

Attachment 3

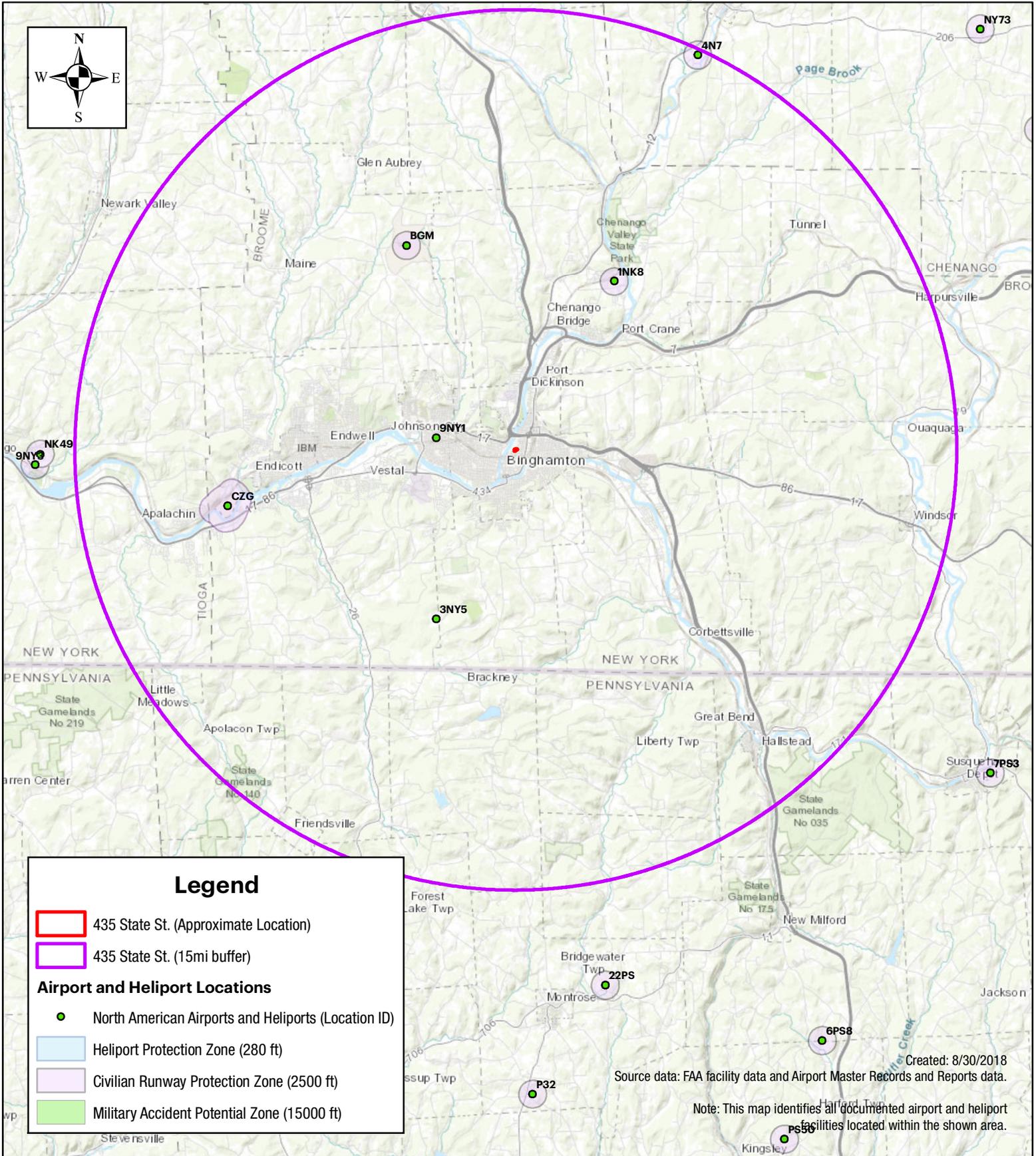
Project Reference Maps

Airport Hazards Map

NYSDEC & NPS Wild and Scenic Rivers Map

NYSDEC Critical Environmental Areas Map

Airport Hazards Map



Legend

- 435 State St. (Approximate Location)
- 435 State St. (15mi buffer)

Airport and Heliport Locations

- North American Airports and Heliports (Location ID)
- Heliport Protection Zone (280 ft)
- Civilian Runway Protection Zone (2500 ft)
- Military Accident Potential Zone (15000 ft)

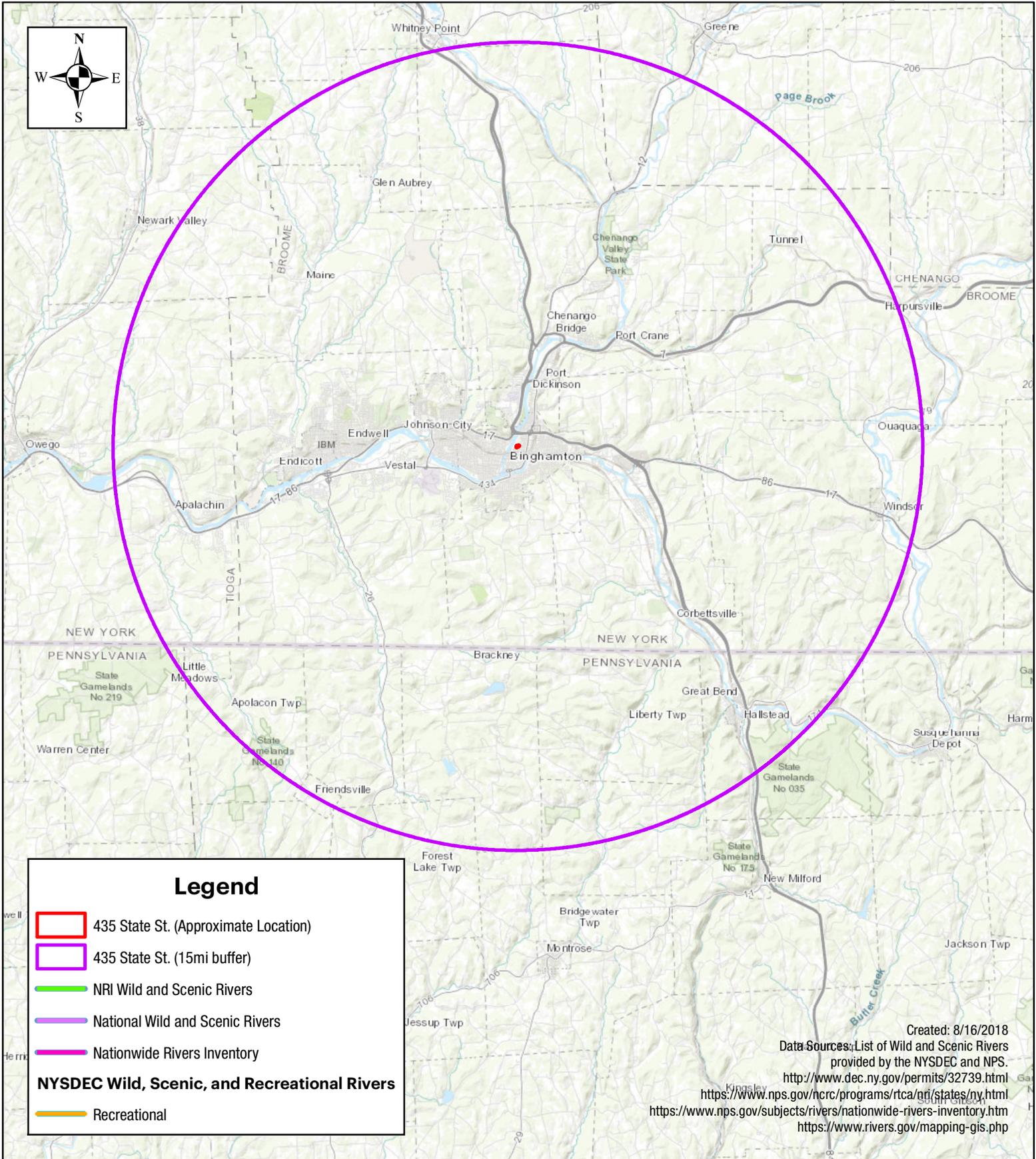
Source data: FAA facility data and Airport Master Records and Reports data. Created: 8/30/2018

Note: This map identifies all documented airport and heliport facilities located within the shown area.



Canal Plaza Project
435 State Street
City of Binghamton
Broome County, New York

NYSDEC & NPS Wild and Scenic Rivers Map



Legend

- 435 State St. (Approximate Location)
- 435 State St. (15mi buffer)
- NRI Wild and Scenic Rivers
- National Wild and Scenic Rivers
- Nationwide Rivers Inventory

NYSDEC Wild, Scenic, and Recreational Rivers

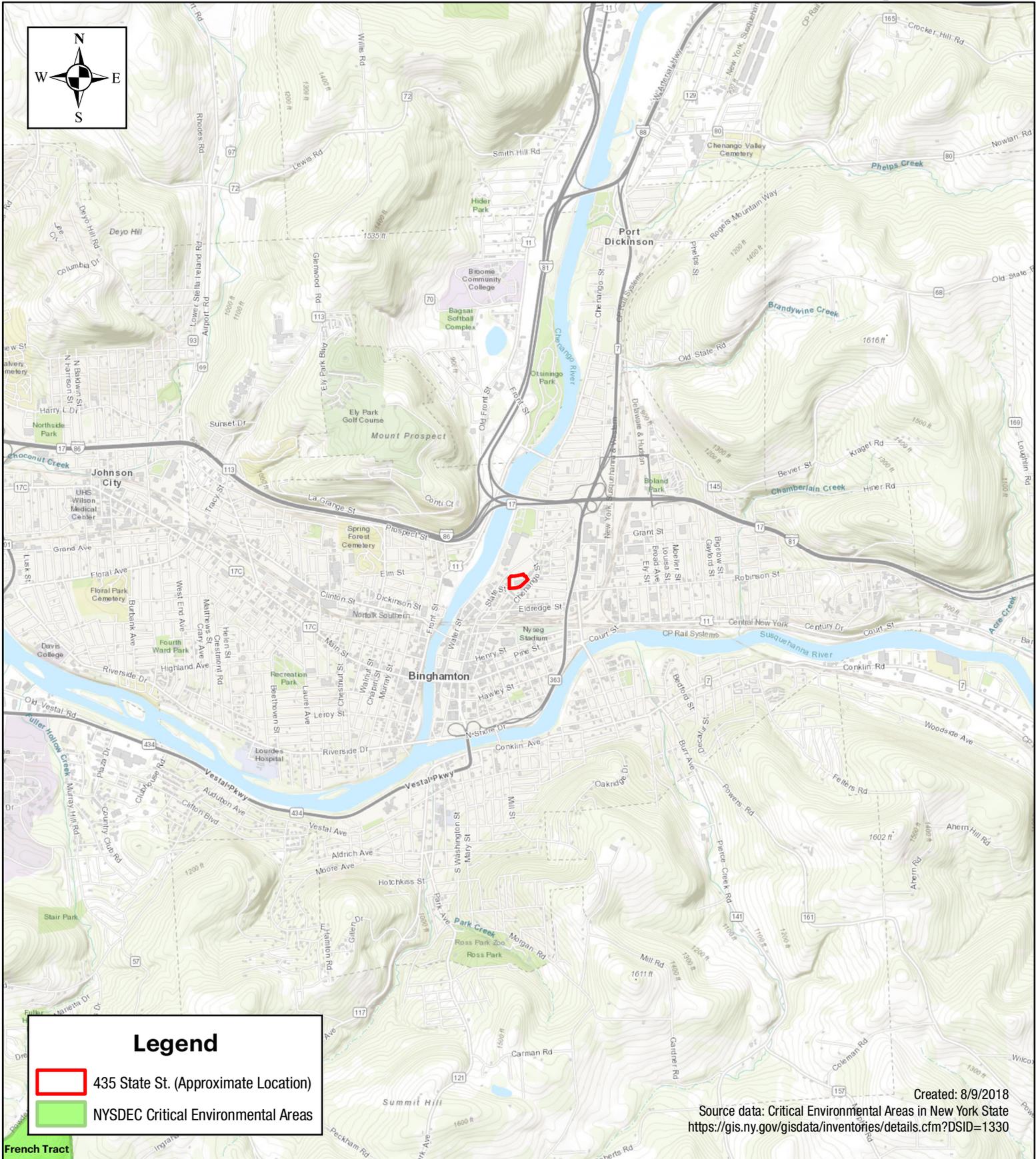
- Recreational

Created: 8/16/2018
 Data Sources: List of Wild and Scenic Rivers provided by the NYSDEC and NPS.
<https://www.dec.ny.gov/permits/32739.html>
<https://www.nps.gov/hcrc/programs/rca/gr/states/ny.html>
<https://www.nps.gov/subjects/rivers/nationwide-rivers-inventory.htm>
<https://www.rivers.gov/mapping-gis.php>



Canal Plaza Project
435 State Street
City of Binghamton
Broome County, New York

NYSDEC Critical Environmental Areas Map



Legend

- 435 State St. (Approximate Location)
- NYSDEC Critical Environmental Areas

Created: 8/9/2018
 Source data: Critical Environmental Areas in New York State
<https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1330>



Canal Plaza Project
435 State Street
City of Binghamton
Broome County, New York

Attachment 4

Floodplain Management and Protection of Wetlands
Determination

Canal Plaza Project
Floodplain Management and Protection of Wetlands Determination
Community Reconstruction Program within NY State Community Development
Block Grant Disaster Recovery Program
September 8, 2018

Overview – This project involves U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program funding for the construction of a four-story mixed use building, with Community Service Facility tenant(s) on the first floor and 48 affordable housing units located on floors two through four (“Proposed Project”). This building design is in compliance with the City of Binghamton commercial zoning code, which does not permit residential use for the first floor of buildings. Based on data provided by FEMA, Broome County, U.S. Fish and Wildlife Service, and New York State Department of Environmental Conservation, no further compliance with 24 CFR §55 –Floodplain Management (EO 11988) and Protection of Wetlands (EO 11990) is required.

Description of Proposed Action & Land Use – The Canal Plaza Project will be located at 435 State Street, City of Binghamton, Broome County, New York, 13901 (the “Project Area”). Based on County Assessment data, the Proposed Project will be conducted on Section 144.82, Block 1, and Lot 9, on approximately 4.5 acres. The proposed funding involves a limited grant award of \$1,200,000. The Project Area is the former location of a commercial structure which was demolished in preparation for new construction of this 48-unit apartment complex, which will provide affordable housing to an underserved population in Binghamton. The Proposed Project consists of a single four-story mixed-use building, with Community Service Facility tenant(s) on the first floor. Each residential floor will have a common laundry room, and a community room for use by the residents; each apartment will have a balcony. Additional complex amenities include a playground, sitting area, and garden.

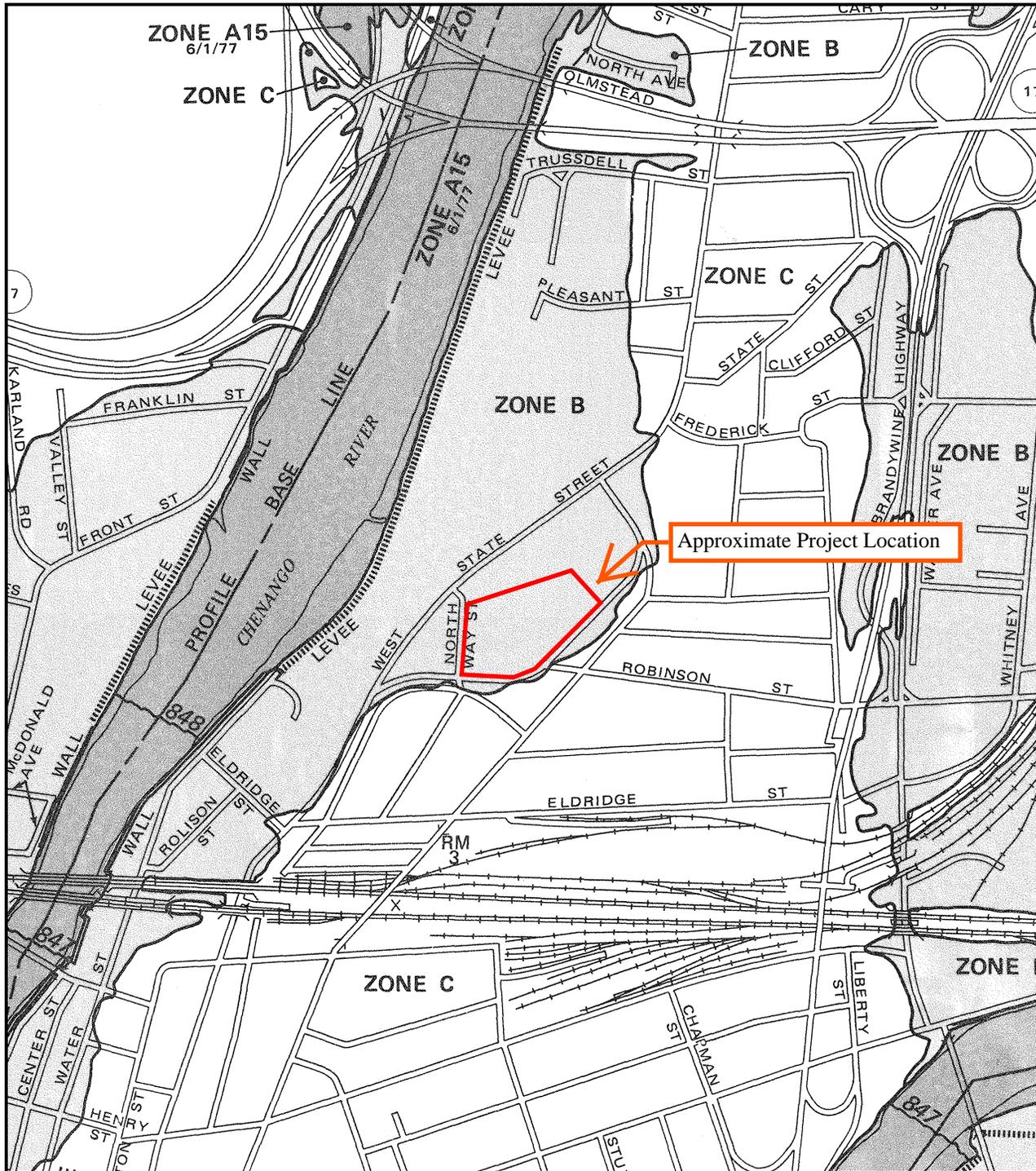
A surface parking lot will have 122 parking spaces, of which 48 spaces will be utilized for tenant use only. The remaining spaces will be for use by the CSF tenant(s) and visitors. The site has been designed so that there is an impervious surface coverage reduction of 25.4% for the Proposed Project when compared to existing site conditions. Decrease in impervious areas allow for more opportunities for storm water infiltration on the site, reducing the amount of surficial storm water runoff leaving the Project Area. The magnitude of the impervious coverage reduction provides relief for the city storm water system and is consistent with Green Building practices and is a long-term goal identified in the City of Binghamton’s Comprehensive Plan, Blueprint Binghamton: Forward Together, which seeks to “reduce effects of small scale and flash flooding through green infrastructure.”

Applicable Regulatory Procedure Per EO 11988 and EO 11990 – Based on online data provided by FEMA’s Flood Map Service Center and Broome County floodplain maps, provided in **Appendix I**, the Proposed Project does not occur within a flood hazard area. Based on online data managed and updated by the U.S. Fish and Wildlife Service (USFWS) and New York State Department of Environmental Conservation (NYSDEC), there are no mapped or regulated wetlands in the Project Area, as shown in **Appendix II**.

The proposed action will not result in new construction in wetlands as defined in Executive Order 11990 (24 CFR §55.20(b)(8)). As such, no further compliance with 24 CFR §55 Floodplain Management and Protection of Wetlands is required.

Appendix I

**Effective FEMA Firmette Map (6/1/1977)
Broome County Existing FEMA Floodplain
Broome County Preliminary FEMA Floodplain**



FLOOD HAZARD BOUNDARY MAP H-01-02
 FLOOD INSURANCE RATE MAP I-01-02

**CITY OF
 BINGHAMTON,
 NEW YORK**
 BROOME COUNTY

PANEL H&I-02

PAGE 1 OF 1 PRINTED

EFFECTIVE DATE:
 JUNE 1, 1977

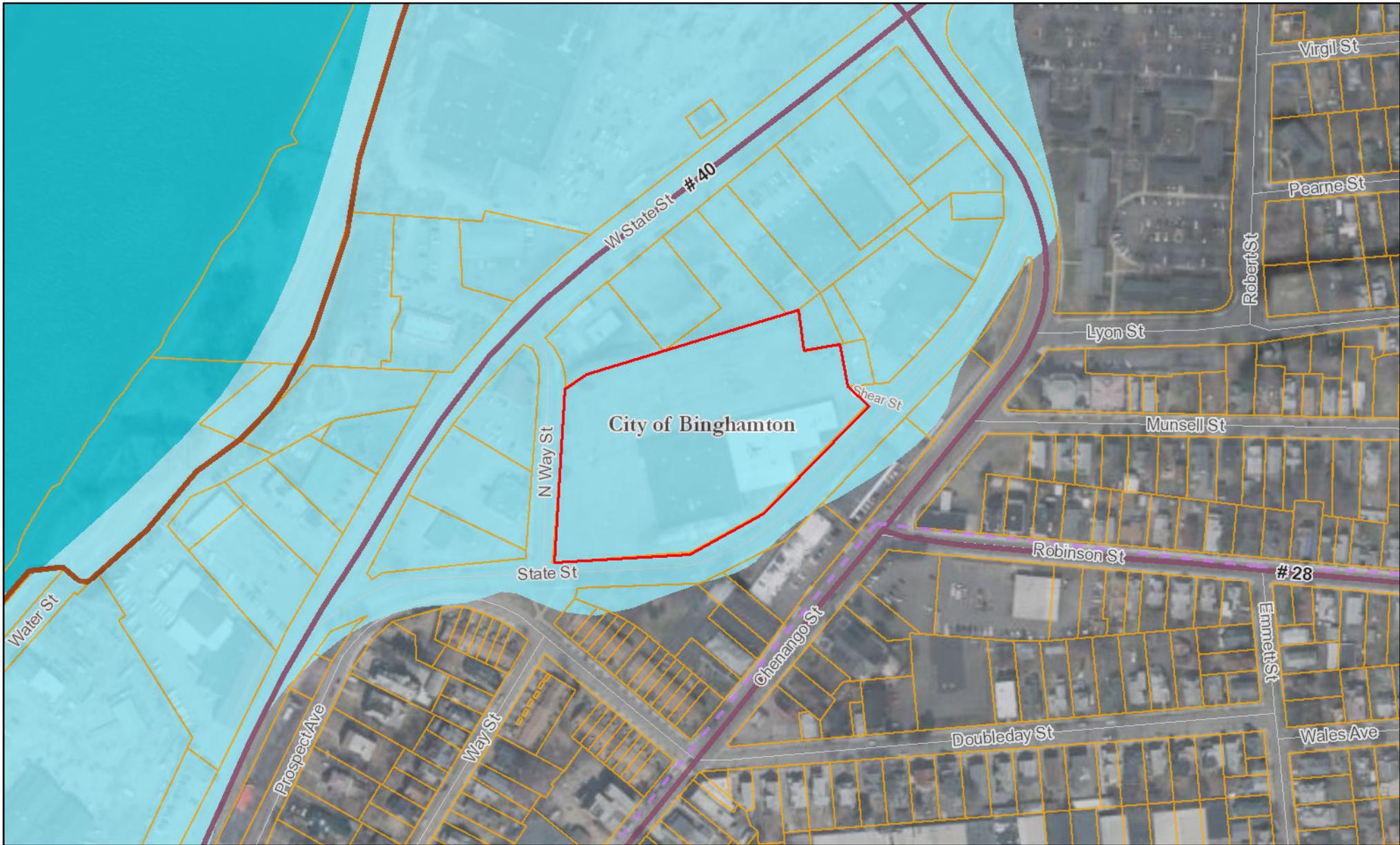
COMMUNITY NUMBER:
 360038C



**U.S. DEPARTMENT OF HOUSING
 AND URBAN DEVELOPMENT**
 FEDERAL INSURANCE ADMINISTRATION

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Broome County Existing FEMA Floodplain



	BU OCCT Routes		Levees		Non-SFHA: 500 Year
	BC Transit Routes		Parcels		SFHA: 100 Year
	Snowmobile Trails				

1 inch = 252 feet

0 160 320
ft



DISCLAIMER: Broome County does not guarantee the accuracy of the data presented. Information should be used for illustrative purposes only.

Broome County Preliminary FEMA Floodplain



	BU OCCT Routes		Levees		SFHA: 100 Year
	BC Transit Routes		Parcels		Non-SFHA: 500 Year
	Snowmobile Trails		SFHA: Floodway		

1 inch = 252 feet

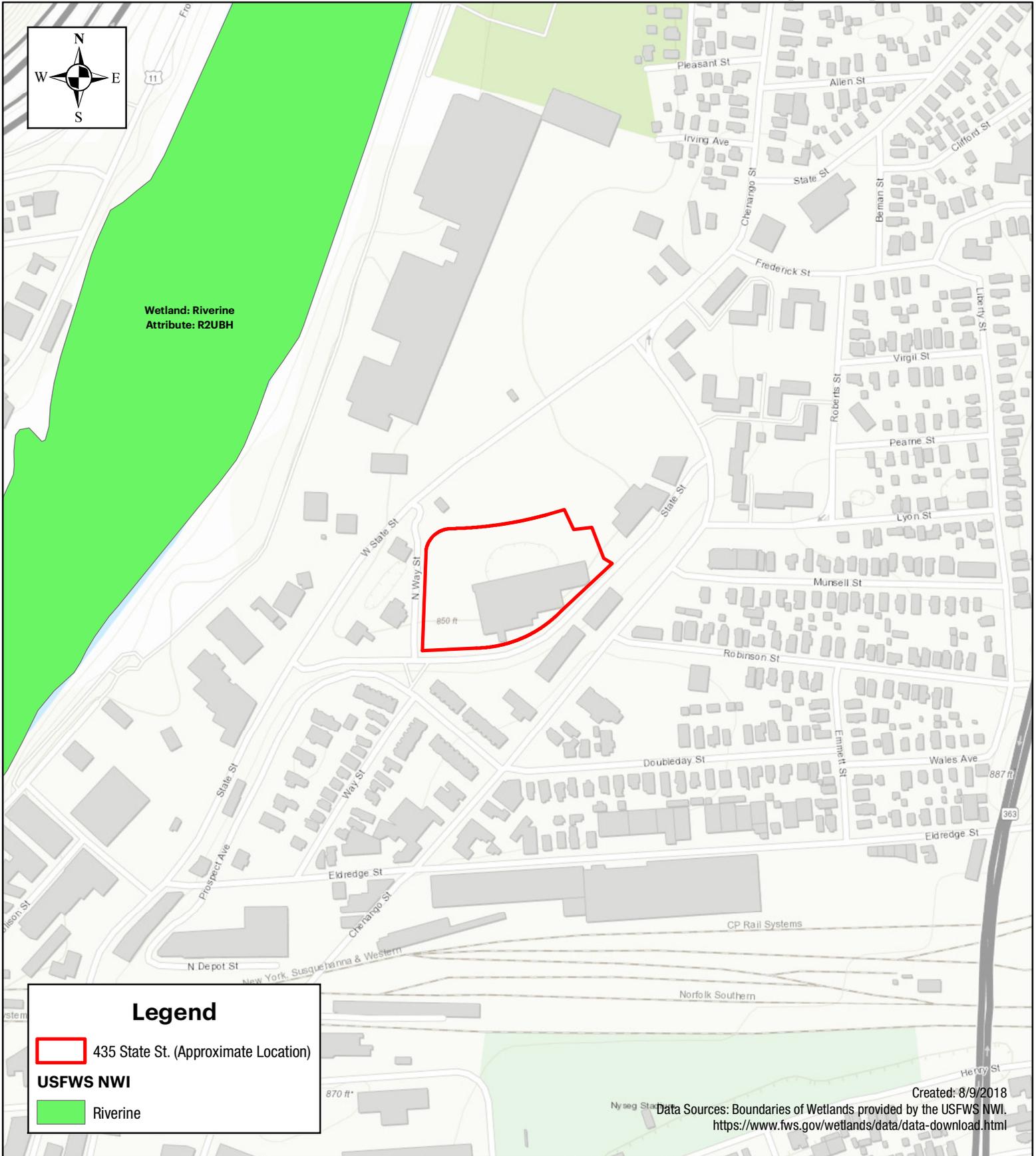
0 160 320
ft

DISCLAIMER: Broome County does not guarantee the accuracy of the data presented. Information should be used for illustrative purposes only.

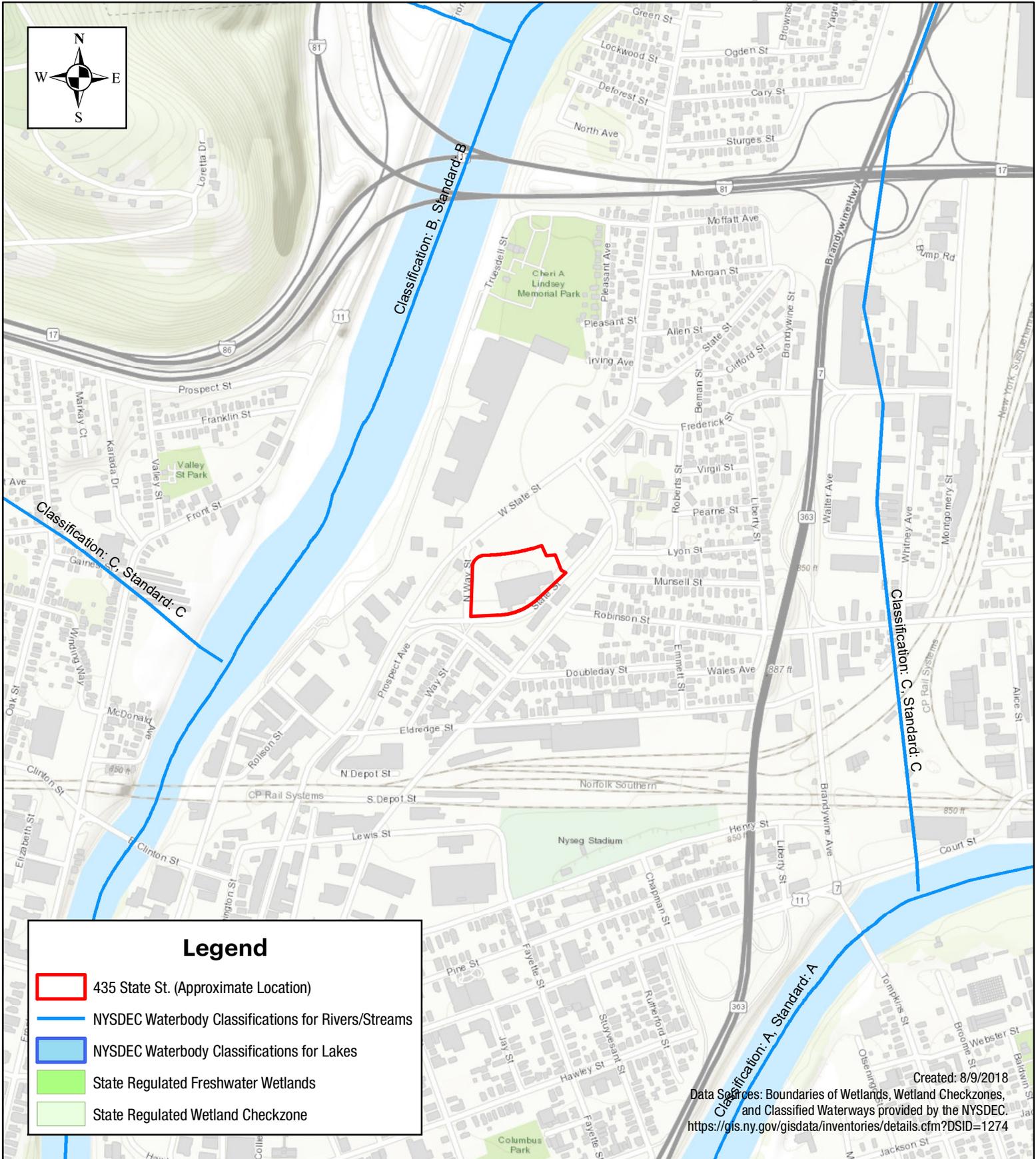
Appendix II

USFWS NWI Map
NYSDEC Environmental Resources Map
NYSDEC Tidal Wetlands Map

USFWS National Wetlands Inventory Map



NYSDEC Wetlands and Waterways Map



Legend

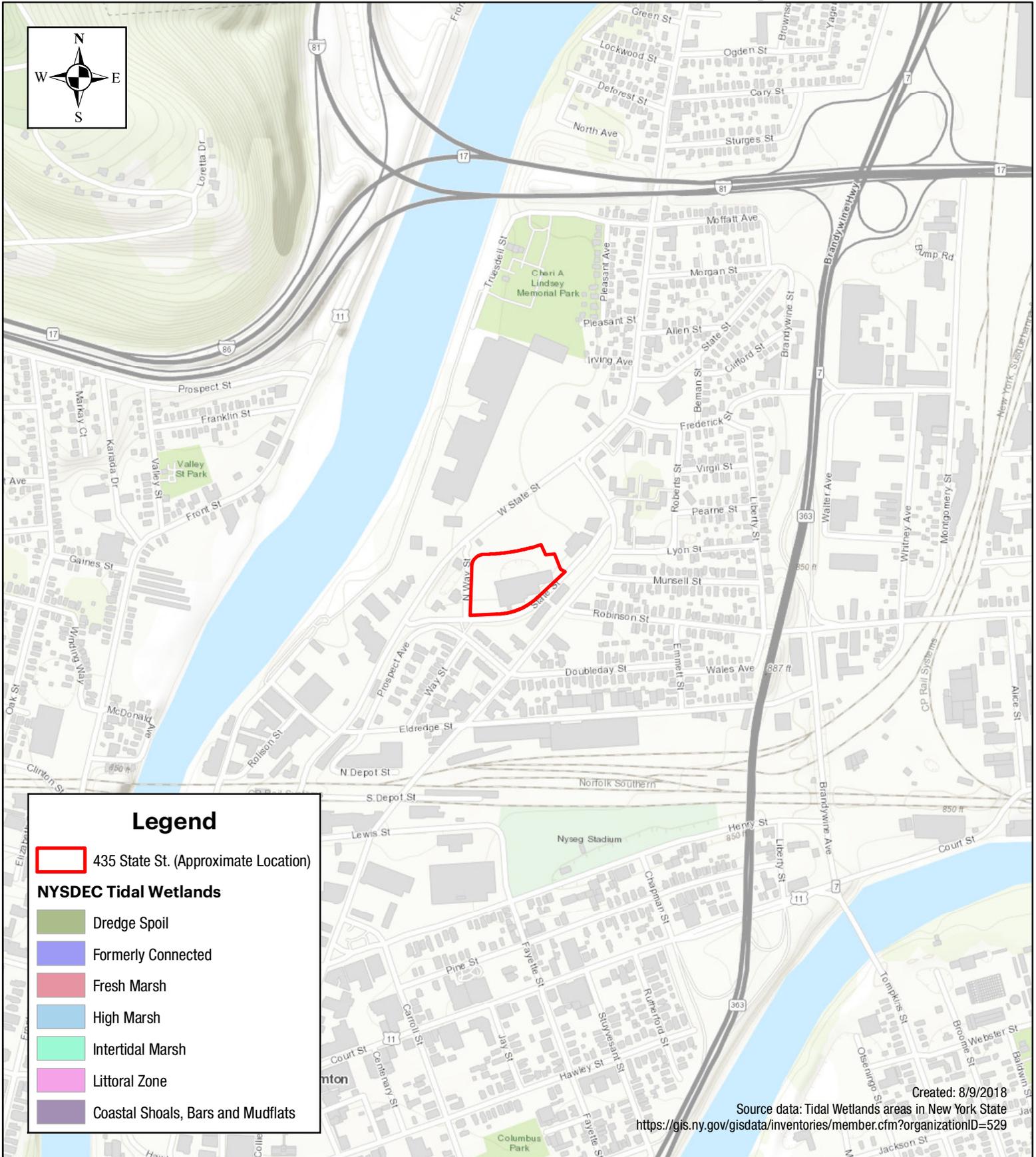
- 435 State St. (Approximate Location)
- NYSDEC Waterbody Classifications for Rivers/Streams
- NYSDEC Waterbody Classifications for Lakes
- State Regulated Freshwater Wetlands
- State Regulated Wetland Checkzone

Created: 8/9/2018
 Data Sources: Boundaries of Wetlands, Wetland Checkzones,
 and Classified Waterways provided by the NYSDEC.
<https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1274>



Canal Plaza Project
435 State Street
City of Binghamton
Broome County, New York

NYSDEC Tidal Wetlands Map



Attachment 5

NYSDOS Coastal Consistency Documentation

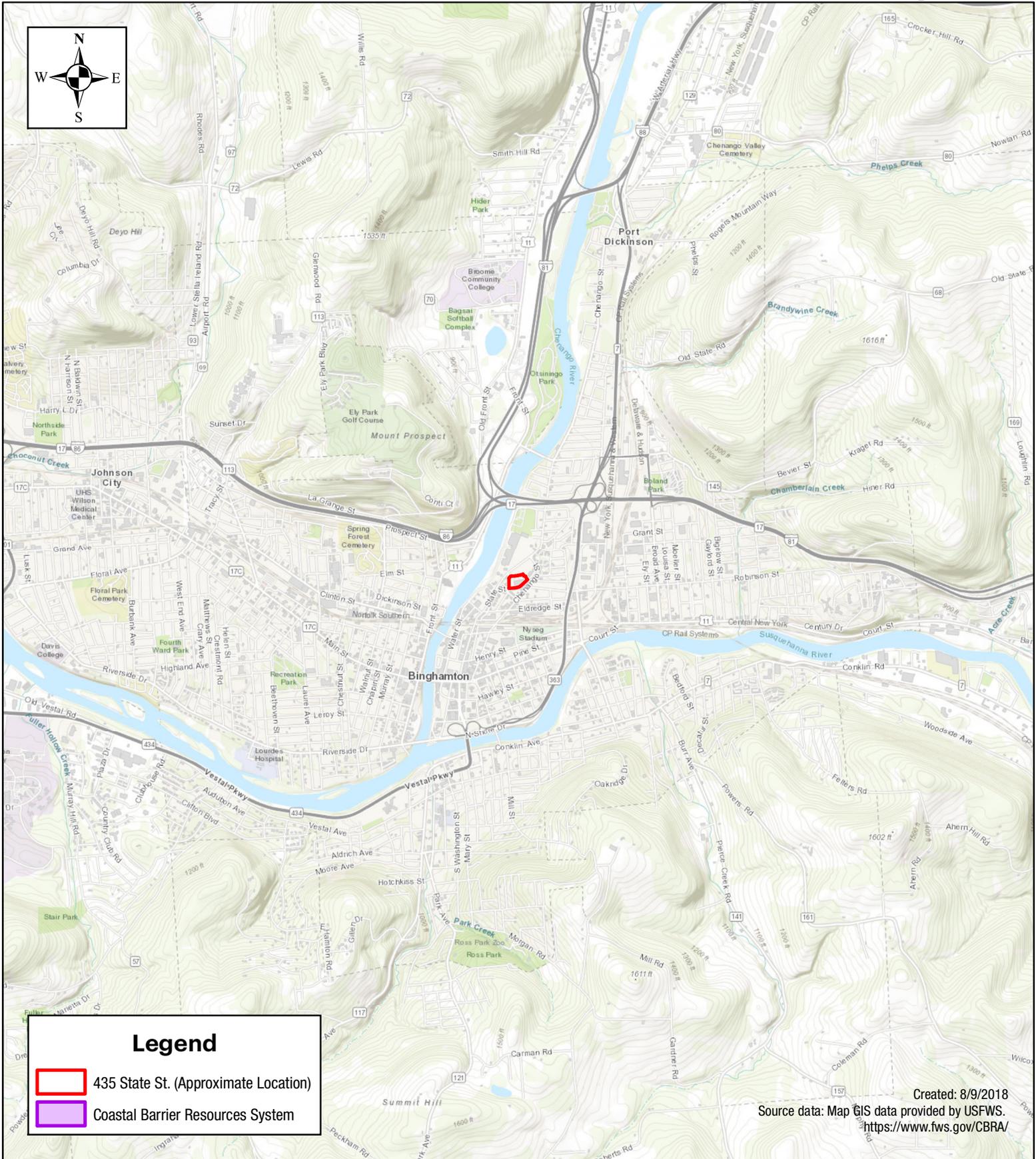
USFWS Coastal Barrier Resources System Map

NYSDOS Coastal Boundary Map

NYSDOS Coastal Consistency Consultation (7/26/2018)

NYSDOS Coastal Consistency Determination (8/10/2018)

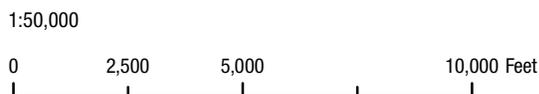
USFWS Coastal Barrier Resources System Map



Legend

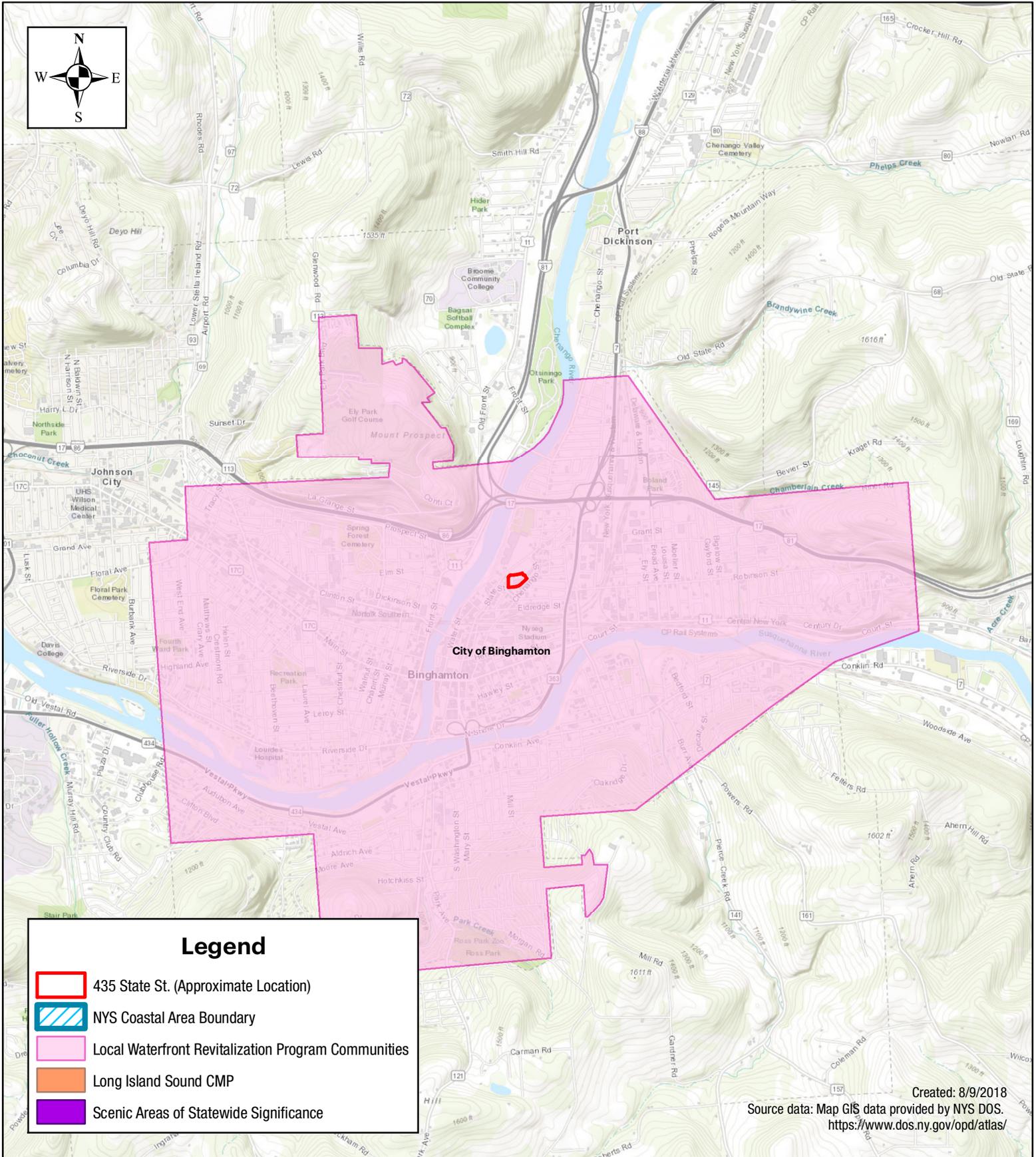
-  435 State St. (Approximate Location)
-  Coastal Barrier Resources System

Created: 8/9/2018
Source data: Map GIS data provided by USFWS.
<https://www.fws.gov/CBRA/>



Canal Plaza Project
435 State Street
City of Binghamton
Broome County, New York

NYS DOS Coastal Boundary Map





Governor's Office of Storm Recovery

ANDREW M. CUOMO
Governor

July 26, 2018

Jeffrey Zappieri
Supervisor, Consistency Review Unit
Division of Coastal Resources
New York State Department of State
One Commerce Plaza
99 Washington Avenue
Albany, New York 12231-0001

Re: CDBG-DR Program – 435 State Street, Binghamton, NY, 13901

Dear Mr. Zappieri:

The Governor's Office of Storm Recovery (GOSR), operating under the auspices of the New York State Homes and Community Renewal's Housing Trust Fund Corporation, was established to aid the statewide recovery of disaster-affected communities in New York State. GOSR is administering a U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant for Disaster Recovery (CDBG-DR), including the Affordable Housing Program. On behalf of GOSR, please find the enclosed coastal zone consistency materials for your review.

The proposed project will be located at 435 State Street, Binghamton (Broome County) NY, 13901, the former location of a 47,644-square foot commercial structure which was demolished in preparation for new construction of this 48-unit apartment complex. Adjacent land use is primarily office and retail commercial uses, with some multifamily housing adjacent to the east, and nearby to the northeast. This project will include 15,000 square feet of commercial space on the first floor that will be utilized by community service organizations. The proposed project consists of one, four-story building with an area of 65,276 square feet. There are two elevators serving 36 one-bedroom and 12 two-bedroom apartments. The complex will provide affordable housing to an underserved population in Binghamton. The project plans are attached.

Each residential floor will have a common laundry room. There will also be a community room for use by the residents. Each apartment will have a balcony. Additional amenities include a playground, sitting area and garden. Commercial natural gas, electric and cable television are on-site as is municipal water and sanitary sewer. A surface lot will have 122 parking spaces.

This is a community renewal project is part of a neighborhood specific revitalization plan. The site is in the EN-Zone and Governor's North Chenango River Brownfield Opportunity Area. NYS DEC has approved the project for admittance to the Brownfield Cleanup Program (BCP). By eliminating blight, it will improve development opportunities for surrounding properties. The community service component addresses an unmet community need and the services to be offered will benefit the tenants and

predominately low-income population that live in the neighborhood. The location is part of a walkable community, on a regularly scheduled bus route, with existing utility infrastructure.

As part of the voluntary Brownfield Program the underground contamination will be remediated allowing it to be developed for the proposed mixed-use structure. The mixed-use building design is in compliance with the Binghamton commercial zoning code which does not permit residential on the first floor.

The project is located within the City of Binghamton State-approved local waterfront revitalization program area. None of the activities are located within a Coastal Barrier Resource System Unit.

GOSR is acting as the Responsible Entity in accordance with 24 C.F.R. Part 58—Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities. GOSR has prepared the attached Federal Consistency Assessment Form to certify that the project is consistent with New York’s Coastal Management Program. At this time, we are requesting that the New York State Department of State concur with the attached certification.

Thank you for taking the time to review the enclosed materials. Please do not hesitate to contact me by email at Alicia.Shultz@nyshcr.org or by telephone at (518) 474-0647 should you have any questions or require additional information.

Sincerely,



Alicia Shultz
Senior Environmental Scientist
New York State Homes & Community Renewal

Attachments:

- Attachment A – Federal Consistency Form
- Attachment B – Detailed Project Description and Policy Analysis
- Attachment C – Site Maps
- Attachment D – Project Plans (separate from letter)

Attachment A – Federal Consistency Form

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Federal Consistency Assessment Form

An applicant, seeking a permit, license, waiver, certification or similar type of approval from a federal agency which is subject to the New York State Coastal Management Program (CMP), shall complete this assessment form for any proposed activity that will occur within and/or directly affect the State's Coastal Area. This form is intended to assist an applicant in certifying that the proposed activity is consistent with New York State's CMP as required by U.S. Department of Commerce regulations (15 CFR 930.57). It should be completed at the time when the federal application is prepared. The Department of State will use the completed form and accompanying information in its review of the applicant's certification of consistency.

A. **APPLICANT** (please print)

1. Name: _____

2. Address: _____

3. Telephone: Area Code () _____

B. **PROPOSED ACTIVITY:**

1. Brief description of activity:

2. Purpose of activity:

3. Location of activity:

_____	_____	_____
County	City, Town, or Village	Street or Site Description

4. Type of federal permit/license required: _____

5. Federal application number, if known: _____

6. If a state permit/license was issued or is required for the proposed activity, identify the state agency and provide the application or permit number, if known:

C. **COASTAL ASSESSMENT** Check either "YES" or "NO" for each of these questions. The numbers following each question refer to the policies described in the CMP document (see footnote on page 2) which may be affected by the proposed activity.

- | | |
|---|--------|
| 1. Will the proposed activity result in any of the following: | YES/NO |
| a. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement? (11, 22, 25, 32, 37, 38, 41, 43) | — — |
| b. Physical alteration of more than two acres of land along the shoreline, land under water or coastal waters? (2, 11, 12, 20, 28, 35, 44) | — — |
| c. Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1) | — — |
| d. Reduction of existing or potential public access to or along coastal waters? (19, 20) | — — |
| e. Adverse effect upon the commercial or recreational use of coastal fish resources? (9,10) | — — |
| f. Siting of a facility essential to the exploration, development and production of energy resources in coastal waters or on the Outer Continental Shelf? (29) | — — |
| g. Siting of a facility essential to the generation or transmission of energy? (27) | — — |
| h. Mining, excavation, or dredging activities, or the placement of dredged or fill material in coastal waters? (15, 35) | — — |
| i. Discharge of toxics, hazardous substances or other pollutants into coastal waters? (8, 15, 35) | — — |
| j. Draining of stormwater runoff or sewer overflows into coastal waters? (33) | — — |
| k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39) | — — |
| l. Adverse effect upon land or water uses within the State's small harbors? (4) | — — |
| 2. Will the proposed activity affect or be located in, on, or adjacent to any of the following: | YES/NO |
| a. State designated freshwater or tidal wetland? (44) | — — |
| b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17) | — — |
| c. State designated significant fish and/or wildlife habitat? (7) | — — |
| d. State designated significant scenic resource or area? (24) | — — |
| e. State designated important agricultural lands? (26) | — — |
| f. Beach, dune or Barrier Island? (12) | — — |
| g. Major ports of Albany, Buffalo, Ogdensburg, Oswego or New York? (3) | — — |
| h. State, county, or local park? (19, 20) | — — |
| i. Historic resource listed on the National or State Register of Historic Places? (23) | — — |
| 3. Will the proposed activity require any of the following: | YES/NO |
| a. Waterfront site? (2, 21, 22) | — — |
| b. Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (5) | — — |
| c. Construction or reconstruction of a flood or erosion control structure? (13, 14, 16) | — — |
| d. State water quality permit or certification? (30, 38, 40) | — — |
| e. State air quality permit or certification? (41, 43) | — — |
| 4. Will the proposed activity occur within and/or affect an area covered by a State-approved local waterfront revitalization program, or State-approved regional coastal management program?
(see policies in program document*) | — — |

Attachment B – Detailed Project Description and Policy Analysis

Detailed Project Description and Policy Analysis

Project: 435 State Street, Binghamton, NY, 13901

Introduction

The project analyzed herein is proposed to receive U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Program–Disaster Recovery (CDBG-DR) for funding for the construction of a 65,276-square foot affordable housing project, apartment complex.

Background and Existing Conditions

The Governor’s Office of Storm Recovery (GOSR), operating under the auspices of New York State Homes and Community Renewal’s Housing Trust Fund Corporation, is the responsible entity for the direct administration of this HUD CDBG-DR program. An environmental review is being prepared to assist GOSR in its determination whether to grant CDBG-DR funding for the project. The decision to grant CDBG-DR funding will be dependent on the environmental reviews required under the National Environmental Policy Act of 1969 pursuant to 24 CFR Part 58.

The proposed project will be located at 435 State Street, Binghamton (Broome County) NY, 13901, the former location of a 47,644-square foot commercial structure which was demolished in preparation for new construction of this 48-unit apartment complex. Adjacent land use is primarily office and retail commercial uses, with some multifamily housing adjacent to the east, and nearby to the northeast. This project will include 15,000 square feet of commercial space on the first floor that will be utilized by community service organizations. The proposed project consists of one, four-story building with an area of 65,276 square feet. There are two elevators serving 36 one-bedroom and 12 two-bedroom apartments. The complex will provide affordable housing to an underserved population in Binghamton.

Each residential floor will have a common laundry room. There will also be a community room for use by the residents. Each apartment will have a balcony. Additional amenities include a playground, sitting area and garden. Commercial natural gas, electric and cable television are on-site as is municipal water and sanitary sewer. A surface lot will have 122 parking spaces.

This is a community renewal project is part of a neighborhood specific revitalization plan. The site is in the EN-Zone and Governor’s North Chenango River Brownfield Opportunity Area. NYS DEC has approved the project for admittance to the Brownfield Cleanup Program (BCP). By eliminating blight, it will improve development opportunities for surrounding properties. The community service component addresses an unmet community need and the services to be offered will benefit the tenants and predominately low-income population that live in the neighborhood. The location is part of a walkable community, on a regularly scheduled bus route, with existing utility infrastructure.

As part of the voluntary Brownfield Program the underground contamination will be remediated allowing it to be developed for the proposed mixed-use structure. The mixed-use building design

is in compliance with the Binghamton commercial zoning code which does not permit residential on the first floor.

The project is located within the 500-year floodplain. The project is not located within a Coastal Barrier Resource System Unit or Otherwise Protected Area.

FCAP Section	Coastal Management Plan (CMP) Policy	Proposed Project consistency with CMP
1k	36 - Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.	Consistent with the policy, no petroleum or hazardous materials will be shipped.
1k	39 - The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.	Consistent with the policy, only solid construction debris will be generated from the project activities. The project location is known to have soil contamination from the former commercial operations. Those soils will be remediated or contained on the site to prevent any releases or hazardous to the environment.

Binghamton Waterfront Revitalization Program

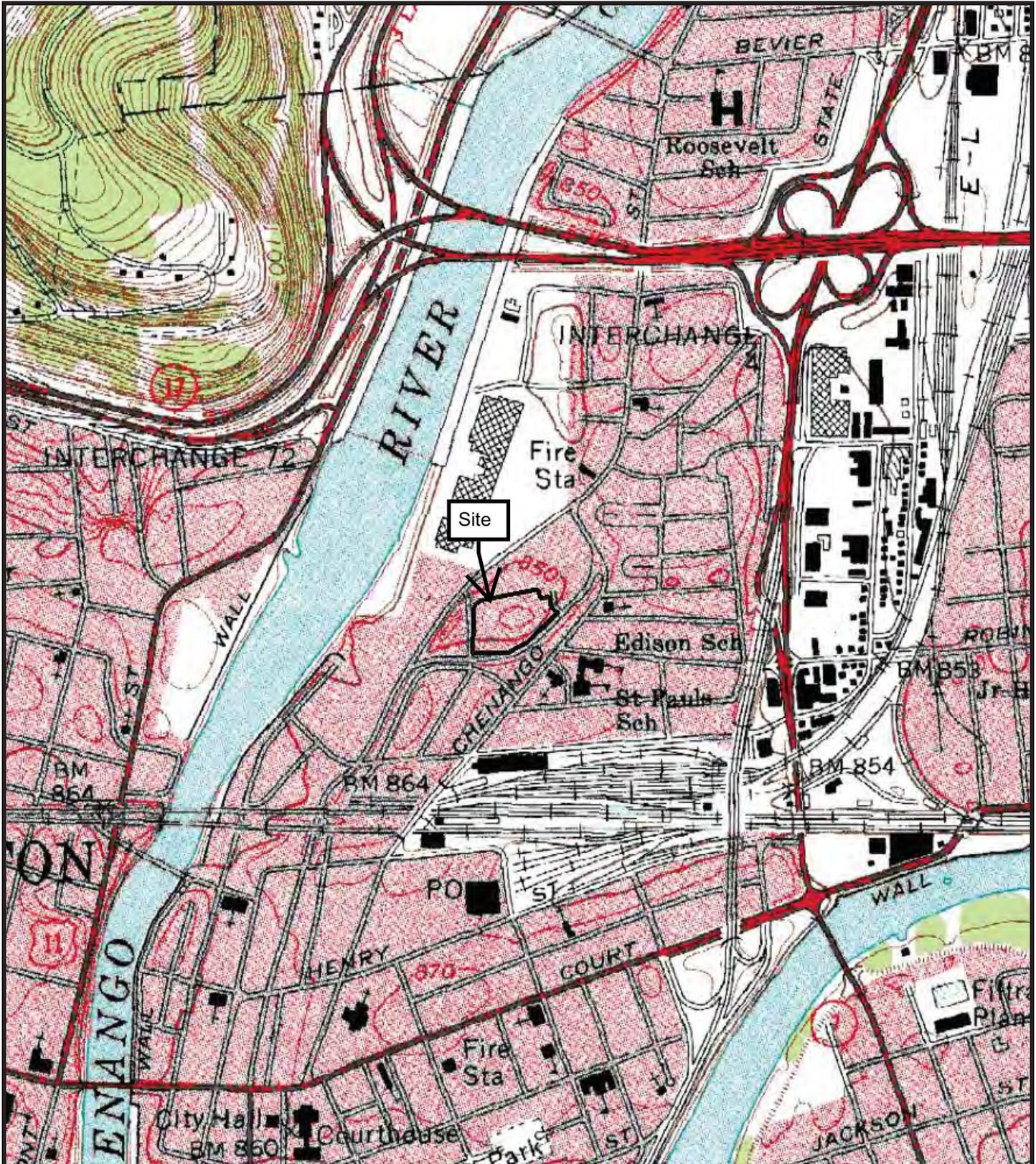
The project is located within the City of Binghamton State-approved local waterfront revitalization program area. The boundary for the City of Binghamton Local Waterfront Revitalization Program generally conforms to the boundaries of the Chenango and Susquehanna Rivers. The Chenango River is not defined as an inland waterway by New York State but is included as part of the waterfront revitalization area because of its connection to the Susquehanna River and its prominence as a waterfront feature within the City. The project activities are consistent with the program. Land uses found within the waterfront revitalization area boundaries include commercial, residential, recreation and entertainment, community services, public services and industrial.

In order to strengthen the relationship of a revitalized waterfront with economic development that will benefit the entire City of Binghamton, the existing central business district was included in the waterfront revitalization area, as well as pocket commercial areas that could potentially benefit

435 State Street
435 State Street, Binghamton, NY, 13901

from improvements to the waterfront. The success of the waterfront and the downtown core are inter-related, with each having the ability to largely affect the other. Success along the waterfront will surely bolster revitalization efforts and investments in the central business district, and vice versa. The project will enhance the waterfront area for residents and tourists.

Attachment C – Site Maps



▲
●
▲
NOT TO SCALE

FIGURE 1
SITE LOCATION MAP

435 State Street
Binghamton, New York 13901

LABELLA

PROJECT NO. 2172310



▲
●
▲
NOT TO SCALE

FIGURE 2 PROPERTY TAX MAP

435 State Street
Binghamton, New York 13901

LABELLA

PROJECT NO. 2172310

Attachment D – Project Plans (separate from letter)

STATE OF NEW YORK
DEPARTMENT OF STATE

ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
WWW.DOS.NY.GOV

ANDREW M. CUOMO
GOVERNOR

ROSSANA ROSADO
SECRETARY OF STATE

August 10, 2018

Alicia Shultz
Senior Environmental Scientist
Governor's Office of Storm Recovery
New York State Homes & Community Renewal
38-40 State St., 408N, Hampton Plaza
Albany, New York 12207

Re: F-2018-0779(FA)
U.S. Army Corps of Engineers/Buffalo District
Permit Application
Governor's Office of Storm Recovery
Construction of a four-story affordable housing
apartment complex with an area of 65,276 sf at the
location of a former 47,644 sf commercial structure
which has been demolished leaving vacant land.
435 State Street, City of Binghamton, Broome Co.
No Jurisdiction

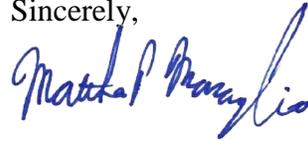
Dear Ms. Shultz:

The Department of State has reviewed the information for the above-referenced proposal.

The information provided indicates the proposal would not be undertaken in the State's designated coastal area and is not likely to affect land and water uses and natural resources within the State's coastal area. Therefore, it is not necessary for the Department of State to review this proposal pursuant to the consistency provisions of the federal Coastal Zone Management Act and the New York State Coastal Management Program.

If you have any questions or need any additional information regarding this matter, please contact me at (518) 474-6000 and refer to our file #F-2018-0779(FA).

Sincerely,



Matthew P. Maraglio
Supervisor, Consistency Review Unit
Office of Planning, Development and
Community Infrastructure

MM/js/dc

Cc: COE/Buffalo District – Permit Administrator
NYSDEC Region 7 – Joseph Dlugolenski



**Department
of State**