New York Rising Local Government Support Program

SUFFOLK COUNTY ROAD 12 (CR 12) RECONSTRUCTION

Environmental Assessment

Responsible Entity:
New York State Homes and Community Renewal
Governor’s Office of Storm Recovery

December 24, 2015
**SUFFOLK COUNTY ROAD 12 (CR 12) RECONSTRUCTION**

**Environmental Assessment**

December 24, 2015

**Project Name:** Suffolk County Road 12 (CR 12) Reconstruction

**Project Location:** Suffolk County Road 12 (CR 12) (West Oak Street) extending approximately 1.8 miles from County Line Road (CR 1) in the Village of Amityville to Garfield Avenue in the Hamlet of Copiague, within the Town of Babylon, Suffolk County, New York

**HTFC SHARS #:** N/A

**Federal Agency:** US Department of Housing and Urban Development

**Responsible Entity:** New York State Homes and Community Renewal

**Responsible Agency’s Certifying Officer:** Thomas J. King, Assistant General Counsel and Certifying Officer

**Project Sponsor:** Suffolk County

**Primary Contact:** Victor Keneiby, Associate Civil Engineer

H. Lee Dennison Building

100 Veterans Memorial Highway, P.O. Box 6100, Hauppauge, NY 11788

631-852-5257, keneiby@suffolkcountyny.gov

**Project NEPA Classification:** 24 CFR 58.36 (Environmental Assessment)

**Environmental Finding:**

- Finding of No Significant Impact - The project will not result in a significant impact on the quality of the human environment.

- Finding of Significant Impact - The project may significantly affect the quality of the human environment.

**Certification**

The undersigned hereby certifies that New York State Homes and Community Renewal has conducted an environmental review of the project identified above and prepared the attached environmental review record in compliance with all applicable provisions of the National Environmental Policy Act of 1969, as amended (42 USC Sec. 4321 et seq.) and its implementing regulations at 24 CFR Part 58.

**Signature**

Thomas J. King – Certifying Officer

**Environmental Assessment Prepared By:**

The LiRo Group, 3 Aerial Way, Syosset, NY 11791

Foit-Albert Associates, 435 New Karner Road, Albany, NY 12205
CERTIFICATION OF NEPA CLASSIFICATION

It is the finding of the New York State Housing Trust Fund Corporation that the activity(ies) proposed in its 2015 NYS CDBG-DR project, Suffolk County Road 12 (CR 12) Reconstruction is:

Check the applicable classification.

☐ Exempt as defined in 24 CFR 58.34 (a).

☐ Categorically Excluded as defined in 24 CFR 58.35(b).

☐ Categorically Excluded as defined in 24 CFR 58.35(a) and no activities are affected by federal environmental statues and executive orders [i.e., exempt under 58.34(a)(12)].

☐ Categorically Excluded as defined in 24 CFR 58.35(a) and some activities are affected by federal environmental statues and executive orders.

☒ "Other" neither exempt (24 CFR 58.34(a)) nor categorically excluded (24 CFR 58.35).

☒ Part or all of the project is located in an area identified as a floodplain or wetland. For projects located in a floodplain or wetland, evidence of compliance with Executive Orders 11988 and/or 11990 is required.

For activities excluding those classified as "Other", attached is the appropriate Classification Checklist (Exhibit 2-4) that identifies each activity and the corresponding citation.

12/24/2105

Signature of Certifying Officer

Date

Thomas J. King

Certifying Officer

Print Name

Title
CERTIFICATION OF SEQRA CLASSIFICATION

It is the finding of the New York State Housing Trust Fund Corporation that the activity(ies) proposed in its 2015 NYS CDBG-DR project, Suffolk County Road 12 (CR 12) Reconstruction constitute a:

Check the applicable classification:

☐ Type I Action (6NYCRR Section 617.4)
☐ Type II Action (6NYCRR Section 617.5)
☐ Unlisted Action (not Type I or Type II Action)

Check if applicable:

☐ Environmental Impact Statement (EIS) Prepared
☐ Draft EIS
☐ Final EIS

______________________________  _____________
Signature of Certifying Officer  Date

Thomas J. King  __________________
Certifying Officer  Title

Print Name  Date
Description of the Proposed Project

The project location is Suffolk County Road (CR 12) (West Oak Street) extending approximately 1.8 miles from County Line Road (CR 1) in the Village of Amityville to Garfield Avenue in the Hamlet of Copiague. The target area for the project includes the area around this section of CR 12, bounded by a line midway between Sunrise Highway and CR 12 to the north and by the Great South Bay to the south. The right-of-way is approximately 49.5 feet, with curb to curb distance varying from 30 to 34 feet.

CR 12 was constructed during the 1950s and is a critical east-west road that is heavily relied upon for evacuation during disasters. The current CR 12 drainage system consists of corrugated metal piping which was replaced in 2012, and drainage basins that require extensive repair or replacement. New concrete pipe was installed in 2012 to replace severely corroded corrugated metal pipe. This project would facilitate replacement of the remaining concrete pipe with new reinforced concrete pipe.

The project also includes the reconstruction of CR 12. This entails excavation to enable replacement and repair of certain section of the existing drainage system, full depth pavement patching, resurfacing, curb and sidewalk replacement, pavement marking and the necessary traffic signal modifications. There will 6,000 LF of piping impacted. This includes replacement of old piping and installation of new piping. Approximately 130 drainage structures - both existing and new - would be either replaced or added to the project. The project will be designed for completion within existing County road rights-of-way and will comply with the Public Right Of Way Accessibility Guidelines (PROWAG).

The proposed roadway reconstruction will include adequate sized drainage system replacement and repair, including the installation of new storm water treatment units, along with full depth pavement patching, and asphalt resurfacing, all designed to increase resiliency and minimize damage to the infrastructure. A new culvert designed to handle a 100-year flood event will be installed under the section of road connecting the pond in Peterkin Park with Amityville Creek to replace an existing failing culvert. A new 3 FT X 6 FT culvert would replace the existing 2.5 FT X 4.5 FT culvert. These improvements will be designed to mitigate and prevent future flooding and ensure a safe east-west travel route for evacuations away from the impact zone.

Statement of Purpose and Need for the Proposal

To address the impacts of Superstorm Sandy, this project is designed to reconstruct a deficient Suffolk County road (CR 12) to bolster its efficiency, particularly during inclement weather events. During Superstorm Sandy, use of and reliance upon CR 12 was particularly heavy, as alternative east-west roads had to be closed due to severe flooding limiting emergency escape procedures and access to critical care facilities and evacuation shelters. CR 12 is the first and closest east-west road north of the inundation zone.

Constructed during the 1950s, CR 12 is a critical east-west road heavily relied upon for evacuation during disasters. Although Suffolk County’s residents, businesses, hospitals and shelters rely upon CR 12 for evacuation, as the roadway is several miles north of the Sandy inundation area, its infrastructure is dated and deficient. Reconstruction of CR 12 is targeted at the elimination of, or
the reduction of, flooding that results from its proximity to the Great South Bay. CR 12 is adjacent to several streams, creeks and drainage systems that run underneath it but are either designed to or no longer have the capacity to facilitate storm water runoff during storm and inclement weather events.

Superstorm Sandy caused massive flooding and road closures on the south shore of Long Island. Designated east-west evacuation routes are similarly impaired during storm events. Other designated east-west evacuation routes include Montauk Highway (NYS Route 27A) and Sunrise Highway (NYS Route 27). Traffic is often diverted from these roads onto CR 12 during floods. CR 12’s importance was magnified during Superstorm Sandy when flooding forced the closure of NYS Route 27A, which resulted in the overuse of CR 12 for the duration of the flooding. CR 12 served as the most important east-west alternate roadway through the Village of Lindenhurst as NYS Route 27A was completely impassable due to major flooding in certain locations. During normal travel, CR 12 is a high-use roadway. During times of evacuation, disaster, emergencies or road closures, CR 12 is utilized as an alternate evacuation route.

Reconstruction of CR 12 would address dangerous deficiencies made apparent in the immediate aftermath of Superstorm Sandy, the weeks that followed, and in subsequent weather events. In the Town of Babylon, CR 12 is part of a crucial bus route used to evacuate residents living south of NYS Route 27 near Great South Bay and is relied upon during emergency evacuations to transport Suffolk County residents to one of its shelter sites. The evacuation route also includes a loop around the Town of Babylon, the Village of Babylon, and the Village of Lindenhurst. An east-west evacuation route is crucial during weather events because of the location of Suffolk County’s hospitals, trauma centers and shelters. The project will ensure that residents of Suffolk County, and in particular, residents of the Village of Amityville, the Village of Babylon, the Hamlet of Copiague, the Village of Lindenhurst, and the Hamlet of West Babylon have access to a direct evacuation route during future storm events.

**Existing Conditions and Trends [24 CFR 58.40(a)]:**
The existing drainage basins require extensive repair or replacement. CR 12 is adjacent to several streams, creeks and drainage systems that run underneath it but are either not designed to or no longer have the capacity to facilitate storm water runoff during storm and inclement weather events. In Babylon, back up from drainage pipes resulted from overflowing streams due to water accumulating under CR 12.

Within the Great South Bay, Fire Island Inlet is the only inlet that allows water in and out of the bay. Over the last 15 years, the inlet has shrunk in size, resulting in the water level rising in the Great South Bay. There is an interconnected drainage system, with water running from five miles upland of the Great South Bay that flow directly under CR 12, and all of the water from streams, lakes, and rivers is deposited in the Great South Bay.

**Funding Information**
**Estimated Total HUD Funded Amount:** $7,505,302.92

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: $7.5M
The total project cost is estimated at up to $7,505,302.92 which includes up to $750,000 for construction inspection.

Suffolk County Road 12 (CR 12) Reconstruction – NEPA Review
Compliance with 24 CFR 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<table>
<thead>
<tr>
<th>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</th>
<th>Are formal compliance steps or mitigation required?</th>
<th>Compliance determinations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Airport Hazards</strong>&lt;br&gt;24 CFR Part 51 Subpart D</td>
<td>Yes ☑ No ☐</td>
<td>Not applicable. Based on guidance provided by HUD in Fact Sheet #D1, the National Plan of Integrated Airport Systems was reviewed for civilian, commercial service airports within the vicinity of the project sites. No known civil airports are located within 2,500 feet and no known military airports are located within 15,000 feet of the project sites. Therefore there are no anticipated adverse impacts. <a href="https://www.michigan.gov/documents/mshda/mshda_cd_nsp2_air_accident_315724_7.pdf">https://www.michigan.gov/documents/mshda/mshda_cd_nsp2_air_accident_315724_7.pdf</a></td>
</tr>
<tr>
<td><strong>Coastal Barrier Resources</strong>&lt;br&gt;Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</td>
<td>Yes ☑ No ☐</td>
<td>Not applicable. According to the Coastal Barrier Resource System maps, the Proposed Projects are not located in a Coastal Barrier Resource System. Therefore, the Proposed Project is anticipated to have no adverse impact on any Coastal Barrier Resources. <a href="http://www.fws.gov/cbra/Maps/index.html">http://www.fws.gov/cbra/Maps/index.html</a></td>
</tr>
<tr>
<td><strong>Flood Insurance</strong>&lt;br&gt;Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</td>
<td>Yes ☑ No ☐</td>
<td>Based on Flood Insurance Rate Map 36103C0841H, a small portion of the project site (the culvert replacement) is located within a Special Flood Hazard Area (See Figures 1 and 2). Proof of National Flood Insurance Program (NFIP) insurance is not required as the structure, a transportation corridor, is not insurable.</td>
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<tr>
<td>Clean Air</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</td>
<td>☐</td>
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</table>

The Proposed Project is located within a nonattainment area for the eight-hour ozone standard. The Proposed Project involves the reconstruction of CR 12 within the existing County road rights-of-way. Construction of the project would not generate significant levels of vehicular traffic; therefore, no exceedances of the National Ambient Air Quality Standard (NAAQS) associated with carbon monoxide (CO) or particulate matter (PM) would occur. Operation of the Proposed Project would not result in any major new stationary source of air pollutants. The project would not adversely affect the State Implementation Plan (SIP). Any air quality impacts would be short-term and localized during construction and therefore no significant adverse impacts to air quality are anticipated.

A conformity analysis was made according to the requirements of 40 CFR 93, Subpart B (federal general conformity regulations) and a screening analysis was performed assuming that the emissions intensity per expenditure (tons per dollar) for the project would be similar to the average intensity of the construction sector in the county. Projects with projected construction expenditure substantially lower than the average construction de minimis expenditure would clearly not exceed de minimis emissions levels for general conformity purposes.

Based on the screening analysis, the construction expenditure threshold for Suffolk County is $440 million before a project may be expected to exceed the de minimis expenditure thresholds requiring further analysis or conformity determination. The estimated construction cost of the project is approximately $7.5 million, which is much less than the $440 million threshold; therefore the proposed project would not require further analysis for conformity determination.

To further demonstrate compliance, the following specifications will be incorporated into the contract documents and a more detailed conformity analysis will be required to be
completed for the bid package using the “General Conformity Worksheet.”

- Idling Restriction. In addition to adhering to the local law restricting unnecessary idling on roadways, on-site vehicle idle time will also be restricted to five minutes for all equipment and vehicles that are not using their engines to operate a loading, unloading, or processing device (e.g., concrete mixing trucks) or otherwise required for the proper operation of the engine.

- Utilization of Newer Equipment. EPA’s Tier 1 through 4 standards for nonroad engines regulates the emission of criteria pollutants from new engines, including PM, CO, NOx, and hydrocarbons (HC). All nonroad construction equipment with a power rating of 50 hp or greater would meet at least the Tier 2 emissions standard to the extent practicable.

- Best Available Tailpipe Reduction Technologies. Non-road diesel engines with a power rating of 50 horsepower (hp) or greater and controlled truck fleets (i.e., truck fleets under long-term contract with the project) including but not limited to concrete mixing and pumping trucks would utilize the best available tailpipe (BAT) technology for reducing DPM emissions. Diesel particulate filters (DPFs) have been identified as being the tailpipe technology currently proven to have the highest reduction capability. Construction contracts would specify that all diesel nonroad engines rated at 50 hp or greater would utilize DPFs, either installed by the original equipment manufacturer (OEM) or retrofitted. Retrofitted DPFs must be verified by EPA or the California Air Resources Board (CARB). Active DPFs or other technologies proven to achieve an equivalent reduction may also be used.

http://www.epa.gov/airquality/greenbook/
http://www.epa.gov/airquality/greenbook/adde n.html

<table>
<thead>
<tr>
<th>Coastal Zone Management</th>
<th>Yes</th>
<th>No</th>
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The Proposed Project is not located within the coastal boundary or an LWRP.
### Coastal Zone Management Act, sections 307(c) & (d)


### Contamination and Toxic Substances

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<th>Yes</th>
<th>No</th>
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- 24 CFR Part 50.3(i) & 58.5(i)(2)

The project area is not listed on a U.S. Environmental Protection Agency (EPA) Superfund National Priorities or CERCLA List, or equivalent State list, located within 3,000 feet of a toxic or solid waste landfill site, and are not known or suspected to be contaminated by toxic chemicals or radioactive materials.

There are no known hazardous materials, contaminants, toxic chemicals, gases or radioactive substances that could affect health and safety within the project area.

The Proposed Project is not anticipated to result in any significant adverse impacts related to toxic, hazardous, or radioactive materials.

### Endangered Species

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<th>Yes</th>
<th>No</th>
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- Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402

The USFWS Information, Planning and Conservation (IPaC) online planning tool Trust Resource List generated for the Proposed Project on July 1, 2015 (see Appendix A) lists two endangered species (Roseate tern (bird) and Sandplain gerardia (plant)) as having the potential to occur near the Project Site. In addition, four threatened species may be present near the Project Site.

There is one mammal on the Endangered Species Act Species List: the Northern long-eared bat (*Myotis septentrionalis*) listed as endangered.

Should any removal of trees greater than 3” diameter at breast height be required, removal would only be conducted between October 1 and March 31st to avoid the roosting periods of the Northern Long-Eared bat.

The proposed project has been deemed to have “no effect” on threatened or endangered species. A copy of the USFWS correspondence and acknowledgement of “no effect” is found in Appendix A.
**Explosive and Flammable Hazards**

24 CFR Part 51 Subpart C

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<th>Yes</th>
<th>No</th>
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This criterion is applicable to HUD-assisted projects that involve new residential construction, conversion of non-residential buildings to residential use, rehabilitation of residential properties that increase the number of units, or restoration of abandoned properties to habitable condition. As this project involves a roadway reconstruction, the criterion does not apply and there are no anticipated adverse impacts expected to occur.

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**Farmlands Protection**

Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658

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<th>Yes</th>
<th>No</th>
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The Proposed Project is not located within any Agricultural Districts. It would not cause disturbance to Prime, Unique, or Statewide Important Farmland and would not involve the conversion of farmland to non-agricultural use. Therefore, no adverse impacts are anticipated to occur that would violate the Farmland Protection Policy Act.

http://cugirdata.mannlib.cornell.edu/pdf/agSUFF2010.pdf#zoom=75

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**Floodplain Management**

Executive Order 11988, particularly section 2(a); 24 CFR Part 55

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<tr>
<th>Yes</th>
<th>No</th>
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Based on Flood Insurance Rate Map 36103C0841H, a portion of the project site is located within a Special Flood Hazard Area (See Appendix B - FEMA Floodplain Maps). Proof of National Flood Insurance Program (NFIP) insurance is not required based on the project type. As the Proposed Project would not constitute a substantial improvement within the floodplain as it would comply with 24 CFR §55 and the right-sizing of the culvert would have a positive impact on floodplain management. The 5-Step Process for Floodplain Management was followed. (See Appendix B-Floodplain/Wetland Management 5-Step).

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**Historic Preservation**

National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800; Tribal notification for new ground disturbance.

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<tr>
<th>Yes</th>
<th>No</th>
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The Proposed Project involves the reconstruction of CR 12 in existing right-of-way. On September 16, 2015 GOSR sent consultation requests pursuant to Section 106 of the National Historic Preservation Act to the State Historic Preservation Office (SHPO), the Shinnecock Indian Nation and the Unkechaug Tribe. On October 16, 2015, SHPO responded that “no historic properties would be affected” by the Proposed Project. The two tribal partners have not responded. (See Appendix C).

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**Noise Abatement and Control**

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<tr>
<th>Yes</th>
<th>No</th>
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The Proposed Project is not a noise sensitive use, and furthermore, the policies of 24 CFR 51.101(a)(3) do not apply to any action or emergency assistance under disaster assistance.
<table>
<thead>
<tr>
<th>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</th>
<th>provisions or appropriations which are provided to save lives and protect public health and safety. The Proposed Project involves the reconstruction of CR 12 within the existing County road rights-of-way. The Proposed Project would not result in a new source of noise generation, nor would it introduce any new or rehabilitate any existing noise sensitive uses. Therefore, no significant noise impacts would occur as a result of the Proposed Project.</th>
</tr>
</thead>
</table>
| **Sole Source Aquifers**  
Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149 | Yes No □ ☒  
The project site is located over the Nassau-Suffolk Sole Source Aquifer. A copy of the Sole Source Aquifer Letter sent to EPA is provided in Appendix D along with the response. There are four public supply water wells operated by the Suffolk County Water Authority within a one-half mile radius of the project location and the EPA acknowledges that the Proposed Project will not create any additional demand for water or .  
http://www.epa.gov/region02/water/aquifer/nasssuff/nassau.htm |
| **Wetlands Protection**  
Executive Order 11990, particularly sections 2 and 5 | Yes No ☒ □  
The Proposed Project involves the reconstruction of a roadway and replacement and repair of existing drainage system. In particular, a 3’ by 6’ culvert designed to handle a 100-year flood event will be installed under the section of road connecting Perterkin Park Pond with Amityville Creek which flows under CR 12. This culvert will replace an existing 2.5’ by 4.5’ concrete culvert.  
Amityville Creek is identified by the NYSDEC as Wetland A-4 (See Figure 3). Peterkin Park Pond, which is located adjacent to the north of the project area, is also mapped on the USFWS NWI maps (See Figure 4). A field inspection conducted on February 7, 2001 identified the NYS freshwater boundary as the edge of the waterway. The proposed construction plans are found in Appendix E.  
Any disturbance in the waterway would be minor, and any disturbed area would be restored to its original condition.  
A Joint Application for Permit to permit the construction in DEC wetlands and/or adjacent areas and permit applications in accordance with Clean Water Action Section 404/401 for |
submission to the U.S. Army Corps of Engineers (USACE) will be submitted for the Proposed Project.

As the Proposed Project would not constitute a substantial improvement within the floodplain as it would comply with 24 CFR §55 and the right-sizing of the culvert would have a positive impact on floodplain management. The 5-Step Process for Floodplain Management was followed. (See Appendix B-Floodplain/Wetland Management 5-Step).

<table>
<thead>
<tr>
<th>Wild and Scenic Rivers</th>
<th>Yes</th>
<th>No</th>
<th>Not applicable.</th>
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</thead>
<tbody>
<tr>
<td>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</td>
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<td></td>
<td>Only one river in New York State is included in the National Wild and Scenic Rivers Systems and it is the Delaware River (Upper). The proposed project site is not located near this river and no adverse impacts are anticipated. <a href="http://www.rivers.gov/maps/conus.php">http://www.rivers.gov/maps/conus.php</a></td>
</tr>
</tbody>
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<tr>
<th>ENVIRONMENTAL JUSTICE</th>
<th>Yes</th>
<th>No</th>
<th>A portion of the Proposed Project is located in a potential EJ area as indicated by the New York State Department of Environmental Conservation. The Proposed Project will not create an adverse and disproportionate environmental impact or aggravate an existing impact to minority or low-income populations as it will provide an emergency excavation route and roadway improvements, thus providing a benefit to the residents within the project area. The proposed project would follow local ordinances and therefore no adverse impacts are anticipated on the surrounding community. <a href="http://www.dec.ny.gov/docs/permits_ej_operations_pdf/suffolkejwest.pdf">http://www.dec.ny.gov/docs/permits_ej_operations_pdf/suffolkejwest.pdf</a></th>
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<tr>
<td>Environmental Justice</td>
<td></td>
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<tr>
<td>Executive Order 12898</td>
<td></td>
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</table>
**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list to make the determination of impact for each factor.  
(1) Minor beneficial impact  
(2) No impact anticipated  
(3) Minor Adverse Impact – May require mitigation  
(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

<table>
<thead>
<tr>
<th>Environmental Assessment Factor</th>
<th>Impact Code</th>
<th>Impact Evaluation</th>
</tr>
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<tbody>
<tr>
<td><strong>LAND DEVELOPMENT</strong></td>
<td></td>
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<tr>
<td>Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design</td>
<td>2</td>
<td>The Proposed Project involves the reconstruction of a roadway and replacement and repair of an existing drainage system. The proposed project would be compatible with existing land uses in the surrounding area and would not result in changes to land use. Therefore, no impacts would result.</td>
</tr>
<tr>
<td>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</td>
<td>1</td>
<td>During construction, soil disturbance of less than 1 acre is anticipated and erosion and sediment controls would be utilized. If an area greater than 1 acre would be affected, a stormwater prevention pollution plan (SWPPP) would be prepared. The proposed project would reduce the level of infiltration and improve the drainage system, reducing the possibility for future sinkhole formation (a type of erosion). Therefore, the proposed project would be potentially beneficial.</td>
</tr>
<tr>
<td>Hazards and Nuisances including Site Safety and Noise</td>
<td>2</td>
<td>The proposed project would not result in hazards and nuisances. All state and local construction safety procedures would be followed. Therefore, no impacts would result.</td>
</tr>
<tr>
<td>Energy Consumption</td>
<td>2</td>
<td>The proposed project would not significantly increase energy generation or distribution and would meet New York State energy requirements. Therefore, no impacts would result.</td>
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<tr>
<th>Environmental Assessment Factor</th>
<th>Impact Code</th>
<th>Impact Evaluation</th>
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<tbody>
<tr>
<td><strong>SOCIOECONOMIC</strong></td>
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</table>
Employment and Income Patterns | 2 | The actions comprising the Proposed Project are limited to the reconstruction of a roadway and the repair of a drainage system and have no potential to affect employment opportunities or income patterns.

Demographic Character Changes, Displacement | 2 | The Proposed Project involves the reconstruction of a roadway and replacement and repair of an existing drainage system. The project is not expected to induce any change in the demographic character of the surrounding area, displace individuals or families, eliminate jobs, local businesses, or community facilities, or disproportionately affect particular populations.

<table>
<thead>
<tr>
<th>Environmental Assessment Factor</th>
<th>Impact Code</th>
<th>Impact Evaluation</th>
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<tbody>
<tr>
<td>COMMUNITY FACILITIES AND SERVICES</td>
<td></td>
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<tr>
<td>Educational and Cultural Facilities</td>
<td>2</td>
<td>The proposed project would not introduce any new populations that would increase the student population of the area. As a result, the proposed project has no potential to affect educational facilities. The proposed project would not adversely impact historic/cultural facilities.</td>
</tr>
<tr>
<td>Commercial Facilities</td>
<td>2</td>
<td>The Proposed Project involves the reconstruction of a roadway and replacement and repair of an existing drainage system and would not introduce any new development that would require retail services or other commercial facilities.</td>
</tr>
<tr>
<td>Health Care and Social Services</td>
<td>2</td>
<td>The Proposed Project involves the reconstruction of a roadway and replacement and repair of an existing drainage system and would not introduce any new development that would require the availability of routine or emergency health services. The proposed project would not significantly impact social services. Social services are provided by a range of non-profit and government agencies.</td>
</tr>
<tr>
<td>Solid Waste Disposal / Recycling</td>
<td>2</td>
<td>The Proposed Project involves the reconstruction of a roadway and replacement and repair of an existing drainage system and would not introduce any new development that would generate solid waste.</td>
</tr>
<tr>
<td>Waste Water / Sanitary Sewers</td>
<td>2</td>
<td>The Proposed Project involves the reconstruction of a roadway and replacement and repair of an existing drainage system and would not introduce any new development that would generate waste water.</td>
</tr>
<tr>
<td>Water Supply</td>
<td>2</td>
<td>The Proposed Project involves the reconstruction of a roadway and replacement and repair of an existing drainage system and would not introduce any new development that would generate demand for water.</td>
</tr>
<tr>
<td>Public Safety - Police, Fire and Emergency Medical</td>
<td>1</td>
<td>The Proposed Project involves the reconstruction of a roadway and replacement and repair of an existing drainage system and would not introduce any new development that would generate demand for police, fire, or emergency medical services. The accessibility along the roadway will be improved therefore providing a benefit to police, fire and emergency services.</td>
</tr>
<tr>
<td>Parks, Open Space and Recreation</td>
<td>2</td>
<td>The Proposed Project involves the reconstruction of a roadway and replacement and repair of an existing drainage system and would not introduce any new development that would generate demand for open space resources.</td>
</tr>
<tr>
<td>Transportation and Accessibility</td>
<td>1</td>
<td>The Proposed Project involves the reconstruction of a roadway and replacement and repair of an existing drainage system and would not add any new demand on transportation services. The accessibility along the roadway will be improved therefore providing a benefit to transportation and accessibility. During construction, traffic maintenance would take place.</td>
</tr>
</tbody>
</table>
**Environmental Assessment Factor** | **Impact Code** | **Impact Evaluation**
--- | --- | ---
**NATURAL FEATURES**
Unique Natural Features, Water Resources | 1 | The proposed roadway reconstruction will include the installation of new storm water treatment units. A new culvert designed to handle a 100-year flood event will be installed under the section of road connecting the pond in Peterkin Park with Amityville Creek to replace an existing failing culvert. Therefore, the proposed project would be potentially beneficial to water resources.

Vegetation, Wildlife | 2 | The Proposed Project involves the reconstruction of a roadway and replacement and repair of an existing drainage system and would not result in any adverse impacts to vegetation or wildlife.

Other Factors | 2 | N/A

**Additional Studies Performed:**
N/A

**Field Inspection** (Date and completed by):
A field inspection conducted on February 7, 2001 identified the NYS freshwater boundary as the edge of the waterway.

**List of Sources, Agencies and Persons Consulted** [40 CFR 1508.9(b)]:
EPA, Greenbook: http://www.epa.gov/oaqps001/greenbk/index.html
EPA NEPAssist: http://nepassisttool.epa.gov/nepassist/entry.aspx
EPA Region 2 Sole Source Aquifers: http://www.epa.gov/region02/water/aquifer/nasssuff/nassau.htm
FEMA Mapping Service Center: https://msc.fema.gov/portal
Military and Civilian Airports:
National Park Service – New York Segments:
http://www.nps.gov/ncrc/programs/rtca/nri/states/ny.html
New York State Department of Agriculture and Markets:
http://www.agriculture.ny.gov/ap/agservices/agricultural-districts.html
New York State Department of Environmental Conservation (NYSDEC), Coastal Management:
Suffolk County Road 12 (CR 12) Reconstruction – NEPA Review
List of Permits Obtained or Required:
NYS DEC Freshwater Wetlands Permit
US ACOE Nationwide 3 Permit
SEQRA Type I determination per Section 617.5(c)(1).

Public Outreach [24 CFR 50.23 & 58.43]:
Both hard copies and digital copies of this report will be made available to the public by request. Public Notice of the Intent to Request Release of Funds (NOI-RROF) will be given on the 18th of December, 2015. Any individual, group, or agency will be allowed to submit written comments that will be considered prior to authorizing submission of a request for release of funds.

Cumulative Impact Analysis [24 CFR 58.32]:
GOSR has included the entire project within the scope of this review and is funding it in whole. GOSR is not aware of or funding any other projects in the immediate vicinity of CR-12 and as such there are no cumulative impacts to be considered.
Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]
Several culvert options were analyzed during the engineering design. A 3’ by 6’ culvert was selected to in order to handle a 100-year flood event and will be installed under the section of road connecting Perterkin Park Pond with Amityville Creek which flows under CR 12. This culvert will replace an existing 2.5’ by 4.5’ concrete culvert.

No Action Alternative [24 CFR 58.40(e)]:
Under the No-Action alternative, no roadway improvements or rehabilitation of the existing drainage system along Suffolk County Road 12 would be completed. CR 12 is a critical east-west road heavily relied upon for evacuation during disasters and its infrastructure is dated and deficient. Reconstruction of CR 12 is targeted at the elimination of, or the reduction of, flooding that results from its proximity to the Great South Bay. This alternative is not recommended due to the deteriorated condition of the existing drainage system and associated flooding. The potential consequences of this alternative would include continued degraded road conditions (sinkholes) and lack of accessibility for emergency vehicles due to flooding.

Summary of Findings and Conclusions:
Suffolk County’s proposed reconstruction of Suffolk County road (CR 12) is targeted at the elimination of, or the reduction of, flooding that results from its proximity to the Great South Bay. CR 12 is adjacent to several streams, creeks and drainage systems that run underneath it but are either designed to or no longer have the capacity to facilitate storm water runoff during storm and inclement weather events.
Reconstruction of CR 12 would address deficiencies in the County’s transportation infrastructure made apparent in the immediate aftermath of Superstorm Sandy, the weeks that followed, and in subsequent weather events. The project will ensure that residents of Suffolk County, and in particular, residents of the Village of Amityville, the Village of Babylon, the Hamlet of Copiague, the Village of Lindenhurst, and the Hamlet of West Babylon have access to a direct evacuation route during future storm events. As shown above in the Environmental Assessment Checklist, no significant land development, neighborhood, socioeconomic, natural resources, community facility or other direct, indirect, or cumulative impacts would result from the proposed project. As shown in the accompanying Statutory Checklists, the proposed project would comply with all relevant regulations listed in 24 CFR subparts 58.5 and 58.6.
Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

The Proposed Project is not expected to result in any environmental impacts. However, as discussed above, state and federal jurisdictional wetlands are located within the project area. A Joint Application to permit the construction in DEC wetlands and/or adjacent areas and permit applications in accordance with Clean Water Action Section 404/401 for submission to the U.S. Army Corps of Engineers (USACE) will be submitted for the Proposed Project. Any disturbance in the waterway would be minor, and any disturbed area would be restored to its original condition.

In addition, construction equipment emissions must be limited as follows:

- Idling Restriction. In addition to adhering to the local law restricting unnecessary idling on roadways, on-site vehicle idle time will also be restricted to five minutes for all equipment and vehicles that are not using their engines to operate a loading, unloading, or processing device (e.g., concrete mixing trucks) or otherwise required for the proper operation of the engine.

- Utilization of Newer Equipment. EPA’s Tier 1 through 4 standards for nonroad engines regulates the emission of criteria pollutants from new engines, including PM, CO, NOx, and hydrocarbons (HC). All nonroad construction equipment with a power rating of 50 hp or greater would meet at least the Tier 2 emissions standard to the extent practicable.

- Best Available Tailpipe Reduction Technologies. Non-road diesel engines with a power rating of 50 horsepower (hp) or greater and controlled truck fleets (i.e., truck fleets under long-term contract with the project) including but not limited to concrete mixing and pumping trucks would utilize the best available tailpipe (BAT) technology for reducing DPM emissions. Diesel particulate filters (DPFs) have been identified as being the tailpipe technology currently proven to have the highest reduction capability. Construction contracts would specify that all diesel nonroad engines rated at 50 hp or greater would utilize DPFs, either installed by the original equipment manufacturer (OEM) or retrofitted. Retrofitted DPFs must be verified by EPA or the California Air Resources Board (CARB). Active DPFs or other technologies proven to achieve an equivalent reduction may also be used.

In addition, as noted by the EPA, if the project disturbs over one acres of soil, the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity must be filed.

Any change to the approved scope of work will require re-evaluation by the Certifying Officer for compliance with NEPA and other laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.
Determination:

☑ Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

☐ Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Certifying Officer Signature: ____________________________ Date: 12/24/2015

Name/Title: Thomas J. King, Certifying Officer

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).
Appendix A
Endangered Species Act Determination
September 9, 2015

Patricia Cole
Deputy Field Supervisor
New York Field Office
U.S. Fish and Wildlife Service
3817 Luker Road
Cortland, NY 13045

Re: Informal Section 7 Consultation for the Suffolk County Road 12 (CR 12) Reconstruction Project

Dear Ms. Cole:

The Governor’s Office of Storm Recovery (GOSR), acting under the auspices of New York State Homes and Community Renewal’s (HCR) Housing Trust Fund Corporation (HTFC), on behalf of the Department of Housing & Urban Development (HUD) is currently preparing an Environmental Assessment (EA) for the Suffolk County Road 12 (CR 12) Project (the “Proposed Action”) (see Construction Plans 1 through 5). GOSR is acting as HUD’s non-federal representative for the purposes of conducting consultation pursuant to Section 7 of the Endangered Species Act.

The purpose of this letter is to provide the U.S. Fish and Wildlife Service – New York Field Office (USFWS) notice of the Proposed Action and to initiate informal consultation with USFWS under Section 7 of the Endangered Species Act (ESA) to determine whether any federally threatened, endangered, candidate, or proposed species, or their designated critical habitats could be affected.

The Proposed Action will be completed within existing County road rights-of-way and the location extends approximately 1.8 miles from County Line Road (CR 1) in the Village of Amityville to Garfield Avenue in the Hamlet of Copiague. The proposed roadway reconstruction will include adequate sized drainage system replacement and repair, including the installation of new storm water treatment units, along with full depth pavement patching, and asphalt resurfacing, all designed to increase resiliency and minimize damage to the infrastructure. A new culvert designed to handle a 100-year flood event will be installed under the section of road connecting the pond in Peterkin Park with Amityville Creek to replace an existing failing culvert (see Construction Plans Showing Improvements to CR 12, Oak Street, Between Wellington Place and Lake Street). The Proposed Action would occur within currently developed or disturbed areas and would have no potential to affect federally-protected species.

The USFWS Information, Planning and Conservation (IPaC) online planning tool Trust Resource List generated for the proposed project (see Attachment 1) lists the following Federally-listed species as having the potential to occur within the vicinity of the Proposed Action: piping plover (Charadrius

This correspondence represents the GOSR’s assessment of effects in compliance with section 7 of the ESA of 1973, as amended, with respect to the Proposed Action.

No habitat for piping plover, red knot, roseate tern, sandplain gerardia and seabeach amaranth is present within the project area. Therefore, the Proposed Action has no or little potential for effect to these species or the habitats on which these species depend.

The northern long-eared bat, proposed for listing as federally endangered, is a temperate, insectivorous bat whose life cycle can be coarsely divided into two primary phases - reproduction and hibernation. Northern long-eared bats hibernate in caves or mines during winter and then emerge in early spring, with males dispersing and remaining solitary until mating season at the end of the summer, and pregnant females forming maternity colonies in which to rear young. No caves or mines occur near the project site. Summer habitat of the northern long-eared bat generally includes upland and riparian forest within heavily forested landscapes (Ford et al. 2005, Henderson et al. 2008). The long-eared bat is sensitive to fragmentation and urbanization, and requires interior forest for both foraging and breeding (Foster and Kurta 1999, Broders et al. 2006, Henderson et al. 2008). Roost trees are usually in intact forest, close to the core and away from large clearings, roads, or other sharp edges (Menzel et al. 2002, Owen et al. 2003, Carter and Feldhammer 2005). Trees present within the project area are bounded by an urbanized landscape and broken up by roadways, limiting the potential for northern long-eared bat to occur within the project limits. The limited amount of tree clearing that would occur for the Proposed Action would only occur during the October 1 to March 31 tree clearing window to minimize adverse effects to northern long-eared bat, would result in minimal habitat loss, and would not result in fragmentation of a contiguous woodland area. For these reasons, the Proposed Action may affect but is unlikely to adversely affect the northern long-eared bat or the habitat on which this species depends.

**Compliance**

For purposes of consultation under Section 7(a)(2) of the ESA, we conclude that the Proposed Action will have no effect on the piping plover, red knot, roseate tern, sandplain gerardia and seabeach amaranth or the habitats on which these species depend, and may affect but is unlikely to adversely affect northern long-eared bat and the habitats on which this species depends. We request your concurrence with this determination.

If you have questions or require additional information regarding this request, please contact me at (646) 417-4660 or thomas.king@stormrecovery.ny.gov. Thank you for your time and consideration.
Sincerely,

Thomas J. King, Esq.
Certifying Officer, NYS Homes and Community Renewal

Literature Cited


Appendix B
Floodplain/Wetland Management 5-Step
Floodplain Determination
Floodplain 5-Step Process
in accordance with Executive Order 11988: Floodplain Management
New York Governor’s Office of Storm Recovery
Suffolk County Road 12 (CR 12) Reconstruction and Resiliency Project
Thomas J. King – Certifying Environmental Officer
September 2015

Suffolk County is requesting funding from the New York State Governor’s Office of Storm Recovery (GOSR) for the reconstruction of a portion of Suffolk County Road 12 (CR 12), extending approximately 1.8 miles from County Line Road (CR 1) in the Village of Amityville to Garfield Avenue in the Hamlet of Copiague, within the Town of Babylon, Suffolk County, New York (see Figure 1).

Suffolk County has requested $6,750,000 for construction and $750,000 for construction inspection, resulting in a total request of $7.5 million in Community Development Block Grant – Disaster Recovery (CDBG-DR) funding through the Local Government Support Program for reconstruction of a portion of Suffolk County Road 12 (CR 12). The project specifically includes the reconstruction of CR 12, which requires extensive construction to complete. This project includes excavation to enable replacement and repair of existing drainage system, full depth pavement patching, resurfacing, curb and sidewalk replacement, pavement marking and the necessary traffic signal modifications that would comply with the Americans with Disabilities Act (ADA). The project will be designed for completion within existing County road rights-of-way.

The proposed roadway reconstruction will include adequate sized drainage system replacement and repair, including the installation of new storm water treatment units, along with full depth pavement patching, and asphalt resurfacing, all designed to increase resiliency and minimize damage to the infrastructure. A new culvert designed to handle a 100-year flood event will be installed under the section of road connecting the pond in Peterkin Park with Amityville Creek to replace an existing failing culvert. These improvements will be designed to mitigate and prevent future flooding and ensure a safe east-west travel route for evacuations away from the impact zone.

Pursuant to 24 CFR §55.12(a)(4), steps 2, 3, and 7 of the 8-step process for floodplain management do not apply to projects involving the improvement of existing nonresidential buildings and structures, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the action does not meet the thresholds for “substantial improvement” under §55.2(b)(10) and that the footprint of the structure and paved areas is not significantly increased. The Village of Amityville (CID 360788#), the Village of Lindenhurst (CID 360798#) and the Town of Babylon (CID 360790#) are all in the NFIP and are in good standing and the proposed project does not constitute a substantial improvement. Therefore, the abbreviate 5-step process for floodplain management is herein followed.

Step ONE: Determine if a Proposed Action is potentially in a wetland or a floodplain
GOSR is proposing to fund the proposed action within the 100-year Floodplain, as indicated by Flood Insurance Rate Map 36103C0841H (See Figure 2 – FEMA floodplain map).
CR-12 crosses over Amityville Creek and associated wetlands identified by the NYSDEC as A-4 (See Figure 3). Peterkin Park Pond, which is located adjacent to the north of the project area, is also mapped on the USFWS NWI maps (See Figure 4).

Step TWO: Identify and evaluate the direct and indirect impacts of the Proposed Action

To address the impacts of Superstorm Sandy, this project is designed to reconstruct a deficient Suffolk County road (CR 12) to bolster its efficiency, particularly during inclement weather events. During Superstorm Sandy, use of and reliance upon CR 12 was particularly heavy, as alternative east-west roads had to be closed due to severe flooding limiting emergency escape procedures and access to critical care facilities and evacuation shelters. CR 12 is the first and closest east-west road north of the inundation zone.

Constructed during the 1950s, CR 12 is a critical east-west road heavily relied upon for evacuation during disasters. Although Suffolk County’s residents, businesses, hospitals and shelters rely upon CR 12 for evacuation, as the roadway is several miles north of the Sandy inundation area, its infrastructure is dated and deficient. Reconstruction of CR 12 is targeted at the elimination of, or the reduction of, flooding that results from its proximity to the Great South Bay. CR 12 is adjacent to several streams, creeks and drainage systems that run underneath it but are either designed to or no longer have the capacity to facilitate storm water runoff during storm and inclement weather events.

Superstorm Sandy caused massive flooding and road closures on the south shore of Long Island. Designated east-west evacuation routes are similarly impaired during storm events. Other designated east-west evacuation routes include Montauk Highway (NYS Route 27A) and Sunrise Highway (NYS Route 27). Traffic is often diverted from these roads onto CR 12 during flood events. CR 12’s importance was magnified during Superstorm Sandy when flooding forced the closure of NYS Route 27A, which resulted in the overuse of CR 12 for the duration of the flooding. CR 12 served as the most important east-west alternate roadway through the Village of Lindenhurst as NYS Route 27A was completely impassible due to major flooding in certain locations. During normal travel, CR 12 is a high use roadway. During times of evacuation, disaster, emergencies or road closures, CR 12 is utilized as an alternate evacuation route.

Reconstruction of CR 12 would address dangerous deficiencies made apparent in the immediate aftermath of Superstorm Sandy, the weeks that followed, and in subsequent weather events. In the Town of Babylon, CR 12 is part of a crucial bus route used to evacuate residents living south of NYS Route 27 near Great South Bay and is relied upon during emergency evacuations to transport Suffolk County residents to one of its shelter sites. The evacuation route also includes a loop around the Town of Babylon, the Village of Babylon, and the Village of Lindenhurst. An east-west evacuation route is crucial during weather events because of the location of Suffolk County’s hospitals, trauma centers and shelters. The project will ensure that residents of Suffolk County, and in particular, residents of the Village of Amityville, the Village of Babylon, the Hamlet of Copiague, the Village of Lindenhurst, and the Hamlet of West Babylon have access to a direct evacuation route during future storm events.

Therefore, no direct or indirect adverse impacts to the floodplain are anticipated as a result of this project. At a minimum, the project will result in positive impacts to the floodplain by eliminating or reducing flooding, and it will provide for improved facilitation of storm water runoff during storm and inclement weather events.
The current system consists of corrugated metal pipe that is severely corroded must be replaced. The new culvert will span approximately 50 feet and be located beneath CR12 and will limit disturbance to wetlands. There will be direct impacts to Amityville Creek and the Peterkin Park Pond associated with the culvert replacement beneath CR 12. Any disturbances to the wetlands surrounding the culvert will be minor and temporary and any disturbed area would be restored to its original condition.

**Step THREE: Where practicable, design or modify the Proposed Action to minimize the potential adverse impacts to and from the 100-year and to restore and preserve its natural and beneficial functions and values**

To address the impacts of Superstorm Sandy, this project is designed to reconstruct a deficient Suffolk County road (CR 12) to bolster its efficiency, particularly during inclement weather events. During Superstorm Sandy, use of and reliance upon CR 12 was particularly heavy, as alternative east-west roads had to be closed due to severe flooding limiting emergency escape procedures and access to critical care facilities and evacuation shelters. CR 12 is the first and closest east-west road north of the inundation zone.

Constructed during the 1950s, CR 12 is a critical east-west road heavily relied upon for evacuation during disasters. Although Suffolk County’s residents, businesses, hospitals and shelters rely upon CR 12 for evacuation, as the roadway is several miles north of the Sandy inundation area, its infrastructure is dated and deficient. Reconstruction of CR 12 is targeted at the elimination of, or the reduction of, flooding that results from its proximity to the Great South Bay. CR 12 is adjacent to several streams, creeks and drainage systems that run underneath it but are either designed to or no longer have the capacity to facilitate storm water runoff during storm and inclement weather events. Based on a review of the construction plans, the only direct impact to waterways and/or wetlands will be to Amityville Creek during the culvert replacement.

Superstorm Sandy caused massive flooding and road closures on the south shore of Long Island. Designated east-west evacuation routes are similarly impaired during storm events. Other designated east-west evacuation routes include Montauk Highway (NYS Route 27A) and Sunrise Highway (NYS Route 27). Traffic is often diverted from these roads onto CR 12 during flood events. CR 12’s importance was magnified during Superstorm Sandy when flooding forced the closure of NYS Route 27A, which resulted in the overuse of CR 12 for the duration of the flooding. CR 12 served as the most important east-west alternate roadway through the Village of Lindenhurst as NYS Route 27A was completely impassible due to major flooding in certain locations. During normal travel, CR 12 is a high use roadway. During times of evacuation, disaster, emergencies or road closures, CR 12 is utilized as an alternate evacuation route.

Reconstruction of CR 12 would address dangerous deficiencies made apparent in the immediate aftermath of Superstorm Sandy, the weeks that followed, and in subsequent weather events. In the Town of Babylon, CR 12 is part of a crucial bus route used to evacuate residents living south of NYS Route 27 near Great South Bay and is relied upon during emergency evacuations to transport Suffolk County residents to one of its shelter sites. The evacuation route also includes a loop around the Town of Babylon, the Village of Babylon, and the Village of Lindenhurst. An east-west evacuation route is crucial during weather events because of the location of Suffolk County’s hospitals, trauma centers and shelters. The project will ensure that residents of Suffolk County, and in particular, residents of the Village of Amityville, the Village of Babylon, the Hamlet of Copiague, the Village of Lindenhurst, and the Hamlet of West Babylon have access to a direct evacuation route during future storm events.
Any disturbed areas will be minor and temporary and restored to its original condition. The project will obtain all appropriate state and federal permits for work within wetlands and waterways. The project will obtain all appropriate state and federal permits for work within wetlands and waterways.

**Step FOUR: Re-evaluate the Proposed Action**
The existing drainage basins require extensive repair or replacement. CR 12 is adjacent to several streams, creeks and drainage systems that run underneath it but are either not designed to or no longer have the capacity to facilitate storm water runoff during storm and inclement weather events. In Babylon, back up from drainage pipes resulted from overflowing streams due to water accumulating under CR 12. Based on a review of the construction plans, the only direct impact to waterways and/or wetlands will be to Amityville Creek during the culvert replacement.

Within the Great South Bay, Fire Island Inlet is the only inlet that allows water in and out of the bay. Over the last 15 years, the inlet has shrunk in size, resulting in the water level rising in the Great South Bay. There is an interconnected drainage system, with water running from five miles upland of the Great South Bay that flow directly under CR 12, and all of the water from streams, lakes, and rivers is deposited in the Great South Bay.

This project is a stand-alone project that reconstructs a heavily traveled road and crucial evacuation route during storm events. Needed improvements will benefit the residents of Suffolk County. Other alternatives are not feasible and will not result in the needed benefits resulting from the proposed project.

**Step FIVE: Implement the Action**
GOSR has determined that the proposed project will have no direct or indirect adverse impacts to the Floodplain and waterways and wetlands and has evaluated and eliminated project alternatives in favor of proceeding with the proposed project.
Figure 1: Suffolk County Road 12 (CR 12) Reconstruction and Resiliency Project

**Project Location Map**

LiRo Engineers, Inc.
3 Aerial Way, Syosset, New York

**Project Location**

**Title:** Suffolk County Road 12 (CR 12) Reconstruction and Resiliency Project

**Site Location Map**

**Figure No:** 1

**Drawing by:** DPA

**Check by:** GPA
FIGURE 2

LEGEND

- SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION
  BY THE 1% ANNUAL CHANCE FLOOD

<table>
<thead>
<tr>
<th>ZONE</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>No Base Flood Elevations determined.</td>
</tr>
<tr>
<td>AE</td>
<td>Base Flood Elevations determined.</td>
</tr>
<tr>
<td>AH</td>
<td>Flood depths of 1 to 3 feet (usually areas of planting); base flood elevation determined.</td>
</tr>
<tr>
<td>AO</td>
<td>Flood depths of 1 to 3 feet (usually areas of planting); base flood elevation determined.</td>
</tr>
<tr>
<td>AR</td>
<td>Special Flood Hazard Areas (areas protected from the 1% annual chance flood by a flood control system that was subsequently discontinued).</td>
</tr>
<tr>
<td>ARB</td>
<td>Areas to be protected from the 1% annual chance flood by a flood control system under construction or to be flood controlled in the future.</td>
</tr>
<tr>
<td>V</td>
<td>Coastal flood zone with velocity hazard (wave effects); base flood elevation determined.</td>
</tr>
<tr>
<td>VE</td>
<td>Coastal flood zone with velocity hazard (wave effects); base flood elevation determined.</td>
</tr>
</tbody>
</table>

Suffolk County Road 12 (CR 12)
Reconstruction and Resiliency Project
Suffolk County, New York

Flood Insurance Rate Map (west)
Suffolk Co CR 12 Reconstruction

Visible Layers
- Classified Streams
- Classified Ponds
- State-Regulated Freshwater Wetlands
- Wetland Disclosure
- State-Regulated Freshwater Wetlands
- Rare Plants and Rare Animals
- Significant Natural Communities Suffered
- Natural Communities Nearby
- Significant Natural Communities
- Interstate Highways
- Adirondack Park Boundary
- Counties

Disclaimer: This map was prepared by the New York State Department of Environmental Conservation using the most current data available; it is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.

Suffolk County Road 12 (CR 12) Reconstruction and Resiliency Project
Suffolk County, New York

NYSDEC
Wetlands Map
USFWS
Wetlands Map

Project Location

Suffolk Co. CR 12
Reconstruction

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

Riparian
- Herbaceous
- Forested/Shrub

Riparian Status
- Digital Data

User Remarks:

Suffolk County Road 12 (CR 12) Reconstruction and Resiliency Project
Suffolk County, New York

USFWS
Wetlands Map
Appendix C
Historic/Cultural Resources Determination
September 16, 2015

Harry B. Wallace, Chief
Unkechaug Tribe
207 Poospansk Lane
Mastic, NY 11950

Re: Section 106 Discussion
CDBG-DR Funding Application for the Suffolk County Road 12 (CR 12) Reconstruction Project
Village of Amityville and Hamlet of Copiague, Suffolk County, NY

Dear Mr. Wallace,

This letter invites you to participate as a consulting party for review of the proposed Suffolk County Road 12 (CR 12) Reconstruction Project (Proposed Action) pursuant to Section 106 of the National Historic Preservation Act (NHPA; 36 CFR § 800). The Proposed Action will be completed within existing County road rights-of-way and the location extends approximately 1.8 miles from County Line Road (CR 1) in the Village of Amityville to Garfield Avenue in the Hamlet of Copiague. The proposed roadway reconstruction will include adequate sized drainage system replacement and repair, including the installation of new storm water treatment units, along with full depth pavement patching, and asphalt resurfacing, all designed to increase resiliency and minimize damage to the infrastructure. A new culvert (3’ by 6’) designed to handle a 100-year flood event will be installed under the section of road connecting the pond in Peterkin Park with Amityville Creek to replace an existing 2.5’ by 4.5’ failing concrete culvert (see enclosed Site Location Map and Site Location Aerial Map). The Proposed Action would occur within currently developed or disturbed areas.

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Governor’s Office of Storm Recovery (GOSR) is acting under the auspices of New York State Homes and Community Renewal’s Housing Trust Fund Corporation as a recipient of Community Development Block Grant – Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”). GOSR is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. GOSR is acting as lead agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your Tribe to respond with any concerns or comments pursuant to Section 106.

GOSR processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. A consultation request for the Project described herein has also been sent to the State Historic Preservation Office (SHPO). In accordance with Section 101(d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG-DR
funding, the Project will undergo review pursuant to Section 106 of the NHPA. Review of the Project under Section 106 of the NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). GOSR is serving as lead agency under the National Environmental Policy Act (“NEPA”) and the State Environmental Quality Review Act (“SEQRA”), and related laws, for the environmental review of the Project. No historical properties were identified within the project area or being impacted by the project during the HUD NEPA environmental review.

At this time, GOSR is seeking the Unkechaug Tribe’s comments on the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Unkechaug Tribe. We would appreciate your response within 15 days of the date of this letter. Please respond by email to Thomas.King@stormrecovery.ny.gov or in writing to the address listed below.

Mr. Thomas King  
Certifying Environmental Officer  
Governor’s Office of Storm Recovery  
99 Washington Avenue, Suite 1224  
Albany, New York 12260

I am available to answer any questions that you may have regarding this action. If you have any questions, please feel free to contact me at (646) 417-4660 or via email at the address listed above.

Thank you for your consideration and cooperation.

Sincerely,

Thomas J. King  
Assistant General Counsel and Certifying Officer

Enclosures:  
Site Location Map  
Site Location Aerial Map

Mailed letter sent to:  
Harry B. Wallace, Chief  
Unkechaug Tribe  
207 Poospansk Lane  
Mastic, NY 11950
Electronic letter sent to:
Harry B. Wallace, Chief
Unkechaug Tribe
207 Poospansk Lane
Mastic, NY 11950
Hwall1@aol.com
September 16, 2015

Daniel S. Collins Sr., Chairman
Shinnecock Indian Nation Tribal Office
PO Box 5006
Southampton, NY 11969

Re: Section 106 Discussion
CDBG-DR Funding Application for the Suffolk County Road 12 (CR 12) Reconstruction Project
Village of Amityville and Hamlet of Copiague, Suffolk County, NY

Dear Mr. Collins,

This letter invites you to participate as a consulting party for review of the proposed Suffolk County Road 12 (CR 12) Reconstruction Project (Proposed Action) pursuant to Section 106 of the National Historic Preservation Act (NHPA; 36 CFR § 800). The Proposed Action will be completed within existing County road rights-of-way and the location extends approximately 1.8 miles from County Line Road (CR 1) in the Village of Amityville to Garfield Avenue in the Hamlet of Copiague. The proposed roadway reconstruction will include adequate sized drainage system replacement and repair, including the installation of new storm water treatment units, along with full depth pavement patching, and asphalt resurfacing, all designed to increase resiliency and minimize damage to the infrastructure. A new culvert (3’ by 6’) designed to handle a 100-year flood event will be installed under the section of road connecting the pond in Peterkin Park with Amityville Creek to replace an existing 2.5’ by 4.5’ failing concrete culvert (see enclosed Site Location Map and Site Location Aerial Map). The Proposed Action would occur within currently developed or disturbed areas.

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Governor's Office of Storm Recovery (GOSR) is acting under the auspices of New York State Homes and Community Renewal’s Housing Trust Fund Corporation as a recipient of Community Development Block Grant – Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”). GOSR is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. GOSR is acting as lead agency on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments pursuant to Section 106.

GOSR processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. A consultation request for the Project described herein has also been sent to the State Historic Preservation Office (SHPO). In accordance with Section 101(d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. Due to the CDBG-DR
funding, the Project will undergo review pursuant to Section 106 of the NHPA. Review of the Project under Section 106 of the NHPA satisfies the requirements of Section 14.09 of the New York State Historic Preservation Act (SHPA). GOSR is serving as lead agency under the National Environmental Policy Act (“NEPA”) and the State Environmental Quality Review Act (“SEQRA”), and related laws, for the environmental review of the Project. No historical properties were identified within the project area or being impacted by the project during the HUD NEPA environmental review.

At this time, GOSR is seeking the Shinnecock Indian Nation’s comments on the enclosed documents and invites you to provide any views about the project and its potential to affect properties of religious and cultural significance to the Shinnecock Indian Nation. We would appreciate your response within 15 days of the date of this letter. Please respond by email to Thomas.King@stormrecovery.ny.gov or in writing to the address listed below.

Mr. Thomas King  
Certifying Environmental Officer  
Governor’s Office of Storm Recovery  
99 Washington Avenue, Suite 1224  
Albany, New York 12260

I am available to answer any questions that you may have regarding this action. If you have any questions, please feel free to contact me at (646) 417-4660 or via email at the address listed above.

Thank you for your consideration and cooperation.

Sincerely,

Thomas J. King  
Assistant General Counsel and Certifying Officer

Enclosures:  
SHPO Submission  
SHPO No Adverse Effect

Mailed letter sent to:  
Daniel S. Collins Sr., Chairman  
Shinnecock Indian Nation Tribal Office  
PO Box 5006  
Southampton, NY 11969
Electronic letter sent to:
Daniel S. Collins Sr., Chairman
Shinnecock Indian Nation Tribal Office
PO Box 5006
Southampton, NY 11969
sination@optonline.net

Tohanash Tarrant
Shinnecock Indian Nation Tribal Office
PO Box 5006
Southampton, NY 11969
tohanash.tarrant@shinnecock.org
October 16, 2015

Alicia Shultz
New York State Homes & Community Renewal
38-40 State Street
Albany, NY 12207

Re: GOSR/ HUD/ CDBG-DR
Suffolk County Road 12 (CR 12) Reconstruction Project
West Oak Street, Copiague/ Suffolk County
15PR05400

Dear Ms. Schultz:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based on this review, the opinion of the SHPO is that there will be No Historic Properties Affected by the proposed undertaking.

If I can be of further assistance, please contact me at (518) 268-2187 or Larry.moss@parks.ny.gov.

Sincerely,

Larry K Moss, Historic Preservation Technical Specialist

CC: Tom King, GOSR
September 16, 2015

John Bonafide  
Director, Technical Preservation Bureau  
Division for Historic Preservation  
NYS Office of Parks, Recreation & Historic Preservation  
P.O. Box 189 – Peebles Island State Park  
Waterford, NY 12188-0189

Re: Section 106 Compliance for CDBG-DR Funding Application for the Suffolk County Road 12 (CR 12) Reconstruction Project

Dear Mr. Bonafide:

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Governor's Office of Storm Recovery (GOSR) is acting under the auspices of New York State Homes and Community Renewal’s Housing Trust Fund Corporation as a recipient of Community Development Block Grant – Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”). GOSR is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. GOSR is acting on behalf of HUD in providing the enclosed project information and request for consultation.

GOSR processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. A consultation request for the project described herein will also be sent to the Shinnecock Indian Nation Tribal Office for the Shinnecock Indian Nation and the Unkechaug Tribe. In accordance with Section 101(d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470a), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action.

Area of Potential Effect: GOSR proposes to fund the application to conduct roadway reconstruction within existing County road rights-of-way extending approximately 1.8 miles from County Line Road (CR 1) in the Village of Amityville to Garfield Avenue in the Hamlet of Copiague. The enclosed Site Location Map shows the estimated Area of Potential Effect.

Proposed Project Description: To address the impacts of Superstorm Sandy, this project is designed to reconstruct a deficient Suffolk County road (CR 12) to bolster its efficiency, particularly during inclement weather events. During Superstorm Sandy, use of and reliance upon CR 12 was particularly heavy, as alternative east-west roads had to be closed due to severe flooding limiting emergency escape procedures and access to critical care facilities and evacuation shelters. CR 12 is
the first and closest east-west road north of the inundation zone. CR 12 is a critical east-west road heavily relied upon for evacuation during disasters. Suffolk County’s residents, businesses, hospitals and shelters rely upon CR 12 for evacuation. Reconstruction of CR 12 would address dangerous deficiencies made apparent in the immediate aftermath of Superstorm Sandy, the weeks that followed, and in subsequent weather events.

The proposed roadway reconstruction will include adequate sized drainage system replacement and repair, including the installation of new storm water treatment units, along with full depth pavement patching, and asphalt resurfacing, all designed to increase resiliency and minimize damage to the infrastructure. A new culvert (3’ by 6’) designed to handle a 100-year flood event will be installed under the section of road connecting the pond in Peterkin Park with Amityville Creek to replace an existing 2.5’ by 4.5’ failing concrete culvert (see enclosed Site Location Map and Site Location Aerial). The Proposed Action would occur within currently developed or disturbed areas.

The purpose of this letter is to initiate consultation pursuant to Section 106 of the National Historic Preservation Act (NHPA) per the implementing regulations at 36 Code of Federal Regulations (CFR) Part 800. GOSR respectfully requests your review of the proposed project described herein. If the Area of Potential Effect encompasses historic properties of religious or cultural significance, please respond within 15 days or sooner. Please respond by email or in writing to the address listed below.

Mr. Thomas King, Certifying Officer
Governor’s Office of Storm Recovery
99 Washington Avenue Suite 1224
Albany, New York 12260

If you have any questions or require additional information regarding this request, please feel free to contact me at (646) 417-4660 or via email at Thomas. King@stormrecovery.ny.gov. Thank you for your time and consideration.

Sincerely,

Thomas J. King
Certifying Officer

Enclosures:
Site Location Map
Site Location Aerial
PROJECT: Suffolk County Road 12 (CR 12) Reconstruction and Resiliency Project

TITLE: SITE LOCATION MAP

DATE: JULY 2015

SCALE: AS SHOWN

PROJECT NO: 14-128-1256

DRAWING BY: DPA

CHK BY: GPA

FIGURE NO: 1
FIGURE 2

Suffolk County Road 12 (CR 12) Reconstruction and Resiliency Project

DATE: JULY 2015

SCALE: AS SHOWN

PROJECT NO: 14-128-1256

DRAWING BY: DPA

CHK BY:
Appendix D
Sole Source Aquifer Determination
Mr. Thomas J. King  
Assistant General Counsel and Certifying Officer  
Governor’s Office of Storm Recovery  
25 Beaver Street  
New York, NY 10004

Dear Mr. King:

This is in response to your letter dated August 3, 2015 requesting a Sole Source Aquifer review of the proposed “Suffolk County Road 12 Reconstruction and Resiliency” project to be located in Suffolk County, New York. This project will extend approximately 1.8 miles from County Line Road (CR 1) in the Village of Amityville, to Garfield Avenue in the Hamlet of Copiague, within the Town of Babylon. The project will be designed to increase resiliency and to minimize damage to infrastructure during storm events. The project is to receive funding from the U.S. Department of Housing and Urban Development’s Community Development Block Grant-Disaster Recovery program. The proposed project is located in the Long Island Nassau/Suffolk Aquifer System, designated by the EPA as a Sole Source Aquifer on June 21, 1978 (citation 43 FR 26611). Therefore, our review has been conducted in accordance with Section 1424(e) of the Safe Drinking Water Act (SDWA).

County Road 12 was constructed during the 1950s, and is a critical east-west road that is heavily relied upon for evacuation during disasters. The current County Road 12 drainage system consists of corrugated metal piping which was replaced in 2012, as well as drainage basins that require extensive repair or replacement. The project includes the reconstruction of County Road 12 in the areas mentioned in the paragraph above. We note that this project will occur within existing County road rights-of-way. The project involves excavation to enable replacement and repair of existing drainage system, full depth pavement patching, asphalt resurfacing, curb and sidewalk replacement, pavement marking, and the necessary traffic signal modifications needed to comply with the Americans with Disabilities Act (ADA). The proposed project will not result in any additional impervious surface. Please see our recommendations below on stormwater and permeable pavements.

We understand that the proposed roadway reconstruction will include adequate sized drainage system replacement and repair, including the installation of new stormwater treatment units. A new culvert designed to handle a 100-year flood event will be installed under the section of road connecting the pond in Peterkin Park with Amityville Creek to replace an existing failing culvert. We understand that these improvements will be designed to mitigate and prevent future flooding and to ensure a safe east-west travel route for evacuations away from the impact zone. The
project also includes a comprehensive stormwater remediation effort on Amityville Creek and Great Neck Creek which are tributaries to Great South Bay. This will involve installing precast concrete stormwater treatment systems at each location that discharges highway stormwater. Please note that before commencing construction activity, the owner or operator of a construction project that will involve soil disturbance of one or more acres must obtain coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity. If this applies to this project, please follow the New York State Department of Environmental Conservation guidelines. Please see our recommendations below on stormwater and environmentally-friendly landscaping.

There are four public water supply wells operated by the Suffolk County Water Authority located within a one-half mile radius of the project location. Two of the wells are located near the western terminus of the portion of County Road 12 that is being reconstructed, while the other two wells are located near the eastern terminus. We note that the proposed project will not generate any additional demand for water.

Please note that before this project begins there should be a safety plan in place. Based on the information provided, the project satisfies the requirements of Section 1424(e) of the SDWA. Please be advised that meeting the requirements of 1424(e) does not preclude the need to meet National Environmental Policy Act (NEPA) requirements to address direct, indirect, and cumulative impacts. This review does not constitute a review under Section 309 of the Clean Air Act; EPA therefore reserves the right to review additional environmental documents on this project.

At this time, EPA offers the following additional comments to minimize environmental impacts and create a more sustainable project.

**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; and
- Use of clean diesel through add-on control technologies like diesel particulate filters and diesel oxidation catalysts, repowers, or newer, cleaner equipment.

For more information on diesel emission controls in construction projects, please see:

**Stormwater:**
We emphasize the importance of Low Impact Development (LID) principles such as minimizing effective imperviousness to create site drainage, and the planting of native and non-invasive vegetation on the project site for stormwater management purposes. Other LID practices can include bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. For further information, please see the following website:
http://water.epa.gov/po/waste/green/
Encourage cost-efficient, environmentally friendly landscaping:
EPA's GreenScapes program provides cost-efficient and environmentally friendly solutions for landscaping. For additional information, please see:
http://www.epa.gov/wastes/conserve/tools/greenscapes/index.htm

If you have any questions concerning this matter or would like additional information, please feel free to contact Rajini Ramakrishnan of my staff at (212) 637-3731.

Sincerely yours,

Grace Musumeci, Chief
Environmental Review Section
August 3, 2015

Ms. Grace Musumeci  
U.S. Environmental Protection Agency  
Region II Main Regional Office  
290 Broadway, 25th Floor New York, NY  10007

RE: CDBG-DR Funding Application, Suffolk County Road 12 - Reconstruction and Resiliency Project

Dear Ms. Musumeci:

The New York State Governor’s Office of Storm Recovery (GOSR) received a funding application for the Suffolk County Road 12 (CR 12) Reconstruction and Resiliency Project, extending approximately 1.8 miles from County Line Road (CR 1) in the Village of Amityville to Garfield Avenue in the Hamlet of Copiague, within the Town of Babylon, Suffolk County, New York. The proposed roadway reconstruction will include adequate sized drainage system replacement and repair, full depth pavement patching, and asphalt resurfacing, all designed to increase resiliency and minimize damage to the infrastructure.

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), GOSR is acting under the auspices of New York State Homes and Community Renewal’s Housing Trust Fund Corporation as a recipient of Community Development Block Grant – Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”) and is the entity responsible for compliance with the HUD NEPA environmental review procedures set forth in 24 C.F.R. Part 58. 24 C.F.R. Part 58 requires GOSR to review projects for conformance with the Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300(f) et seq., and 21 U.S.C. 349) as amended, and Environmental Protection Agency (EPA) regulations pertaining to Sole Source Aquifers found at 40 C.F.R. Part 149.

In accordance with the Memorandum of Understanding (“MOU”) between EPA and HUD dated August 24, 1990, GOSR hereby requests an Initial Screen/Preliminary Review for the project. Please review the attached documentation, including Attachment 2.A and 3 to the MOU. Responses can be sent to me via email at Thomas.King@stormrecovery.ny.gov. In accordance with the MOU, please respond within fifteen days. If you have any questions, please call me at (518) 473-0015.

Sincerely,

Thomas J. King  
Assistant General Counsel and Certifying Officer
ATTACHMENT 2.A

NON-HOUSING/PROJECT ACTIVITY INITIAL SCREEN CRITERIA
(For projects in a designated Sole Source Aquifer area)

The following list of criteria questions are to be used as an initial screen to determine which non-housing projects/activities should be forwarded to the Environmental Protection Agency (EPA) for Preliminary Sole Source Aquifer (SSA) Review. (For housing projects/activities see Attachment 2.B) If any of the questions are answered affirmatively, Attachment 3, SSA Preliminary Review Requirements, should also be completed. The application/final statement, this Attachment, Attachment 3, and any other pertinent information should then be forwarded to EPA at the address below.

Any project/activity not meeting the criteria in this Attachment, but suspected of having a potential adverse effect on the Sole Source Aquifer should also be forwarded. Contact EPA if you have any questions.

Chief, Environmental Impacts Branch
USEPA Region II
26 Federal Plaza, Room 500
New York, New York 10278
(212) 264-1840

CRITERIA QUESTIONS

1. Is the project/activity located within a currently designated or proposed groundwater sensitive area such as a special Ground Water Protection Area, Critical Supply Area, Wellhead Protection Area etc.? NO

2. Is the project/activity located within a one half mile radius (2640 feet) of a current or proposed public water supply well or wellfield? YES

3. Will the project/activity include or directly cause: (check appropriate items)
   - construction or expansion of solid waste disposal, recycling or conversion facilities NO
   - construction or expansion or closure of landfills NO
   - construction or expansion of water supply facilities NO
   - construction or expansion of on-site wastewater treatment plants or sewage trunk lines NO
   - construction or expansion of gas or petroleum trunk lines greater than 1320 feet NO
   - construction or expansion of railroad spurs or similar extensions NO
   - construction or expansion of municipal sewage treatment plants NO

4. Will the project/activity include storage or handling of any hazardous constituents as listed in Attachment 4, Hazardous Constituents? NO
5. Will the project/activity include bulk storage of petroleum in underground or above ground tanks in excess of 1100 gallons? NO

6. Will the project/activity require a federal or state discharge elimination permit or modification of an existing permit? NO

This attachment was completed by:

Name: Thomas King
Title: Assistant General Counsel and Certifying Officer
Governor’s Office of Storm Recovery
Address: 99 Washington Avenue
        Suite 1224
        Albany, NY 12260
Telephone number: (518) 473-0015
Date: _________________________
ATTACHMENT 3

SSA PRELIMINARY REVIEW INFORMATION REQUIREMENTS

Where currently available, the information in this Attachment should be provided to the Environmental Protection Agency (see address below) along with the application/final statement; Attachment 2.A, Non-Housing Initial Screen Criteria or Attachment 2.B, Housing Initial Screen Criteria; and any other information which may be pertinent to a Sole Source Aquifer review. Where applicable, indicate the source of your information.

Chief, Environmental Impacts Branch
USEPA Region II
26 Federal Plaza, Room 500
New York, New York 10278
(212) 264-1840

ENCLOSED
YES  NO

I. Project/Activity Location

1. Provide the geographic location and total acreage of the project/activity site. Include a site location map which identifies the site in relation to the surrounding area. YES

2. If applicable, identify which groundwater sensitive areas (Special Ground Water Protection Area, Critical Supply Area, Wellhead Protection Area etc.) the project/activity is located within or adjacent to. (Project is not in or adjacent to any of these areas.) NO

II. Nature of Project/Activity

3. Provide a general narrative describing the project/activity including but not limited to: type of facility; type of activities to be conducted; number and type of units; number of residents etc. Provide the general layout of the project/activity site and a site-plan if available. YES

III. Public Water Supply

4. Provide a description of plans to provide water supply.
   (Project will not use water or create a new demand for water) NO

5. Provide the location of nearby existing or proposed public water supply wells or wellfields within a one half mile radius (2640 feet) of the project/activity. Provide the name of the supplier(s) of those wells or wellfields. YES
IV. Wastewater and Sewage Disposal

6. Provide a description of plans to handle wastewater and sewage disposal. If the project/activity is to be served by existing public sanitary sewers provide the name of the sewer district. NO

7. Provide a description of plans to handle storm water runoff. YES

8. Identify the location, design, size of any on-site recharge basins, dry wells, leaching fields, retention ponds etc. (No such structures to be used.) NO

V. Use, Storage, Transport of Hazardous or Toxic Materials (Applies only to non-housing projects/activities)

9. Identify any products listed in Attachment 4, Hazardous Constituents, of the Housing and Urban Development-Environmental Protection Agency Memorandum of Understanding which may be used, stored, transported, or released as a result of the project not related to construction. (No hazardous constituents to be used.) NO

10. Identify the number and capacity of underground storage tanks at the project/activity site. Identify the products and volume to be stored, and the location on the site. (No underground storage tanks to be used.) NO

11. Identify the number and capacity of above ground storage tanks at the project/activity site. Identify the products and volume to be stored, and the location on the site. NO
This form was completed by:

Name: Thomas King

Title: Assistant General Counsel and Certifying Officer
Governor’s Office of Storm Recovery

Address: 99 Washington Avenue
Suite 1224
Albany, NY 12260

Telephone number: (518) 473-0015

Date: [Signature]
Project Description

The project location is Suffolk County Road (CR 12) (West Oak Street) extending approximately 1.8 miles from County Line Road (CR 1) in the Village of Amityville to Garfield Avenue in the Hamlet of Copiague. The target area for the project includes the area around this section of CR 12, bounded by a line midway between Sunrise Highway and CR 12 to the north and by the Great South Bay to the south. The right-of-way is approximately 49.5 feet, with curb to curb distance varying from 30 to 34 feet.

CR 12 was constructed during the 1950s and is a critical east-west road that is heavily relied upon for evacuation during disasters. The current CR 12 drainage system consists of corrugated metal piping which was replaced in 2012, and drainage basins that require extensive repair or replacement.

The project specifically includes the reconstruction of CR 12, which requires extensive construction to complete. This project includes excavation to enable replacement and repair of existing drainage system, full depth pavement patching, resurfacing, curb and sidewalk replacement, pavement marking and the necessary traffic signal modifications that would comply with the Americans with Disabilities Act (ADA). The project will be designed for completion within existing County road rights-of-way.

The proposed roadway reconstruction will include adequate sized drainage system replacement and repair, including the installation of new storm water treatment units, along with full depth pavement patching, and asphalt resurfacing, all designed to increase resiliency and minimize damage to the infrastructure. A new culvert designed to handle a 100-year flood event will be installed under the section of road connecting the pond in Peterkin Park with Amityville Creek to replace an existing failing culvert. These improvements will be designed to mitigate and prevent future flooding and ensure a safe east-west travel route for evacuations away from the impact zone.

Figure 1 shows the regional location of the project. Figure 2 shows an aerial view of the project site.

Public Water Supply

The proposed project will not generate any additional demand for water.

There are four (4) public water supply wells operated by the Suffolk County Water Authority (SCWA) located within a one half mile radius of the project location. Two (2) of the wells are located near the western terminus of the portion of County Road 12 that is being reconstructed, while the other two (2) wells are located near the eastern terminus of the road.

Figure 3 shows the locations of all public water wells located within a one half mile radius of the project site.
Stormwater Run-off

The proposed project will not result in any additional impervious surface. The project includes a comprehensive stormwater remediation effort on Amityville Creek and Great Neck Creek which are tributary to Great South Bay by installing precast concrete stormwater treatment systems (STS) at each location that discharges highway stormwater.
PROJECT LOCATION

Suffolk County Road 12 (CR 12)
Reconstruction and Resiliency Project

LiRo Engineers, Inc.
3 Aerial Way, Syosset, New York

DATE: JULY 2015
SCALE: AS SHOWN
PROJECT NO: 14-128-1256
DRAWING BY: DPA
CHK BY:

SITE LOCATION MAP

PROJECT LOCATION

KEY MAP
Appendix E
Proposed Construction Plans and Wetland Boundary Map
CONSTRUCTION SPECIFICATIONS

1. Woven wire fence to be fastened securely to fence posts with wire ties or staples. Posts shall be steel tubing 1" O.D. x 2' long.
2. Filter cloth to be fastened securely to woven wire fencing with every 8 to 9" apart along fence line.
3. When two sections of filter cloth adjoin each other they shall be overlapped by 6". When laundered, filter cloth to be either tied, stapled, clipped, or approved equivalent.
4. Prefabricated units shall be good, durable, or approved equivalent.
5. Maintenance shall be performed as needed and material removed when "wastes" develop in the silt fence.

ITEM 10C: Temp. Silt Fence

ITEM 10B: Clearing and Grubbing