width of 28’ 7” from parapet to parapet. The new bridges will be approximately 35’ 2” wide from parapet to parapet. The 8” water main in a 12” sleeve and 2” gas main in a 6” sleeve currently located under the existing bridge walkway will be temporarily supported on utility support beams during construction above the canal during construction, and reinstalled under the sidewalks of the new bridges.

The demolition and construction of each bridge will be phased so that one travel lane is open for traffic at all times, with a temporary traffic signals and realigned pavement markings for one-way, two lane traffic control. The existing bridge will be restricted to one travel lane during construction of the temporary bridge located between the canal and the work area. After installation of the temporary bridge, the single-lane travel lane will be switched to the temporary bridge and the existing bridge removed. The existing sidewalk will remain in place while a temporary pedestrian bridge is constructed between the temporary bridge and the work area. After the temporary pedestrian bridge is in place, pedestrian traffic will be diverted to the new sidewalk and the existing walkway will be demolished. These temporary bridges will remain in place until the new bridges and walkways are constructed. This will allow for vehicular access to and from the neighborhoods while the demolition and construction are occurring.

The East Riviera Drive temporary bridge will be approximately 120' long and the West Riviera Drive temporary bridge will be approximately 60' long. They will be supported on two (2) temporary piers at the edge of Santa Barbara Canal and concrete pad abutments at the ends, at the same approximate height as the existing bridges. The temporary piers will be supported on the temporary sheet piling bridge cofferdam on one end and a temporary pile on the other end. The piers will be located at the edge of the canal. The abutments will be a concrete block supported on a shallow foundation in the ground. The West Riviera Drive temporary bridge will also have 20' of temporary sheeting on each end to support the temporary embankment which will be placed to grade from the temporary bridge to the existing roadway.

The current lower arch sections and bridge abutment sections supporting the existing bridge are located on the canal banks. The new bridge arch sections are to be built located landward of the existing arch sections, expanding the existing 26' wide canal to a 30' wide canal opening. The replacement bridge structure footings will be in the approximate same location as the existing footings, so the removal of the existing abutment footings is necessary. The exact size of the existing footings is unknown as available historical records and plans do not reveal the size.

Silt fences and turbidity curtains will be installed around the entire proposed construction site prior to work beginning. After the existing concrete arch and roadway embankment are removed, a temporary cofferdam will be installed at each abutment. A turbidity curtain will be installed in the water adjacent to the work area, from cofferdam to cofferdam, to minimize sediment transportation in water from the area of disturbance. Dewatering will be accomplished by using surface pumps to transport water from behind the cofferdams to an outlet pipe with a filter sock, to be discharged behind the turbidity curtains between the two cofferdams.

Eighteen (18) 30' piles and battered caisson piles and sixteen (16) 20' piles and battered caisson piles will be driven for each abutment, and a reinforced concrete foundation cast in place. The sheeting pilings and cofferdam will be installed using a vibratory hammer and/or a dynamic pile driver. Most of the sheeting will be left in place, with the exception of the backside of the cofferdam, the roadway side. The sheeting left in place will be cut off below the proposed grade and buried. A precast concrete arch support will be backfilled with sediment, with the spandrel walls on the bridge acting as retaining walls. The new bridge arch support will be at the same height as the current bridges in the center of the arch, with only very minor deviations from the current arch angles over the canal. New bulkheads will be installed to protect the structure from erosion, using the stockpiled soil to backfill.

Applicable Regulatory Procedure - EO 11988 and 11990

The proposed action corresponds with a noncritical action not excluded under 24 CFR §55.12(b) or (c), and the use is a functionally dependent use. Funding is permissible for the use in the floodplain and wetland if the proposed action is processed under §55.20 and the findings of the determination are affirmative to suggest that the project may proceed.

This work will be located in 100-year floodplain (SHFA Zone AE) and within federal riverine wetlands. Approximately 0.18 acres of wetlands will be temporarily disturbed and approximately 0.63 acres of floodplain will be temporarily disturbed during construction. Thus, in accordance with the decision-making process set forth in 24 CFR Part 55, this analysis focuses on floodplains and wetlands.

According to 24 CFR §55, the activity to replace bridge structure(s) occurs in a community that is in the regular program of the National Flood Insurance Program (NFIP) and the community is currently in good standing. This project involves removing and completely replacing two bridge structures, and the full eight-step floodplain/wetlands determination process in §55.20 is being followed. The following analysis examines each step in a floodplain management determination process.

Step 1. Determine Whether the Proposed Action is Located in the 100-year Floodplain (500-year for Critical Actions) or results in New Construction in Wetlands.

The location of the proposed action, per the applicable FEMA flood map Firmette, is within 100-year floodplain (SFHA - AE Zone). There is an established Base Flood Elevation (BFE) of six (6) feet at the location of both bridges. The project has minor temporary impacts into tidal wetlands.

Step 2. Initiate Public Notice for Early Review of Proposal.

Because the proposed project is located in floodplain and wetlands, the Governor's Office of Storm Recovery (GOSR) published an early notice that allowed for public and public agency input on the decision to provide funding for reconstruction and development activities. The early public notice and 15-day comment period is complete. No public comments were received.

The early notice and corresponding 15-day public comment period started on March 26, 2015 with the "Notice of Early Public Review of a Proposed Activity in Wetlands and 100-Year Floodplain" being published in The Babylon Beacon newspaper, with the 15-day period expiring on April 11, 2015. The notice targeted local residents, including those in the floodplain. The notice was also sent to the following state and federal agencies on March 26, 2015: Federal Emergency Management Agency (FEMA); USFWS; U.S. Environmental Protection Agency (EPA); U.S. Army Corps of Engineers (USACE); U.S. Coast Guard (USCG); NYSDEC; and New York State Office of Emergency Management. The notice was also sent to Suffolk County and the Town of Babylon. (See **Attachments 1** and **2** of this Floodplain Management EO 11988 and Wetlands Protection EO 11990 Determination for the letter distributed to these agencies and the associated newspaper notice affidavit).

Step 3. Identify and Evaluate Practicable Alternatives to Locating the Proposed Action in a 100-year Floodplain (or 500-year Floodplain if a Critical Action) or Wetland.

The program is structured to provide eligible communities with resources and expertise to build resilience to future flooding events. This community was impacted by Superstorm Sandy, and the neighborhoods south of the bridges were not accessible by heavy emergency equipment during Superstorm Sandy. Given the scope of the proposed action to replace these bridges, potential alternatives must be considered in order to try and mitigate the amount of damage from future flood events.

One alternative is to rehabilitate the existing bridge with fiber reinforced polymer (FRP) for structural improvement of the arch. This would include repairing the deteriorated concrete areas and increase the structural capacity by installing FRP under the arches and ribs, along with improving the substructure. Specialists consider the maximum increase in shear or flexural capacity by this type of reinforcement is about 40% of the original design capacity, still requiring a posted load rating restriction. This application would improve the superstructure condition, but not the substructure condition, which is in poor condition due to failure of the supporting soil resulting from adjacent bulkhead failures. The rehabilitation of each bridge would cost about \$3,800,000. This alternative would not increase the load rating for the bridges or address deficiencies in the substructures and is not considered an optimal alternative. (Source: Town of Babylon Department of Public Works Scoping Report for the Rehabilitation or Reconstruction to Eliminate Load Posting for Riviera Drive Bridges (East and West) over Santa Barbara Canal BINs 2261360 and 2261370 dated July 2014)

Another alternative is to fill the canals with fill and connect the two neighborhoods to the mainland thereby eliminating the need for the bridges. This option would require wetlands to be filled, and would limit the residents' capacity to access waterways and water recreation. This alternative might drive down the prices of area properties because of the reduced water access, and it would also adversely affect species, water quality, and wetlands. Moreover, it is likely this option would not be allowed because it would eliminate access through these channels. Therefore, this is not considered a feasible alternative.

Another alternative would be for no action to occur, meaning the Town would not be receiving grant funds to replace the bridge structures, and the reduced load rating would remain on both bridges. Emergency access via heavy vehicles to the neighborhoods would still be hindered. In addition, this alternative would not support the resiliency of this community during flood or emergency events. The project would be impeded due to the lack of financial support; which means the bridges would continue to deteriorate in place. This could greatly impact emergency access to the area and access to the neighborhood by residents. Accordingly, the “no action” decision would not support Copiague’s resilience to future storm events.

Due to the number of developed parcels within this community, prohibition of rehabilitation of the structure providing access to the structures within floodplain is not practicable. As the bridge structure is a functionally dependent use, it is allowed to be constructed in floodplain.

The above identified alternatives will be re-evaluated in response to public comments received.

Step 4. Identify & Evaluate Potential Direct & Indirect Impacts Associated with Occupancy or Modification of 100-year Floodplain and Potential Direct & Indirect Support of Floodplain and Wetland Development that Could Result from Proposed Action.

The focus of floodplain evaluation should be on adverse impacts to lives and property, and on natural and beneficial floodplain values. Natural and beneficial values include consideration of potential for adverse impacts on water resources such as natural moderation of floods, water quality maintenance, and groundwater recharge.

According to the FEMA Report - [A Unified National Program for Floodplain Management](#), two definitions commonly used in evaluating actions in floodplain are “structural” and “non-structural” activities. Per the report, structural activity is usually intended to mean adjustments that modify the behavior of floodwaters through the use of measures such as public works dams, levees and channel work. Non-structural is usually intended to include all other adjustments (e.g., regulations, insurance, etc.) in the way society acts when occupying or modifying a floodplain. These definitions are used in describing impacts that may arise in association with potential advancement of this case.

Natural moderation of floods

As the project occurs in a developed area and is the access point for many residents of developed parcels situated within 100-year floodplain, the project may potentially result in future indirect impacts to property during certain severe floods and related natural disasters. These direct effects can be the increased accessibility and reliability of the bridges for emergency crews to access the residential neighborhoods.

Living resources such as flora and fauna

A potential impact that may arise is that during construction there could be disturbance to the canal and areas landward of the canal where bridge foundations will be built. However, this would be more likely if there are not construction best management practices (BMPs) implemented during the construction period and afterward to return disturbed areas to pre-construction conditions. A qualitative evaluation suggests the potential would be relatively small because the new bridge will be mainly placed in the same location as the existing bridges with minor deviations in already disturbed areas landward of the canal and construction will adhere to BMPs.

Impacts to Property & Lives

The action does present potential to impact occupancy of floodplain because the bridges serve as the only vehicular access points to the residents within floodplain. The project is not expected to significantly modify property in floodplains as there will be ground disturbance in previously disturbed areas. Earthwork does not appear to increase flood displacement.

Occupancy of this floodplain in this suburban to undeveloped coastal area has taken place over an extended recent history. According to Suffolk County's 2014 Draft update to the 2000 version of their Multi-Jurisdictional Multi-Hazard Mitigation Plan, the Town of Babylon is at risk for frequent flooding for hurricanes, flooding, and severe storms (page 9.4-9). Considering the context of the area, this action represents an activity at only two bridge locations among many real property parcels that are located within floodplain. Thus, funding this project/ activity does constitute indirect continued support of floodplain occupancy and development. In the event of severe flooding and associated natural hazards in the future, there is potential for further damage to this structure and impacts to the accessibility of this neighborhood. However, given that design for new bridges to increase load capacity on the bridges and to use new footings to support the bridge, the risk for impacts to this structure from future flood is low.

The predominantly in-kind and in-place reconstruction of the Site sustains area property values and community character within a district and neighborhood that has been settled for a long time. It enables continued and reliable access to these neighborhoods, which might otherwise degrade, or cease to exist, without support in rehabilitating this infrastructure. If this project/ activity were not funded, there probably would be other undefined, undesirable indirect impacts to residents' quality of life, ease of accessibility to their homes, and access to emergency services, in the event they are needed.

Cultural resources such as archaeological, historic & recreational aspects

These damaged structures were constructed in approximately 1910 by Suffolk County. The New York State Historic Preservation Office (SHPO) has determined that the American Venice Bridges are eligible for listing on the State and National Registers of Historic Places and funding this project would have an adverse effect on the bridges and be subject to the National Historic Preservation Act (NHPA) and its implementing regulations. Thus, a Memorandum of Agreement (MOA) regarding the Bridge Replacement Project in Babylon, New York has been filed with the Advisory Council on Historic Preservation (ACHP). The MOA, being filed with ACHP, enables GOSR to implement this project in compliance with Section 106 of the NHPA (Section 110(1) and 36 CFR 800.6(c)). GOSR shall ensure that the project is completed in accordance with the terms and stipulations of the MOA until it is expired or terminated. GOSR and the Town of Babylon have concluded, and SHPO has concurred on February 4, 2015, that there are no archaeological concerns at the Site. On October 31, 2016, SHPO stated it is their opinion "that the recordations are acceptable at this point and all stipulations have been met. No further submissions are required unless something changes."

The project will involve ground disturbing work associated with replacement of the two bridges. On March 9, 2015, GOSR sent the project information to the Tribal Historic Preservation Office of the Shinnecock Indian Nation and requested that the Nation inform GOSR if the Area of Potential Effect (APE) encompasses any historic properties of religious or cultural significance. No response has been received from the Shinnecock Indian Nation. If there is any unanticipated discovery of human remains, associated artifacts or cultural resources, then work shall be halted immediately and actions taken following the protocol established within the MOA.

Agricultural, aquacultural, & forestry resources

It is common knowledge there is substantial agriculture and fishing industry on Long Island including aquaculture. Per the 2012 State Comptrollers Report, Agriculture in Long Island, Figure 2 shows that considering "Agricultural Production by Commodity Group in Long Island (2007)," aquaculture at \$7.6 Million sales revenue represents 2.9% of this total type of economic product. It is conceivable that during the short-term construction activities the disturbance could impact water quality and the sector, although the impact attributable to this use could not be quantitatively derived. However, a qualitative analysis suggests that the impact would be very small as mitigative measures and BMPs will be utilized during construction, including, but not limited to, installing temporary silt fencing on land to prevent soil and/or

debris from being washed off-site and installing turbidity curtains in the water to minimize sediment transportation from the area of disturbance to the larger body of water per the soil erosion control plan. Project activities will be completed in accordance with all applicable federal, state and local permit requirements and conditions. Permits required for this project will be obtained by the Town before commencing work and appended to the environmental review record when received from the permitting agencies. Thus, no or minor temporary impacts from the proposed project activities are anticipated.

Step 5. Where Practicable, Design or Modify the Proposed Action to Minimize the Potential Adverse Impacts To and From the 100-Year Floodplain and to Restore and Preserve its Natural and Beneficial Functions and Values.

Given the scope to replace the bridges and the proposed funding support, it is a direct policy requirement to specify standards that mitigate flood risk. There were mitigation measures in the form of constructing new bridges supports using current design standard practices and BMPs.

However, it is still reasonable to promote awareness of future risks of natural hazards, including flooding, plus the physical, social and economic impacts that potential events could convey, including through potential for future physical damage to bridges and surrounding properties.

Step 6. Reevaluate the Alternatives and Proposed Action.

The rehabilitation alternatives within floodplain would not sufficiently address the load capacity of the bridges. This means that emergency vehicles would still be restricted in accessing the neighborhoods that the bridges serve. Moreover, these are functionally dependent structures that must be placed in floodplain.

The “no action” alternative would not address the need this municipality has for help in funding their replacement or rehabilitated bridges. Without funding this grant provides, the municipality could struggle to build resilience to future floods in the particular location.

Therefore, the alternatives examined are not considered desirable and the action to fund bridge reconstruction is still practicable in light of exposure to flood hazards in floodplain, possible adverse impacts on floodplain, the extent to which it may aggravate current hazards to other floodplains, and the potential to disrupt natural and beneficial functions and values of floodplains. Furthermore, the Town will have to abide by State and local codes for floodplain development in rebuilding the bridge structures. As such, the impact on a floodplain would be less than with both the “no action” and rehabilitation alternatives.

The impacts of these alternatives will be re-evaluated in response to any public comments received.

Step 7. Issue Findings and Public Explanation.

It is the finding of this report that there is no better alternative than to provide funding for the replacement of the two existing bridges. The location within floodplain cannot be avoided due to necessity of the bridges to connect approximately 600 households to the mainland of Long Island, New York. However, not funding any actions would mean that the Town would receive grant funds to replace the bridge structures, and the reduced load rating would remain on both bridges. Emergency access via heavy vehicles to the neighborhoods would still be hindered. In addition, this alternative would not support the resiliency of this community during flood or emergency events and the bridges would continue to deteriorate in place. This could greatly impact emergency access to the area and access to the neighborhood by residents.

A final notice, formally known as “Notice of Policy Determination” was published in accordance with 24 CFR 55, for a 15-day comment period. (See **Attachment 3** of this Floodplain Management EO 11988 and Wetlands Protection EO 11990 Determination for the letter distributed to the associated agencies). The 7-day comment period started with the Final Notice publishing in the Amityville Record newspaper on December 15, 2016 and the 15-day period expires December 30, 2016.

Step 8. Continuing Responsibility of Responsible Entity & Recipient.

The Governor's Office of Storm Recovery (GOSR), operating under the auspices of the New York State Homes and Community Renewal's (NYSHCR) Housing Trust Fund Corporation, is the responsible entity. The responsible entity will make available educational materials regarding best practices for structures located in floodplains. It is acknowledged there is a continuing responsibility by the responsible entity, New York State Housing Trust Fund/ Division of Homes and Community Renewal, to ensure, to the extent feasible and necessary, compliance with Steps 5 through 7.

Attachment 1
Notice of Early Public Review
Floodplain Management
Executive Order 11988



GOVERNOR'S OFFICE OF STORM RECOVERY

Andrew M. Cuomo
Governor

James Rubin
Executive Director



NOTICE OF EARLY PUBLIC REVIEW OF A PROPOSED ACTIVITY IN 100-YEAR FLOODPLAIN AND WETLAND March 26, 2015

To: All Interested Agencies, Groups & Individuals

The Governor's Office of Storm Recovery (GOSR), operating under the auspices of the New York State Homes & Community Renewal's Housing Trust Fund Corporation, is the Responsible Entity for direct administration of the U.S. Dept. of Housing & Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program. The purpose of this early notice is to identify that GOSR is undertaking the decision-making process required by Federal Executive Order (EO) 11988 and EO 11990 in accordance with HUD regulations at 24 CFR §55.20 (Subpart C-Procedures for Making Determinations on Floodplain Management and Protection of Wetlands). GOSR invites public comment on the potential effect that implementing physical mitigation at the functionally dependent location below could potentially have on a 100-year floodplain and wetlands. GOSR is conducting this review in order to determine whether or not funding assistance should be granted.

Project Name: The applicant proposed to receive storm rehabilitation funding is the Town of Babylon, and the project is known as the Copiague American Venice Bridges Improvements. The applicant property consists of two bridges carrying public roadways, East and West Riviera Drive, over the Santa Barbara Canal in the hamlet of Copiague, Town of Babylon, Suffolk County, NY.

Brief Description of Project: The proposed action is to replace two aging bridges located at East Riviera Drive and West Riviera Drive in the hamlet of Copiague, Town of Babylon, Suffolk County, NY. The two bridges provide the only vehicular access point to the neighborhoods located south of each bridge. The current bridges have a load rating of 12 tons only, and the bridges do not support use by heavy emergency and rescue equipment. In order to decrease vulnerability of the neighborhoods, the bridges will be replaced with higher capacity bridges so that emergency equipment and vehicles have unconstrained access to the neighborhoods in the event of an emergency.

There are multiple purposes for this notice. First, people who may be affected by activities in floodplains and wetlands and those who have an interest in protection of the natural environment have an opportunity to express their concerns and provide information about such subjects. Besides this general notice, certain local, state and federal agencies are being directly informed about the project. Second, adequate public notice is an important public education tool. Dissemination of information and floodplain development facilitate federal efforts to reduce the risks associated with the occupancy and modification of these areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in floodplain, it must inform those who may be put at greater or continued risk.

Comments or requests for information from the public are invited and will be received for fifteen (15) days from the date of this publication. Any individual, group, or agency may submit written comments on the

actions to: Thomas King, Certifying Officer, Governor's Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, New York, 12231. Comments may also be submitted via email at NYSCDBG_DR_ER@nyshr.org or by telephone, excepting public holidays, at (646) 417-4660 weekdays from 9:00 AM - 5:00 PM.

Best Regards,

A handwritten signature in black ink, appearing to read "Thomas J. King". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Thomas King, Certifying Officer
Governor's Office of Storm Recovery

Attachment 2
Notice of Early Public Review Affidavit
Floodplain Management
Executive Order 11988



Newspapers

65 Deer Park Avenue
Babylon, NY 11702
Phone : (631) 587-5612
Fax: (631) 587-0198
email: beaconnews@rcn.com

Affidavit of Publication

County of Suffolk

State of New York

Carolyn James, being duly sworn, deposes and says that she is the office clerk of The Beacon, a weekly newspaper published at Babylon in the County of Suffolk Staete of New York, and that a notice, a printed copy of which is hereto annexed has been published in said newspaper once in each week for

week(s) one (1)

March 26, 2015

VIZ:



Sworn to me before this 26th day of March, 2015.



Notary Public, Suffolk County

Donna M. Consola
NOTARY PUBLIC State of New York
No. 01C0507719
Qualified in Suffolk County
Commission Expires March 25, 2018

**NOTICE OF EARLY
PUBLIC REVIEW OF A
PROPOSED ACTIVITY IN
100-YEAR FLOODPLAIN
AND WETLAND**
March 26, 2015

To: All Interested Agencies, Groups & Individuals
The Governor's Office of Storm Recovery (GOSR), operating under the auspices of the New York State Homes & Community Renewal's Housing Trust Fund Corporation, is the Responsible Entity for direct administration of the U.S. Dept. of Housing & Urban Development (HUD) Community Development Block Grant - Disaster Recovery (CDBG-DR) program. The purpose of this early notice is to identify that GOSR is undertaking the decision-making process required by Federal Executive Order (EO) 11988 and EO 11990 in accordance with HUD regulations at 24 CFR §55.20 (Subpart C-Procedures for Making Determinations on Floodplain Management and Protection of Wetlands). GOSR invites public comment on the potential effect that implementing physical mitigation at the functionally dependent location below could potentially have on a 100-year floodplain and wetlands. GOSR is conduct-

ing this review in order to determine whether or not funding assistance should be granted.

Project Name: The applicant proposed to receive storm rehabilitation funding is the Town of Babylon, and the project is known as the Copiague American Venice Bridges Improvements. The applicant property consists of two bridges carrying public roadways, East and West Riviera Drive, over the Santa Barbara Canal in the hamlet of Copiague, Town of Babylon, Suffolk County, NY.

Brief Description of Project: The proposed action is to replace two aging bridges located at East Riviera Drive and West Riviera Drive in the hamlet of Copiague, Town of Babylon, Suffolk County, NY. The two bridges provide the only vehicular access point to the neighborhoods located south of each bridge. The current bridges have a load rating of 12 tons only, and the bridges do not support use by heavy emergency and rescue equipment. In order to decrease vulnerability of the neighborhoods, the bridges will be replaced with higher capacity bridges so that emergency equipment and vehicles have unconstrained access to the neighborhoods in the event of an emergency.

There are multiple purposes for this notice. First, people who may be affected by activities in floodplains and wetlands and those who have an interest in protec-

tion of the natural environment have an opportunity to express their concerns and provide information about such subjects. Besides this general notice, certain local, state and federal agencies are being directly informed about the project. Second, adequate public notice is an important public education tool. Dissemination of information and floodplain development facilitate federal efforts to reduce the risks associated with the occupancy and modification of these areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in floodplain, it must inform those who may be put at greater or continued risk.

Comments or requests for information from the public are invited and will be received for fifteen (15) days from the date of this publication. Any individual, group, or agency may submit written comments on the actions to: Thomas King, Certifying Officer, Governor's Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, New York, 12231. Comments may also be submitted via email at NY-SCDBG_DR_ER@nyshcr.org or by telephone, excepting public holidays, at (646) 417-4660 weekdays from 9:00 AM - 5:00 PM.

Thomas King, Certifying Officer
Governor's Office of Storm Recovery
15-259 3/26

**Attachment 3
Final Notice
Floodplain Management
Executive Order 11988**



PUBLIC NOTICE
**COMBINED FINAL NOTICE AND PUBLIC REVIEW OF A PROPOSED
ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND,
NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI),
AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOI-RROF)**

COPIAGUE AMERICAN VENICE BRIDGES IMPROVEMENTS

December 14, 2016

Name of Responsible Entity and Recipient: New York State Homes and Community Renewal (HCR), 38-40 State Street, Hampton Plaza, Albany, NY 12207, in cooperation with the New York State Housing Trust Fund Corporation (HTFC), of the same address. Contact: Thomas J. King (518) 473-0015.

This combined notice satisfies three separate procedural requirements for project activities proposed to be undertaken. Per 24 C.F.R. Part 58.33, this is the combined Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds (FONSI/ NOIRROF) and Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain/Wetland. The funds are needed immediately to replace the existing damaged bridges. As a result, the comment periods for the FONSI/ NOIRROF and Final Notice and Public Review of a Proposed Activity in 100-year floodplain and wetland have been combined.

Project Description: The Governor's Office of Storm Recovery (GOSR), an office of HCR's HTFC, is responsible for the direct administration of the United States Department of Housing and Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program in New York State. GOSR proposes to provide CDBG-DR funding to the Copiague American Venice Bridges Improvements Project, which involves the replacement of two bridges located at East Riviera Drive and West Riviera Drive over the Santa Barbara Canal in the hamlet of Copiague, Town of Babylon, Suffolk County, New York (the "Proposed Project"). During Superstorm Sandy, heavy-duty emergency and rescue vehicles were unable to access the neighborhood during the storm. This lack of access delayed post-storm assistance to the neighborhoods. The total project cost is estimated to be approximately \$8,216,560.00.

Public Explanation of a Proposed Activity in a 100-year Floodplain and Wetland

This work will be located in 100-year floodplain (SHFA Zone AE) and within federal riverine wetlands. Approximately 0.18 acres of wetlands will be temporarily disturbed and approximately 0.63 acres of floodplain will be temporarily disturbed during construction. A Floodplain Management and Protection of Wetlands Plan (FMPWP) has been prepared and is made available for public review and comment as described below.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains/ wetlands and those who have an interest in the protection of the natural environment have an

opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information and request for public comment about floodplains/ wetlands can facilitate and enhance federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in floodplains/ wetlands, it must inform those who may be put at greater or continued risk.

Finding of No Significant Impact

An Environmental Assessment (EA) for the Proposed Project has been prepared in accordance with the National Environmental Policy Act of 1969 (NEPA) and HUD environmental review regulations at 24 CFR Part 58. The EA is incorporated by reference into this FONSI. Subject to public comments, no further review of the Proposed Project is anticipated. HCR has determined that the EA for the project identified herein complies with the requirements of HUD environmental review regulations at 24 CFR Part 58. HCR has determined that the Proposed Project will have no significant impact on the human environment and therefore does not require the preparation of an environmental impact statement under NEPA.

Public Review: Public viewing of the EA and the FMWMP is available online at <http://stormrecovery.ny.gov/environmental-docs> and is also available in person Monday – Friday, 9:00 AM – 5:00 PM at the following address: Governor’s Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, New York 12260. Contact: Thomas J. King (518) 473-0015.

Further information may be requested by writing to the above address, emailing NYSCDBG_DR_ER@nyshr.org or by calling (518) 473-0015. This combined notice is being sent to individuals and groups known to be interested in these activities, local news media, appropriate local, state and federal agencies, the regional office of the U.S. Environmental Protection Agency having jurisdiction, and to the HUD Field Office, and is being published in a newspaper of general circulation in the affected community.

Public Comments on FMWMP, FONSI and/ or NOIRROF: Any individual, group or agency may submit written comments on the Project documents mentioned in this notice. The public is hereby advised to specify in their comments which “notice” their comments address. Comments should be submitted via email, in the proper format, on or before 5:00 pm on December 29, 2016 at NYSCDBG_DR_ER@nyshr.org. Written comments may also be submitted at the following address, or by mail, in the proper format, to be received on or before December 29, 2016: Governor’s Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, New York 12260. Comments may be submitted by telephone by contacting Thomas J. King at (518) 473-0015. All comments must be received on or before 5:00 pm on December 29, 2016 or they will not be considered. If modifications result from public comment, these will be made prior to proceeding with the expenditure of funds.

Request for Release of Funds and Certification

On or about December 30, 2016, the HCR certifying officer will submit a request and certification to HUD for the release of CDBG-DR funds as authorized by related laws and policies for the purpose of implementing this part of the New York CDBG-DR program.

HCR certifies to HUD that Thomas J. King, in his capacity as Certifying Officer, consents to accept the jurisdiction of the U.S. federal courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD’s approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows GOSR to use CDBG-DR program funds.

Objection to Release of Funds: HUD will accept objections to its release of funds and GOSR's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later). Potential objectors may contact HUD or the GOSR Certifying Officer to verify the actual last day of the objection period.

The only permissible grounds for objections claiming a responsible entity's non-compliance with 24 CFR Part 58 are: (a) Certification was not executed by HCR's Certifying Officer; (b) the responsible entity has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the responsible entity has committed funds or incurred costs not authorized by 24 CFR Part 58 before release of funds and approval of environmental certification; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to Tennille Smith Parker, Director, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, U.S. Department of Housing & Urban Development, 451 7th Street SW, Washington, DC 20410, Phone: (202) 402-4649.

Thomas J. King, Esq.
Certifying Officer
December 14, 2016