

**FLOODPLAIN 8-STEP PROCESS IN ACCORDANCE WITH
EXECUTIVE ORDER 11988: FLOODPLAIN MANAGEMENT
EXECUTIVE ORDER 11990: WETLAND MANAGEMENT**

**New York Governor's Office of Storm Recovery
Channel Park Homes Project
500 Centre Street, Long Beach, Nassau County, NY 11561**

Matt Accardi, Certifying Environmental Officer

DATE

This Floodplain Management and Wetlands Protection Plan (Plan) Compliance Document meets the requirements of 24 CFR Part 55.20 and Executive Order 11988—Floodplain Management—and Executive Order 11990—Protection of Wetlands—for the “Channel Park Homes Project” (“Proposed Action”) located at 500 Centre Street, Long Beach, Nassau County, NY 11561. On behalf of Grantee the State of New York, the Governor’s Office of Storm Recovery (GOSR), serving under the auspices of the New York State Homes and Community Renewal’s Housing Trust Fund Corporation, and acting under authority of the U.S. Department of Housing and Urban Development’s (HUD) regulations at 24 CFR Part 58, and in cooperation with other involved, cooperating, interested agencies, is participating in the HUD’s Community Development Block Grant Program as administered by the State of New York Action Plan for Community Development Block Grant Program – Disaster Recovery (CDBG-DR).

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.

Description of Proposed Program Activities

The Channel Park Homes Project (“Proposed Action”) includes flood resiliency and mitigation actions at an affordable housing project located within a 100-year floodplain. The proposed project includes dry proofing and installation of a concrete floodwall. The Project is located at 500 Centre Street, Long Beach, Nassau County, NY 11561, at Section 59, Block 278, Lot 38 (see Project location maps in Attachment 1). The resiliency improvements will prevent future damages from storms.

The Channel Park Homes Complex consists of twelve (12) two-story apartment buildings and a one-story administration building. In total, the complex contains 108 apartment units. According to the FEMA Flood Insurance Rate Map, Channel Park has a varying Base Flood Elevation (BFE) of 9’ and 10’. Going with the higher elevation of 10’ results in a minimum flood elevation of 11’ (10’+1’).

The primary dry-floodproofing element proposed for each of the apartment buildings is the construction of a perimeter concrete flood wall system affixed to each building. The concrete flood wall will be constructed flush to the existing apartment building to the Design Flood Elevation (DFE). Based on ASCE 24-14 Flood Resistant Design and Construction, all apartment buildings on-site will be protected to a minimum flood elevation of 11’ NAVD88.

Executive Order 11988 and 11990 & 24 CFR Part 55

Pursuant to 24 CFR §55.20, an 8-step process for floodplain management must be completed for proposed actions taking place in a floodplain or wetland. 24 CFR §55.20 implements Executive Order (EO) 11988 (Floodplain Management) and Executive Order 11990 (Protection of Wetlands). EO 11988 requires federal agencies (or a state agency implementing a federal funding program) to reduce the loss of life and property caused by floods, minimize impacts of floods on human safety, health, and welfare, and preserve the natural and beneficial functions of floodplains. EO 11990 requires federal agencies (or a state agency implementing a federal funding program) to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands.

In addition, federal agencies are required to demonstrate that consideration of all practicable alternatives has resulted in the reduction or elimination of long- and short-term adverse impacts associated with occupancy and modifications of the floodplain or wetlands. 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.

Projects located within a Special Flood Hazard Area (SFHA) are subject to Executive Order 11988. Information on where SFHAs are located is available on Flood Insurance Rate Maps (FIRMs) published by FEMA. FEMA uses engineering studies to determine the delineation of these areas or zones subject to flooding. The relevant data source for the SFHA is the latest issued FEMA data or guidance, which includes advisory data, such as Advisory Base Flood Elevations (ABFEs) or preliminary and final FIRMs.

24 CFR Part 55.20 Eight-Step Process

Step ONE: Determine whether the proposed action is located in a wetland or a 100-year floodplain (or a 500-year floodplain for a Critical Action).

The geographic scope for the Proposed Action is located within Nassau County (see Attachment 1 for FIRM Panel 36059C0308G, effective date 9/11/2009). The Proposed Action is located within the FEMA designated 100-year floodplain and within a wetland adjacent area. Roads and bulkhead are present between the Proposed Action and the wetland.

Step TWO: Notify the public at the earliest possible time of a proposal to consider an action in a wetland or floodplain (or in the 500-year floodplain for a Critical Action) and involve the affected and interested public in the decision-making process.

Since the Proposed Project will be located in the floodplain, GOSR must publish an early notice that allows the public an opportunity to provide input into the decision to provide funding for the Proposed Project in this area. Once the early public notice and comment period is complete, GOSR will assess, consider, and respond to the comments received individually and collectively for the Proposed Action file, then proceed to Step Three.

A 15-day “Early Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain and Wetland” was published in The Long Beach Herald on January 2, 2020 (see Attachment 2 for affidavit of publication). The 15-day comment period expired on January 17, 2020. The notice was also sent to the following state and federal agencies on January 17, 2020: Federal Emergency Management Agency (FEMA), U.S. Department of the Interior (DOI), U.S. Environmental Protection Agency (EPA), U.S. Department of Homeland Security (DHS), U.S. Fish and Wildlife Service (FWS), NYS Department of Environmental Conservation; the NYS Office of Parks, Recreation and Historic Preservation; NYS

Department of Transportation; NYS Office of Emergency Management. The notice was also sent to the office of the Nassau County Executive.

GOSR received 0 public comments on this notice.

Step Three: Identify and evaluate practicable alternatives to locating the proposed action in a wetland or floodplain (or the 500-year floodplain for a Critical Action).

After a consideration of the following alternatives, GOSR has determined the best practicable alternative is the Proposed Action. The alternative actions considered are as follows: No Action Alternative.

No Action Alternative

The Nassau County Comprehensive Plan identifies the need for more affordable housing. The housing complex currently exists. The addition of a community center building will improve the quality of housing complex and is consistent with goals of Nassau County planning and zoning. The plan specifically identifies the use of CDBG funds for affordable housing projects and for providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income (<https://www.nassaucountyny.gov/2872/Master-Plan>). The primary alternative for the Proposed Project is the “no action” alternative. This alternative means that there would be no work undertaken to provide flood mitigation and emergency shelter to the existing affordable housing complex. Additionally, effective backup power during power outages would not be available. The project will provide affordable housing and enhance the quality of life for residents of the area. The no action alternative would mean that the apartments would continue to flood and would remain as a potential hazard to the community. Housing affordability and improvement to the quality of family and community life for this area might not be implemented due to lack of funds. Moreover, the Project is consistent with the developed nature of the area, and there is no identified adverse impact to the quality of the natural or human environment. Thus, the “no action” alternative is not considered a feasible alternative in relation to the desired objective of continuing to provide safe affordable housing within the Long Beach and to provide flood mitigation to protect existing affordable housing.

Step Four: Identify the potential direct and indirect impacts associated with the occupancy or modification of the wetland or floodplain (or 500-year floodplain for a Critical Action).

GOSR has evaluated potential alternatives to the Proposed Action in the floodplain. Since the proposed project involves the flood mitigation of an existing apartment complex, which already exists within the floodplain; there is no alternative. Therefore, GOSR has determined that the proposed activities must take place in the floodplain.

The Proposed Project will result in negligible permanent impacts to the 100-Year Floodplain. No impacts to wetlands would occur.

Step FIVE: Where practicable, design or modify the proposed action to minimize the potential adverse impacts within the wetland or floodplain (including the 500-year floodplain for a Critical Action) and to restore and preserve its natural and beneficial values.

The impacts to the floodplain will be minimal because work will be limited areas already developed and covered by asphalt.

Step SIX: Reevaluate the proposed action to determine: (1) Whether it is still practicable in light of its exposure to flood hazards in the floodplain, the extent to which it will aggravate the current hazards to other floodplains or wetlands, and its potential to disrupt floodplain or wetland values;

and (2) Whether alternatives preliminarily rejected at Step Three are practicable in light of the information gained in Steps Four and Five.

GOSR has reevaluated the proposed action and determined that the action is still practicable in light of its potential exposure to flood hazards in the floodplain. There is no practicable alternative to the proposed action. It is not feasible to move the housing complex of the 100-year floodplain. There will be no increase in impermeable surface.

Step Seven: If the reevaluation results in a determination that there is no practicable alternative to locating the proposal in the wetland or floodplain (or the 500-year floodplain for a Critical Action), publish a final notice.

It is GOSR's determination that the preferred alternative is implementing the Channel Park Project. Beneficial results would include a more resilient apartment complex to withstand flooding during storm events. The new generator will provide power during outages.

A 15-day "Notice for Final Public Review of a Proposed Activity in a 100-Year Floodplain" was published in the Long Island Herald on January 23, 2020. The 7-day comment period expired on January 30, 2020. The notice targeted local residents, including those in the floodplain. The notice was also sent to the following state and federal agencies on January 23, 2020: U.S. Department of the Interior (DOI); U.S. Environmental Protection Agency (EPA); U.S. Department of Homeland Security (DHS); U.S. Fish and Wildlife Service (FWS); National Park Service (NPS); NYS Department Environmental Conservation; the NYS Office of Parks, Recreation and Historic Preservation; NYS Department of Transportation; and NYS Office of Emergency Management. The notice was also sent to Nassau County Officials (see EXHIBIT 3 for the notice).

GOSR received 7 public comments on this notice. See EXHIBIT 3 for the list of comments received and the response to those comments.

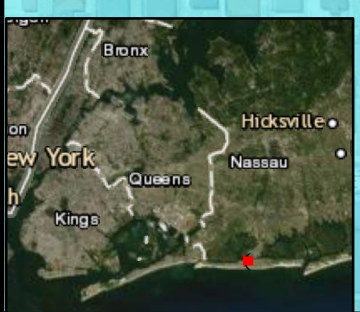
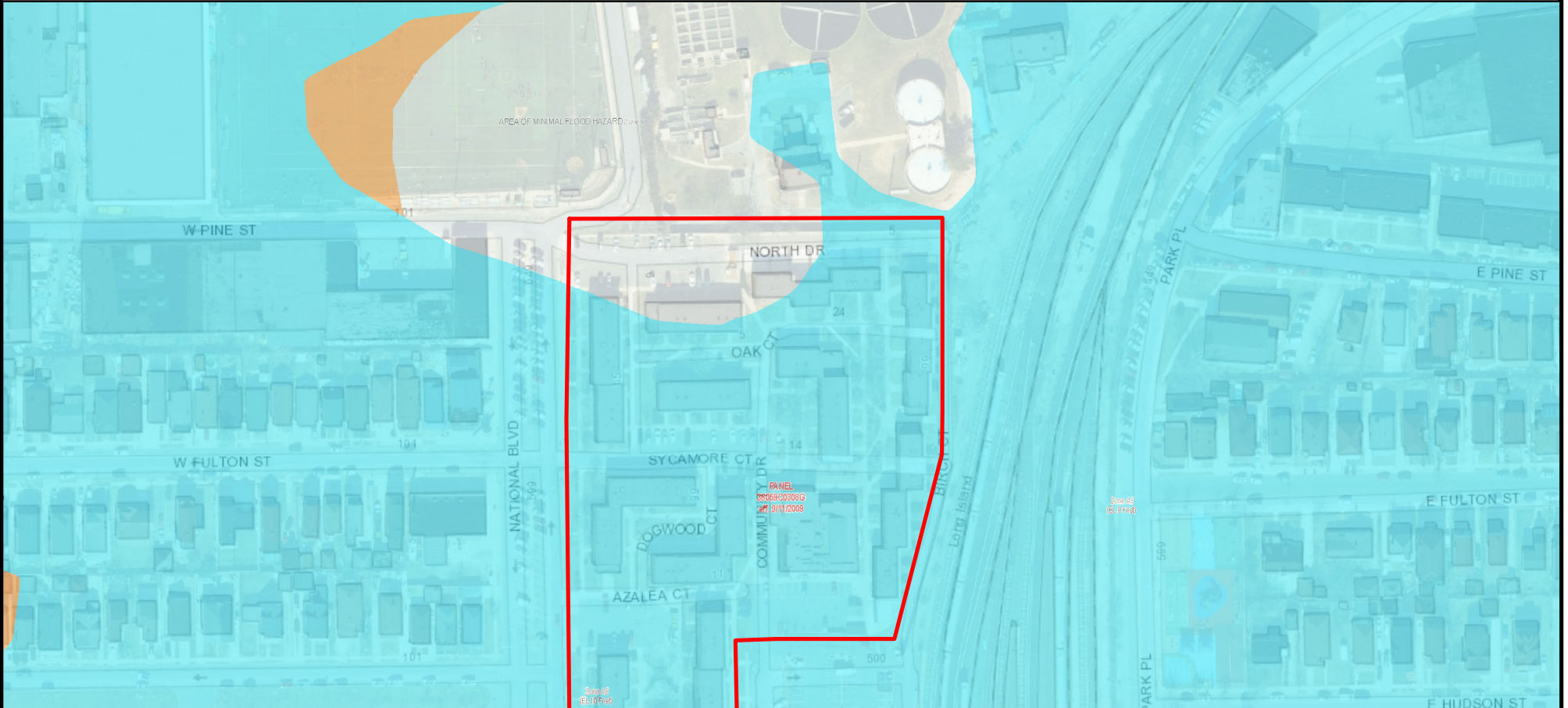
Step EIGHT: Implement the Action

Step eight is implementation of the proposed action. GOSR will ensure that all mitigation measures prescribed in the steps above will be adhered to. Also, prior to Proposed Action implementation, GOSR will conduct a National Environmental Policy Act (NEPA) review in accordance with 24 CFR Part 58 and a New York State Environmental Quality Review Act (SEQR) review in accordance with 6 NYCRR Part 617.

Attachments

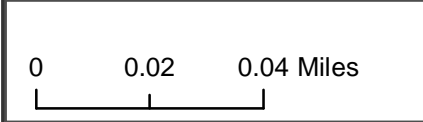
Attachment 1: FIRM and Wetland Site Location Maps

FEMA FIRM Map



Legende Q G

- Project
- Effective FEMA Floodplain (1% ACF, 5M)**
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- AO
- VE
- OPEN WATER
- X



Channel Park Homes
500 Center Street, Long Beach, NY 11561



Governor's Office of Storm Recovery

Data Sources: Esri Topographic and World Imagery Basemap, NYOPDIG, NYDEC, USGS, USFWS, FEMA, NYC MapPluto, EPA OAR-OAQPS, NYS GIS Clearinghouse

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FEMA data uses NAVD88*