

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

**East Rockaway - Bay Park Drainage Improvements
Village of East Rockaway, Nassau County, New York**

Governor's Office of Storm Recovery
U.S. Department of Housing and Urban Development Community Development Block Grant –
Disaster Recovery

Date

Introduction & Overview

The purpose of Executive Order (EO) 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 EO 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 report contains the analysis prescribed by 24 CFR Part 55 and documents the eight-step decision making process for the Proposed Action and pertains to activities within the Special Flood Hazard Area (SFHA) as defined by the Federal Emergency Management Agency (FEMA), or its successors, pursuant to the National Flood Insurance Program (NFIP), or a successor program, whether advisory, preliminary, or final.

The Governor's Office of Storm Recovery (GOSR), an office of the New York State Housing Trust Fund Corporation (HTFC), has received an application from Nassau County to use Community Development Block Grant – Disaster Recovery (CDBG-DR) funding from the NY Rising Community Reconstruction Program to complete East Rockaway Bay Park Drainage Improvements – Lawson Avenue Check Valves project (Proposed Action). The Proposed Action includes the improvement of existing stormwater infrastructure along Lawson Avenue and the intersecting streets of Davis Street; Smith Street; Adams Street; Franklin Street; Malecon Street; Lawrence Street; and North Boulevard (see Figures 1 and 2) in the Village of East Rockaway, Nassau County, New York (Bay Park-East Rockaway Drainage System).

The analysis that follows focuses on the direct and indirect floodplain and wetland impacts associated with the Proposed Action. The Proposed Action will result in activity within a previously disturbed and developed suburban residential community, and within areas identified as 100-year floodplain and wetlands. Based on an analysis of the Proposed Action and locations described herein, it is concluded that there is a reasonable basis to proceed with funding for this Proposed Action within floodplain and wetlands.

Description of Proposed Action

The Proposed Action consists of improving existing stormwater infrastructure along Lawson Avenue and the intersecting streets of Davis Street; Smith Street; Adams Street; Franklin Street; Malecon Street; Lawrence Street; and North Boulevard in the Village of East Rockaway, Nassau County, New York (Bay Park-East Rockaway Drainage System). The Proposed Action involves the installation of new Bay Park-East Rockaway Drainage System improvements with multiple upgraded catch basins, check valves, manholes, and stormwater pretreatment structures connected to new reinforced concrete pipes. The catch basins and manholes will be precast reinforced concrete. Undersized pipes will be replaced with pipes appropriately sized for current and predicted future conditions. The project will terminate at an existing outfall location (to be replaced) at Franklin Street. Approximately twenty feet of vinyl bulkhead section, including sheeting, wales, piles and connections will be reconstructed at the western terminus of Franklin Street. Additionally, the drainage structures and pipes will be functionally improved by increasing the size

of the piping to allow the drainage system to manage stormwater flows appropriately in conformance with design guidelines.

The Proposed Action includes road milling and resurfacing for proper drainage. Road drainage improvements will require water valve, water main, and gas valve adjustments and/or relocation as well as the removal of approximately 15 street trees scattered throughout the project area. Prior to construction, some areas will require clearing and grubbing. After construction the areas will be seeded, and trees planted.

The Proposed Action directly contributes to the rebuilding and recovery of the area with a focus on resiliency and mitigation. The proposed infrastructure improvements at these locations would contribute to meeting the New York State CDBG-DR Action Plan's goals of rebuilding community infrastructure to help mitigate the future impact of flooding for the area.

Applicable Regulatory Procedure Per EO 11988 and EO 11990

The Proposed Action corresponds with a noncritical action not excluded under 24 CFR §55.12(b) or (c), and the use is a functionally dependent use. Funding is permissible for the use in the floodplain and wetland if the Proposed Action is processed under §55.20 and the findings of the determination are affirmative to suggest that the project may proceed. No work is anticipated in a floodway.

Based on data managed and updated by the U.S. Fish & Wildlife Service (USFWS) and New York State Department of Environmental Conservation (NYSDEC), the bulkhead replacement will be within a USFWS National Wetland Inventory (NWI) 0.8-acre designated R5UBH wetland and NYSDEC tidal wetland. The other project areas are within the 300-foot NYSDEC tidal wetland buffer. Bulkheads are located between the tidal wetlands and the project areas and therefore, the project areas do not fall under the jurisdiction of NYSDEC; the areas do not meet the definition of as adjacent areas because they separated from the tidal wetland by the bulkheads.

This Proposed Action is aimed at flood mitigation through drainage improvements and bulkhead reconstruction at roads in developed and residential neighborhoods. As such, the full eight-step decision making process in §55.20 is required, and the following analysis examines each step.

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 FEMA flood map Firmette Panel 36059C0218G effective September 11, 2009 shows that the Proposed Action is located in a Special Flood Hazard Area (SFHA) with a 1% annual chance flood hazard and a base flood elevation of 8 feet above mean sea level. Based on data managed and updated by the U.S. Fish & Wildlife Service (USFWS) and New York State Department of Environmental Conservation (NYSDEC), the bulkhead replacement will be within a USFWS National Wetland Inventory (NWI) 0.8-acre designated R5UBH wetland and NYSDEC tidal wetland. The other project areas are within the 300-foot NYSDEC tidal wetland buffer. Bulkheads are located between the tidal wetlands and the project areas and therefore, the project areas do not fall under the jurisdiction of NYSDEC; the areas do not meet the definition of as adjacent areas because they separated from the tidal wetland by the bulkheads.

The Proposed Action will result in temporary impacts to wetlands during construction. The appropriate permits will be obtained in accordance with 6NYCRR Part 608, Protection of Waters Program; 6NYCRR Part 661, NYSDEC stormwater discharge from construction activities regulations, and Section 401 of the Clean Water Act. An SWPPP will be prepared for the Project. A permit under Section 404 of the Clean Water Act will be obtained prior to construction.

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

"Early Notice of a Proposed Activity in a 100-Year Floodplain & Wetland" was published in Long Island Herald on February 6, 2020, with the 15-day period expiring on February 21, 2020. The notice targeted local residents, including those within the floodplain. The notice was also sent to the following state and Federal agencies on February 6, 2020: HUD; Federal Emergency Management Agency (FEMA); U.S Fish and Wildlife Service (USFWS); U.S. Environmental Protection Agency (EPA); NYSDEC; NY State Historic Preservation Office (SHPO); NYS Office of Parks, Recreation and Historic Preservation; and the NYS Division of Homeland Security & Emergency Services. The notice was also sent to representatives of Nassau County. (See **Attachment 2** of this EO 11988 Floodplain Management & EO 11990 Wetlands Protection Plan for the published notice and distribution letter and the publication affidavit).

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

The New York State Rising Community Reconstruction Program is structured to provide eligible communities resources and expertise to build projects resilient to future flooding events. During Superstorm Sandy and Hurricane Irene, many of the roads that will be selected for improvements experienced severe rain and tidal flooding. Since these storms, many of these streets have experienced an increase in tidal flooding during monthly high tides.

The primary alternative for the current proposed action is the "no action" alternative. This alternative means that there would be no rehabilitation and mitigation in the community and no work would be undertaken to alleviate the flood problem. This would leave the surrounding neighborhoods vulnerable to future flood damage. The "no action" alternative would provide no protection to the residential neighborhoods and greater community from future flood events, as mitigation would be compromised due to lack of financial support. Thus, the "no action" alternative is not feasible in relation to the desired objective of creating area resiliency to future flooding events.

Due to the number of developed parcels within this community, prohibition of drainage improvements within floodplain is not practicable. The existing roads, associated structures, bulkhead and proposed and existing drainage structures are noncritical actions and a functionally dependent use, which are allowed to be constructed in wetlands, 100-year floodplain, coastal high hazard areas and floodways if processed under §55.20.

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.

Natural moderation of floods

This Proposed Action is aimed at flood mitigation through drainage improvements and bulkhead reconstruction at roads in developed and residential neighborhoods within the 100-year, wetlands and Tidal Wetland Adjacent Areas. As such, while the Proposed Action may potentially result in future indirect impacts to property during certain severe floods and related natural disasters, the Proposed Action is designed to overall alleviate the impacts from future severe floods.

Living resources such as flora and fauna

No effect on flora and fauna is anticipated from the drainage improvements in developed, well-established residential neighborhoods. A minor impact may arise during reconstruction of the bulkhead adjacent to Thixton Creek. However, no effect is anticipated since construction best management practices following permit requirements and conditions will be implemented during the construction period and disturbed areas returned to pre-existing and improved conditions upon completion of project activities. The Proposed Action will protect water quality and prevent deterioration from erosion and sedimentation through drainage improvements, and bulkhead reconstruction along roads in developed, residential neighborhoods.

Impacts to Property & Lives

The Proposed Action does not present potential to impact occupancy of floodplain as no new construction would be performed that affected the local residential structures. The proposed activities consist of drainage improvements and replacement of one bulkhead within existing infrastructure. As such, the Proposed Action is not expected to significantly modify property in floodplains. These improvements will address roadway flooding and stormwater drainage issues that were exacerbated by Hurricane Irene and Superstorm Sandy. Nelson and Pope conducted a comprehensive study to determine existing conditions of East Rockway and Bay Park drainage systems. The Study identified interventions to increase the storm water drainage system capacities to reduce flooding in low-lying areas, roadways and evacuation routes, as well as prevent tidal waters from entering and/or overwhelming existing and new storm water conveyances. The inability to address the current stormwater flooding and prevent tidal water backflow can create costly rerouting of emergency vehicles and block access to commercial and residential areas. During and soon after a storm, as with Superstorm Sandy, the drainage problem can cause serious flooding to major access streets, rendering them unusable to emergency vehicles and for residents trying to reach established evacuation routes.

Occupancy of this floodplain in this substantially developed area has taken place over an extended recent history. According to Nassau County's [Multi-Jurisdictional Hazard Mitigation Plan](#), 2014, for Nassau County, Hempstead Area 7.14% of the population (page 75) and 29.9% of the improved property which is located in the 100-year (page 63), and 33% of the land is in High or Moderate Flood Risk (page 112). According to Nassau County's [Multi-Jurisdictional Hazard Mitigation Plan](#), 2014, for Nassau County, Oyster Bay Area 4.19% of the population (page 79) and 10.6% of the improved property is located in the 100-year (page 64), and 9% of the land is in High or Moderate Flood Risk (114). Considering the context of the area, this Proposed Action represents activity at roads in developed residential neighborhoods situated within contiguous floodplain. Thus, funding the Proposed Action activity does constitute indirect continued support of floodplain occupancy and development.

The proposed drainage improvements will sustain area property values and community character within a developed district and neighborhoods. This construction will provide flood, hurricane and stormwater control, and increase the economic and environmental resiliency of the Nassau County community to future climate-related events. If the Proposed Action was not funded, there probably would be other undefined, undesirable indirect impacts to resident's quality of life, ease of accessibility to surrounding residences, and emergency service access, in the event they are needed.

Cultural resources such as archaeological, historic & recreational aspects

On January 7, 2020, the NY SHPO reviewed the Proposed Action and determined that that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.

Agricultural, aquacultural, & forestry resources

It is common knowledge there is substantial agriculture and fishing industry on Long Island including aquaculture. Per the 2012 State Comptrollers Report, *Agriculture in Long Island*, indicates that aquaculture brought in approximately \$7.6 Million in sales revenue, representing 2.9% of the total economic share.

This report also notes that although the Long Island region has “undergone extensive suburban development over the past 60 years,” “agriculture remains an important sector, and provides many benefits to the regional economy and local residents.” The Proposed Project includes the Long Island South Shore Estuary Reserve which includes the “shallow interconnected bays and tidal tributaries provide highly productive habitats that support the largest concentration of water-dependent businesses in the State. Water quality in the estuary is crucial to the health of the commercial and recreational fishing and shellfishing industries.”

It is possible during the short-term construction activities the disturbance could impact local water quality and this economic sector, although the impact attributable to this use could not be quantitatively derived. However, a qualitative analysis suggests that the impact would be very small as mitigative measures and BMPs will be utilized during construction. These measures include, but are not limited to, installing temporary silt fencing on land to prevent soil and/or debris from being washed off-site and installing turbidity curtains in the water to minimize sediment transportation from the area of disturbance to the larger body of water per the soil erosion control plan. Project activities will be completed in accordance with all applicable federal, state and local permit requirements and conditions. Permits required for each individual project will be obtained prior to commencing work and all permit requirements and conditions will be adhered to by the recipient. Thus, no or minor temporary impacts from the proposed Program and its individual project activities are anticipated.

Wetland Evaluation

The purpose of wetland evaluation is to consider factors relevant to a Proposed Action’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 bulkhead to be replaced is located within a USFWS National Wetland Inventory (NWI) 0.8 acre designated R5UBH wetland and NYSDEC tidal wetland. The Proposed Action does not pose a threat to public health and safety, or to increase flood and storm hazards. Instead the Proposed Action will protect water quality and prevent deterioration from erosion and sedimentation through road raising, drainage improvements, and bulkhead reconstruction along roads in developed residential neighborhoods. Furthermore, The Proposed Action’s road raisings and drainage improvements will protect life and property during extreme weather events, protect and secure evacuation access routes, and enable better emergency access to critical services (food and pharmacies).

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.

Implementation of the Proposed Action will comply with all best management practices and permit requirements and conditions set forth in the applicable Federal, State, and local permits. No effect on flora and fauna is anticipated from this the drainage improvements in developed, well-established, residential neighborhoods. A minor impact may arise from reconstruction of bulkheads. The addition of tidal check valves and replacement of bulkheads will provide coastal protection during moderate storms, reducing tidal flood risk to assets such as roadways, utilities, and properties located near outflows. These improvements will maintain access to assets in the community, offer greater protection for properties in vulnerable areas, and reduce the potential for damage due to wave energy during extreme tidal events. Projects will reduce the amount of debris reaching bodies of water where it could potentially damage sensitive ecosystems and reduce pollutant load to the bay by improving storm water infrastructure in the community.

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

The Proposed Action will be completed in accordance with construction best management practices and all applicable federal, state, and local permits and their requirements and conditions, which will be obtained prior to commencing work. Consequently, there are no additional anticipated cost increases attributed to necessary mitigation measures to minimize harm to wetlands that may result from such use and improvements. Rather, there are cost benefits gained by proceeding with the Proposed Action. The result from these improvements will be reduced exposure to flood damage and risk for economic loss associated with rebuilding and repairs for repetitive losses along with less business closures and economic savings to the East Rockaway and Bay Park from reduced future costs associated with deferred maintenance and personnel sent to work at road closure sites.

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

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. The proposed activities will protect community assets and access would enhance the opportunity for recreational use in the area.

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.

The Proposed Action involves drainage improvements and bulkhead replacement within existing infrastructure in developed, well-established, residential neighborhoods areas. It is a direct policy requirement to specify standards that mitigate flood risk. "Projects will be designed to reduce flood frequency, duration and extent. Improvements and upgrades will be designed for resilience in the face of sea level rise and increasing frequency and intensity of extreme weather events. The goal is to improve the community's natural and engineered storm water management and flood control systems to mitigate flood risk and improve water quality during future floods." However, it is still reasonable to promote awareness of future risks of natural hazards, including flooding, plus the physical, social and economic impacts that potential storm events could convey, including the potential for future physical damage to the surrounding property.

Step 6. Reevaluate the Alternatives and Proposed Action.

The "no action" alternative would not address the purpose and need of the Proposed Action. Without the Proposed Action, the impacted community would be left more susceptible to future floods than it would after the implementation of the Proposed Action. Therefore, the "no action" alternative examined is not considered desirable and the Proposed Action is still practicable in light of development 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. Additionally, implementation of the Proposed Action will abide by all applicable state and local codes for floodplain development. As such, the impact of the Proposed Action on a floodplain would be less than the "no action" alternative.

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 the Proposed Action. The location within floodplain and wetland cannot be avoided due to the developed nature of the area and land economics.

A Final Notice and Public Explanation of a Proposed Activity in the 100-Year Floodplain and Wetlands was published in accordance with 24 CFR 55. (See **Appendix 2** of this EO 11988 Floodplain Management & EO 11990 Wetlands Protection Plan for the letter distributed to the associated agencies). The comment

period started with the Final Notice publishing in the Long Island Herald on March 5, 2020. The comment period for the Final Notice is 7 days, which expires at 5pm on March 20, 2020. The Final Notice was also sent to the following state and Federal agencies on March 5, 2020: HUD; FEMA; U.S Fish and Wildlife Service (USFWS); EPA; NYSDEC; NY SHPO; NYS Office of Parks, Recreation and Historic Preservation; NYS DOT; and the NYS Division of Homeland Security & Emergency Services. The notice was also sent to Nassau County.

Step 8. Continuing Responsibility of Responsible Entity & Recipient.

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

Sources:

NY State CDBG-DR Program, Application for Funding, East Rockaway/Bay Park: Drainage Improvements – Lawson Avenue Check Values. October 2017.

NY Rising Community Reconstruction Program. Bay Park and Village of East Rockaway. NY Rising Community Reconstruction Plan. March 2014.

Nelson & Pope Engineers & Surveyors. Comprehensive Drainage Infrastructure Master Plan for Bay Park and the Village of East Rockaway Town of Hempstead, Nassau County, New York. January 2017.

Thomas P. DiNapoli, New York State Comptroller. Agriculture in Long Island. October 2012.
http://osc.state.ny.us/reports/li_ag_rpt_10_2013.pdf.

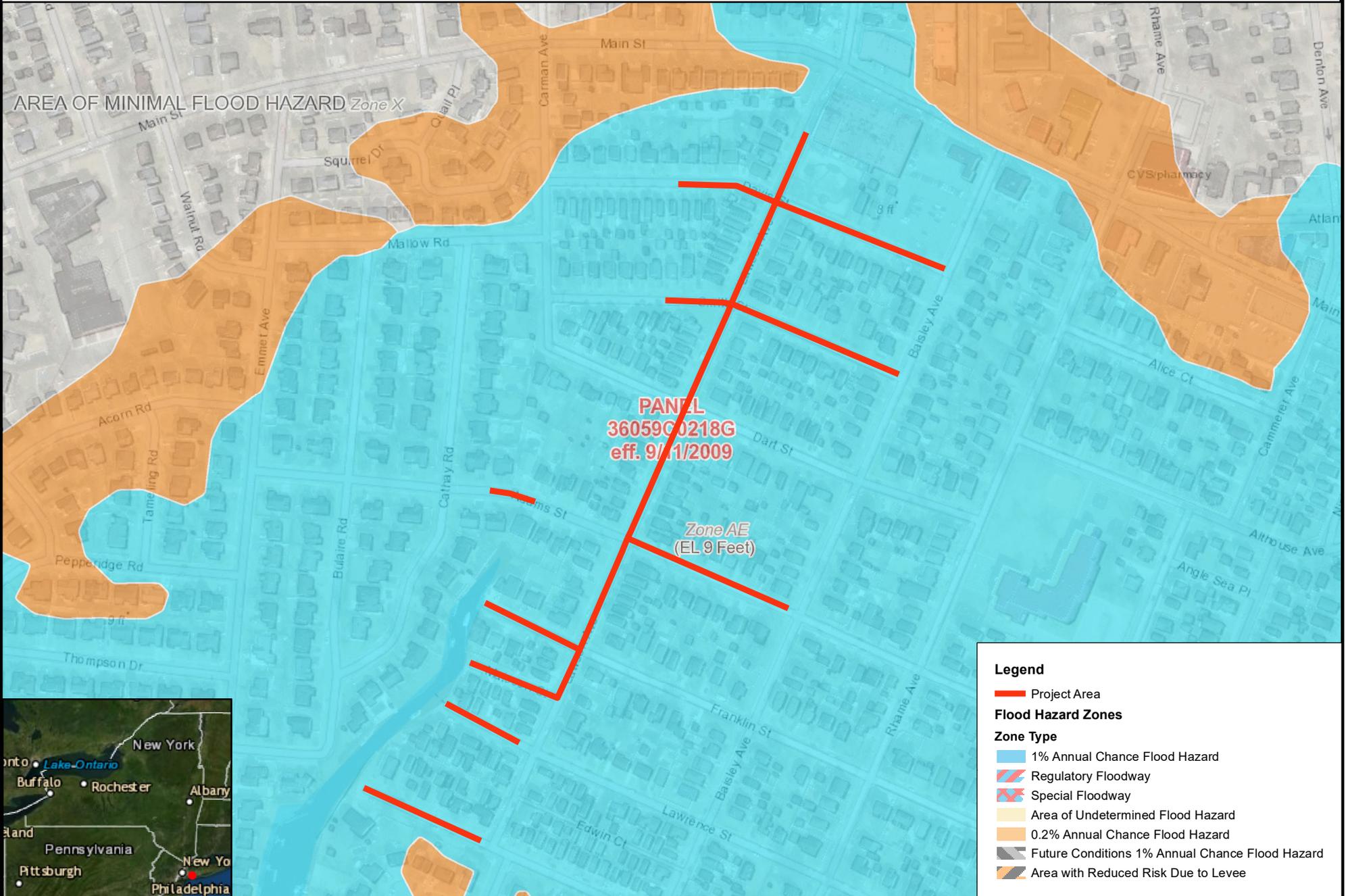
<https://www.dos.ny.gov/opd/sser/>

Attachment 1 Floodplain and Wetland Maps

Attachment 2 Early and Final Floodplain Notices and Affidavits

ATTACHMENT 1

Floodplain Map



East Rockaway - Bay Park Drainage Improvements Nassau County, New York

0 0.05 0.1 Miles

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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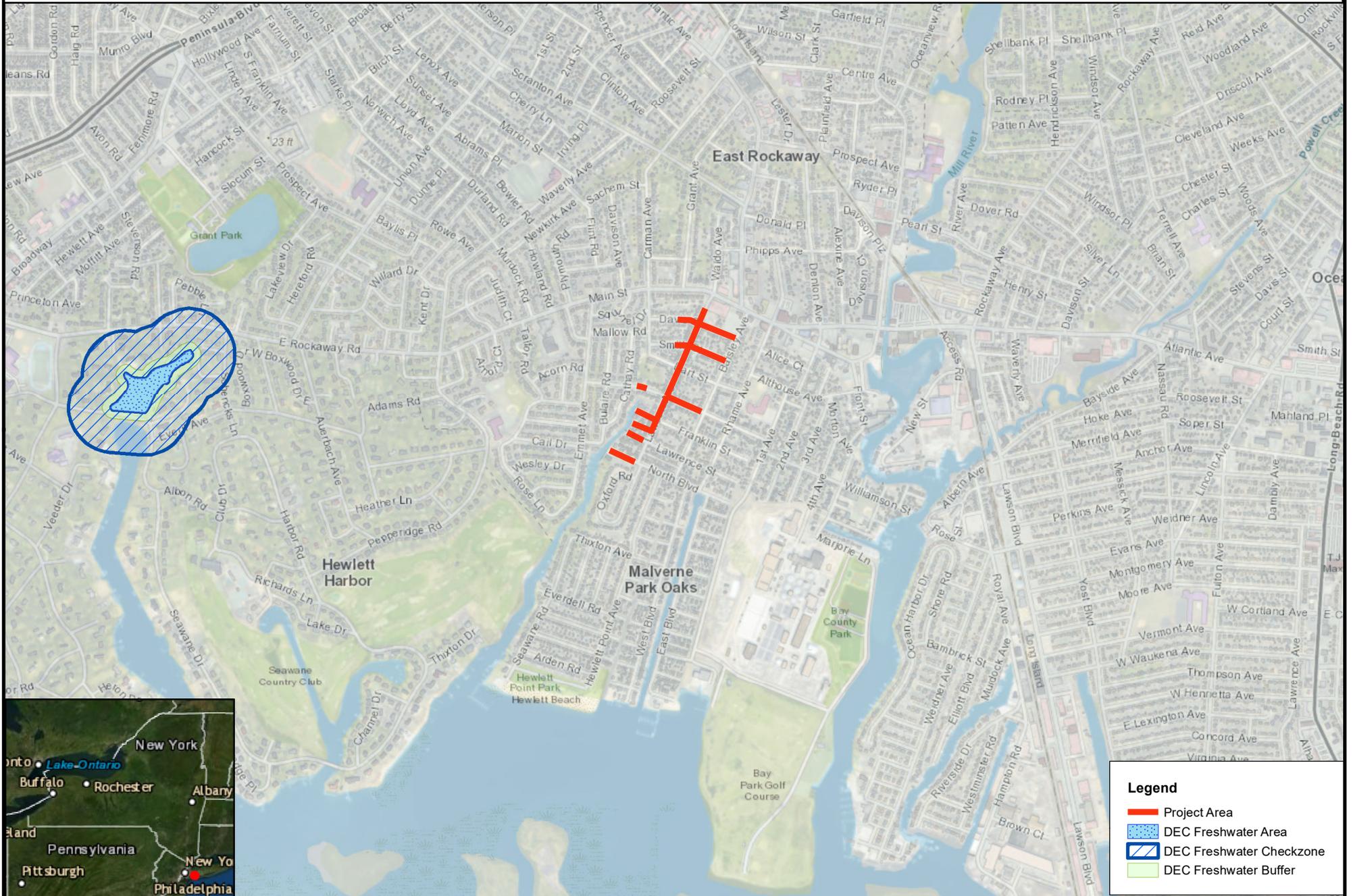
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FEMA data uses NAVD88*

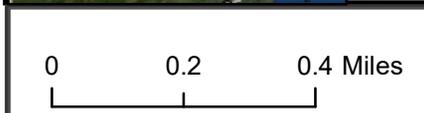
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NYS DEC Freshwater Wetlands Map



Legend

- █ Project Area
- █ DEC Freshwater Area
- █ DEC Freshwater Checkzone
- █ DEC Freshwater Buffer



East Rockaway - Bay Park Drainage Improvements Nassau County, New York

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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National Wetlands Inventory Map

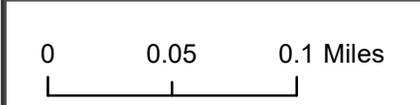


Legend

- Project Area

Wetland Type

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine



East Rockaway - Bay Park Drainage Improvements Nassau County, New York

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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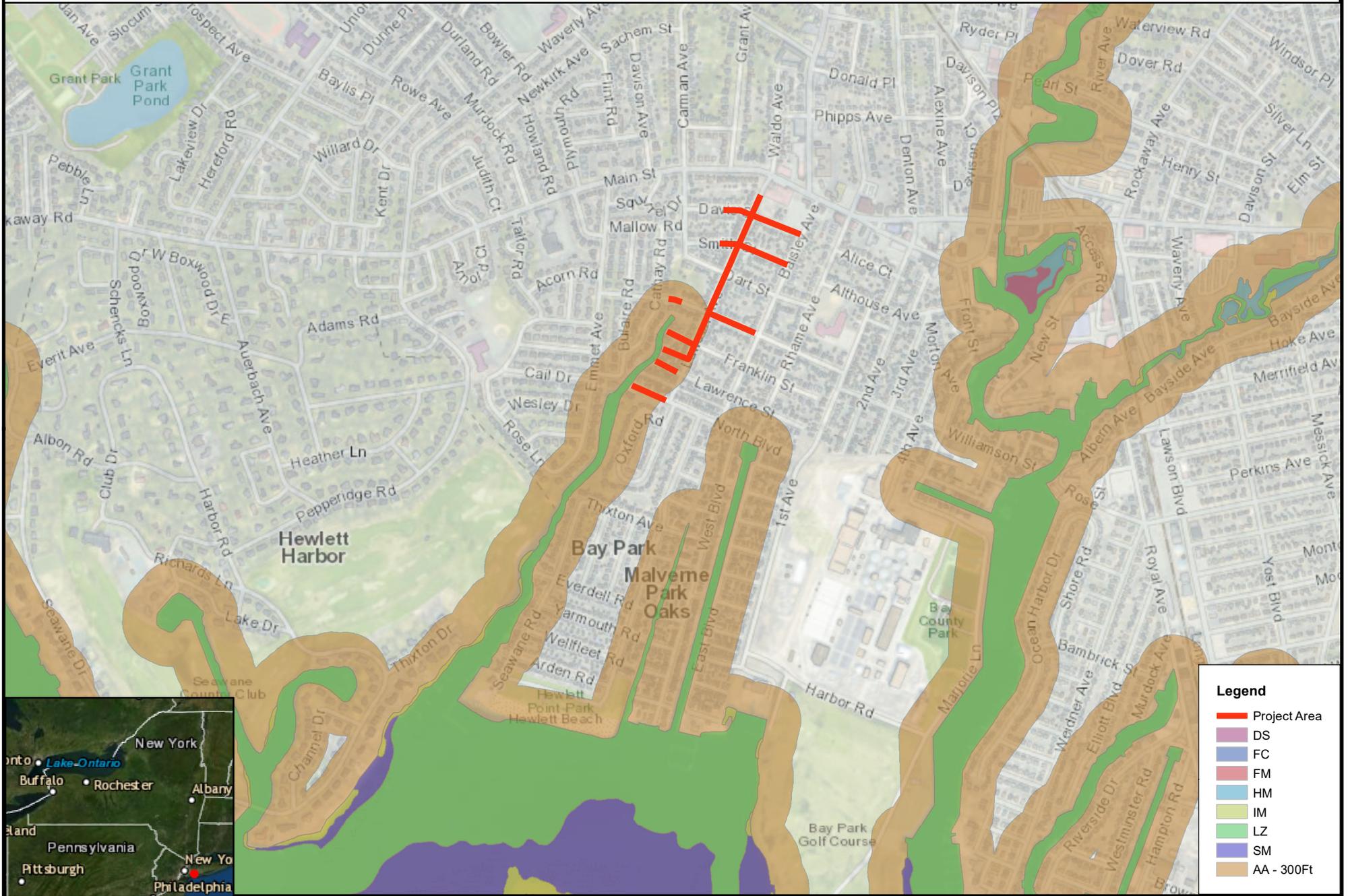
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Tidal Wetlands Map



0 0.125 0.25 Miles

Bay Park-East Rockaway Lawson Boulevard Nassau County, New York

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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Drawn By: ASL | Version: 2.0 | Date: 2/21/2020



FEMA data uses NAVD88*

ATTACHMENT 2

**EARLY NOTICE OF A PROPOSED ACTIVITY
IN A 100-YEAR FLOODPLAIN AND WETLANDS**

**EAST ROCKAWAY - BAY PARK DRAINAGE IMPROVEMENTS – LAWSON
AVENUE CHECK VALVES**

EAST ROCKAWAY, NASSAU COUNTY, NEW YORK

February 6, 2019

To: All interested Agencies, Groups, and Individuals

This is to give notice that the Governor's Office of Storm Recovery (GOSR), an office of the New York State Housing Trust Fund Corporation (HTFC), has received an application from Nassau County to fund East Rockaway Bay Park Drainage Improvements – Lawson Avenue Check Valves Project (hereinafter, the "Proposed Activity") and is conducting an evaluation as required by Executive Order 11988 and Executive Order 11990 in accordance with U.S. Department of Housing and Urban Renewal (HUD) regulations (24 CFR Part 55). There are three primary purposes for this notice. First, to provide the public an opportunity to express their concerns and share information about the Proposed Activity. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains and wetlands facilitates and enhances governmental efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the government determines it will participate in actions taking place in floodplains or wetlands, it must inform those who may be put at greater or continued risk. Funding for the Proposed Activity will be provided by the HUD Community Development Block Grant – Disaster Recovery (CDBG-DR) program for storm recovery activities in New York State.

The Proposed Activity is needed to address flooding resulting from storms such as Superstorm Sandy. During Superstorm Sandy the stormwater system within East Rockaway and Bay Park backed up with runoff and storm surge inundation as result of the lack of drainage into the canals and creeks and the lack of back-flow valves on the outfalls. Lawson Avenue experiences recurring flooding approximately twice a month (on spring tide and moon tides). Lawson Avenue serves as "lifeline" route that connects the community to emergency services locations and critical facilities and allow residents to evacuate to higher ground during storm events.

The Proposed Activity will result in temporary impacts to 0.28 acres of 100-Year Floodplain according to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel Number 36059C0218G effective September 11, 2009. The Proposed Activity will result in permanent impacts to 0 acres of 100-Year Floodplain. These impacts will consist of the installation of an upgraded Bay Park-East Rockaway Drainage System with multiple upgraded catch basins, check valves and manholes and stormwater pretreatment structures connected to new reinforced concrete pipes as well as raising and grading existing roads for proper drainage. All the project areas are within New York State Department of the Environment (NYSDEC) tidal wetland adjacent areas.

Additionally, an existing bulkhead will be reconstructed with 20-feet of vinyl sheeting, wales, piles and connections. The bulkhead is located in a National Wetland Inventory (NWI) Estuarine Marine wetland deep water wetland of Thixton Creek. The bulkhead will be replaced within the same footprint at a higher elevation. The wetland will be temporarily impact during the reconstruction of the bulkhead. There will be no permanent impacts to the wetland. The functions of the floodplain and wetlands will not change as a result of the Proposed Action.

The existing impermeable surfaces associated with the Proposed Activity include roads, sidewalks, and drainage structures. Surface disturbance associated with the Proposed Action includes the street, curbs and sidewalks along the roads, improvements to the stormwater drainage system, catch basins, check valves and manholes and stormwater pretreatment structures connected to new reinforced concrete pipes as well as raising and grading existing roads for proper drainage. The disturbance of this areas would occur during project construction and would cease once construction is completed. The limited area of disturbance would not adversely affect the natural and beneficial values of the floodplain, wetland or lives and property. The Proposed Activity would reduce damage to homes, lawns and landscaping and allow better fire protection, rescue and police responses in times of storms and high tides. The project would directly contribute to the resiliency of these communities.

Prior to construction, Nassau County must apply for and receive a Floodplain Development Permit from the appropriate local floodplain administrator(s).” Permits from NYSDEC and the Army Corps of Engineer are anticipated.

Floodplain maps based on the FEMA Base Flood Elevation Maps and wetlands maps based on the National Wetland Inventory and New York State Department of Environmental Conservation (NYSDEC) data have been prepared and are available for review with additional information at <http://www.stormrecovery.ny.gov/environmental-docs>.

Any individual, group, or agency may submit written comments on the Proposed Activity or request further information by contacting James P. McAllister, Bureau of Environmental Review and Assessment Governor’s Office of Storm Recovery, 500 Bi-County Boulevard, Suite 300, Farmingdale, NY 11735; email: James.McAllister@stormrecovery.ny.gov. Standard office hours are 9:00 AM to 5:00 PM Monday through Friday. For more information, call: (646) 256-9485. All comments received by 5:00 PM February 21, 2020 will be considered.

**Early Floodplain Notice Distribution List - East Rockaway Bay Park Drainage Improvements
- Lawson Avenue Check Valves, East Rockaway, Nassau County**

By Overnight Express and Email

Tennille Smith Parker, Director
U.S. Department of Housing and Urban Development
Disaster Recovery and Special Issues Division
451 7th Street SW, Room 7272
Washington, DC 20410

By Email only:

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U.S. Dep. Of Housing and Urban Development
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Mr. Mike Poetzsch
U.S. Environmental Protection Agency
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By U.S. Mail

Ms. Therese J. Fretwell, Enviro. Officer, R 1 & 2
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U.S. Dep. of Homeland Security
Federal Emergency Management Agency, Region II
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New York, NY 10278-0002

Mr. Steven T. Papa
U.S. Fish and Wildlife Service
Long Island Field Office
340 Smith Rd
Shirley, NY 11967

Susan Ackerman, Regional Permit Administrator
New York State Department of Environmental Conservation, Region 1
SUNY @ Stony Brook
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Stony Brook, NY 11790-3409

Mr. Ron Rausch, Director
Environmental Management Bureau
Office of Parks, Recreation and Historic Preservation
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Albany, New York 12238

Marlene White
Supervisor, Mitigation Projects
NYS Division of Homeland Security & Emergency
Services
1220 Washington Avenue, Building 7A - 4th Floor
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Sean Sallie, AICP
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Nassau County
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1194 Prospect Avenue
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STATE OF NEW YORK COUNTY OF NEW YORK

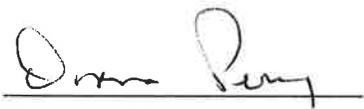
Alison Bloom being duly sworn hereby declares and says, that she is the Advertising Account Executive responsible for placing the attached advertisement in: the Long Island Herald – Lynbrook-East Rockaway Herald newspaper for Miller Advertising Agency, Inc.; located in New York, NY, and that the New York State Governor’s Office of Storm Recovery advertisement, of which the annexed is a true copy, has been published in the said publication on the following issue date(s): February 6, 2020



Alison Bloom

Subscribed to and Sworn before me

This 26th day of February, 2020



Notary Public

Donna Perez
Notary Public State Of New York
No. 01PE6151365
Qualified In New York County
Commission Expires August, 14th - 2022

Do You Remember The Days of House Calls?

Making Pre-Arrangements can be as simple as a house call. We are happy to come to your home, sit down with you and your family and discuss your options. We will bring the paperwork that you need. Our entire family and staff are there for you. We will guide you through this difficult period...because caring for others is our family tradition.



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1078538

PSEG Long Island warns of rising phone scams

With a recent uptick in the number of reported phone scam attempts, PSEG Long Island again urges residents and business owners to make themselves aware of the tactics scammers use to try to steal their money.

Phone scammers have become more prolific and sophisticated in recent years. In many cases, the scammers can modify their caller identification to read "PSEG Long Island." More than 6,600 calls were reported to PSEG Long Island in 2019, up from 4,088 scam calls reported in 2018.

While recent weeks have seen an increase in the number of scam calls, PSEG Long Island's awareness campaigns appear to have made customers more alert. In 2015, 8.2 percent of the total number of reported calls resulted in customers losing their money. Since 2018, that number has decreased to five percent.

"Phone scammers want their targets to panic so they don't think clearly," said Rick Walden, vice president of customer operations, according to a release. "If you receive a call about a past-due bill, don't panic. Look for signs that it may not be legitimate, such as a request for a specific payment type or an imminent threat of disconnection. Our representatives will never demand immediate payment and, though we offer a variety of payment options, they do not include pre-paid debit cards or bitcoin. Additionally, if a customer is scheduled for disconnection due to nonpayment, they will receive written notice on their bill at least 10 days in advance."

What to look out for

- You receive a call from what looks like PSEG Long Island on your caller ID.
- The caller threatens to shut off your service and demands an immediate payment by pre-paid card, wire transfer or bitcoin.
- The caller informs you that you require a new meter and demands a deposit before the installation can occur.
- You're given a phone number to call back that, when called, may sound similar to PSEG Long Island's automated call sys-

tem.

PSEG Long Island will never ask for a pre-paid card, wire transfer or bitcoin. Scammers ask for them because they are untraceable.

What to do

- Hang up. Do not provide any personal or account information.
- Call PSEG Long Island at 1 (800) 490-0025. Never call any number the scammer gives you.

What PSEG Long Island will and won't discuss over the phone

- A genuine PSEG Long Island representative will ask to speak to the customer of record.
- If that person is available, the representative will explain why they are calling and provide the account name, address and current balance.
- If the customer of record is not available, the PSEG Long Island representative will not discuss the account at all and ask that a message be left for the Customer of Record to call 1 (800) 490-0025.

PSEG Long Island also cautions customers to beware of scam emails that appear to be bills from the utility. These emails request personal information that could lead to identity theft.

PSEG Long Island does not ask customers to provide personal information online without first logging into the My Account section of pseglin.com. Never provide any personal information requested by email. Do not download any attachments, and do not click on any links in the email. Instead, open a browser window, visit PSEG's website, and log into My Account to get accurate account information, or call PSEG Long Island customer service.

Any customer who has doubts about the legitimacy of a call or email — especially one in which payment is requested — should call PSEG or visit a Customer Service Center. Service Centers are open Monday through Friday, 8:30 a.m. to 5 p.m., with locations listed on customer bills and online.

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

**EAST ROCKAWAY - BAY PARK DRAINAGE IMPROVEMENTS - LAWSON AVENUE CHECK VALVES
EAST ROCKAWAY, NASSAU COUNTY, NEW YORK
February 6, 2019**

To: All interested Agencies, Groups, and Individuals

This is to give notice that the Governor's Office of Storm Recovery (GOSR), an office of the New York State Housing Trust Fund Corporation (HTFC), has received an application from Nassau County to fund East Rockaway Bay Park Drainage Improvements - Lawson Avenue Check Valves Project (hereinafter, the "Proposed Activity") and is conducting an evaluation as required by Executive Order 11988 and Executive Order 11990 in accordance with U.S. Department of Housing and Urban Renewal (HUD) regulations (24 CFR Part 55). There are three primary purposes for this notice. First, to provide the public an opportunity to express their concerns and share information about the Proposed Activity. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains and wetlands facilitates and enhances governmental efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the government determines it will participate in actions taking place in floodplains or wetlands, it must inform those who may be put at greater or continued risk. Funding for the Proposed Activity will be provided by the HUD Community Development Block Grant - Disaster Recovery (CDBG-DR) program for storm recovery activities in New York State.

The Proposed Activity is needed to address flooding resulting from storms such as Superstorm Sandy. During Superstorm Sandy the stormwater system within East Rockaway and Bay Park backed up with runoff and storm surge inundation as result of the lack of drainage into the canals and creeks and the lack of back-flow valves on the outfalls. Lawson Avenue experiences recurring flooding approximately twice a month (on spring tide and moon tides). Lawson Avenue serves as "lifeline" route that connects the community to emergency services locations and critical facilities and allow residents to evacuate to higher ground during storm events.

The Proposed Activity will result in temporary impacts to 0.28 acres of 100-Year Floodplain according to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel Number 36059C0218G effective September 11, 2009. The Proposed Activity will result in permanent impacts to 0 acres of 100-Year Floodplain. These impacts will consist of the installation of an upgraded Bay Park-East Rockaway Drainage System with multiple upgraded catch basins, check valves and manholes and stormwater pretreatment structures connected to new reinforced concrete pipes as well as raising and grading existing roads for proper drainage. All the project areas are within New York State Department of the Environment (NYSDEC) tidal wetland adjacent areas.

Additionally, an existing bulkhead will be reconstructed with 20-feet of vinyl sheeting, wales, piles and connections. The bulkhead is located in a National Wetland Inventory (NWI) Estuarine Marine wetland deep water wetland of Thixton Creek. The bulkhead will be replaced within the same footprint at a higher elevation. The wetland will be temporarily impacted during the reconstruction of the bulkhead. There will be no permanent impacts to the wetland. The functions of the floodplain and wetlands will not change as a result of the Proposed Action.

The existing impermeable surfaces associated with the Proposed Activity include roads, sidewalks, and drainage structures. Surface disturbance associated with the Proposed Action includes the street, curbs and sidewalks along the roads, improvements to the stormwater drainage system, catch basins, check valves and manholes and stormwater pretreatment structures connected to new reinforced concrete pipes as well as raising and grading existing roads for proper drainage. The disturbance of these areas would occur during project construction and would cease once construction is completed. The limited area of disturbance would not adversely affect the natural and beneficial values of the floodplain, wetland or lives and property. The Proposed Activity would reduce damage to homes, lawns and landscaping and allow better fire protection, rescue and police responses in times of storms and high tides. The project would directly contribute to the resiliency of these communities.

Prior to construction, Nassau County must apply for and receive a Floodplain Development Permit from the appropriate local floodplain administrator(s). Permits from NYSDEC and the Army Corps of Engineer are anticipated.

Floodplain maps based on the FEMA Base Flood Elevation Maps and wetlands maps based on the National Wetland Inventory and New York State Department of Environmental Conservation (NYSDEC) data have been prepared and are available for review with additional information at <http://www.stormrecovery.ny.gov/environmental-docs>.

Any individual, group, or agency may submit written comments on the Proposed Activity or request further information by contacting James P. McAllister, Bureau of Environmental Review and Assessment Governor's Office of Storm Recovery, 500 Bi-County Boulevard, Suite 300, Farmingdale, NY 11735; email: James.McAllister@stormrecovery.ny.gov. Standard office hours are 9:00 AM to 5:00 PM Monday through Friday. For more information, call: (646) 256-9485. All comments received by 5:00 PM February 21, 2020 will be considered.



Governor's Office of
Storm Recovery

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Lynbrook/East Rockaway
HERALD

HOW TO REACH US

Our offices are located at **2 Endo Blvd. Garden City, NY 11530** and are open from 8:30 a.m. to 5:30 p.m., Monday through Friday.

MAIN PHONE: (516) 569-4000

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