

Bay Point Marina, L.P.

Executive Orders Compliance Analysis –
Floodplain Management (EO 11988) &
Protection of Wetlands (EO 11990)
Determination

Project 103-ED-32565-2013 EO 11988 Floodplain Management and
EO 11990 Wetlands Protection Determination
Commercial & Economic Development Initiative within NY State Community Development Block
Grant Disaster Recovery Program

March 3, 2017

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.” This report contains the analysis prescribed by 24 CFR Part 55.

This project involves Community Development Block Grant Program – Disaster Recovery (CDBG-DR) funding for rehabilitation and repairs for a single business impacted by Superstorm Sandy. The analysis that follows focuses on floodplain and wetlands impacts. Based on the “non-substantial” level of work, and other case characteristics, it is concluded that there is a reasonable basis to proceed with funding for this project/ activity within floodplain. Moreover, in the March 5, 2013 Federal Register Notice, HUD expressly recognized that “without the return of businesses and jobs to a disaster-impacted area, recovery may be impossible. Therefore, HUD strongly encourages grantees to envision economic revitalization as a cornerstone to a long-term recovery” (78 FR 14335). Thus, alternatives preventing or impeding small business recovery are not considered reasonable alternatives.

Description of Proposed Action & Land Use

Bay Point Marina, L.P. (Applicant) is a full-service marina located at 125 Boylan Lane, in the hamlet of Blue Point, Town of Brookhaven, in Suffolk County, New York. Based on County Assessment data, this commercial property is known as Parcel ID 0200985400300003003. The Property Description shows that the Subject Property is 4.5-acre lot.

The proposed support involves a limited grant award of \$50,000.00 for reimbursement of completed construction-related activities. The construction activities involved bulkhead repair work and the dredging of the entrance area of the marina basin. Completed work also included repairs to the boardwalk around the bulkheads. Maintenance dredging operations occurred within the marina entrance to a depth of six feet below mean low water. Approximately 650 – 950 cubic yards of material was placed above the mean high water line on the beach located on the southern side of the marina entrance. The work was required to be performed in conformance with the United States Army Corps of Engineers (USACE) Nationwide Permits 3, 19, and 35 (Section 10 – Rivers and Harbors Act and Section 404 – Clean Water Act), and no pre-construction notification (PCN) is required. In addition, the Applicant obtained and was required to complete the work in compliance with the New York State Department of Environmental Conservation (NYSDEC) permit authorizations including Tidal Wetlands, (1-4722-01289-00023), Water Quality Certification (1-4722-01289/00024), Excavation & Fill in Navigable Waters (1-4722-01289-00025) and Storm Emergency General Permit GP-0-12-006 (1-4722-01289/00019) which includes the aforementioned and Coastal Erosion Management; and Town of Brookhaven Wetlands and Waterways Permit No. 2013-4338-13. Proof of National Flood Insurance Program (NFIP) is not required since the project activities (beach replenishment, dredging and repairing bulkhead and boardwalk) are uninsurable.

A previous environmental review for working capital under 24 CFR 58.35(b)(4) for this Applicant was completed on October 16, 2015 and is included in the Environmental Review Record.

Applicable Regulatory Procedure Per EO 11988

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

Based on online data, including data managed and updated by U.S. Fish & Wildlife Service (USFWS) and NYSDEC, there are wetlands on the property and the completed work to replenish a beach with dredged materials is considered new construction in wetlands according to this part [Pursuant to 24 CFR §55, new construction involves “structures or facilities begun after the effective date of Executive Order 11990” (24 CFR §55.2(b)(8))]. Thus, in accordance with the decision-making process set forth in 24 CFR Part 55, this analysis focuses on wetlands and floodplain.

According to 24 CFR §55, the activity 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. The Subject Property is valued at approximately \$1,436,799.00. The total amount of damage reported after Superstorm Sandy for this project does not exceed the substantial improvement threshold of 50% in 24 CFR §55.2(b)(10). However, new construction in wetlands occurred, and an eight-step determination process set forth in §55.20 applies. The following analysis examines each step in the wetland and 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 5 to 7 feet across the Subject Property.

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 April 11, 2016 with the "Notice of Early Public Review of a Proposed Activity in Wetlands and 100-Year Floodplain" being published in Newsday newspaper, with the 15-day period expiring on April 26, 2016. The notice targeted local residents, including those in the floodplain. The notice was also sent to the following state and federal agencies on April 8, 2016: Federal Emergency Management Agency (FEMA); USFWS; U.S. Environmental Protection Agency (EPA); U.S. Army Corps of Engineers (USACE); NYSDEC; and New York State Office of Emergency Management. The notice was also sent to Nassau County and the Town of Hempstead. (See **Appendix 1** and **2** of this EO 11988 Floodplain Management and EO 11990 Wetlands Protection Determination for the newspaper notice affidavit and the matching letter distribution to these agencies).

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 businesses with loan or grant assistance for activities necessary to restore storm-damaged businesses, including through damage reimbursements, and support for rehabilitation, reconstruction, elevation, and/ or other mitigation activities. This small business suffered substantial damage during Superstorm Sandy, as such potential alternatives must be considered in order to try and mitigate the amount of damage from future flood events.

One potential alternative is to relocate the business to avoid potential future impacts at its current location. However, the marina business is functionally dependent on its location on the water. Thus, locating the business outside of 100-year floodplain is not practicable. Finding other suitable locations for this marina business elsewhere, within a reasonable distance of the current location, is anticipated to be difficult due to the highly built up area and occupancy of coastal land.

Another alternative would be for “no action” to occur, meaning the Applicant would not be receiving grant funds to restore and sustain the business. This means that there would not be HUD CDBG-DR funding assistance provided for maintenance dredging to restore normal access at the marina entrance or for beach replenishment, and bulkhead and boardwalk repairs needed from storm damage that occurred. Without HUD CDBG-DR funding, the repairs and rehabilitation work might not be reimbursed, and the business could struggle to afford to provide services to its customers and continue its operations. Moreover, the project activities including bulkhead repairs might have assisted the business and the surrounding properties to become more resilient to future flood events and significantly improved the business owner’s ability to mitigate future flood damages. This action would affect this business and the surrounding community, as recovery would be impaired due to lack of financial support. Thus, the “no action” alternative would not support this business’s recovery nor help the community recover from this storm.

Due to the number of developed parcels within this community, prohibition of rehabilitation within floodplain is not practicable.

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 Subject Property is one of many developed parcels situated within 100-year floodplain, the continued occupancy may potentially result in future direct impacts to property during certain severe floods and related natural disasters. However, the direct effects to this property would be no greater than those expected to the other adjacent occupied properties within this floodplain.

Living resources such as flora and fauna

This land use may constitute a type of business where, after flooding, materials used in operations could potentially be released into the environment, thereby having unquantifiable potential to impact water quality maintenance and ecological resources. A potential impact that may arise is that materials used or stored on-site would be caused to be released into the environment, such as a result of wind or floodwaters. However, this would be more likely if there are not non-structural and structural floodproofing techniques in place,

such as if materials are not stored in water-tight containers, and/ or said containers break or migrate out of a non-enclosed building due to lack of proper preparation. A qualitative evaluation suggests the potential would be relatively small and if such releases do occur, it is likely as part of a potential area-wide impact. In such an instance, floatable debris could contribute to litter and if there were minor amounts of chemicals used on the property, floodwaters may induce rapid dilution. Given the nature of this business, the potential for an acute or chronic level of water quality impact from the Subject Property is low.

Impacts to Property & Lives

The action does present potential to impact commercial occupancy of floodplain, but it does not impact residential structures. The completed work brought the Subject Property back into pre-storm conditions. Moreover, supporting the recovery of small businesses is an essential component of recovery in storm-affected communities, as recognized by the March 2013 Federal Register Notice.

Occupancy of this floodplain in this hamlet within the Town of Brookhaven has taken place over an extended period. According to Suffolk County's Multi-Jurisdictional Hazard Mitigation Plan, 2014, the Town of Brookhaven is at risk for occasional hurricanes, frequent floods, and frequent severe storms (page 9.6-6). Considering the context of the area—this action represents an activity at only one developed parcel among others that are located within contiguous floodplain. Thus, funding this project/activity does constitute continued support of floodplain occupancy and development, including for this business. In the event of severe flooding and associated natural hazards in the future, there is potential for further damage to this property, business disruption, and other associated impacts to this small business.

The predominantly in-kind and in-place rehabilitation of the Subject Property sustains area property values and community character within a developed district and neighborhood. It enables continued viability of this small business, which might otherwise degrade, or cease to exist, without support in rehabilitating facilities, restarting business operations, and/or recouping some revenue lost as a result of the disaster. Similarly, the proposed investment supports the area by sustaining an asset. With sustained operations here, the market is not disrupted in that customers and tenants are required to travel greater distances. Support to sustain this business also helps ensure a diverse economic base. If this project were not funded, there probably would be other undefined, undesirable indirect impacts to lives and the area economy, on a short- and long-term basis, such as relating to economic multipliers and support that this business provides to surrounding businesses, as it purchases products and services.

Cultural resources such as archaeological, historic & recreational aspects

This marina has been in operation since approximately 1972, when the business currently occupying the marina was founded. This date is supported by the historical aerial photographs provided by Suffolk County data showing the marina basin was constructed between 1962 and 1978, with a southern expansion to the south having occurred by 1984. There are no recorded historic properties listed on or deemed eligible for the State and National Register of Historic Places located on or adjacent to the Subject Property. The New York State Historic Preservation Office confirmed on January 16, 2016 that this project has had no affect effect on historic resources. The project information was submitted to the Shinnecock Nation Tribal Historic Preservation Office but no response was received. Without support, built resources could degrade and there could be loss of development character and identity for the Subject Property and the area.

According to the Outdoor Industry Association's two-page fact sheet New York The Outdoor Recreation Economy, outdoor recreation generates \$338 Billion in consumer spending and 305,000 direct jobs within the State. This is an important sector of the regional economy and the subject business is an example of a constituent part of this aspect of the economic base. It is presumed that market demand for marina services is strong and if the service here were disrupted, consumer demand could not easily shift to other facilities located in floodplain because of finite supply.

Agricultural, aquacultural, & forestry resources

The Suffolk County area has several agricultural sites located in the flood zone, as well as undeveloped woodlands. There is substantial agriculture and fishing industry in Nassau and Suffolk Counties on Long Island, including aquaculture in the form of oyster farming. While there appears to be a higher concentration of aquaculture on Eastern Long Island, per the 2012 State Comptrollers Report Agriculture in Long Island and Agricultural Production by Commodity Group in Long Island (2007), aquaculture represents 2.9% of the economy at a \$7.5 million sales revenue. It is possible that if there is a materials release from this property, it could potentially affect natural resources including agricultural and forestry. However, while it is conceivable that flooding of a business like this could be part of a cumulative influence on such resources, the impact attributable to this use could not have been quantitatively derived, and the potential impact, with planning for and practice of non-structural management practices, is considered minor.

Wetland Evaluation

The purpose of wetland evaluation is to consider factors relevant to a proposal's effect on the survival and quality of the wetland. These factors should include public health (including water supply and water quality), maintenance of natural systems, cost increases attributed to construction in wetland, and other uses of wetland in the public interest.

Public health, safety, and welfare, including water supply, quality, recharge, and discharge; pollution; flood and storm hazards and hazard protection; and sediment and erosion.

The project location is in wetlands that are designated tidal wetlands (NYSDEC) and estuarine/ marine deep-water (USFWS). These wetlands are not freshwater wetlands and, therefore, are not directly used for water supply. However, these tidal wetlands and deep-water estuarine wetlands along the coast can serve to absorb the force of storm waters and prevent erosion from tidal influences. These areas help protect upland soil and freshwater resources. The scope of work for this project involved in-kind work to restore the marina basin, beach, interior bulkhead, and boardwalk to the pre-storm conditions. This work did not pose a threat to public health and safety, or increase flood and storm hazards. This is because the action does not include reshaping or filling of the wetland, but merely restoring the existing marina basin to pre-storm depths. Additionally, the bulkhead (and boardwalk) repairs will make this property and surrounding area safer from future damages as erosion will be decreased during storm events. Beach replenishment only brought the Subject Property back into pre-storm conditions.

Maintenance of natural systems, including conservation and long-term productivity of existing flora and fauna; species and habitat diversity and stability; natural hydrologic function; wetland type; fish; wildlife; timber; and food and fiber resources.

The proposed action did not affect natural systems/ wetlands that were undisturbed at this pre-existing developed marina parcel, which is located in an area that is primarily developed with other marinas, commercial properties, and residential properties. As the work did not increase the area of the marina and occurred within the footprint of the previously existing marina, it is presumed that there were no new adverse impacts on the existing flora/fauna, habitat, natural hydrologic function, or natural resources at the location.

Cost increases attributed to wetland-required new construction and mitigation measures to minimize harm to wetlands that may result from such use.

The scope of work did not involve changing the area of the wetland. Consequently, there are no cost increases attributed to necessary mitigation measures to minimize harm to wetlands that may result from such use.

Other uses of wetland in the public interest, including recreational, scientific, and cultural uses.

This functionally dependent marina offers the public recreational access to waterways in the area. According to the Outdoor Industry Association's two-page fact sheet New York The Outdoor Recreation

Economy, outdoor recreation generates \$338 Billion in consumer spending and 305,000 direct jobs within the State. This is an important sector of the regional and local economy and the subject business is an example of a constituent part of this aspect of the economic base. It is presumed that market demand for marina services is strong and if the service here were disrupted, consumer demand could not simply shift to other marinas located in wetlands and floodplains because of finite supply.

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 that proposed rehabilitation funded by this Program is limited and does not rise to the level of substantial reconstruction, and considering the individual property scale, it is not financially feasible to specify mitigation measures, such as elevating the buildings or structures, dry floodproofing buildings on the Subject Property, or promoting strategic retreat such as through government acquisition. However, it is reasonable to promote business owner 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 property, buildings, supplies, and equipment.

It is reasonable to promote business owner awareness of actions they can take to define and prepare for the impacts of many hazards they may face. There are free resources available to aid such preparedness planning found at the link: <http://www.ready.gov/business>. Also, the Applicant could consider participating in The Clean Marina Initiative, an incentive-based program promoted by the National Oceanic and Atmospheric Administration that offers information about engaging in marina-specific operating and maintenance procedures in order to protect coastal water quality.

Step 6. Reevaluate the Alternatives and Proposed Action.

The relocation alternatives within floodplain would not change the rebuilding requirements, and the location of the community within a coastal area means that there are few spaces that are not situated within floodplain. The areas that are outside floodplain are impracticable in terms of the businesses' basic requirements to achieve an acceptable level of service as a marina. Locations within the flood zone are already occupied, and/ or lack the functional space required by such a recreational business, or already serve important purposes such as forestry, agriculture, or other recreation pursuits such as hunting or fishing clubs.

The "no action" alternative would not address the need this business has for help in funding their rehabilitation and mitigation. Without funding this grant provides, the business could be unable to pay off completed rehabilitation and repair work.

Therefore, the alternatives examined are not considered desirable or possible and the action to fund rehabilitation and business continuity at this business 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. Moreover, the March 2013 Notice in the Federal Register strongly recommends that grantees engage in a robust policy for ensuring recovery of small businesses affected by storm events, as such recovery is essential to the continued vitality of surrounding communities. Thus, alternatives preventing or impeding small business recovery are not considered reasonable alternatives. As such, the impact on a floodplain would be less than with the "no action" and relocation 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 repairs at this small business. The location within floodplain cannot be avoided due to requirements of a marina and land economics, in terms of the high expected cost of land outside floodplain and the high development costs of relocating the business. However, not funding any actions would mean that this small business would struggle to recover, much less be able to mitigate any future damages. A final notice, formally known as “Notice of Policy Determination” was published in accordance with 24 CFR 55, for a 7-day comment period. (See **Appendix 3** of this EO 11988 Floodplain Management and EO 11990 Wetlands Protection Determination for the notice and the distribution to local, state and federal agencies). The 7-day comment period started with notice publishing in the Newsday newspaper (eastern addition) on March 3, 2017 and the 7-day period expires March 10, 2017. The notice describes the reasons why the project must be located in the floodplain, alternatives considered, and all mitigation measures to be taken to minimize adverse impacts and preserve natural and beneficial floodplain values.

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 businesses located in floodplains. It will also might require the business to demonstrate proof of current flood insurance. It is acknowledged there is a continuing responsibility by the responsible entity to ensure, to the extent feasible and necessary, compliance with the steps herein.

Appendix 1

Notice of Early Public Review Floodplain Management (EO 11988) & Protection of Wetlands (EO 11990) Determination



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Executive Director

EARLY NOTICE AND PUBLIC REVIEW OF A PROPOSED ACTIVITY IN 100-YEAR FLOODPLAIN & WETLANDS

April 11, 2016

To: All Interested Agencies, Groups & Individuals

The Governor's Office of Storm Recovery (GOSR), operating under auspices of New York State Homes & Community Renewal's Housing Trust Fund Corporation, is the Responsible Entity for direct administration of 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 Orders 11988 and 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 reimbursement funding for completed physical business restoration and mitigation activity at the functionally dependent location below could potentially have on wetlands and 100-year floodplain. The project is part of the New York Rising Small Business Grant Program. GOSR is conducting this review in order to determine whether or not funding assistance should be granted.

Project Name: Bay Point Marina L.P. (Project # 103-ED-32565-2013) is a water-dependent, full-service marina located at 125 Boylan Lane, Hamlet of Blue Point, Town of Brookhaven, Suffolk County, New York.

Brief Description of Project: Bay Point Marina L.P.'s bulkheads and marina were damaged during Superstorm Sandy. The business is situated on Blue Point with other water-based uses and residential properties nearby. There are extensive existing bulkheads at this business and within the surrounding community, and the community experienced major flooding, including erosion and damage to bulkheads, during Superstorm Sandy.

The proposed support involves a limited CDBG-DR award of \$50,000.00 for reimbursement of completed construction activities. The completed construction activities involved: bulkhead repairs, damaged dock removal, and dredging a portion of the marina basin. Work also included repairs to the interior bulkhead of the marina and boardwalk. Maintenance dredging operations occurred within the marina entrance to a depth of 6 feet below mean low water level with approximately 650-950 cubic yards dredged and placed on the beach on the southeast corner of the property. The dredge material was used as beach nourishment immediately south of the marina entrance, and was also used to fill in the damaged bulkhead/boardwalk area where sand was eroded.

There is approximately 3.05 acres of the Subject Property located in 100-year floodplain (SHFA Zone AE) and 1.88 acres in federal estuarine/deep-water wetlands. It is estimated that less than 0.5 acres of wetland and floodplain area were affected by the completed project activities. Since

the action will include new construction (bulkhead returns) in wetland and floodplain, Executive Orders 11990 and 11988 require that the project not be supported if there are practicable alternatives to development in floodplain and new construction in wetlands. Additionally, proof of all applicable local, federal and state environmental permits will be required as a condition of funding.

There are multiple purposes for this notice. First, people who may be affected by activities in floodplains 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. In addition to 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 about wetland and floodplain development facilitates 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: Attention Lori A. Shirley Certifying Officer, Governor's Office of Storm Recovery, 38-40 State Street, Hampton Plaza, Albany, New York 12207. Comments may also be submitted via email at NYSCDBG_DR_ER@nyshcr.org or by telephone, excepting public holidays, at (518) 474-0755 weekdays from 9:00 AM - 5:00 PM.

Sincerely,



Lori A. Shirley
Certifying Officer
Governor's Office of Storm Recovery
April 11, 2016

Appendix 2

Notice of Early Public Review Affidavit Floodplain Management (EO 11988) & Protection of Wetlands (EO 11990) Determination

NEWSDAY AFFIDAVIT OF PUBLICATION

TECTONIC
PO BOX 37
MOUNTAINVILLE, NY 10953

STATE OF NEW YORK)

Legal Notice No.

0021172136

:SS.:

COUNTY OF SUFFOLK)

R. Lopes of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Monday

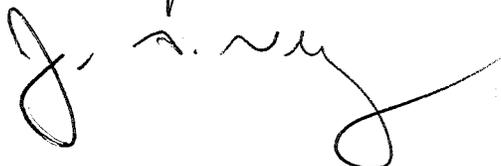
April 11, 2016

Suffolk

SWORN to before me this

11 Day of April, 2016.

Jason A. Neknez
Notary Public, State of New York
No. 01NE6219108
Commission Expires 03/22/2018
Qualified in Suffolk County



Legal Notice # 21162707
84 Meeting House Lane LLC. Filed with SSNY on 2/16/16. Office: Suffolk County. SSNY designated as agent for process & shall mail to: 59 Greenhaven Rd Rye NY 10580. Purpose: any lawful

Legal Notice # 21167869
Notice of Formation of L&A Fishtime, LLC, Art. of Org. filed with Sec'y of State (SSNY) on 3/18/16. Office location: Suffolk County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to Kamran Parandian, Esq., 1 Barker Ave., 1st Fl., White Plains, NY 10601. Purpose: any lawful activities.

Legal Notice # 21167874
Notice of Formation of FS Property 1 LLC, Art. of Org. filed with Sec'y of State (SSNY) on 10/26/15. Office location: Suffolk County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to c/o Aaron Factor, 458 Free State Dr., Shirley, NY 11967. Purpose: any lawful activities.

Legal Notice # 21172132
EARLY NOTICE AND PUBLIC REVIEW OF PROPOSED ACTIVITY IN 100-YEAR FLOODPLAIN & WETLANDS
April 11, 2016

To: All Interested Agencies, Groups & Individuals
The Governor's Office of Storm Recovery (GOSR), operating under auspices of New York State Homes & Community Renewal's Housing Trust Fund Corporation, is the Responsible Entity for direct administration of 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 the decision-making process required by federal Executive Orders 11988 and 11990 in accordance with HUD regulations at 24 CFR 555.20 (Subpart C-Procedures for Making Determinations on Floodplain Management and Protection of Wetlands). GOSR invites public comment on the potential effect on wetlands and 100-year floodplains from reimbursement funding for completed physical business restoration and mitigation activity at the functionally dependent location below. The project is part of the New York Rising Small Business Grant Program. GOSR is conducting this review in order to determine whether or not funding assistance should be granted. Project Name: Port of Egypt Marine, Inc. (Project #103-ED-728-13) is a water-dependent, full-service marina located at 62300 Main Road, Town of Brookhaven, Suffolk County, New York 11971.

Brief Description of Project: Port of Egypt Marine, Inc.'s docks and electrical infrastructure were damaged during Superstorm Sandy. The business is situated with access to Southold Bay in Suffolk County, New York, and there are other water-based businesses and residential properties nearby. There are extensive existing bulkheads at this business and within the surrounding community, and the community experienced major flooding and damages during Superstorm Sandy.

This proposed support involves CDBG-DR program funding of up to \$100,000 for reimbursement of completed marina infrastructure mitigation. Completed mitigation activities included the replacement of floating docks located outside of the inner marina basin and replacing and raising electric panels that feed the dock electrical services. The existing steel piles which hold the floating docks were replaced with taller and thicker walled pilings (4-inch diameter replaced 3-inch diameter). The piles have also been increased in height to prevent the docks from coming loose during potential future high water events; the new piles extend five feet higher than the pre-

Legal Notice # 21162713
Savvyoga LLC. Filed with SSNY on 2/16/16. Office: Suffolk County. SSNY designated as agent for process & shall mail to: 8 St Andrews Dr Huntington NY 11743. Purpose: any lawful

Legal Notice # 21167914
Notice of formation of JLK PROPERTIES, LLC Arts. of Org. filed with the Sec'y of State of NY (SSNY) on 3/22/2016. Office location, County of Suffolk. SSNY has been designated as agent of the LLC upon whom process against it may be served. SSNY shall mail process to: The LLC, 176 Bridles Path, Southampton, NY 11968. Purpose: any lawful act.

Legal Notice # 21168041
ANTHONY'S COAL FIRED PIZZA OF STONY BROOK LLC. Art. of Org. filed with the SSNY on 03/16/16. Office: Suffolk County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 200 West Cypress Creek Road, Suite 220, Fort Lauderdale, FL 33309. Purpose: Any lawful purpose.

floating dock, which will allow both sides of the floating dock to be supported. The original floats used on the dock were made from Styrofoam and have been replaced by more environmentally sound material. All completed work was mitigation work within previously disturbed areas. However, the additional pilings may be considered new construction in the wetland. The business property is approximately 5.3 acres, and the entire property is located in 100-year floodplain (SHFA Zone AE). It is estimated that less than 0.5 acres of wetland and floodplain area were affected by the completed project activities. Since the action included pilings on both sides of the docks, the work could be interpreted as new construction in wetland. Thus, Executive Orders 11988 and 11990 require that the project not be supported if there are practicable alternatives to new construction in wetlands and development in floodplain. Additionally, proof of all applicable federal, state and local environmental permits will be required as a condition of funding.

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 about wetland and floodplain development facilitates 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: Attention Lori A. Shirley, Certifying Officer, Governor's Office of Storm Recovery, 38-40 State Street, Hampton Plaza, Albany, New York 12207. Comments may also be submitted via email at NYSCDBG_DR_ER@nyschr.org or by telephone, excluding public holidays, at (518) 474-0755 weekdays from 9:00 AM - 5:00 PM. Sincerely, Lori A. Shirley, Certifying Officer

Legal Notice # 21170333
MARK D. BAKER PHYSICS AND DETECTOR SIMULATIONS LLC. Arts. of Org. filed with the SSNY on 12/10/2015. Office loc: Suffolk County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, 57 Woodland Road, Miller Place, NY 11764. Purpose: Any Lawful Purpose.

Legal Notice # 21170658
P. Scalomandre and Sons, Inc. is saluting bids for NYSCertified M/WBES Firms for LIE Welcome Center Location: Suffolk Contract No. D263143 Bid Date: April 27, 2016 Contract documents are available for review at our main office: John Califano PH: (516) 868-3000, ext. 255 Fax: (516) 867-5716

Legal Notice # 21171355
Notice of formation of PGL Electric LLC. Articles of Organization filed with the Secretary of State of New York SSNY on 3/14/2016. Office located in Suffolk County. SSNY has been designated for service of process. SSNY shall mail copy of any process served against the LLC 134 Ketcham Avenue, Patchogue, NY 11772. Purpose: any lawful purpose.

Legal Notice # 21172136
EARLY NOTICE AND PUBLIC REVIEW OF A PROPOSED ACTIVITY IN 100-YEAR FLOODPLAIN & WETLANDS
April 11, 2016

To: All Interested Agencies, Groups & Individuals
The Governor's Office of Storm Recovery (GOSR), operating under auspices of New York State Homes & Community Renewal's Housing Trust Fund Corporation, is the Responsible Entity for direct administration of 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 the decision-making process required by federal Executive Orders 11988 and 11990 in accordance with HUD regulations at 24 CFR 555.20 (Subpart C-Procedures for Making Determinations on Floodplain Management and Protection of Wetlands). GOSR invites public comment on the potential effect that reimbursement funding for completed physical business restoration and mitigation activities at the functionally dependent location below could potentially have on wetlands and 100-year floodplain. The project is part of the New York Rising Small Business Grant Program. GOSR is conducting this review in order to determine whether or not funding assistance should be granted.

Project Name: Bay Point Marina L.P. (Project # 103-ED-32565-2013) is a water-dependent, full-service marina located at 125 Boylan Lane, Hamlet of Blue Point, Town of Brookhaven, Suffolk County, New York.
Brief Description of Project: Bay Point Marina L.P.'s bulkheads and marina were damaged during Superstorm Sandy. The business is situated on Blue Point with water-based uses and residential properties nearby. There are extensive existing bulkheads at this business and within the surrounding community, and the community experienced major flooding, including erosion and damage to bulkheads, during Superstorm Sandy.

This proposed support involves a limited CDBG-DR award of \$50,000.00 for reimbursement of completed construction activities. The completed construction activities involved: bulkhead repairs, damaged dock removal, and dredging a portion of the marina basin. Work also included repairs to the interior bulkhead of the marina and boardwalk maintenance dredging operations occurring within the marina entrance to a depth of 6 feet below mean

Legal Notice # 21152385
Notice of Formation, Ases Dental, PLLC, Art. of Org. filed with SSNY on 2/23/16. PLLC is at 70 Carleton Court, Central Islip NY 11722. SSNY designated for service of process. SSNY shall mail copies of any process served against the PLLC to 70 Carleton Ave., Central Islip NY 11722. Purpose: any lawful purpose or activity.

Legal Notice # 21160813
NOTICE OF FORMATION, EP Language Services LLC. Art. of Organization filed w/ SSNY on 04/20/16. Office loc: Suffolk. SSNY designated for serv. of process. SSNY shall mail copies of any process served against the LLC to c/o: THE LLC, 10 Belknap Ct, Huntington, NY 11743. Purpose: any lawful or activity.

Legal Notice # 21171711
LONG ISLAND GENERATOR POWER ASSOCIATES LLC. Art. of Org. filed with the SSNY on 04/04/16. Office: Suffolk County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 158 County Road 39, Ste 6, Southampton, NY 11968. Purpose: Any lawful purpose.

ner of the property. The dredge material was used as beach nourishment immediately south of the marina entrance and was also used to fill in the damaged bulkhead/boardwalk area where sand was eroded. There is approximately 3.05 acres of the Subject Property located in 100-year floodplain (SHFA Zone AE) and 1.88 acres in federal estuarine/deep-water wetlands. It is estimated that less than 0.5 acres of wetland and floodplain area were affected by the completed project activities. Since the action will include new construction (bulkhead returns) in wetland and floodplain, Executive Orders 11990 and 11988 require that the project not be supported if there are practicable alternatives to development in floodplain and new construction in wetlands. Additionally, proof of all applicable local, federal and state environmental permits will be required as a condition of funding.

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. In addition to this general notice, certain local, state and federal agencies are being directly informed about the project. Second, adequate public education tool. Dissemination of information about wetland and floodplain development facilitates 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: Attention Lori A. Shirley, Certifying Officer, Governor's Office of Storm Recovery, 38-40 State Street, Hampton Plaza, Albany, New York 12207. Comments may also be submitted via email at NY SCDBG_DR_ER@nyschr.org or by telephone, excluding public holidays, at (518) 474-0755 weekdays from 9:00 AM - 5:00 PM. Sincerely, Lori A. Shirley, Certifying Officer

Legal Notice # 21171525
LEGAL NOTICE OF ESTOPPEL
Notice is hereby given that the resolution, a summary of which is published herewith, has been adopted by the Town Board of the Town of Brookhaven, Suffolk County, New York, on March 10, 2016, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. Such resolution was subject to a permissive referendum and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. A summary of the aforesaid resolution is set forth below. The resolution provides as follows: that the faith and credit of the Town of Brookhaven, Suffolk County, New York, (the Town), are irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable; that an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year; that the Town of Brookhaven, Suffolk County, New York, during normal business hours,

Legal Notice # 21162665
TM EAST SERVICES, LLC Art. Of Org. Filed Sec of State of NY 11/17/2015. Off. Loc: Suffolk. Corporation Service Company designated as agent upon whom process against it may be served. SSNY to mail copy of process to The LLC, C.S.C., 80 State St, Albany, NY 12207. Purpose: Any lawful act or activity.

Legal Notice # 21162721
Jaroc Enterprises, LLC. Filed with SSNY on 12/8/15. Office: Suffolk County. SSNY designated as agent for process & shall mail to: 4 Towne Ct Melville NY 11747. Purpose: any lawful

Legal Notice # 21162752
EAST SHORE BABYLON, LLC Art. Of Org. Filed Sec. of State of NY 2/25/2016. Off. Loc: Suffolk Co. SSNY designated as agent upon whom process against it may be served. SSNY to mail copy of process to The LLC, c/o Lynn Kurtz-Rice, 1950 Lakeland Ave, Ronkonkoma, NY 11779. Purpose: Any lawful act or activity.

Legal Notice # 21166415
DANIEL STREET HOLDINGS LLC. Art. of Org. filed with the SSNY on 04/14/16. Office: Suffolk County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 10 Daniel Street, Farmingdale, NY 11735. Purpose: Any lawful purpose.

LEGAL NOTICE AND NOTICE OF HEARING
Maine Department of Health & Human Services
MAINE DISTRICT COURT
IN RE: ANTHONY S. Doc. No. BAN-PC-15-99
NOTICE IS HEREBY GIVEN TO Anthony DeJesus whereabouts unknown; Pursuant to 22 M.R.S. §4001 et seq., the Maine Department of Health & Human Services (hereafter "DHHS") has petitioned the Court for a Child Protection Order concerning the child: Anthony S. d/o/b: 5/28/2015 born at Bangor, Maine. The mother is Marie Sanfratello, and the father is or may be Anthony DeJesus. DHHS has met the requirements of M.R. Civ. P. Rule 4(a)(3)(A)-(C). Hearing on the pending Petition will be held at Maine District Court, Department Change Street, Bangor, ME 04401, on 5/16/2016, at 1:00 p.m. Failure to appear at this hearing may result in the issuance of a child protection order, the termination of your parental rights, and/or any other order permissible under 22 M.R.S. §4001 et seq. You may be entitled to legal counsel in these proceedings. Contact the court at the above address or 207-561-2300. To obtain a copy of the Petition(s), contact the court or DHHS at 207-561-4100 396 Griffin Rd, Bangor, ME 04401. DHHS is represented by the Maine Office of the Attorney General, 84 Harlow Street, Bangor, ME 04428.

ized by such resolution including renewals of such notes, is delegated to the Supervisor; that all other matters, except as provided in such resolution relating to the bonds authorized, including the date, denominations, maturities and interest payment dates, within the limitations prescribed in such resolution and the manner of the execution of the same, and also including the consolidation with other issues, and the authority to issue such obligations on the basis of substantially level or declining annual debt service, is delegated to and shall be determined by the Supervisor; and that this legal notice shall be published. The bond resolution follows: Bond Resolution Dated March 10, 2016. A BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS TO PAY THE COST OF VARIOUS TRAFFIC SAFETY RELATED ROAD RECONSTRUCTION IMPROVEMENTS TO STONY BROOK TOWN, IN AND FOR SAID TOWN. The period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision ninety-one of paragraph a of Section 11.00 of the Local Finance Law, as said class consists of items which have a period of probable usefulness of at least fifteen years under one or more of subdivisions twenty or seventy-two of said paragraph. The full text of this bond resolution is available for public inspection at the Office of the Town Clerk located at 1 Independence Hill, Town of Brookhaven, Farmingville, New York during normal business hours. Dated: March 16, 2015

Legal Notice # 21162739
STF INVESTORS LLC. Filed with SSNY on 2/22/16. Office: Suffolk County. SSNY designated as agent for process & shall mail to: 7 Uncle Leo's Ln Water Mill NY 11976. Purpose: any lawful

Legal Notice # 21167687
Ace's Linen Service LLC. a domestic LLC, filed with the SSNY on 1/11/16. Office location: Suffolk County. SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to The LLC, c/o Young & Young LLC, 863 Islip Ave, Central Islip, NY 11722-4816. General purpose.

Legal Notice # 21167964
28 ENTERPRISE ZONE DRIVE LLC. Art. of Org. Filed with the SSNY on 01/27/16. Office: Suffolk County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 39 B Industrial Road, P.O. Box 54 Wainscott, NY 11975. Purpose: Any lawful purpose.

Legal Notice # 21169741
CAC PROPERTY MANAGEMENT, LLC. Art. of Org. Filed with the SSNY on 02/19/16. Office: Suffolk County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 54 Branglin Road, St. James, NY 11780. Purpose: Any lawful purpose.

Appendix 3

Notice of Final Public Review Floodplain Management (EO 11988) & Protection of Wetlands (EO 11990) Determination



COMBINED PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN & WETLAND, AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (*NOI-RRROF*)

**Bay Point Marina, L.P. (103-ED-32565-2013)
125 Boylan Lane, Hamlet of Blue Point
Town of Brookhaven, Suffolk County, New York 11715**

March 3, 2017

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: Lori A. Shirley (518) 474-0755. 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.

Pursuant to 24 CFR part 58 and 24 CFR part 55, this combined Final Notice and Public Explanation of a Proposed Activity in a Floodplain and Wetland, and Notice of Intent to Request Release of Funds (NOIRROF) satisfies two separate procedural requirements for project activities proposed to be undertaken by HCR.

Project Description: GOSR proposes to provide HUD CDBG-DR funding to Bay Point Marina, L.P. (103-ED-32565-2013) for project activities that will be conducted at 125 Boylan Lane, Hamlet of Blue Point, Town of Brookhaven, Suffolk County, New York 11715 ("Proposed Project"). HUD CDBG-DR funding of \$50,000.00 for the reimbursement of completed construction-related activities including bulkhead and boardwalk repair work, dredging of the entrance area of the marina basin, and beach replenishment after the impacts of Superstorm Sandy.

PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN

This work was located in a 100-year floodplain (SHFA Zone AE) and within wetlands. It is estimated that less than 0.5 acres of floodplain and wetland areas were affected by the completed project activities. Since the action will include new construction in wetland and floodplain, Executive Orders 11990 and 11988 require that the project not be supported if there are practicable alternatives to development in floodplain and new construction in wetlands.

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.

Public Review: Public viewing of the Floodplain Management and Wetland Protection Documents are available online at <http://www.stormrecovery.ny.gov/environmental-docs> and are also available in person Monday – Friday, 9:00 AM – 5:00 PM at the following address: New York State Homes and Community Renewal (HCR), 38-40 State Street, Hampton Plaza, Albany, NY 12207. Contact: Lori A. Shirley (518) 474-0755.

REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION

On or about March 13, 2017, the HCR certifying officer will submit a request and certification to HUD for the release of CDBG-DR funds appropriated under Public Law 113-2, as amended and as authorized by related laws and policies for the purpose of implementing the New York CDBG-DR Action Plan.

The Proposed Project is categorically excluded from the National Environmental Policy Act of 1969 (NEPA) by HUD regulations at 24 C.F.R. Part 58. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file and available for review and copying in person Monday – Friday, 9:00 AM – 5:00 PM at the following address: Governor’s Office of Storm Recovery, 38-40 State Street, Hampton Plaza, Albany, NY 12207. Contact: Lori A. Shirley (518) 474-0755. The ERR is also available upon written request by post or email.

Public Review: Public viewing is available in person Monday – Friday, 9:00 AM – 5:00 PM at the following address: New York State Homes and Community Renewal (HCR), 38-40 State Street, Hampton Plaza, Albany, NY 12207. Contact: Lori A. Shirley (518) 474-0755.

Further information or a copy of the ERR may be requested by writing to the above address, emailing NYSCDBG_DR_ER@nyshr.org or by calling (518) 474-0755. 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 the Proposed Activity within 100-year Floodplain and Wetland, and/ or NOIRROF: Any individual, group or agency may submit written comments on the Project. Comments should be submitted via email, in the proper format, on or before March 10, 2017 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 March 10, 2017: Governor’s Office of Storm Recovery, 38-40 State Street, Hampton Plaza, Albany, NY 12207. Comments may be received by telephone by contacting Lori A. Shirley at (518) 474-0755. All comments must be received on or before 5:00 PM on March 10, 2017 or they will not be considered. If modifications result from public comment, these will be made prior to proceeding with the expenditure of funds.

HCR certifies to HUD that Lori A. Shirley, in her 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.

Lori A. Shirley
Certifying Officer

March 3, 2017