Governor's Office of
Storm Recovery

ANDREW M. CUOMO
Governor

October 9, 2020

By Overnight Mail and Electronic Mail

Tennille S. Parker, Director
Disaster Recovery and Special Issues Division
Office of Block Grant Assistance
U.S. Department of Housing and Urban Development
451 7th Street, SW, Room 7272
Washington, D.C. 20410

Re: RROF and Environmental Certification for NYS CDBG-DR: Rebuild by Design: Living with the Bay Stormwater Project; Villages of Hempstead, Rockville Centre, Lynbrook, and East Rockaway, and the Town of Hempstead; Nassau County, New York

Dear Ms. Parker:

Attached is a Request for Release of Funds (RROF) and Environmental Certification for the above referenced project: Rebuild by Design: Living with the Bay Stormwater Project. The Governor's Office of Storm Recovery, operating under the auspices of the New York State Homes and Community Renewal's Housing Trust Fund Corporation, performed an environmental review for the project pursuant to 24 CFR 58 for the activities covered by this RROF.

Pursuant to 24 CFR Section 58.70, the Combined Notice of Intent to Request Release of Funds, and Final Notice and Public Explanation of a Proposed Activity in a Floodplain and Wetland was published in Newsday, Russkaya Reklama, Sing Tao Daily, and Noticia on September 4, 2020 (see attached copy of the NOI RROF/Final Notice and the affidavits of publication). Comments submitted were compiled and responded to in the attached Response to Comments document, which is also posted on the following website, with the final Environmental Assessment: https://stormrecovery.ny.gov/environmental-docs.

If you have any questions concerning this submission, please contact me at (212) 480-6265 or by electronic mail at matt.accardi@stormrecovery.ny.gov.

Sincerely,

Matt Accardi, Deputy Director
Bureau of Environmental Review and Assessment
Governor's Office of Storm Recovery
Housing Trust Fund Corporation

Attachments

CC By Electronic Mail:
Emily Thompson, Acting General Counsel, GOSR
Thehbia Hiwot, Executive Director, Housing, Buyouts and Acquisition Programs, GOSR
Jane Brogan, Executive Director, Chief Policy & Research Officer, GOSR
David Shumate, Program Manager, Living with the Bay, GOSR
James McAllister, Senior Environmental Project Manager, GOSR
Amy Lentz, Environmental Records Manager, GOSR
Rebecca Blanco, Assistant Director, Disaster Recovery and Special Issues Division, HUD
Donna Mahon, Regional Environmental Officer, Regions I & II, HUD

Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development
Office of Community Planning and Development

OMB No. 2506-0087
(exp. 08/31/2023)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s)
Community Development Block Grant - Disaster Recovery (CDBG-DR)

2. HUD/State Identification Number
B-13-DS-36-0001

3. Recipient Identification Number (optional)

4. OMB Catalog Number(s)

5. Name and address of responsible entity
NYS Homes & Community Renewal
38-40 State Street
Albany, NY 12207

6. For information about this request, contact (name & phone number)
Matt Accardi, GOSR (212) 480-6265

8. HUD or State Agency and office unit to receive request
HUD, Office of Block Grant Assistance
Disaster Recovery and Special Issues Division
451 7th Street SW, Washington, D.C. 20410

7. Name and address of recipient (if different than responsible entity)

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s)
Living with the Bay Stormwater Project
Rebuild by Design: Living with the Bay

10. Location (Street address, city, county, State)
Villages of Hempstead, Rockville Centre, Lynbrook, and East Rockaway, and the Town of Hempstead; Nassau County, New York

11. Program Activity/Project Description

GOSR proposes to provide HUD CDBG-DR funding for the Stormwater Project (Proposed Action), one of three projects proposed by the Rebuild by Design Living with the Bay Project. The Project would include the following components: (1) Smith Pond Rehabilitation; (2) Lister Park Improvements; (3) East Rockaway High School; (4) East, West, and North Boulevards Stormwater Drainage Improvements; and (5) Mill River Greenway. The Proposed Action would address flooding caused by rainfall, improve habitat and water quality, mitigate shoreline erosion, ease public access to the waterfront, increase community connectivity,and educate the public on stormwater and environmental management throughout the communities in Nassau County, New York.

GOSR is requesting $28,490,000 for the construction of the Proposed Action.

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did ☐ did not ☑ require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity	Title of Certifying Officer
x Matt Accardi Digitally signed by Matt Accardi DN: cn=Matt Accardi, o, ou, email=matt.accardi@stormrecovery.ny.gov, c=US Date: 2020.10.09 07:42:29 -04'00'	Deputy Director, Bureau of Environmental Review and Assessment, GOSR
	Date signed: October 9, 2020

Address of Certifying Officer

Governor's Office of Storm Recovery, NYSHCR, 25 Beaver Street, 5th Floor, New York, NY 10004

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient	Title of Authorized Officer
	Date signed
X	

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Governor's Office of Storm Recovery

ANDREW M. CUOMO
Governor

COMBINED NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS, AND FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND

LIVING WITH THE BAY STORMWATER PROJECT
NASSAU COUNTY, NEW YORK
September 4, 2020

This provides notice that the State of New York, as the "Responsible Entity," as that term is defined by 24 CFR 58.2(a)(7)(i), has completed and made available for public review and comment an Environmental Assessment (EA) that evaluates the proposed Living with the Bay Stormwater Project. The State of New York is the Grantee of Community Development Disaster Recovery (CDBG-DR) funds appropriated by the Disaster Relief Appropriations Act, 2013 (Pub. L. 113-2, approved January 29, 2013) related to disaster relief, long-term recover, restoration of infrastructure and housing, and economic revitalization in the most impacts and distressed areas resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (Stafford Act) in calendar years 2011, 2012, and 2013. The Governor's Office of Storm Recovery (GOSR) implements the State's obligations under the National Environmental Policy Act (NEPA) through duly authorized Certifying Officers. GOSR was formed under the auspices of the New York State Homes and Community Renewal's Housing Trust Fund Corporation (HTFC), a public benefit corporation and subsidiary of the New York State Housing Finance Agency, 99 Washington Avenue, Suite 1224, Albany, New York 12260.

Certifying Officer: Matt Accardi, Associate General Counsel, New York State Governor's Office of Storm Recovery, 25 Beaver Street, Fifth Floor, New York, New York 10004.

Pursuant to 24 CFR Section 58.43, this combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI/NOIRROF) and Final Notice and Public Review of a Proposed Activity in a Wetland satisfies three separate procedural requirements for project activities proposed to be undertaken by New York State Homes and Community Renewal (HCR).

Description of the Proposed Action: GOSR proposes to provide $28.49 Million in CDBG-DR funding from the Rebuild by Design Living with the Bay Program to Nassau County to implement the Living with the Bay Stormwater Project (hereinafter, the "Proposed Action").

The Proposed Action is located in Nassau County, New York. The Proposed Action would include the following components throughout the Villages of Rockville Centre and East Rockaway, and the Town of Hempstead: (1) Smith Pond Rehabilitation; (2) Lister Park Improvements; (3) East Rockaway High School; (4) East, West, and North Boulevards Stormwater Drainage Improvements; and (5) Mill River Greenway. The Proposed Action would address flooding caused by rainfall, improve habitat and water quality, mitigate shoreline erosion, ease public access to the waterfront, increase community connectivity,

and educate the public on stormwater and environmental management throughout the communities in Nassau County, New York.

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

This is to give notice that the GOSR has conducted an evaluation as required by Executive Order 11988 and Executive Order 11990 in accordance with HUD regulations under 24 CFR Part 55, to determine the potential effects that its activity in the floodplain and wetlands would have on the human environment. An early public notice of proposed activity within the 100-year floodplain and wetlands was published by GOSR in *Noticia* (weekly Spanish newspaper), *Newsday* (daily English newspaper), and *Sing Tau Daily* (daily Chinese newspaper) on May 21, 2020 and in *Russian Reklama* (weekly Russian newspaper) on May 22, 2020. One comment was received. In summary, the commenter indicated that the construction of a bulkhead at East Rockaway High School would merely redirect water flow to the east side of the Mill River, and installing a generator at the high school is unrelated to mitigating the impacts of flooding. The commenter also stated that flood wall installation at Smith Pond would funnel flood flows to the tidal portion of the Mill River and cause more severe flooding downstream. These comments are noted.

According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps, the majority of the proposed project area is within the 100-year floodplain. Specifically, the Proposed Action would occur in areas classified as zones A, AE, and X, with a base flood elevation (BFE) of 9 to 10 feet. Zone A is defined as an area subject to inundation by the 1-percent-annual-chance flood event for which *no* BFEs have been determined, Zone AE as an area subject to inundation by the 1-percent-annual-chance flood event *for which* BFEs have been determined, and Zone X as areas determined to be outside of the 0.2-percent-annual-chance flood event.

The Proposed Action is located within and directly adjacent to wetlands mapped by the United States Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI), as well as tidal wetlands mapped by New York State Department of Conservation (NYSDEC). The dominant NWI wetland types within the proposed project area include Lake, Riverine, and Estuarine and Marine Deepwater. The dominant NYSDEC-regulated tidal wetlands within the proposed project area include Freshwater Wetland and Littoral Zone.

The Proposed Action would result in permanent impacts to an estimated 0.175 acre of land in the 100-year floodplain. Any temporary impacts to the floodplain would be minimized through adherence to best management practices. An estimated 6.387 acres of temporary impacts and 0.370 acres of permanent impacts to USFWS NWI and NYSDEC-mapped wetlands would occur. Floodplain and wetland impacts would result from the construction of a fish ladder, mechanical removal of aquatic plants, construction access, overlook improvements, structural enhancements, living shoreline installation, and bulkhead installation.

All applicable permits would be acquired before construction commences. The funding recipient would be bound by any permit stipulations or mitigation measures listed in permits acquired for the Proposed Action.

The Proposed Action has been designed to minimize impacts to wetlands and floodplains to the extent feasible, including the following design considerations. Silt fencing would be installed to prevent sediment and debris from discharging off-site in stormwater runoff, inlet filters would be installed in existing catch basins to prevent construction materials entering the stormwater system, and turbidity curtains would be used for any in-water work. For project work in upland areas, hay bales would be used to control soil runoff and prevent soils from entering adjacent surface waters. Impacted wetlands would be restored immediately following construction. The Proposed Action conforms with the Nationwide Permits

provided by the U.S. Army Corps of Engineers and as such would not require compensatory mitigation for impacts to wetlands. However, if any additional mitigation measures are identified during the permitting process by federal and state agencies, any and all requirements will be implemented.

Floodplain maps based on the FEMA Flood Insurance Rate Maps and wetlands maps based on the NWI and NYSDEC data have been prepared and are available for review with additional information at http://www.stormrecovery.ny.gov/environmental-docs. A Floodplain Management Plan (8-step process) documenting compliance with Executive Orders 11988 and 11990 as well as floodplain and wetland maps have been prepared for this project and are available for review at http://www.stormrecovery.ny.gov/environmental-docs.

Environmental Assessment

An Environmental Assessment (EA) for the Proposed Action has been prepared in accordance with the National Environmental Policy Act of 1969 (NEPA) and HUD environmental review regulations at 24 CFR Part 58. The EA is incorporated by reference into this notice. Subject to public comments, no further review of the Proposed Action is anticipated. GOSR has determined that the EA for the Proposed Action complies with the requirements of HUD environmental review regulations at 24 CFR Part 58.

Public Review: Viewing of the EA is available online at our website www.stormrecovery.ny.gov. Please contact Matt Accardi, Certifying Environmental Officer at (212) 480-6265 with specific requests. Further information may also be requested by emailing NYSCDBG_DR_ER@nyshcr.org.

This combined notice is being published in the following multi-language, local newspapers: *Newsday*, *Noticia*, *Russian Reklama*, and *Sing Tau Daily* . This combined notice is also being sent to individuals and groups known to be interested in the Proposed Action, as well as the following federal, state and local agencies: HUD; U.S. Environmental Protection Agency; US Army Corps of Engineers; FEMA; USFWS; National Oceanic and Atmospheric Administration; NYSDEC; NYS Office of Parks, Recreation and Historic Preservation; NYS Division of Homeland Security and Emergency Services; Nassau County; Town of Hempstead; and the Villages of Rockville Centre and East Rockaway.

Public Comments on the Final Notice and Public Review of a Proposed Activity in a 100-year Floodplain and Wetland and/or the NOI RROF: Any individual, group or agency may submit written comments on the Proposed Action. The public is hereby advised to specify in their comments which "notice" their comments address. Comments should be submitted via email, in the proper format, on or before **October 5, 2020** at NYSCDBG_DR_ER@nyshcr.org. Written comments may also be submitted at the following address, or by mail, in the proper format, to be received on or before October 5, 2020 at: Governor's Office of Storm Recovery, 25 Beaver Street, 5th Floor, New York, NY 10004. All comments must be received on or before 5pm on October 5, 2020 or they will not be considered. If modifications result from public comment, these will be made prior to proceeding with the expenditure of funds.

Request for Release of Funds and Certification

On or about October 6, 2020, the HCR certifying officer will submit a request and certification to HUD for the release of CDBG-DR funds as authorized by related laws and policies for the purpose of implementing this part of the New York CDBG-DR program.

HCR certifies to HUD that Matt Accardi, in his capacity as Certifying Officer, consents to accept the jurisdiction of the U.S. federal courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied.

HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows GOSR to use CDBG-DR program funds.

Objection to Release of Funds: HUD will accept objections to its release of funds and GOSR's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later). Potential objectors may contact HUD or the GOSR Certifying Officer to verify the actual last day of the objection period. The only permissible grounds for objections claiming a responsible entity's non-compliance with 24 CFR Part 58 are: (a) Certification was not executed by HCR's Certifying Officer; (b) the responsible entity has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the responsible entity or 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 and email: disaster_recovery@hud.gov.

NEWSDAY
AFFIDAVIT OF PUBLICATION

WSP USA
96 MORTON STREET 8TH FLOOR
NEW YORK, NY 10014

STATE OF NEW YORK) Legal Notice No. 0021604284
:SS.:
COUNTY OF SUFFOLK)

Darryl Murphy 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:

Friday September 04, 2020 Nassau

SWORN to before me this
8 Day of September, 2020.

Jason A. Neknez
Notary Public – State of New York
No. 01NE6219108
Qualified in Suffolk County
My Commission Expires 03/22/2022

Ad Content

Legal Notice # 21604284

COMBINED NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS, AND FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND LIVING WITH THE BAY STORMWATER PROJECT NASSAU COUNTY, NEW YORK

September 4, 2020

This provides notice that the State of New York, as the "Responsible Entity," as that term is defined by 24 CFR 58. 2(a)(7)(i), has completed and made available for public review and comment an Environmental Assessment (EA) that evaluates the proposed Living with the Bay Stormwater Project. The State of New York is the Grantee of Community Development Disaster Recovery (CDBG-DR) funds appropriated by the Disaster Relief Appropriations Act, 2013 (Pub. L. 113-2, approved January 29, 2013) related to disaster relief, long--term recover, restoration of infrastructure and housing, and economic revitalization in the most impacts and distressed areas resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (Stafford Act) in calendar years 2011, 2012, and 2013. The Governor's Office of Storm Recovery (GOSR) implements the State's obligations under the National Environmental Policy Act (NEPA) through duly authorized Certifying Officers. GOSR was formed under the auspices of the New York State Homes and Community Renewal's Housing Trust Fund Corporation (HTFC), a public benefit corporation and subsidiary of the New York State Housing Finance Agency, 99 Washington Avenue, Suite 122 Albany, New York 12260.

Certifying Officer: Matt Accardi, Associate General Counsel, New York State Governor's Office of Storm Recovery, 25 Beaver Street, Fifth Floor, New York, New York 10004.

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Floodplain maps based on the FEMA Flood Insurance Rate Maps and wetlands maps based on the NWI and NYSDEC data have been prepared and are available for review with additional information at http://www.stormrecovery.ny.gov/ environmental-docs. A Floodplain Management Plan (8-step process) documenting compliance with Executive Orders 11988 and 11990 as well as floodplain and wetland maps have been prepared for this project and are available for review at http://www.stormrecovery.ny.gov/environmental-docs.

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Public Review: Viewing of the EA is available online at our website www.stormrecovery.ny.gov. Please contact Matt Accardi, Certifying Environmental Officer at (212) 480-6265 with specific requests. Further information may also be requested by emailing NYSCDBG_DR_ER@nyshcr.org.

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HCR certifies to HUD that Matt Accardi, in his capacity as Certifying Officer, consents to accept the jurisdiction of the U.S. federal courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied.

HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows GOSR to use CDBG-DR program funds.

Objection to Release of Funds: HUD will accept objections to its release of funds and GOSR's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later). Potential objectors may contact HUD or the GOSR Certifying Officer to verify the actual last day of the objection period. The only permissible grounds for objections claiming a responsible entity's non-compliance with 24 CFR Part 58 are: (a) Certification was not executed by HCR's Certifying Officer; (b) the responsible entity has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the responsible entity or 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 and email: disaster_recovery@hud.gov.

Русская РЕКЛАМА
RUSSIAN ADVERTISEMENT INFORMATIVE COMMERCIAL WEEKLY
ПЕРВАЯ В ИСТОРИИ РУССКОЙ ИММИГРАЦИИ В АМЕРИКЕ ЕЖЕНЕДЕЛЬНАЯ ИНФОРМАЦИОННО-КОММЕРЧЕСКАЯ ГАЗЕТА

2699 Coney Island Avenue,
Brooklyn, NY 11235
Tel. (718) 769-3000
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E-mail:
reklama2000@yahoo.com
http:// www. rronline.com

September 15, 2020

TO WHOM IT MAY CONCERN

Please be informed that the attached advertisement **"Единое уведомление о намерении запросить выделение средств, а также заключительное уведомление и открытое пояснение предлагаемых мероприятий в рамках 100-летнего проекта для пойм и заболоченных территорий" (translated from English to Russian)"** had been published in the Russian newspaper "Russkaya Reklama" in the following issue and on the following date:

36 (1429) dated September 4-September 10, 2020 – pages A-14-15

If you have any questions, please do not hesitate to call at 718-769-3000.

Sincerely,

Pavel Shmukler
President

Yuliya Gurevich

YULIYA GUREVICH
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01GU6199140
Qualified in Kings County
Commission expires January 12, 2021

September 15, 2020

Управление губернатора по ликвидации последствий стихии

ЭНДРЮ М. КУОМО
Губернатор

ЕДИНОЕ УВЕДОМЛЕНИЕ О НАМЕРЕНИИ ЗАПРОСИТЬ ВЫДЕЛЕНИЕ СРЕДСТВ, А ТАКЖЕ ЗАКЛЮЧИТЕЛЬНОЕ УВЕДОМЛЕНИЕ И ОТКРЫТОЕ ПОЯСНЕНИЕ ПРЕДЛАГАЕМЫХ МЕРОПРИЯТИЙ В РАМКАХ 100-ЛЕТНЕГО ПРОЕКТА ДЛЯ ПОЙМ И ЗАБОЛОЧЕННЫХ ТЕРРИТОРИЙ

РАЦИОНАЛЬНОЕ ИСПОЛЬЗОВАНИЕ ЛИВНЕВЫХ ВОД ЗАЛИВА, ОКРУГ НАССАУ ГОРОДА НЬЮ-ЙОРКА

4 сентября 2020 г.

Данный документ содержит уведомление о том, что штат Нью-Йорк как "Ответственное лицо", согласно термину в рамках определённых Сводом федеральных постановлений США (CFR) 24 58.2 (a)(7)(i), завершил и предоставил для всеобщего ознакомления и комментариев экологическую оценку (EA) предлагаемого проекта Рационального использования ливневых вод залива. Штат Нью-Йорк является грантополучателем фондов для развивающихся регионов для восстановления после стихийных бедствий (CDBG-DR), выделенных, согласно Закону об ассигнованиях на оказание помощи в случае стихийных бедствий, 2013 г. (Публичный закон 113-2, утверждён 29 января 2013 г.), с целью оказания содействия в результате стихийных бедствий, а также длительного восстановления, восстановления инфраструктуры и жилья, оживления экономики в наиболее пострадавших и неблагополучных районах в результате масштабной катастрофы, объявленной в соответствии с Законом Роберта Т. Стаффорда о помощи при стихийных бедствиях и чрезвычайной помощи 1974 года (Закон Стаффорда) на 2011, 2012 и 2013 календарные годы. Управление губернатора по ликвидации последствий стихии (GOSR) выполняет обязательства штата в соответствии с Законом о национальной экологической политике (NEPA) при участии должным образом уполномоченных сотрудников. GOSR было сформировано под эгидой целевого фонда жилищно-строительной корпорации штата Нью-Йорк (HTFC) - общественной корпорации и дочерней компании Агентства жилищного финансирования штата Нью-Йорк, Вашингтон-Авеню № 99, офис 1224, г. Олбани, штат Нью-Йорк, 12260.

Уполномоченный сотрудник: Мэтт Аккарди /Matt Accardi, первый помощник Генерального советника, Управление губернатора по ликвидации последствий стихии в штате Нью-Йорк, Бивер Стрит № 25, 5 этаж, г. Нью-Йорк, штат Нью-Йорк, 10004.

В соответствии с разделом 58.43 Свода федеральных постановлений США 24 данное единое Уведомление о выявлении незначительного воздействия и Уведомление о намерении запросить выделение средств (FONSI / NOIRROF), а также заключительное уведомление и открытое пояснение предлагаемых мероприятий на территории водно-болотных угодий удовлетворяет трём отдельным процедурным требованиям к проекту мероприятия, предлагаемого для проведения Отделом модернизации жилого и общественного фонда штата Нью-Йорк (HCR).

Description of the Proposed Action: GOSR предлагает выделить округу Нассау 28 490 000 долларов США на финансирование CDBG-DR в рамках программы "Rebuild by Design" с программой "Living with the Bay" для реализации и воплощения проекта Рационального использования сточных вод (далее - "Предлагаемое мероприятие").

Предлагаемое мероприятие будет проводиться в округе Нассау, штат Нью-Йорк, и должно включать следующие этапы, проводимые на территории населенных пунктов Роквилль-Центр и Ист-Рокуэй, а также города Хемпстед: (1) реабилитация вод пруда Смит Понд (Smith Pond); (2) благоустройство парка Листер Парк (Lister Park) и (3) средней школы Ист-Рокуэй; (4) Улучшение дренажной системы ливневых вод на восточном, западном и северном бульварах; а также (5) парковой зоны реки Милл Ривер (Mill River). Предлагаемое мероприятие направлено на борьбу с наводнениями, причиной которых становятся стоки ливневых вод, к тому же оно предполагает улучшение естественной среды и качества воды, замедление эрозии береговой линии, обустройство более комфортного доступа населения к береговой части, способствует сплоченности общества, а также учит население рационально использовать ливневые воды и бережно относится к окружающей среде во всех населенных пунктах округа Нассау, штат Нью-Йорк.

Открытое пояснение предлагаемого мероприятия в рамках 100-летного проекта для пойм и заболоченных территорий

Настоящим направляем уведомление о том, что GOSR провело оценку в соответствии с требованиями Президентских Указов №11988 и №11990, в рамках правил Департамента жилищного строительства и городского развития США (HUD) (24 Свод федеральных постановлений США, часть 55), для определения потенциального воздействия водно-болотных угодий на среду обитания человека. GOSR ранее опубликовало открытое уведомление о предлагаемом мероприятии в рамках 100-летного проекта для пойм и заболоченных территорий в газете "Noticia" (еженедельной испаноязычной газете), в газете "Newsday" (ежедневной англоязычной газете), газете "Sing Tau Daily" (ежедневной газете, выходящей на китайском языке) 21 мая 2020 г. и газете "Russian Reklama" (еженедельной русскоязычной газете) 22 мая 2020 г. Был получен один комментарий.

В общих словах читатель, оставивший комментарий, указал, что построенный ремонтный (гидротехнический) затвор в средней школе Ист-Рокавей перенаправит поток воды на восточную сторону реки Милл, а установка генератора в средней школе никак не предотвратит возможные последствия наводнения. Комментатор также заявил, что установка противопаводковой стены на пруду Смит направит паводковые потоки в приливную часть реки Милл и вызовет более сильные наводнения в районах, расположенных вниз по течению. Эти комментарии были приняты во внимание.

Согласно Картам ставок для страхования от наводнений, разработанным Федеральным агентством управления чрезвычайными ситуациями (FEMA), большая часть площади предлагаемого проекта находится в пределах 100-летней поймы. В частности, предлагаемые мероприятия будут проходить в зонах, классифицированных как Зона экологической оценки A, AE и X, где базовая высота паводка (BFE) составляет от 9 до 10 футов. Зона экологической оценки A определяется как область, где вероятность ежегодного паводка составляет 1 процент, и базовая высота паводка (BFE) для такой зоны не определялась. Зона AE является областью, где вероятность ежегодного паводка также составляет 1 процент, но базовая высота паводка (BFE) для нее была определена. Вероятность ежегодного паводка в Зоне X составляет 0,2 процента.

Предлагаемое мероприятие проводится в зонах, непосредственно примыкающих к заболоченным территориям, отмеченным на картах Службой охраны рыбных ресурсов и диких животных США (USFWS) как национальные водно-болотные угодья (NWI), а также как водно-болотное угодье Департаментом охраны окружающей среды штата Нью-Йорк (NYSDEC). Преобладающие типы национальных водно-болотных угодий (NWI) в зоне предлагаемого проекта включают озеро, приречную полосу, а также устьевые и морские глубоководные участки. Доминирующие приливно-болотные угодья, регулируемые Департаментом охраны окружающей среды штата Нью-Йорк (NYSDEC) на территории предлагаемого проекта, включают пресноводные водно-болотные угодья и береговую зону.

Результатом Предлагаемого мероприятия станет временное воздействие на примерно 0,175 акра территории в 100-летней пойме. Любое временное воздействие на пойму будет сведено к минимуму за счет внедрения современнейших методов управления. Предполагается, что временные изменения затронут 6,387 акров, постоянному же воздействию подвергнутся 0,370 акров территории, отмеченной на картах Службой охраны рыбных ре-

сурсов и диких животных США (USFWS) как национальные водно-болотные угодья (NWI), а также как водно-болотное угодье Департамента охраны окружающей среды штата Нью-Йорк (NYSDEC).

В результате строительства лестничного рыбохода, механического удаления водных растений для доступа к сооружениям, улучшения вида, структурных улучшений, сооружения береговой линии и ремонтного (гидротехнического) затвора могут быть задействованы поймы и водно-болотные угодья.

До начала строительства будут получены все необходимые разрешения. Получатель средств будет нести ответственность согласно условиям таких разрешений либо мерам по устранению негативных последствий, указанных в разрешениях, полученных для Предлагаемого мероприятия.

Предлагаемое мероприятие было разработано для сведения к минимуму воздействия на заболоченные территории и поймы, насколько это возможно, включая следующие обоснования проекта. Будет установлено противоиловое ограждение для предотвращения попадания отложений и мусора за пределы участка в ливневые стоки. В существующих водосборных бассейнах будут установлены входные фильтры для предотвращения попадания строительных материалов в систему ливневых вод, а шторы мутности будут использоваться при проведении любых работ в воде. Для проектных работ на возвышенности тюки сена будут использоваться для контроля за оползнем почвы и предотвращения попадания почвы на поверхность прилегающих вод. Затронутые водно-болотные угодья будут восстановлены сразу же после завершения строительства. Предлагаемое мероприятие соответствует Общенациональным разрешениям, выданным Инженерно-строительным корпусом армии США, и поэтому не требуют компенсационных мер по смягчению негативного воздействия на водно-болотные угодья. Однако, если в процессе выдачи разрешений федеральными агентствами и агентствами штата будут определены какие-либо дополнительные меры по смягчению последствий воздействия, все такие требования будут выполнены.

Были подготовлены карты поймы, основанные на Картах ставок для страхования от наводнений FEMA, и карты заболоченных территорий, основанные на информации от NWI и NYSDEC. Они доступны для изучения и дополнения по адресу: http://www.stormrecovery.ny.gov/environmental-docs. Для данного проекта были подготовлены План контроля поймы (8-этапный), в котором задокументировано соответствие Президентскому Указу №11988 и Президентскому Указу №11990, а также карты поймы и заболоченных территорий, которые доступны для изучения по адресу: http://www.stormrecovery.ny.gov/environmental-docs.

Экологическая оценка

Экологическая оценка (EA) Предлагаемого мероприятия была подготовлена в соответствии с Законом о национальной экологической политике 1969 г. (NEPA) и положениям HUD об экологической экспертизе согласно 24 CFR части 58. Экологическая оценка (EA) включена в данное уведомление в виде ссылки. Согласно комментариям общественности, дальнейшая экспертиза Предлагаемого мероприятия не предусмотрена. Согласно GOSR, Экологическая оценка (EA) Предлагаемого мероприятия соответствует требованиям положений HUD об экологической экспертизе согласно 24 CFR части 58.

Открытое пояснение: экологическую оценку (EA) можно изучить в режиме онлайн на нашем веб-сайте www.stormrecovery.ny.gov. Для специальных запросов свяжитесь с Мэттом Аккарди, сертифицированным офицером по окружающей среде, по номеру телефона (212) 480-6265. Подробную информацию также можно запросить, отправив письмо на электронный адрес NYSCDBG_DR_ER@nyshcr.org.

Данное объединённое уведомление публикуется в следующих местных многоязычных газетах: "Newsday", "Noticia", "Russian Reklama" и "Sing Tau Daily". Данное объединённое уведомление также направляется физическим лицам и инициативным группам, которые, как известно, заинтересованы в Предлагаемом мероприятии, а также следующим федеральным агентствам, агентствам штата и местным агентствам: Департаменту жилищного строительства и городского развития США (HUD); Агентству по охране окружающей среды США; Инженерно-строительному корпусу войск США (USACE); Федеральному Агентству Управления чрезвычайными ситуациями (FEMA); Управлению охоты и рыболовства (USFWS); Службе рыболовства Национальной администрации по океану и атмосфере (NOAA); Департаменту охраны окружающей среды штата Нью-Йорк (NYSDEC); Управлению парков, зон отдыха и охраны исторических объектов штата Нью-Йорк; NYS Подразделению внутренней безопасности и экстренных служб штата Нью-Йорк; округу Нассау, городу Хемпстеду; а также населенным пунктам Роквилль-Центр и Ист-Рокуэй.

Комментарии общественности по заключительному уведомлению и открытому пояснению предлагаемого мероприятия в рамках 100-летного проекта для пойм и заболоченных территорий и/или уведомлению об инспекции/уведомлению о намерении запросить выдачу средств (NOI RROF): любое физическое лицо, инициативная группа или агентство могут представить письменные комментарии по Предполагаемому мероприятию. Настоящим общественность просят указывать в комментариях, к какому именно "уведомлению" относятся их комментарии. Комментарии направляются по электронной почте в соответствующем формате до **5 Октября 2020 г. включительно** либо по адресу NYSCDBG_DR_ER@nyshcr.org. Письменные комментарии также можно направить по следующему адресу почтой в соответствующем формате, чтобы они были получены до **5 Октября 2020 г. включительно**. Адрес: Управление губернатора по ликвидации последствий стихии, Бивер-Стрит, №25, 5 этаж, город Нью-Йорк, штат Нью-Йорк, 10004. Все комментарии должны быть получены до 17:00 **5 Октября 2020 г.**, в противном случае они не будут рассматриваться. Если в результате комментариев общественности будут внесены какие-либо изменения, сделано это будет еще до начала расходования средств.

Запрос на выдачу средств и сертификация

6 октября 2020 г. либо примерно в это время сертифицированный офицер HCR подаст запрос и сертификацию в HUD для выдачи средств CDBG-DR согласно соответствующему законодательству и политикам для внедрения данной части нью-йоркской программы CDBG-DR.

HCR подтверждает для HUD, что Мэтт Аккарди как сертифицированный офицер соглашается с юрисдикцией федеральных судов США, если будет подан иск относительно принудительного исполнения обязательств в рамках процесса экологической оценки, а также с тем, что данные обязательства были выполнены.

Подтверждение сертификации со стороны HUD означает выполнение обязательств согласно NEPA и сопутствующему законодательству и полномочиям, а также даёт GOSR возможность использовать средства программы CDBG-DR.

Возражение против выдачи средств: HUD принимает возражения против выдачи средств и сертификации GOSR в течение пятнадцати дней после предполагаемой даты подачи либо фактического получения запроса (смотря что наступит позже). Потенциальные оппоненты могут связаться с сертифицированным офицером HUD или GOSR для проверки фактического последнего дня для подачи возражений. Единственные разрешённые основания для подачи возражений в связи с несоответствием ответственного органа - согласно 24 CFR части 58 - это: (a) не была проведена сертификация сертифицированным офицером HCR; (b) ответственный орган пропустил какой-либо этап либо не принял решение или заключение согласно требованиям HUD, содержащимся в 24 CFR части 58; (c) ответственный орган либо обещал средства, либо понёс расходы, не разрешённые согласно 24 CFR части 58 до выдачи средств и подтверждения экологической сертификации; либо (d) другое федеральное агентство, действующее согласно 40 CFR части 1504, подало письменное заключение о том, что проект является неудовлетворительным с точки зрения качества окружающей среды.

Возражения подготавливаются и подаются в установленном порядке (24 CFR часть 58) и адресуются Теннилле Смит-Паркер, директору, в Подразделение по устранению последствий стихии и специальным вопросам, Управление по единовременным субсидиям, Департамент жилищного строительства и городского развития США, 7-я Юго-западная улица, №451, Вашингтон, округ Колумбия, 20410, телефон (202) 402-4649, адрес электронной почты:

disaster_recovery@hud.gov.

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DATE: 9/4/2020

COUNTY: NASSAU

SWORN to before me this
8th Day of September 2020.

Chen. Chao Hua
Signature

Alice Yan

ALICE YAN
Notary Public, State of New York
Reg. No. 01YA6389303
Qualified in New York County
Commission Expires 3/15/2023

酷熱天氣警報 重現百度高溫 提醒民眾注意

長周末熱浪襲灣區 居家避疫節約用電

本報訊

最新天氣預測顯示，灣區勞工節長周末或會重現破百度高溫，但因疫情被迫留家的居民亦被提醒要節電以免電力不勝負荷，國家氣象服務局氣象專家彼得森(Drew Peterson)表示，簡單說就是熱浪來襲，酷熱難當，但不會像上次熱浪來襲時持續那麼久。

■政府官員呼籲盡量勞工節長周末盡量留在家中避疫抗疫的同時，遇上熱浪來襲，有關當局呼籲節約用電。 美聯社

不過，上場熱浪所造成的山火帶來的濃煙籠罩灣區多時，當局發出的「愛惜空氣日」(Spare the Air)警報將至少維持至5日，是連續19天發出該警報。彼得森指出，熱空氣或於5日前使東灣內陸地區及南灣阿馬登谷(Almaden Valley)氣溫破100度，6日更升至105度以上。當局已發出酷熱天氣警報，提醒民眾注意中暑及引發與酷熱天氣相關疾病。

氣象局又警告可能出現「危險酷熱天氣」，氣溫可達115度——在6日，利物摩(Livermore)、康可(Concord)、聖荷西和聖他告魯茲(Santa Cruz)預料氣溫分別高達114、110、106和101度——還有觸發山火的可能。彼得森預料，當日氣溫或打破紀錄。酷熱天氣警告發出同時，負責營運加州電網的加州獨立系統營運機構(ISO)3日向全州發出「節電警報」(Flex Alert)，呼籲用戶由5日至7日逢下午3時至晚上9時節約用電。

ISO舒密特(Eric Schmitt)在星期四新聞簡報會上強調，雖然他們呼籲節電，但目前沒有預期會實施分區停電，「當我們接近每一日時，就會知道我們的預報準確度」。

用電需求料與三星期前加州遭受熱浪觸發兩場分區停電時的水平相若，但ISO沒預期需要太平洋煤電(PG&E)等電力公司限制電力。但舒密特仍呼籲州民節電，尤其星期六起一連三天黃昏最高溫之時，以防發電廠停電或山火波及電纜。

他續指，州官員將要求業界在該時段限制用電，並採取行動應對，如啟動緊急發電機以滿足用電需求。

ISO建議居民，將空調溫度調至78度，減少不必要燈光和拔除所有沒用的電器插頭，人們亦應關上窗簾阻隔熱力，以免使用大型電器。

至於上月中因熱浪造成閃電而觸發的灣區三場綜合山火SCU、LNU和CZU至今仍然燃燒，但仍繼續取得進展。

州森林及消防局統計顯示，三場山火迄今合共焚地85萬多畝、7死和3,702間民宅或建築物被毀或受損。

東灣的SCU、北灣的LNU和中半島與南灣的CZU三場山火，截至星期四受控範圍分別有78%、81%和48%。

受山火加高溫影響，3日的灣區空氣質素由中等升至有害。彼得森指，一股來自西北太平洋的高壓系統令氣溫上升，覆蓋猶他和內華達西部的大盆地地區和愛達荷、懷俄明和俄勒岡，且該股高壓所形成的氣泡頂程度是預報員過去鮮有見到的。

教授上課用中文講「那個」被指「種族歧視」遭停課

日前，一則南加州大學(USC)商學院傳播學專家帕頓(Greg Patton)教授的網課授課視頻流傳出來。視頻中，帕頓教授講到了一個中文語助詞「那個」的用法，與類似英文用詞作比較。但是他用中文發音讀出的「那個」中文指示詞，被質疑聽起來像英文中某個對黑人種族侮辱性的單詞「尼古魯」，被認為是冒犯。因此遭到南加大行政管理部門停課，由另一位講師取代授課。一些華人對此很是費解憂心，什麼時候「那個」一詞變成了種族歧視？

據悉，帕頓教授是南加州大學商學院傳播學，人際交往學和領導才能課程方面的學術專家，取得著多學術成就，也是南加大商學院獲得各種世界級排名第一的頂尖功臣教授之一。南加大商學院在向學生發布的聲明中，確認帕頓不再教授他所負責的課程。商學院院長加勒特(Geoff Garrett)在給MBA學生的聲明中認為，巴頓教授在講授GSBA-542課程中多次重複中文詞「那個」，聽起來與英文中的種族歧視單詞「尼古魯」非常相似，這給學生造成了極大的痛苦和不安，是很重大的事情，指教師在課堂上使用邊緣化的用詞，傷害學生心理安全，完全不可接受。

對於帕頓教授因講中文「那個」遭停課，學生反應不一，有媒體稱校園中的保守派學生持反對意見者被指受到危脅，更多人保持沉默。華裔社區對此頗為意外，難以理解指示代詞「那個」怎麼就突然成了種族歧視性侮辱詞？不少人認為，似乎美國開始重複國內文革時期因言獲罪的歷史。有社區人士表示，太荒誕不經。聽起來像是段子，但真實地在我們身邊發生了。美國憲法第一修正案明確禁止剝奪公民的言論自由，但是目前極左的大環境下，受憲法保護的言論自由從何而談？ 本報記者尚穎洛杉磯報道

髮廊東主否認設局害普洛西議長

聯邦眾議院議長普洛西被指違規到髮廊內洗頭美髮事件持續發酵，普洛西指店方設局陷害她和要求道歉後，店主接受保守派新聞時否認設局，又稱事後收到不少仇恨訊息。

《三藩市紀事報》報道，在牛谷區(Cow Hollow)經營eSalon髮廊的卡絲(Erica Kious)2日接受保守派新聞主播卡臣(Tucker Carlson)訪問，反駁前一日普洛西指該店欠她一個道歉。卡臣問及卡絲是否刻意設局給普洛西和可否證明自己沒有參與「透過吹髮使普洛西議長陷入一場糟透設局」時，卡絲指指控「絕對錯誤」，又指涉事髮型師在沒有她介入下接受這次預約。

同日在卡絲否認指控前，星期一(8月31日)為普洛西洗頭的髮型師德納多(Jonathan DeNardo)的代表律師發出聲明，指卡絲批准普洛西到店時作出「尖酸刻薄且具煽動性的言論」，責怪對方迫她在疫情期間停業。但問題在於普洛西對地方規例並無權力，惟她負責疫情救濟計劃的國會談判，並致力提倡在防疫和戴口罩措施上接納專家建議。

共和黨繼續用事件炮打普洛西。白宮發言人麥恩娜莉(Kayleigh McEnany)於3日記者會上向在場記者播放普洛西當日於店內的數秒片段，又要求普洛西道歉。

保守派霍士新聞日前亦播放店內閉路電視顯示普洛西將口罩掛在頸上，在店內走來走去，又訪問了卡絲，後者聲稱她無力阻止普洛西光顧，因為她「無法控制髮型師」，該段報道包括據報德納多洗頭前一天向卡絲提到普洛西光顧的文字短訊內容。

普洛西和其幕僚稱，疫情期間她請髮型師到府服務，但當此舉無法時，她聯絡涉事髮廊。她指店方告訴她當時室內只有一名客人是合法，且接受預約。但事實是灣區目前僅餘三藩市和阿拉美達縣尚未開放室內理髮。

卡絲稱事件中最難過是「我已經在社區內12年…但收到的是仇恨訊息和死亡威脅，說會燒我舖，我的Yelp專頁被灌上劣評」。 本報三藩訊

卑詩省政府公布 調低住宅租金增幅

卑詩省政府公布，全省明年最高可允許住宅租金增幅定為1.4%，遠較今年的2.6%、2019年的2.5%及2018年的4%為低。

前朝卑詩自由黨政府在任期間，允許租金的增幅為通貨膨脹率之上，再加2%。不過，新民主黨省政府在2018年9月宣布，由2019年起，全省住宅租金的增幅僅限於每年的通脹率，而自動加上2%的做法則被取消。在減去該2%下，以全省居住在每月1,320元的兩睡房柏文單位為例，租客明年因此可節省高達317元，而住在溫哥華同類柏文單位的租客，明年可節省420元。省府表示，確定租金上漲幅度，既有助業主作出預算，進行投資和維修房屋，也確保租金上漲適度。卑詩省的房東每年只能增加一次租金，並且必須使用正確的加租通知單，向租戶提供整整三個月的通知。

此外，卑詩省因應新冠肺炎而實施的租金凍結措施，會一直持續到12月1日，以保護在疫情期間遇上收入損失的租客。這意味著任何收到今年3月18日之後生效的加租通知書的租戶，應繼續支付目前租金，直到2020年11月30日。 星島溫哥華綜合報道

與海灣雨水共處項目
申請釋放資金意向書以及
100 年洪氾區和濕地擬議活動的最終公告和公共解釋的聯合通知
紐約州拿騷縣
2020 年 9 月 4 日

僅此通知，紐約州作為根據 24 CFR 58.2（a）（7）（i）定義的「責任實體」，已經完成對擬議的長灘水污染控制廠合併項目進行評估的環境評估（EA），且該評估可供公眾審查和評論。紐約州是根據 2013 年《賑災撥款法》（2013 年 1 月 29 日批准，第 L. 113-2 號出版物）撥予的社區發展災難恢復（CDBG-DR）資金的受贈方，該法與根據《1974 年羅伯特•斯塔福德賑災和緊急援助法案》（《斯塔福德法案》）於 2011 年、2012 年以及 2013 日曆年宣布的重大災難導致的最嚴重的受災地區的長期恢復、基礎設施和房屋的重建以及經濟振興有關。州長風暴恢復辦公室（GOSR）通過適當授權的認證官履行《國家環境政策法》（NEPA）規定的州義務。 GOSR 是在紐約州房屋和社區振興的住房信託基金公司（HTFC）的主持下成立的，HTFC 是一家公益公司，並且是紐約州住房金融局的子公司，位於 99 Washington Avenue, Suite 1224, Albany, New York 12260。

認證官：Matt Accardi，紐約州州長風暴恢復辦公室副法律顧問，地址為 25 Beaver Street, Fifth Floor, New York, New York 10004。

根據 24 CFR 第 58.43 條，《發現無重大影響的通知》和《申請釋放資金意向書的通知》（FONSI / NOIRROF）和《關於濕地擬議活動的最終通知和公眾審查》的聯合公告滿足了紐約州房屋和社區更新（HCR）進行的擬議項目的三個獨立程序要求。

擬議行動詳情：GOSR 建議、從「通過設計重建與海灣共存項目」中的 CDBG-DR 資金中拿出 2849 萬元提供給拿騷縣，以實施與海灣雨水共處項目（以下稱為「擬議行動」）。

擬議行動位於紐約拿騷縣。擬議行動將包括遍及 Rockville 中心和 East Rockaway 的村莊以及 Hempstead 鎮的以下組成部分：（1）史密斯池塘修復；（2）Lister 公園的改善； （3）East Rockaway 高中； （4）東、西和北林蔭道雨水排放改善； （5） Mill 河綠道。擬議行動將解決降雨造成的洪水、改善棲息地和水質、減輕海岸線侵蝕、便捷公眾前往海濱的途徑、增強社區連通性，並在紐約州拿騷縣的整個社區中對公眾進行雨水和環境管理方面的教育。

對 100 年洪氾區和濕地擬議活動的公開解釋

謹此通知，GOSR 已根據 24 CFR 第 55 部分中的 HUD 法規，按照 11988 號行政令和 11990 號行政令的要求進行了評估，以確定其在洪氾區和濕地中的活動可能對人類環境產生的潛在影響。GOSR 於 2020 年 5 月 21 日在 Noticia（西班牙語周報）、《新聞日》（英文日報）和《星島日報》（中文日報）上發布了有關 100 年洪氾區和濕地內擬議活動的早期公告；以及於 2020 年 5 月 22 日在《俄羅斯 Reklama》（俄語周報）刊登。收到了一條評論。總而言之，評論者指出，在 East Rockaway 高中建造艙壁只會將水流引向 Mill 河的東側，而在高中安裝發電機與減輕洪水的影響無關。評論者還指出，在史密斯池塘安裝防洪牆將使洪水流向 Mill 河的潮汐部分，並導致下游的洪水更加嚴重。上述評論已得到注意。
根據聯邦緊急事務管理局（FEMA）的洪水保險費率地圖，擬議項目區域大部分位於 100 年洪氾區內。具體來說，擬議的行動將在被分類為 A、AE 和 X 的區域中進行，基準洪水高度（BFE）為 9 到 10 呎。區域 A 定義為尚未確定 BFE 的每年被發生機率為 1% 洪水事件淹沒的區域，區域 AE 定義為已確定 BFE 的每年被發生機率為 1% 洪水事件淹沒的區域，並且將 X 區確定為每年發生機率為 0.2% 的洪水事件之外的區域。

擬議行動位於美國魚類和野生動物服務局（USFWS）國家濕地清單（NWI）繪製的濕地以及紐約州自然保護區（NYSDEC）繪製的潮汐濕地內及與其直接相鄰的地區。擬議項目區內的主要 NWI 濕地類型包括湖泊、河流、河口和海洋深水。在擬議項目區域內，大部分由 NYSDEC 監管的潮汐濕地包括淡水濕地和沿海地區。

擬議行動將對 100 年洪氾區中約 0.175 英畝的土地產生永久性影響。通過遵守最佳管理規範，可以將對洪氾區的任何暫時影響降至最低。對 USFWS NWI 和 NYSDEC 繪製的濕地的臨時影響區域面積約為 6.387 英畝，永久影響區域面積為 0.370 英畝。洪氾區和濕地的影響將來自魚梯的建造、水生植物的機械移除、施工通道、被忽視的問題的改善、結構性改良、生態海岸線的安裝以及艙壁的安裝。

在施工開始之前，須獲得所有適用的許可證。資金接受者將受擬議行動獲得的許可證中列出的任何許可證規定或緩解措施的約束。

擬議行動旨在在可行的範圍內將對濕地和洪氾區的影響降至最低，包括以下設計注意事項。將安裝淤泥柵欄，以防止沉積物和碎屑在雨水徑流中被排放至相應地點外，將在現有的集水盆中安裝進水過濾器，以防止建築材料進入雨水系統，在任何水下工作中都將使用濁度幕。對於高地地區的施工，將使用乾草捆來控制土壤流失並防止土壤進入附近的地表水。受影響的濕地將在施工後立即恢復。擬議行動符合美國陸軍工程兵團提供的《全國許可證》，因此不需要對濕地的影響進行補償性緩解。但是，如果在聯邦和州機構的許可過程中確定了任何其他緩解措施，則將執行所有要求。

基於 FEMA 洪水保險費率圖的洪氾區圖和基於 NWI 和 NYSDEC 數據的濕地圖已經出爐，民眾可以登錄 http://www.stormrecovery.ny.gov/environmental-docs 查看並獲取更多附加信息。為該項目準備的、記錄遵守 11988 號和 11990 號行政令情況的洪氾區管理計劃（八步流程）以及洪氾區和濕地地圖可在 http://www.stormrecovery.ny.gov/environmental-docs 進行參閱。

環境評估
根據《1969 年國家環境政策法》（NEPA）和 24 CFR 第 58 部分的 HUD 環境審查法規，現已製作出擬議行動的環境評估（EA）。該 EA 通過引用併入本公告。在徵詢公眾意見後，預計不會對擬議行動進行進一步審查。 GOSR 已確定擬議行動的 EA 符合 24 CFR 第 58 部分中 HUD 環境審查法規的要求。

公共審查：可在我們的網站 www.stormrecovery.ny.gov 上可在線查看 EA，如有特定要求，請致電（212）480-6265 與認證環境官 Matt Accardi 聯繫。也可以發送電子郵件至 NYSCDBG_DR_ER@nyshcr.org 索取更多信息。

這份聯合公告將在以下多語本地報紙上發布：《 Newsday》、《Noticia》、《Russian Reklama》和《星島日報》。這份聯合公告還將發送給對「擬議行動」感興趣的個人和團體，以及以下聯邦、州和地方機構：住房與城市開發部；美國環境保護局；美國陸軍工程兵團；聯邦緊急事務管理局；美國魚類和野生動物服務局；國家海洋和大氣管理局；紐約州自然保護區；紐約州公園、娛樂與歷史保護辦公室；國土安全和緊急事務部紐約州分部；拿騷縣；Hempstead 鎮；以及 Rockville 中心和 East Rockaway 的村莊。

對 100 年洪氾區和濕地和 / 或 NOI RROF 中擬議活動的最終通知和公共審查的公眾意見：任何個人、團體或機構均可對擬議行動提交書面意見。建議公眾在評論中註明評論所涉及的是哪個「公告」。評論應以正確的格式通過電子郵件在 2020 年 10 月 5 日或之前寄送給 NYSCDBG_DR_ER@nyshcr.org。書面評論也可以適當的格式 2020 年 10 月 5 日或之前通過信件寄送到以下地址：Governor' s Office of Storm Recovery, 25 Beaver Street, 5th Floor, New York, NY 10004 。所有評論必須在 2020 年 10 月 5 日下午 5 點或之前收到，否則將不予考慮。如果公眾意見導致相關修改，則將在進行資金支出前作出修改。

申請釋放資金和證明

2020 年 10 月 6 日前後，HCR 認證官員將向 HUD 提交申請和認證，以釋放相關法律和政策授權的 CDBG-DR 資金，以實施紐約 CDBG-DR 項目的該部分。

HCR 向 HUD 證明，如果提起訴訟以執行與環境審查程序有關的責任，並且已經履行了這些責任，則 Matte Accardi 以認證官的身份同意接受美國聯邦法院的管轄權。

HUD 對該認證的批准符合其在 NEPA 和相關法律和法規下的責任，並允許 GOSR 使用 CDBG-DR 項目資金。

對 100 年洪氾平原和濕地和 / 或 NOI RROF 中擬議活動的最終通知和公眾審查的公眾意見：任何個人，團體或機構均可對擬議的行動提交書面意見。建議公眾在評論中註明 “注意” 評論地址。評論應在 2020 年 10 月 5 日或之前通過電子郵件以正確的格式提交，地址為 NYSCDBG_DR_ER@nyshcr.org。書面評論也可以適當的格式在以下地址或通過郵件提交，以在 2020 年 10 月 5 日或之前在以下地址收到：風暴恢復總督辦公室，紐約州海狸街 25 號 5 樓，紐約，紐約 10004 。所有評論必須在 2020 年 10 月 5 日下午 5 點或之前收到，否則將不予考慮。如果公眾意見引起修改，則將在進行資金支出之前進行修改。

要求發放資金和證明
2020 年 10 月 6 日前後，HCR 認證官員將向 HUD 提交請求和認證，以釋放相關法律和政策授權的 CDBG-DR 資金，以實施紐約 CDBG-DR 計劃的這一部分。
HCR 向 HUD 證明，如果提起訴訟以執行與環境審查程序有關的責任，並且已經履行了這些責任，則 Matte Accardi 以證明官的身份同意接受美國聯邦法院的管轄權。
HUD 對該認證的批准符合其在 NEPA 和相關法律和法規下的責任，並允許 GOSR 使用 CDBG-DR 項目資金。

針對放款的異議：HUD 將在預計提交日期或實際收到請求後（以稍晚者為準）的十五天內接受對放款和 GOSR 認證的異議。潛在的反對者可以聯繫 HUD 或 GOSR 認證官員以核實反對期的截止時間。聲稱責任實體不必遵守 24 CFR 第 58 部分的異議的唯一可允許得理由是：（a）認證未由 HCR 的認證官執行； （b）責任實體未按照 24 CFR 第 58 部分中 HUD 法規的要求作出決策或得出結論或省略了某些步驟；（c）在釋放資金和環境認證獲批之前，責任實體未經 24 CFR 第 58 部分授權就已經投入資金或產生相關費用；（d）根據 40 CFR 第 1504 部分行事的另一聯邦機構已提交書面調查結果，發現該項目在環境質量層面不能令人滿意。

異議必須按照規定的程序（24 CFR 第 58 部分）進行準備和提交，並發送給 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，電話：（202）402-4649，電子郵件：disaster_recovery@hud.gov。

N20H31GK

AVISO COMBINADO DE LA INTENCIÓN DE SOLICITAR LA LIBERACIÓN DE FONDOS, Y AVISO FINAL Y EXPLICACIÓN PÚBLICA DE UNA ACTIVIDAD PROPUESTA EN UNA LLANURA ALUVIAL Y HUMEDAL A 100 AÑOS

PROYECTO VIVIR CON LAS TORMENTAS EN LA BAHÍA

CONDADO DE NASSAU, NUEVA YORK

4 de septiembre de 2020

El presente proporciona un aviso de que el estado de Nueva York, como la "Entidad Responsable", según se define ese término en 24 CFR 58.2 (a) (7) (i), ha completado y puesto a disposición del público para revisión y comentarios una Evaluación Ambiental (EA) que evalúa el proyecto propuesto Vivir con las Tormentas en la Bahía. El estado de Nueva York es el beneficiario de los fondos de recuperación de desastres para el desarrollo comunitario (CDBG-DR) asignados por la Ley de Asignaciones de Ayuda para Desastres de 2013 (Pub. L. 113-2, aprobada el 29 de enero de 2013) relacionados con la ayuda en casos de desastre, recuperación a largo plazo, restauración de la infraestructura y la vivienda y revitalización económica en las áreas más afectadas y en peligro como resultado de un desastre mayor declarado de conformidad con la Ley de Asistencia de Emergencia y Alivio de Desastres Robert T. Stafford de 1974 (Ley Stafford) en los años calendario 2011, 2012 y 2013. La Oficina del Gobernador de Recuperación ante Tormentas (GOSR, por sus siglas en inglés) implementa las obligaciones del Estado bajo la Ley de Política Ambiental Nacional (NEPA, por sus siglas en inglés) a través de Oficiales Certificadores debidamente autorizados. GOSR se formó bajo los auspicios de Housing Trust Fund Corporation (HTFC) de Renovación de Viviendas y Comunidades del Estado de Nueva York, una corporación de beneficio público y subsidiaria de la Agencia de Financiamiento de la Vivienda del Estado de Nueva York, 99 Washington Avenue, Suite 122, Albany, Nueva York 12260 .

Oficial Certificador: Matt Accardi, Asesor General Adjunto, Oficina de Recuperación ante Tormentas del Gobernador del Estado de Nueva York, 25 Beaver Street, quinto piso, Nueva York, Nueva York 10004.

De conformidad con la Sección 58.43 del 24 CFR, este Aviso de Determinación de Impacto no Significativo y Aviso de Intención de Solicitar la Liberación de Fondos (FONSI / NOIRROF, por sus siglas en inglés) y Aviso final y Revisión Pública de una Actividad Propuesta en un Humedal cumple tres requisitos de procedimiento separados para actividades del proyecto propuestas para ser realizadas por Renovación de Viviendas y Comunidad del Estado de Nueva York (HCR, por sus siglas en inglés).

Descripción de la Acción Propuesta: GOSR propone proporcionar $28.49 millones en fondos CDBG-DR del programa Rebuild by Design Living with the Bay al condado de Nassau para implementar el Proyecto Vivir con las Tormentas en la Bahia (en adelante, la "Acción Propuesta").

La Acción Propuesta se encuentra en el condado de Nassau, Nueva York. La Acción Propuesta incluiría los siguientes componentes en las Aldeas de Rockville Center y East Rockaway y la Ciudad de Hempstead: (1) Rehabilitación de Smith Pond; (2) Mejoras al Parque Lister; (3) Escuela Preparatoria East Rockaway; (4) Mejoras en el drenaje de aguas pluviales de los bulevares este, oeste y norte; y (5) Mill River Greenway. La Acción Propuesta abordaría las inundaciones causadas por las lluvias, mejoraría el hábitat y la calidad del agua, mitigaría la erosión de la costa, facilitaría el acceso público a la costa, aumentaría la conectividad comunitaria y educaría al público sobre las aguas pluviales y la gestión ambiental en las comunidades del condado de Nassau, Nueva York.

Explicación Pública de la Actividad Propuesta en una Llanura Aluvial y un Humedal a 100 años

El presente es para notificar que la GOSR ha realizado una evaluación según lo requerido por la Orden Ejecutiva 11988 y la Orden Ejecutiva 11990 de acuerdo con las regulaciones de HUD bajo 24 CFR Parte 55, para determinar los efectos potenciales que su actividad en la llanura de inundación y los humedales tendría en el ambiente humano. La GOSR publicó un aviso público anteriormente de la Actividad Propuesta de la llanura aluvial y los humedales dentro de 100 años en Noticia (periódico semanal en español), Newsday (periódico diario en inglés) y Sing Tau Daily (periódico diario chino) el 21 de mayo de 2020 y en Russian Reklama (periódico semanal ruso) el 22 de mayo de 2020. Se recibió un comentario. En resumen, la persona que comentó indicó que la construcción de un mamparo en la Escuela Preparatoria East Rockaway simplemente redirigiría el flujo de agua hacia el lado este del río Mill y la instalación de un generador en la Escuela Preparatoria no está relacionada con la mitigación de los impactos de las inundaciones. La persona que comentó también declaró que la instalación de un muro de inundación en Smith Pond canalizaría los flujos de inundación a la parte de marea del río Mill y causaría inundaciones más graves río abajo. Se anotan estos comentarios.

De acuerdo a los Mapas de Tarifas de Seguros contra Inundaciones de la Agencia Federal para el Manejo de Emergencias (FEMA, por sus siglas en inglés), la mayor parte del área de la Acción Propuesta se encuentra dentro de la llanura aluvial de 100 años. Específicamente, la Acción Propuesta ocurriría en áreas clasificadas como zonas A, AE y X, con una elevación de inundación base (BFE, por sus siglas en inglés) de 9 a 10 pies. La Zona A se define como un área sujeta a inundación por el evento de inundación de 1 por ciento de probabilidad anual para el cual no se han determinado BFE, la Zona AE como un área sujeta a inundación por el evento de inundación de 1 por ciento de probabilidad anual para el cual se han determinado los BFE y la Zona X como áreas determinadas que están fuera del evento de inundación de probabilidad anual de 0.2 por ciento.

La Acción Propuesta se encuentra dentro y directamente adyacente a los humedales mapeados por el Inventario Nacional de Humedales (NWI, por sus siglas en inglés) del Servicio de Pesca y Vida Silvestre de los Estados Unidos (USFWS, por sus siglas en inglés), así como los humedales de marea mapeados por el Departamento de Conservación del Estado de Nueva York (NYSDEC, por sus siglas en inglés). Los tipos de humedales dominantes del NWI dentro del área del proyecto propuesto incluyen lagos, ríos, estuarios y aguas profundas marinas. Los humedales de marea dominantes regulados por NYSDEC dentro del área del proyecto propuesto incluyen el humedal de agua dulce y la zona litoral.

La Acción Propuesta resultaría en impactos permanentes a un estimado de 0.175 acres de tierra en la llanura aluvial de 100 años. Cualquier impacto temporal en la llanura aluvial se minimizaría mediante el cumplimiento de las mejores prácticas de gestión. Se estima que se producirían 6.387 acres de impactos temporales y 0.370 acres de impactos permanentes en los humedales cartografiados por el NWI y el NYSDEC del USFWS. Los impactos de las llanuras de inundación y los humedales resultarían de la construcción de una escalera para peces, la remoción mecánica de plantas acuáticas, el acceso a la construcción, las mejoras de los miradores, las mejoras estructurales, la instalación de la costa viva y la instalación de mamparos.

Todos los permisos aplicables se obtendrán antes de que comience la construcción. El receptor de fondos estaría sujeto a las estipulaciones de permisos o medidas de mitigación enumeradas en los permisos adquiridos para la Acción Propuesta.

La Acción Propuesta ha sido diseñada para minimizar los impactos a los humedales y llanuras aluviales en la medida de lo posible, incluidas las siguientes consideraciones de diseño. Se instalarían cercas de sedimento para evitar que los sedimentos y los escombros se descarguen fuera del sitio en la escorrentía de aguas pluviales, se instalarían filtros de entrada en los depósitos de captación existentes para evitar que los materiales de construcción ingresen al sistema de aguas pluviales y se usarán cortinas de turbidez para cualquier trabajo en el agua. Para el trabajo del proyecto en áreas de tierras altas, se usarían fardos de heno para controlar la escorrentía del suelo y evitar que los suelos ingresen a las aguas superficiales adyacentes. Los humedales afectados serían restaurados inmediatamente después de la construcción. La Acción Propuesta cumple con los Permisos Nacionales proporcionados por el Cuerpo de Ingenieros del Ejército de los Estados Unidos y como tal, no requeriría una mitigación compensatoria por los impactos en los humedales. Sin embargo, si las agencias federales y estatales identifican medidas de mitigación adicionales durante el proceso de obtención de permisos, se implementarán todos y cada uno de los requisitos.

Se han preparado mapas de llanuras de inundación basados en los Mapas de Tarifas de Seguros Contra Inundaciones de FEMA y mapas de humedales basados en los datos de NWI y NYSDEC y están disponibles para su revisión con información adicional en http://www.stormrecovery.ny.gov/environmental-docs. Para este proyecto se preparó un Plan de Manejo de Llanuras de Inundación (proceso de 8 pasos) que documenta el cumplimiento de las Órdenes Ejecutivas 11988 y 11990, así como mapas de llanuras de inundación y humedales que están disponibles para su revisión en http://www.stormrecovery.ny.gov/environmental-docs.

Evaluación Ambiental

Se ha preparado una Evaluación Ambiental (EA) para la Acción Propuesta de acuerdo con la Ley de Política Ambiental Nacional de 1969 (NEPA, por sus siglas en inglés) y las regulaciones de revisión ambiental de HUD en 24 CFR Parte 58. La EA se incorpora para referencia en este aviso. Sujeto a los comentarios públicos, no se prevé una nueva revisión de la Acción Propuesta. GOSR ha determinado que la EA para la Acción Propuesta cumple con los requisitos de las regulaciones de revisión ambiental de HUD en 24 CFR Parte 58.

Revisión Pública: La visualización del EA está disponible en línea en nuestro sitio web www.stormrecovery.ny.gov. Comuníquese con Matt Accardi, Oficial Ambiental Certificador al (212) 480-6265 con solicitudes específicas. También se puede solicitar más información enviando un correo electrónico a NYSCDBG_DR_ER@nyshcr.org.

Este aviso combinado se publica en los siguientes periódicos locales en varios idiomas: Newsday, Noticia, Russian Reklama y Sing Tau Daily. Este aviso combinado también se envía a personas y grupos que se sabe que están interesados en la Acción Propuesta, así como a las siguientes agencias federales, estatales y locales: HUD; Agencia de Protección Ambiental de los Estados Unidos; Cuerpo de Ingenieros del Ejército de Estados Unidos; FEMA; USFWS; Administración Nacional Oceánica y Atmosférica; NYSDEC; Oficina de Parques, Recreación y Preservación Histórica del Estado de Nueva York; División de Servicios de Emergencia y Seguridad Nacional del Estado de Nueva York; Condado de Nassau; Ciudad de Hempstead; y los pueblos de Rockville Centre y East Rockaway.

Comentarios del Público sobre el Aviso Final y la Revisión Pública de una Actividad Propuesta en una Llanura Aluvial y Humedal a 100 años y/o el NOI RROF: cualquier individuo, grupo o agencia puede enviar comentarios por escrito sobre la Acción Propuesta. Por la presente se aconseja al público que especifique en sus comentarios a qué "aviso" se dirigen sus comentarios. Los comentarios deben enviarse por correo electrónico, en el formato adecuado, antes del 5 de octubre de 2020 a NYSCDBG_DR_ER@nyshcr.org. Los comentarios por escrito también pueden enviarse a la siguiente dirección, o por correo, en el formato adecuado, para recibirlos el 5 de octubre de 2020 o antes en: Governor's Office of Storm Recovery, 25 Beaver Street, 5th Floor, New York, NY 10004. Todos los comentarios deben recibirse antes de las 5 pm del 5 de octubre de 2020 o no serán considerados. Si las modificaciones resultan de los comentarios públicos, éstas se harán antes de proceder con el gasto de los fondos.

Solicitud de Liberación de Fondos y Certificación

El 6 de octubre de 2020 o alrededor de esa fecha, el oficial certificador de HCR enviará una solicitud y certificación a HUD para la liberación de fondos CDBG-DR según lo autorizado por las leyes y políticas relacionadas con el propósito de implementar esta parte del programa CDBG-DR de Nueva York.

HCR certifica a HUD que Matt Accardi, en su calidad de Oficial de Certificación, consiente en aceptar la jurisdicción de los tribunales federales de Estados Unidos si se entabla una acción para hacer cumplir las responsabilidades en relación con el proceso de revisión ambiental y que estas responsabilidades se hayan cumplido.

La aprobación de la certificación por parte de HUD satisface sus responsabilidades según la NEPA y las leyes y autoridades relacionadas y permite que GOSR utilice los fondos del programa CDBG-DR.

Objeción a la Liberación de Fondos: HUD aceptará objeciones a su liberación de fondos y la certificación de la GOSR por un período de quince días después de la fecha de presentación anticipada o de la recepción real de la solicitud (lo que ocurra más tarde). Los posibles objetores pueden comunicarse con HUD o con el Oficial de Certificación de la GOSR para verificar el último día real del período de objeción. Los únicos motivos admisibles para las objeciones que aleguen el incumplimiento de una entidad responsable con 24 CFR Parte 58 son: (a) La certificación no fue ejecutada por el Oficial de Certificación de HCR; (b) la entidad responsable ha omitido un paso o no ha tomado una decisión o hallazgo requerido por las regulaciones de HUD en 24 CFR Parte 58; (c) la entidad responsable o ha comprometido fondos o ha incurrido en costos no autorizados por 24 CFR Parte 58 antes de la liberación de fondos y la aprobación de la certificación ambiental; o (d) otra agencia federal que actúa de conformidad con el 40 CFR Parte 1504 ha presentado una conclusión por escrito de que el proyecto no es satisfactorio desde el punto de vista de la calidad ambiental.

Las objeciones deben prepararse y presentarse de acuerdo con los procedimientos requeridos (24 CFR Parte 58) y deben dirigirse a Tennille Smith Parker, Director, División de Asuntos Especiales y Recuperación por Desastre, Oficina de Asistencia de Subvenciones en Bloque, Departamento de Vivienda y Desarrollo Urbano de EE. UU. 451 7th Street SW, Washington, DC 20410, teléfono: (202) 402-4649 y correo electrónico: disaster_recovery@hud.gov

RESPONSE TO COMMENTS

This document presents a summary of comments received during the Living with the Bay Stormwater Project (Proposed Project) public comment period, which was open from September 4, 2020 to October 5, 2020. During that time, one comment was received from Mr. Andrew Miller of East Rockaway, New York, which is attached below.

Mr. Miller's comment pertains to the inclusion of opportunities to launch kayaks within the proposed Living Shoreline along Bligh Field in the Village of Rockville Centre. Though the proposed designs for the Lister Park Component does not include kayak launches, the Proposed Project would not prohibit the installation of a kayak launch by others in the future. Kayak launches providing access to the Mill River are available at Nassau County's Bay Park to the south and are proposed to be installed as part of the Hempstead Lake State Park Project to the north.

Additionally, on August 27, 2020, the U.S. Environmental Protection Agency (EPA), Region 2, provided a letter in response to an earlier version of the Environmental Assessment shared with interested and involved federal agencies prior to publication. The EPA's comments cite minor inconsistencies and errors in the earlier draft that had been addressed prior to finalizing the Environmental Assessment. Additionally, the EPA comments pertain to the Delineation Reports provided for the Smith Pond and Lister Park components. These comments have been addressed by the design engineers for each component during the ongoing Joint Permit Application permit process with the New York State Department of Environmental Conservation and the U.S. Army Corps of Engineers. The letter also includes EPA Region 2's sustainability recommendations, which will be reviewed and considered by the project sponsors.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

August 27, 2020

Matt Accardi, Assistant General Counsel
Governor's Office of Storm Recovery
25 Beaver Street, Fifth Floor
New York, New York 10004

RE: Draft Environmental Assessments for both Storm Water Improvements & the Long Beach Water Pollution Control Plant Consolidation

Dear Mr. Accardi:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) reviewed several projects that were submitted by the U.S. Department of Housing and Urban Development (HUD), under two different Draft Environmental Assessments (EAs). These projects, further defined below, are intended to enhance the physical, economical, and social resiliency of Nassau County communities in the wake of recent storm events.

In June 2013, HUD initiated Rebuild by Design (RBD) in response to Hurricane Sandy's devastation in the northeast region of the United States. The RBD program began by requesting competitive proposals to mitigate adverse storm impacts. In June 2014, HUD announced that the Nassau County Living with the Bay Project (LWTB Project) with an integrated Resiliency Strategy was one of the selected projects. The LWTB Project and Resiliency Strategy identifies and prioritizes projects and project types with program-specific time frames and costs for planning, design, permitting, procurement, construction, and project closeout. Since completion of the Resiliency Strategy, the Governor's Office of Storm Recovery (GOSR) and the local communities have proposed to proceed with the following projects:

- Hempstead Lake State Park: The New York State Office of Parks, Recreation, and Historic Preservation manages the 521-acre park located in the northern portion of the LWTB project area. The environmental assessment (EA) for this project was finalized in January 2020, and the Finding of No Significant Impact (FONSI) was issued in February 2020.

- Smith Pond Rehabilitation: South of Hempstead Lake State Park, Smith Pond is a 22-acre freshwater pond located in the center of the LWTB project area, north of Sunrise Highway in the Village of Rockville Centre. The proposed improvements at Smith Pond would consist of resiliency interventions such as habitat restoration, stormwater storage, and improved public access.

- Lister Park Improvements: South of Smith Pond and just north of East Rockaway High School (ERHS), the Lister Park project would entail stormwater management improvements to the fields within the Village of Rockville Centre. The project would include the installation

of living shorelines and streambank stabilization along the Mill River to improve stormwater quality and retention, prevent streambank erosion, and provide recreational and pedestrian connectivity.

- ERHS: ERHS is situated along the west bank of the Mill River between Centre Avenue and Pearl Street. Design options under consideration would reduce the school's vulnerability to flooding by installing green infrastructure and stabilizing an eroding shoreline.

- East-West-North Boulevards Stormwater Drainage Improvements: This project would reduce stormwater and tidal inundation impacts by installing porous pavement, replacing catchment basins, and installing backflow preventers and bioretention basins.

- Mill River Greenway: The LWTB Project proposes to develop a continuous greenway from Hempstead Lake State Park and Tanglewood Preserve south to Bay Park and Hewlett Bay. The multiuse path would vary in width and, where practical, typically include 10-foot-wide permeable pavement with water storage and infiltration.

- Long Beach Water Pollution Control Plant (WPCP) Consolidation Project: This project would entail the construction of a new force main connection from the existing Long Beach WPCP to the Bay Park Sewage Treatment Plan (STP), conversion of the existing Long Beach WPCP influent pump building into a new flow diversion pump station, and hardening of the new flow diversion pump station to protect it from storm surge and sea level rise. This project was not specifically included in the Resiliency Strategy, but its implementation would contribute to the restoration of the coastal mashes in Hewlett Bay, as identified in "Project V: Coastal Marsh Restoration" of the Resiliency Strategy.

The LWTB Project and Resiliency Strategy is configured such that projects could advance independently subject to availability of funding. Because the timelines for project development and construction vary, each project would consider the cumulative environmental impacts of the previous project(s).

We offer the following comments:

<u>Storm Water Improvements EA</u>

• While a brief description of delineated resources is provided for the Smith Pond Rehabilitation Component (Page 45), none is provided for the Lister Park Improvements or the ERHS Components. Please include a brief description of the delineated resources for the Lister Park Improvements and the ERHS Components.

• Please clarify whether the value of tidal wetland impacts associated with the Lister Park Improvements Component is 0.0369 or 0.369 acre (Page 72).

Smith Pond Delineation Report (specific comments)

• In addition to meeting the F3 Hydric Soil Indicator (Depleted Matrix), Sampling Station

SPW01-SS01 also meets the F6 Hydric Soil Indicator (Redox Dark Surface). Please review the soil profile and check off the appropriate Hydric Soil Indicators on the data form.

- Please review the soil profiles for Sampling Stations SPW02-SS03, SPW02-SS05, and SPW02-SS07. They do not appear to meet the criteria for the F3 Hydric Soil Indicator (Depleted Matrix), which requires a value of 4 or more and chroma of 2 or less. Redox concentrations are required in soils with matrix colors of 4/1, 4/2, or 5/2.

- Please confirm the soil profile for SPW03-SS01. The '2-10' inch soil layer is currently described as having depletions (D) of 10YR 4/4 soil. In order to meet the F3 Hydric Soil Indicator (Depleted Matrix), the soil layer should have concentrations (C). Please make this change on the data form. Additionally, the soils also meet the A11 Hydric Soil Indicator (Depleted Below Dark Surface). Please check off the appropriate Hydric Soil Indicators on the data form.

- SPW04-SS01 also meets the A11 Hydric Soil Indicator (Depleted Below Dark Surface). Please review the soil profile and check off the appropriate Hydric Soil Indicators on the data form.

- Sampling Station SP05-SS01 does not have matrix soil colors with a value of 4 or more and chroma of 2 or less. Sampling Station SP06-SS01 has a matrix soil color of 4/1 but lacks the required redox concentrations. Please review these soil profiles for accuracy and modify the data forms accordingly.

Lister Park Delineation Report (specific comment)

- Sampling Stations MRW01-SS01, MRW01-SS02, and MRW02-SS01 do not have matrix soil colors with a value of 4 or more. Sampling Station MRW01-SS03 has matrix soil colors with a value of 4 or more (and chroma of 2 or less) but lacks the required redox concentrations. Please review these soil profiles for accuracy and modify the data forms accordingly.

<u>Long Beach Water Pollution Control Plant Consolidation</u>

- With respect to the Delineation Report, the Summary of Findings sections on the data forms incorrectly state that waters and wetlands were delineated using the Atlantic and Gulf Coastal Plain Regional Supplement. The sentence should reference that the waters and wetlands were delineated using the North-Central and Northeast Regional Supplement.

- Sampling Stations 13 and 15 do not have matrix soil colors with a value of 4 or more. Please review these soil profiles for accuracy and modify the data forms accordingly. Sampling Point 17 also meets the criteria for the F6 Hydric Soil Indicator (Redox Dark Surface). Please review the soil profile and check off the appropriate Hydric Soil Indicators on the data form.

Please see the attached EPA Region 2 greening recommendations. Some of these sustainability recommendations may be applicable to these projects.

Thank you for the opportunity to provide our suggestions/comment on these EAs. Our comments contained in this letter are intended to help provide useful information that will ultimately inform

local, state, and federal decision-making and review related to land and water resource use and impacts. Should you have any questions or concerns, please feel free to contact Michael Poetzsch of my staff at 212-637-4147.

Sincerely,

Mark Austin

Mark Austin, Team Leader
Environmental Review Team

Attachment

EPA Region 2 Green Recommendations

To the maximum extent possible, project managers are encouraged to utilize local and recycled materials; to recycle materials generated onsite; and to utilize technologies and fuels that minimize greenhouse gas emissions.

Further, to the extent feasible, renewable energy (including, but not limited to solar, wind, geothermal, biogas, and biomass) and energy-efficient technologies should be incorporated into the design, construction, and operation of all types of projects.

To that end, the following information and internet hyperlinks are provided for your consideration and use:

- **Multi-media green building and land design practices**
  Utilize green building practices which have multi-media benefits, including energy efficiency, water conservation (see WaterSense below), and healthy indoor air quality. Apply building rating systems and no-cost online tools and guides, such as ENERGY STAR, Portfolio Manager, Target Finder, Indoor Air Quality Package, and WaterSense for building construction. The ENERGY STAR website (see below) includes, among other things, information on new single-family homes, multi-family homes, commercial and other buildings, and schools. The website also provides an ENERGY STAR "Training Center" free of charge.

  U.S. Green Building Council (USGBC) LEED Programs and Guides: http://www.usgbc.org/

  ENERGY STAR home page: http://www.energystar.gov

  ENERGY STAR Target Finder (no-cost online tool to set energy performance targets): http://www.energystar.gov/targetfinder

  Indoor Air Quality: http://www.epa.gov/iaq

- **Water conservation and efficiency in building construction and rehabilitation**
  Utilize sustainable water infrastructure. As aging drinking water, wastewater and stormwater systems require significant upgrade and repair, it has become one of the biggest challenges facing the water sector. The investments made now in water sector infrastructure can have profound impacts on long term community sustainability. Please see the following link on sustainable water infrastructure: https://www.epa.gov/sustainable-water-infrastructure

  Promote water conservation and efficiency through the use of water efficient products in building construction/rehabilitation (e.g., toilets, faucets, showerheads) and practices. For new building construction and restoration projects, we recommend considering the use of products with the WaterSense label where appropriate. Devices receiving the EPA WaterSense label must be at least 20% more water efficient than (and must meet or exceed the performance standards of) non-labeled devices of the same type. Additionally, when possible, consider the use of WaterSense Certified Professional Irrigation Partners and WaterSense Builder Partners. These professionals use WaterSense labeled devices where appropriate, are trained in the latest water conservation practices, and use the latest water efficiency tools and technologies, including irrigation equipment and xeriscaping for landscaping and best management practices for construction in the WaterSense New Home Specifications. Visit the WaterSense website for tips on water efficiency, a WaterSense labeled product search tool, a list of WaterSense Partners,

access to the Water Budget Tool at: http://www.epa.gov/watersense/

In addition to using WaterSense labeled products and certified professionals, there are many water conservation strategies and best management practices that can be used in new construction and/or restoration. Here are some useful links on water conservation and efficiency:

- Whole Building Design Guide: http://www.wbdg.org/resources/water_conservation.php
- Alliance for Water Efficiency: http://www.allianceforwaterefficiency.org/
- Water Use It Wisely – 100 Ways to Conserve: http://www.wateruseitwisely.com/100-ways-to-conserve/index.php

- **Green Building in Federal Agency Projects**
  The *Federal Green Construction Guide for Specifiers* includes helpful information for procuring green building products and construction/renovation services within the Federal government: http://www.wbdg.org/design/greenspec.php

- **Safer Choice**
  Consider products containing the Safer Choice Label when planning for and making purchases. Chemical products are used for many activities (such as road, vehicle and building/home maintenance) that can pose a threat to water quality. Practices and procedures should include the use of Safer Choice products in order to, for instance, reduce the volume and toxicity of chemicals that can be discharged into local waterways.

  Products designed for homes, businesses, schools, and the overall community that carry the Safer Choice label must meet requirements for the following: safer ingredients; performance; packaging; ingredient disclosure; pH; and volatile organic compounds. Municipal governments and other organizations/individuals that purchase chemical products for many indoor and outdoor uses can look for the Safer Choice label. Some examples include deicers, dust control, degreasers, car care products and other all-purpose cleaners, as well as home car wash products, boat cleaners, and graffiti removers. We also encourage the use of best management practices that utilize Safer Choice products in order to reduce the volume and toxicity of chemicals that can enter local waterways.

  General information on the Safer Choice label can be found at: http://www.epa.gov/saferchoice
  To search for products that meet the Safer Choice standard please see: http://www.epa.gov/saferchoice/products

- **Use Environmentally Preferable Purchasing**
  Promote markets for environmentally preferable products by referencing EPA's multi-attribute Sustainable Marketplace. Products and services include: Building and Construction, Carpets, Cleaning, Electronics, Fleets, Food Services, Landscaping, Meetings and Conferences, Office Supplies, and Paper: https://www.epa.gov/greenerproducts

- **Purchase 'green' electronics, and measure their benefits**
  Require the purchase of desktop computers, monitors, and laptops that are registered as Silver or Gold products with EPEAT, the Electronics Product Environmental Assessment Tool at www.epeat.net. Products registered with EPEAT use less energy, are easier to recycle, and can

be more easily upgraded than non-registered products. Energy savings, CO_2 emission reductions, and other environmental benefits achieved by the purchase, use and recycling of EPEAT-registered products can be quantified using the Electronics Environmental Benefits Calculator: https://www.epa.gov/greenerproducts/electronic-product-environmental-assessment-tool-epeat

Additional information: http://www.energystar.gov/products

- **Consider Low Impact Development and Green Infrastructure to help manage stormwater**
  Low Impact Development (LID) is an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product.

  Additional information:
  Green infrastructure: https:// www.epa.gov/green-infrastructure
  Soak Up the Rain Resource Index: https://www.epa.gov/soakuptherain/soak-rain-resource-index
  National Stormwater Calculator: http://www.epa.gov/nrmrl/wswrd/wq/models/swc/

- **Evaluate sustainable stormwater management at brownfield sites**
  Consider designs for stormwater management on compacted, contaminated soils in dense urban areas:

  Additional information:
  https://www.epa.gov/sites/production/files/2015-09/documents/swdp0408_0.pdf
  https://www.epa.gov/soakuptherain/soak-rain-resource-index#Brownfields

- **Alternative and Renewable Energy**
  The Department of Energy's "Green Power Network" (GPN) provides information and markets that can be used to supply alternative generated electricity. The following link identifies several suppliers of renewable energy:

  Additional information: https://community-wealth.org/content/green-power-network-us-dept-energy-office-energy-efficiency-recyclable-energy

- **Clean Diesel**

  Implement diesel controls, cleaner fuel, and cleaner construction practices for on-road and off-road equipment used for transportation, soil movement, or other construction activities, including:
  - Strategies and technologies that reduce unnecessary idling, including auxiliary power units, the use of electric equipment, and strict enforcement of idling limits;
  - Use of clean diesel through add-on control technologies like diesel particulate filters and diesel oxidation catalysts, repowers, or newer, cleaner equipment.

  For new equipment utilize contract specifications requiring advanced pollution controls and clean fuels: http://www.northeastdiesel.org/pdf/NEDC-Construction-Contract-Spec.pdf and http://www.epa.gov/cleandiesel

- **Utilizing recycled materials in construction projects**
  Many industrial and construction byproducts are available for use in road, building or infrastructure construction. Use of these materials can save money and reduce environmental impacts. The Recycled Materials Resource Center has developed user guidelines for many recycled materials and compiled existing national specifications.

  Additional information: http://rmrc.wisc.edu
  http://www.fhwa.dot.gov/pavement/recycling/rectools.cfm

- **Encourage cost-efficient, environmentally friendly landscaping**
  There are many benefits to making greener landscaping choices. For additional information, please see the following website:
  http://www.epa.gov/greenerproducts/identifying-greener-landscaping-choices

- **Incorporate on-site energy generation and energy efficient equipment upgrades into projects at drinking water and wastewater treatment facilities**
  Consider using captured biogases in combined heat and power systems, and renewable energy (wind, solar, etc.) to generate energy for use on-site. Evaluate the potential energy savings associated with upgrading to more energy efficient equipment (pumps, motors, lighting, etc.).

  Additional information: http://water.epa.gov/infrastructure/sustain/goinggreen.cfm

- **Incorporate green practices into remediation of contaminated sites**
  Encourage or incentivize the use of green remediation practices, including designing treatment systems with optimum energy efficiency; use of passive energy technologies such as bio-remediation and phyto-remediation; use of renewable energy to meet power demands of energy-intensive treatment systems or auxiliary equipment; use of cleaner fuels, machinery, and vehicles; use of native plant species; and minimizing waste and water use.

  Additional information: http://cluin.org/greenremediation/index.cfm

- **Encourage development in brownfield sites**
  Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. These sites are often "infrastructure-ready," eliminating the need to build new roads and utility lines which are necessary in undeveloped land.

  Additional information: http://www.epa.gov/brownfields/

- **Encourage use of Smart Growth and transit-oriented development principles**
  Smart Growth and transit oriented development (TOD) principles help preserve natural lands and critical environmental areas, and protect water and air quality by encouraging developments that are mixed-use, walkable and located near public transit. Encourage use of bicycling with bike commuter parking, storage, and changing facilities. Facilitate increased carpooling or alternative vehicles with preferable parking spaces and/or electric vehicle plug in spots.

  Additional information: http://www.epa.gov/smartgrowth

- **Integrated Design Process**
  The Integrated Design Process calls for the active and continuing engagement of all stakeholders throughout the building design, development, construction, and post-construction phases including the owners, architects, engineers, building department officials, and others. This process creates a higher-performing building at lower cost, allows various building systems to work together to eliminate redundant and unnecessary capacity, and minimizes change order costs.

  Additional information: http://www.wbdg.org/design/engage_process.php

Good afternoon -

As you know, the middle section of the Mill River is somewhat isolated from Hewlett Bay and the countless motorboats, waverunners, and other watercraft that frequent that body of water. This makes the Mill River (from Sunrise Highway south to the East Rockaway LIRR trestle) an ideal location for kayakers.

Right now, most people who use the Mill River for kayaking launch along the banks of the river in Bligh Field. Within Bligh Field, there are currently two easily accessible launch sites for kayaks: Just south of third base along the left field foul line of the northern baseball field; and near the southern ballfield, where the right field foul line meets the river.

One of the original goals of the Living with the Bay project was to increase public access to the waterways included in the project. I would ask that the living shoreline planned for the banks of the Mill River adjacent to Bligh Field include some sort of public access for kayakers.

Thank you.