

**Tier 1 Environmental Review Record  
Community Development Block Grant – Disaster Recovery  
NY Rising Buyout and Acquisition Program:  
Putnam County, NY**

**PREPARED FOR:  
NEW YORK STATE HOMES AND COMMUNITY RENEWAL  
38 – 40 STATE STREET  
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**NOVEMBER 2014**

<b>ERR Project Summary</b>	
<b>Responsible Entity:</b>	New York State Homes and Community Renewal
<b>Certifying Officer:</b>	Mr. Thomas King, New York State Homes and Community Renewal
<b>Project Name:</b>	<b>NY Rising Buyout and Acquisition Program</b>
<b>Federal Agency:</b>	U.S. Department of Housing and Urban Development
<b>Project Sponsor:</b>	New York State Homes and Community Renewal
<b>Program Name:</b>	New York State Community Development Block Grant— Disaster Recovery
<b>Project Site Address:</b>	Individual Residential Sites
<b>Project County:</b>	Putnam County, New York
<b>Estimated Project Cost:</b>	\$600,000.00
<b>Project Sponsor Address:</b>	New York State Housing Trust Fund Corporation 38-40 State Street Albany, NY 12207
<b>Primary Contact's Name:</b>	Thomas J. King, Esq.
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<b>Project NEPA Classification:</b>	24 CFR 58.36 Environmental Assessment
<b>ENVIRONMENTAL FINDING:</b>	<input checked="" type="checkbox"/> <b>Finding of No Significant Impact</b> - The project will not result in a significant impact on the quality of the human environment. <input type="checkbox"/> <b>Finding of Significant Impact</b> - The project may significantly affect the quality of the human environment.
	<p>The undersigned hereby certifies that New York State Housing Trust Fund Corporation 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 under 24 CFR Part 58.</p>  <p>_____  <b>NAME:</b> Thomas J. King, Esq.  <b>Title/Agency:</b> Legal Counsel, NYS Homes and Community Renewal  <b>Date:</b> November 7, 2014</p>

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- Exhibit 1: NEPA Environmental Assessment Checklist
- Exhibit 2: Environmental Assessment Worksheet
- Exhibit 3: Buyout Site-Specific Checklist
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- Exhibit 5: Site-Specific Checklist Template
- Exhibit 6: DASNY Site Inspection Checklist

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- Appendix A: Putnam County USGS Topographic Maps
- Appendix B: Potential Environmental Justice Area Maps
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## Acronyms and Abbreviations

ABFE	Advisory Base Flood Elevation
ACM	Asbestos Containing Material
ASD	Acceptable Separation Distance
ASL	Above Sea Level
BFE	Base Flood Elevation
BMP	Best Management Practice
C&D	Construction and Demolition
CBRA	Coastal Barrier Resources Act
CBRS	Coastal Barrier Resources System
CDBG-DR	Community Development Block Grant – Disaster Recovery
CDC	Centers for Disease Control and Prevention
CEA	Critical Environmental Area
CFR	Code of Federal Regulations
EJ	Environmental Justice
EPA	Environmental Protection Agency
ERR	Environmental Review Record
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FEMA IA	Federal Emergency Management Agency Individual Assistance
FIRM	Flood Insurance Rate Maps
FMV	Fair Market Value
FONSI	Finding of No Significant Impact
HCR	New York State Homes and Community Renewal
HTFC	Housing Trust Fund Corporation
HUD	Housing and Urban Development
LWRP	Local Waterfront Revitalization Plan
MOU	Memorandum of Understanding
MS4	Municipal Separate Storm Sewer Systems
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NOAA	National Oceanographic and Atmospheric Administration
NOIRROF	Notice of Intent to Request Release of Funds
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NWI	National Wetlands Inventory
NY	New York
NYC	New York City
NYCRR	New York Code, Rules and Regulations
NYS	New York State
NYSDEC	New York State Department of Environmental Conservation
NYSDOS	New York State Department of State
NYSEG	New York State Electric and Gas

## Acronyms and Abbreviations (continued)

OCR	Office of Community Renewal
OPRHP	Office of Parks, Recreation and Historic Preservation
OSHA	Occupational Safety and Health Administration
PEA	Programmatic Environmental Assessment
P-FIRMS	Preliminary Flood Insurance Maps
QEP	Qualified Environmental Professional
RE	Responsible Entity
RRP	Repair, Renovation, and Painting
SEQR	State Environmental Quality Review Act
SFHA	Special Flood Hazard Area
SHPO	State Historic Preservation Office
SIP	State Implementation Plan
SNAP	Supplemental Nutrition Assistance Program
SWMP	Stormwater Management Program
SWPPP	Stormwater Pollution Prevention Plan
THPO	Tribal Historic Preservation Office
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey

## **1.0 NY Rising Buyout and Acquisition Program in Putnam County, NY**

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### **1.1 Background**

In 2011, Putnam County received extensive damage from the winds and flood waters caused by Hurricane Irene. The ninth named storm and first hurricane of the 2011 Atlantic hurricane season, Irene originated east of the Lesser Antilles in the Caribbean Sea as a well-defined Atlantic tropical wave. Having formed a closed center of circulation, on August 20, 2011, the system was designated as Tropical Storm Irene. Growing in intensity, Tropical Storm Irene made landfall in the island of St. Croix the same day, then a second landfall in Puerto Rico early on August 21, 2011. While crossing Puerto Rico, Irene strengthened into a Category 1 hurricane. Shortly before making four landfalls in the Bahamas, Irene peaked as a 120 mph (195 km/h) Category 3 hurricane. Hurricane Irene lessened in intensity as it crossed the Bahamas and struck North Carolina as a Category 1 hurricane on August 27, 2011. With Hurricane Irene's path projected to strike much of the East Coast, states of emergency and hurricane warnings were declared for several states, including New York State (NYS). Governor Andrew Cuomo declared a state of emergency on August 26, 2011. Shelters were prepared, and hundreds of thousands of people across NYS were evacuated from their homes.

Rain associated with Hurricane Irene began in Putnam County on the afternoon of August 27, 2011, with flooding beginning the next morning. On August 28, 2011, Hurricane Irene made landfall in New York with tropical storm force winds and causing disastrous flash flooding, especially in the eastern part of Upstate New York (NY).

Heavy rains from Hurricane Irene caused flooding throughout the Putnam County. Twenty-two bridges in the county were damaged by the storm, and parts of Philipstown were particularly hard hit with flooding that washed out roads. The Lake Peekskill area also experienced severe flooding. A small bridge on Snake Hill Road in Garrison on the western side of Putnam County was washed out. Although some residents experienced house flooding to the first or second floors, basement flooding was the most common flood damage reported. Reports of residence damage were highest across the central part of the county as this area contains a higher density of residential development. Approximately 56,000 customers in New York State Electric and Gas's (NYSEG) Brewster Division (parts of Westchester, Putnam, and Dutchess counties) lost electrical power. Strong winds coupled with soft soil from heavy rains increased the number of downed trees that brought down electrical wires and snapped utility poles.

In total for the United States, Hurricane Irene caused widespread destruction, 49 confirmed fatalities, and nearly \$15.6 billion in damage, making it the seventh costliest hurricane in United States history.

Superstorm Sandy, one of the largest Atlantic hurricanes to reach the United States on record, resulted in great devastation along the New York coast on October 29, 2012. Flooding and high winds along the coast, along with overland flooding, damaged communities throughout NYS. Fourteen counties were declared as federal disaster areas. Sixty New Yorkers died and two million utility customers lost power with some blackouts lasting up to three weeks. The storm damaged or destroyed as many as 300,000 housing units, affected or closed over 2,000 miles of roads, produced catastrophic flooding in subways and tunnels, and damaged major power

transmission systems. This destruction came in the wake of Hurricane Irene and Tropical Storm Lee, both of which had damaged NYS only one year prior to Superstorm Sandy, and was particularly devastating to an economy just recovering from the financial crisis.

On October 24, 2012, the National Oceanographic and Atmospheric Administration (NOAA) predicted that there was a 90% chance that Superstorm Sandy would impact the Mid-Atlantic and New England states, including NYS. In response to this prediction, Governor Andrew Cuomo proactively requested federal emergency assistance prior to Superstorm Sandy's landfall, and President Obama signed an emergency declaration for NYS. New York City (NYC) issued the second mandatory evacuation on record on October 28, 2012, evacuating residents in flood zones A and V. NYC also opened 76 public shelters.

In Putnam County, Superstorm Sandy also caused extensive flooding and flood damage throughout the county. At the peak of the storm, 129 roads were closed. On November 2, 2012 shortly after Superstorm Sandy had passed through, it is reported that 66 roads remained closed due to downed wires and/or trees. On October 30, 2012, during the worst part of the storm, approximately 80% of Putnam County residents were without power. Flood damage occurred throughout Putnam County affecting many of the same communities that were damaged the previous year by Hurricane Irene.

In total for the United States, Superstorm Sandy caused catastrophic damage, 73 direct and 87 indirect fatalities, and at least \$68 billion in damage, making it the second costliest hurricane in United States history.

## **1.2 Community Development Block Grant—Disaster Recovery**

Superstorm Sandy was the catalyst for the allocation of disaster relief funds under the Community Development Block Grant—Disaster Recovery (CDBG-DR). These funds are being used to assist not only counties that were devastated by Superstorm Sandy, but also counties that were severely impacted by Hurricane Irene and/or Tropical Storm Lee in 2011. Putnam County incurred severe damage from Superstorm Sandy, as well as damage from Hurricane Irene the previous year.

Following damage assessments performed by the U.S. Federal Emergency Management Agency (FEMA), President Obama also signed into law the “Disaster Relief Appropriations Act, 2013” (Public Law 113-2, approved January 29, 2013), which included \$16 billion in funding for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, as well as economic revitalization in the most impacted and distressed areas resulting from recent storm events.

The U.S. Department of Housing and Urban Development (HUD) is responsible for administration of the CDBG-DR program pursuant to the Disaster Relief Appropriations Act of 2013. The CDBG-DR program is designed to address the needs of NYS communities devastated by Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee. This funding was disbursed in two phases. On Tuesday, March 5, 2013, HUD published Federal Register Notice 5696-N-01, which established the requirements and processes for \$1.7 billion in Federal CDBG-DR aid appropriated by the United States Congress and allocated to NYS for disaster relief. On Monday,

November 18, 2013, HUD published Federal Register Notice 5696-N-06, which established the requirements and processes for \$2.097 billion in Federal CDBG-DR aid to NYS.

The Disaster Relief Appropriations Act requires grantees to submit an action plan to the HUD Secretary “detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds would address long-term recovery and restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas.”

As required by the CDBG-DR program, NYS submitted to the HUD Secretary the State of New York Action Plan for Community Development Block Grant Program Disaster Recovery (Action Plan) (issued April 25, 2013; amended August 13, 2013, August 16, 2013; August 19, 2013, November 15, 2013, December 18, 2013; May 27, 2014). The Action Plan describes the proposed use of HUD CDBG-DR funding to meet the unmet housing, economic development, community planning, and infrastructure needs of impacted communities. In the Action Plan, NYS identified more than \$6 billion in damage to residential structures in the areas most impacted by Superstorm Sandy and other recent eligible disaster events, such as Hurricane Irene and Tropical Storm Lee.

The Action Plan is being used as a guide by NYS Homes and Community Renewal (HCR), through its Office of Community Renewal (OCR) and the Housing Trust Fund Corporation (HTFC), for the distribution of CDBG-DR funding. The Action Plan helps to define how NYS would effectively use any available funding to recover and rebuild, and just as importantly, to stimulate economic growth in every affected community through a community-driven planning process.

The plan is based on six key principles:

1. *Building back better and smarter* – As New Yorkers repair the significant damage wrought by Superstorm Sandy, NYS will use the opportunity not to replace damaged buildings with the same structures, but to invest in additional mitigation to prevent similar damage from recurring.
2. *State-led, community-driven recovery* – NYS is collaborating closely with local governments and other organizations to ensure a coordinated and holistic response, while looking to individual communities to develop forward-looking local recovery plans that meet their specific needs.
3. *Recovery from Hurricane Irene and Tropical Storm Lee* – The recovery efforts will also extend to those communities still recovering from Hurricane Irene and Tropical Storm Lee.
4. *Leveraging private dollars* – NYS will undertake programs that will help unlock capital markets and increase the amount of low-interest financing of key projects by reducing the risk for private sector lenders.

5. *Spending accountability and transparency* – To make certain that funds are spent appropriately and responsibly, NYS will put rigorous spending accountability systems in place and employ an independent auditing firm.
6. *Urgency in action* – The recovery is a long-term endeavor but people need help today, so the projects and programs have been shaped to achieve the fastest delivery and best support possible.

To meet these objectives, NYS has established a number of individual programs to provide assistance for housing, economic development, resilience and retrofit, community planning and redevelopment, and public infrastructure. The NY Rising Buyout and Acquisition Program is designed to purchase one- to two-unit residential properties and vacant lots from voluntary applicants in order to relocate residents out of the most flood and storm-damage prone areas, in some cases leaving the properties as open space for flood attenuation, and in other cases redeveloping properties in a more resilient manner for future reuse.

HCR is acting as the Responsible Entity (RE) under 24 CFR Part 58—Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities. As the RE, HCR will complete environmental reviews for all NY Rising Programs in compliance with the National Environmental Policy Act (NEPA) and HUD environmental review standards. For the purpose of environmental reviews and in compliance with HUD rules, HCR will conduct Tier 1 Programmatic Environmental Assessments (PEAs) for the NY Rising Programs on a county-by-county basis as follows:

- 1-4 unit residential properties
- 5+ unit residential properties
- Buyouts and acquisitions<sup>1</sup>
- Bulkhead repairs or reconstruction for residential properties

This Tier 1 PEA evaluates the potential environmental impacts of the NY Rising Buyout and Acquisition Program in Putnam County (also referred to as the “proposed action”).

### **1.3 Proposed Action Location**

The geographic scope for the NY Rising Buyout and Acquisition Program described herein is the jurisdictional area of Putnam County, covering approximately 157,440 acres with approximately 2,900 acres located within floodplains (excluding surface water). Putnam County contains approximately 9,600 acres of surface water (lakes, ponds, reservoirs, and streams). Program activities are expected to take place in enhanced target zones and on individual residential properties throughout Putnam County that were affected by Hurricane Irene and Superstorm Sandy. Some of the more distressed neighborhoods occurred in the Towns of Carmel, Southeast, Kent, Patterson, Putnam Valley, and Philipstown. Property owners (referred to as the “Applicant” throughout this Tier 1 PEA) of any location within the county that sustained damage from Hurricane Irene and Superstorm Sandy are able to apply for the program.

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<sup>1</sup> The Tier 1 PEAs for Buyouts and Acquisitions will be completed separately for the counties within New York City: Bronx, Kings, New York, Queens, and Richmond Counties.

Based on FEMA Individual Assistance (FEMA IA) estimates from November 2013, the number of residences potentially impacted by these storms is approximately 649 from Hurricane Irene and 364 by Superstorm Sandy distributed across the Putnam County's six towns, three villages, and rural areas. At this time, no enhanced target zones have been identified in Putnam County. The number of potential structures impacted is subject to updates and refinements as more detailed information becomes available. The actual property addresses will not be identified until applications for assistance are reviewed and determined eligible for the program.

**Table 1**  
**Putnam County Demographics**  
Source: U.S. Census Bureau (census.gov) 2010 Census

	<b>Putnam County</b>	<b>Town of Carmel</b>	<b>Town of Southeast</b>	<b>Town of Kent</b>	<b>Town of Patterson</b>	<b>Town of Putnam Valley</b>	<b>Town of Philipstown</b>
	Total	Total	Total	Total	Total	Total	Total
Population	99,710	34,305	18,404	13,507	12,023	11,809	9,662
Average Household Size	2.77	2.90	2.71	2.72	2.74	2.80	2.53
Elderly 65+	12.5%	12.4%	12.8%	12.7%	10.0%	11.6%	15.5%
Below Poverty	5.8%	4.1%	6.9%	4.5%	10.2%	5.7%	7.1%
<b>Race</b>							
White Non-Hispanic	82.9%	85.4%	78.0%	81.3%	79.5%	84.7%	88.2%
Black/African American Non-Hispanic	2.1%	1.6%	1.8%	2.3%	4.0%	2.0%	1.5%
Hispanic	11.7%	10.1%	16.6%	13.0%	12.9%	9.8%	6.9%
Asian Non-Hispanic	1.8%	1.7%	2.4%	1.8%	1.7%	1.8%	1.4%
American Indian & Alaska Native Non-Hispanic	0.1%	0.1%	0.1%	0.2%	0.2%	0.1%	0.2%
Native Hawaiian & Pacific Islander Non-Hispanic	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%
Other Non-Hispanic	0.2%	0.2%	0.1%	0.2%	0.3%	0.2%	0.2%
<b>Housing</b>							
Total	38,224	12,348	7,095	5,508	4,272	4,837	4,164
Occupied	35,041	11,672	6,675	4,888	3,905	4,216	3,685
Owner-Occupied	81.9%	82.8%	77.3%	84.8%	81.2%	86.8%	78.3%
Renter-Occupied	18.1%	17.2%	22.7%	15.2%	18.8%	13.2%	21.7%
Vacant	3,183	676	420	620	367	621	479
1-2 Unit Homes	88.1%	89.1%	79.0%	96.2%	82.4%	97.3%	87.3%

## 1.4 Current Conditions and Trends

Putnam County is located in southeast NYS between the Hudson River and the State of Connecticut. The county occupies a total area of approximately 157,440 acres, of which about 2,900 acres are located within floodplains (excluding surface water). Numerous lakes and smaller ponds occur throughout the county including Lake Mahopac, Lake Oscawana, Canopus Lake, Putnam Lake, and Sagamore Lake. The largest water bodies in Putnam County are reservoirs located in the central and eastern part of the county. These reservoirs include Croton Falls, Middle Branch, East Branch, West Branch, Bog Brook, Boyd Corners, and Wiccoppee Reservoirs. The County is bordered by Dutchess County to the north; Fairfield County, Connecticut to the east; Westchester County to the south; and the Hudson River to the west with Orange County just across the Hudson River.

The county is drained by rivers and creeks that generally flow from north to the south-southwest, the largest of which, the Hudson River, forms the western boundary of the county. Much of the eastern and central part of Putnam County comprises the upper watershed of the Croton River, part of the NYC Watershed, formed by three branches of the river that flows south through adjacent Westchester County. These three tributaries of the Croton River are dammed and form the large drinking water reservoirs in eastern and central Putnam County.

According to the 2010 U.S. Census, the population of Putnam County was 99,710. Recent 2012 Census estimates a decrease in the population to 99,607. From the 2010 Census, approximately 82.9% of the population identifies as White Non-Hispanic, 11.7% identifies as Hispanic, 2.1% identifies as Black or African-American Non-Hispanic, 1.8% identifies as Asian Non-Hispanic, 0.1% identifies as American Indian or Alaskan Native Non-Hispanic, and 0.2% of the population in Putnam County identifies their race to be "other." In Putnam County, 12.5% of the population is age 65 or older (see Table 1: Putnam County Demographics on page 6).

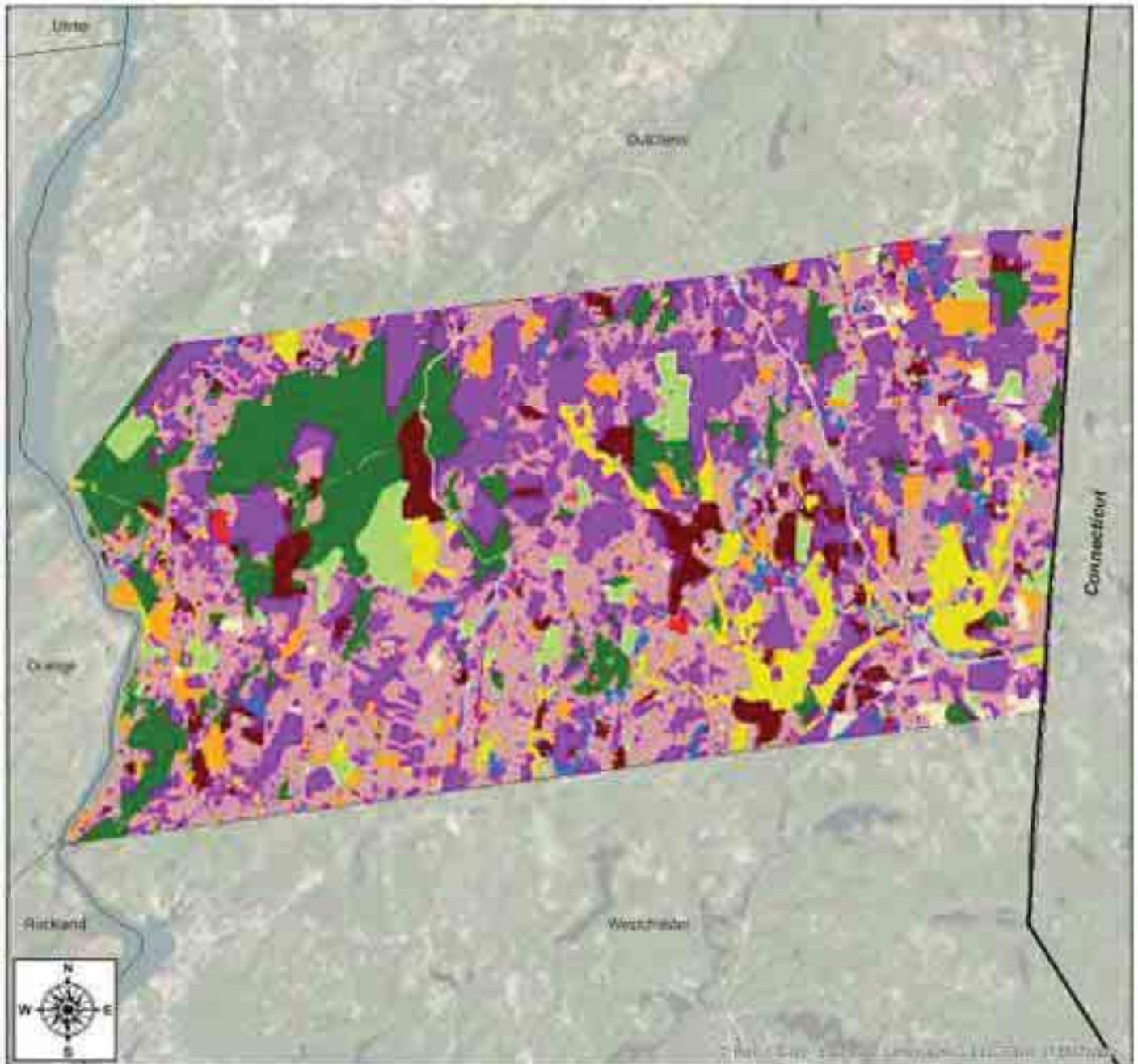
The population of Putnam County is distributed among six towns, three villages, and unincorporated rural areas. The population density of the county is approximately 433 people per square mile. As of 2011, the average median household income of Putnam County was \$95,259, and 5.8% of the population had an income below the poverty line. Approximately 79.5% of the Putnam County population lives in urban clusters, while 20.5% lives in rural areas.

As of 2010, Putnam County's housing stock was approximately 75.1% owner-occupied, 16.6% renter-occupied and 8.3% vacant. The median value of owner-occupied housing units was \$385,600. Based on 2010 Census data, Putnam County's housing stock was 91.7% occupied and 8.3% vacant, with approximately 81.9% of occupied housing being occupied by the owner and 18.1% of occupied housing being rented. The recent storm events have likely had an effect on the percentage of vacant homes.

The most dominant land uses in Putnam County are forested land and undeveloped land. Residential land use is the next largest land use, generally occurring throughout the county on large lot subdivisions or in rural areas. Institutional land uses including the hospital, government buildings, non-profit affiliated facilities, and schools are scattered through the county, but appear as significant blocks of land in the towns of Philipstown, Patterson, Kent, Putnam Valley and Carmel.

Active agricultural uses make up approximately 4.4% of land area; another 2.8% is classified as agricultural land (see Figure 1: Putnam County Land Use Map on page 9). The average farm size is 52.6 acres. Agricultural lands include tillable lands (890 acres), forest lands (4,024 acres), and pasturelands (1,818 acres). Because Putnam County is in the scenic Hudson Valley and within commuting distance to NYC, there is some pressure to convert county lands to non-agricultural development. Putnam County has one certified Agricultural District and has developed an Agricultural and Farmland Protection Plan to preserve open space and the rural character of the county.

Figure 1: Putnam County Land Use Map



**Legend**

-  County Boundary
-  Other Uses
-  Agriculture
-  Recreation
-  Forest Land
-  Commercial
-  Recreation & Entertainment
-  Commercial Services
-  Industrial
-  Public Services
-  Wetlands, Forested, Conservation Lands & Public Parks



## 1.5 Damage Assessments and Need

On August 28, 2011, heavy rainfall from Hurricane Irene began in Putnam County, causing devastating flooding and damage from raging rivers throughout the county. Although some residents experienced flooding on the first or second floor of their home, basement flooding was the most common flood damage reported. Reports of housing damage were highest across the central part of the county as this area contains a higher density of residential development.

Residents of the Glynwood area were evacuated as rapidly moving, powerful waters covered Route 301 and officials worried about a possible dam breach. The village of Cold Spring experienced severe flooding, with up to four feet of water in some areas, especially near the Hudson River. At the height of Hurricane Irene, the entire village was almost completely isolated by floodwaters. Many Cold Spring residents who lived near the Hudson River were evacuated from the riverfront until the water subsided.

The town of Philipstown was one of the municipalities most severely impacted by Hurricane Irene in Putnam County. Water from the Clove Creek rushed down Route 301, forcing a dramatic rescue of two families in its path by volunteer firefighters. The town was rife with road closures, washed out bridges, and power outages. The Old Albany Post Road was damaged in several sections. Indian Brook Road West, Philipse Brook Road, South Mountain Pass, and East Mountain Road South were all substantially damaged by Hurricane Irene, including damage to the road beds.

Twenty-two bridges in Putnam County were damaged by Hurricane Irene. A small bridge on Snake Hill Road in Garrison on the western side of Putnam County was washed out, as was the Mill Road Bridge in Philipstown.

Fallen trees tore down electrical lines across Putnam County, leaving most residents in the county without electricity. Thousands of residents remained without power throughout the weekend and into the following week. NYSEG reported 24,000 power outages after Hurricane Irene. On September 3, 2011, approximately 99% of NYSEG customers' power had been restored; however, 300 people were still left without power in the company's Brewster corridor, which includes parts of Westchester, Putnam, and Dutchess counties.

Putnam County was also impacted by extensive flooding and power outages from Superstorm Sandy in 2012. Superstorm Sandy also caused trees to fall, downed power lines, and caused fuel oil and sewage to wash into the Hudson River. At the peak of the storm on October 30, 2012, approximately 80% of Putnam County residents were without power and 129 roads were closed.

Superstorm Sandy caused severe flooding in Philipstown, Garrison Landing, Manitou, and Cold Spring along the Hudson River. At least 32 homes and businesses in these municipalities were inundated with water up to several feet deep. A mandatory evacuation was ordered for Manitou residents; however, some residents refused to leave or evacuated too late. The Garrison Volunteer Fire Company used boats to rescue a couple and their infant in Manitou who were trapped on the second floor of their house, with the smell of fuel oil evident in the dwelling. Flood waters from Superstorm Sandy caused a 275-gallon oil tank overturn at a residence in the hamlet of Garrison Landing.

The West Street pump station which routes wastewater toward the Cold Spring sewage treatment plant was flooded with six feet of water during Superstorm Sandy. Not only were the underground parts of the pump station flooded, but the above-ground outdoor control panel was also completely submerged. With the pump station shut down, untreated sewage flowed into the Hudson River.

In the aftermath of Superstorm Sandy, Putnam County residents filled both car tanks and hand-held canisters with gasoline, causing five service stations in Philipstown to exhaust their gasoline supply. Police officers in Cold Spring directed traffic queues near the Elmesco service station to keep order.

The greatest number of reported residential damage was through the central part of the county where the population density is higher. However, reports of residential flood damage were not as prevalent as they were after Hurricane Irene.

Based on FEMA IA data from April 2013, more than 430 owner-occupied homes were damaged by Hurricane Irene, and 75 owner-occupied homes and more than ten renter-occupied homes were damaged or destroyed by Superstorm Sandy in Putnam County. These numbers account for less than 1% of reported housing damage caused from Superstorm Sandy and for approximately 1.5% of reported housing damage caused from Hurricane Irene in NYS. More recent FEMA IA data from November 2013 indicates that as many as 1,013 homes in Putnam County have been impacted by the recent disasters.

In determining the impact on housing during its inspection process, FEMA uses the following definitions:

**Moderate Damage:** Moderate structure damage includes less than six inches of water on the first occupied floor of the dwelling. Other event types, such as fire, may have visible soot and ash that impacts habitability requiring professional cleaning. Access to the dwelling can be considered minor due to conditions such as minor washouts requiring some road fill that prevents routine access to the dwelling. According to FEMA initial assessment data for Putnam County, Hurricane Irene caused flooding of less than six inches to the first floor of 50 houses.

**Substantial Damage:** Substantial structure damage should be noted with water levels greater than six inches and less than four feet on the first occupied floor of the dwelling. Items that can comprise substantial damage include collapsed chimney, furnace damage, water heater damage, exterior siding damage, and roof damage affecting one or both sides of the dwelling, compromised windows, and/or compromised doors. Access to the dwelling can be considered substantial when access is blocked with down trees or a private road is substantially washed out. The initial damage assessments conducted by FEMA in Putnam County determined that 27 houses sustained substantial damage from Hurricane Irene with flooding between six inches and four feet on the first floor of the home. Twelve houses had access blocked by flooded roads.

Major Damage: Major damage is identified when approximately four feet of water, or more, occurred on the first occupied floor of the dwelling. Other items can substantiate major damage, such as collapsed foundation walls and/or piers, significant separation in the walls from the dwelling, and/or wind events that have removed/damaged the majority of the roof and/or wall components. Access to the dwelling can be considered major when the only access is by a bridge that has collapsed. Damage assessments conducted in Putnam County following Hurricane Irene determined that none of the houses had flooding of more than four feet on the first floor of the home; however, one house had approximately one inch of flooding on the second floor.

FEMA initial damage assessments also show that 309 houses in Putnam County had flooding in the basement and another ten houses sustained flood damage in a crawlspace. These numbers are only for dwellings identified as a house, and do not include damage done to apartment buildings, mobile homes, or other types of dwelling spaces. Damaged houses occurred throughout Putnam County. Estimates of the severity of flood damage were not available for Superstorm Sandy. The number of potential structures impacted is subject to updates and refinements as more detailed information becomes available.

As of the date of this PEA, there have been seven applications for CDBG-DR assistance through the NY Rising Program in Putnam County. The application process is ongoing, and in Putnam County, three addresses have been verified and mapped (see Figure 2: Putnam County Verified Applicant Address Map). Of these applications, one application is for reimbursement for repairs that have been completed, suggesting that six applicants still have ongoing and unfinished repairs to their homes that were damaged by the storms in 2011 and 2012.

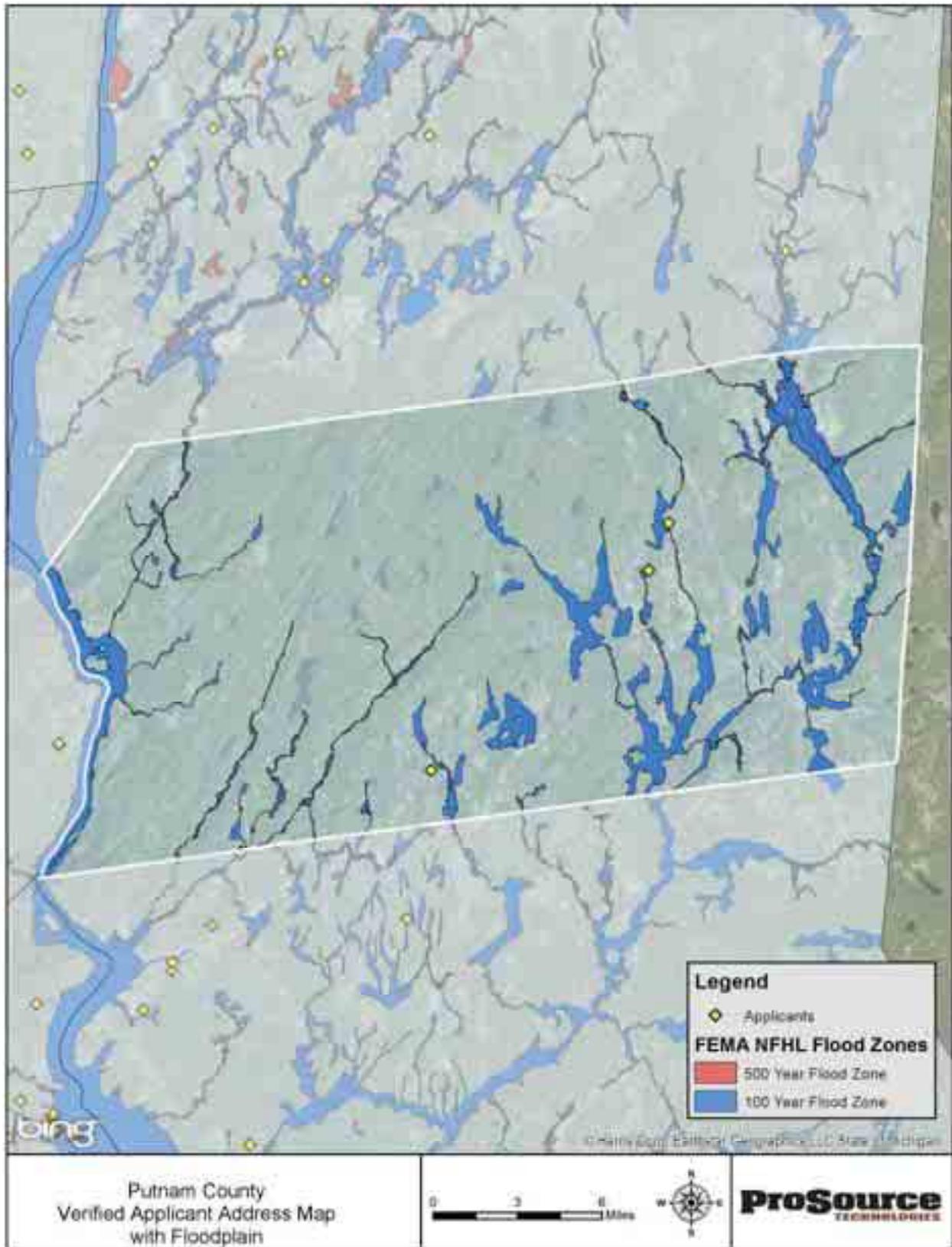
NYS recognizes that without federal assistance through the CDBG-DR program, residents of its storm-damaged communities would not be able to rehabilitate their homes to comply with housing construction standards within an acceptable period of time, nor would they be able to relocate away from the neighborhoods that are most vulnerable to repeated storm damage. Owners of partially damaged residential buildings and units, as well as tenants, would make repairs as they are able, which would not necessarily be code-compliant or resilient to future weather extremes.

Individuals in storm-damaged homes might continue to live in these areas that are especially vulnerable to flooding and storm damage. These areas would not be used for open space and flood attenuation. Residents displaced from their damaged housing units would continue to seek shelter with family and friends, through various public service agencies or non-profit organizations.

In addition to the difficulty that owners of these storm-damaged houses would face in rehabilitating their homes, many individuals may not be able to obtain or afford flood insurance in these high-risk areas. These individuals would not only be exposed to future risk, but would lack any sort of financial coverage to help rebuild in the event of future storms. Not only would structural conditions of damaged residential buildings continue to deteriorate, but property values would continue to drop, slum and blight conditions would increase, all posing a continuing burden on the county's tax base and services.

As allocated to Putnam County, the CDBG-DR funds available are considered essential to recovering the county's overall vitality. For the NY Rising Buyout and Acquisition Program addressed in this Tier 1 PEA, the CDBG-DR funds would facilitate the Buyout and Acquisition of one- to two-unit residential properties, allowing homeowners to relocate away from the areas that faced the most severe hurricane damage. The purposes of the Proposed Action are to relocate as many homeowners as possible out of high flood risk areas and improve the storm attenuation characteristics of the community. The program is needed to improve storm attenuation, allow for some properties to be redeveloped with more resilient and modern structures in the future, and increase impacted communities' resiliency to future storm damage.

Figure 2: Putnam County Verified Applicant Address Map



## 1.6 Recovery Measures

In January, and subsequently in April of 2013, FEMA released its Advisory Base Flood Elevation (ABFE) Maps for some counties affected by Superstorm Sandy. These maps were created to provide the “best available data” on flood risk for areas impacted by the storm and assist homeowners with decision making on how best to rehabilitate their homes. These were to be replaced by Preliminary Flood Insurance Rate Maps (P-FIRMS) once they were updated by FEMA. However, the P-FIRMS have not yet been published. In light of this fact, HUD issued its newest “best available data” as preliminary work maps, which advise that reconstruction program sites be elevated to one foot above the BFE as set forth in the “best available data.”

Also in response to Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee, NYS developed the Action Plan to help define how NYS would effectively use all available funding to recover and rebuild. The Buyout portion of the program would increase communities’ resiliency to climate change and severe storm risk by purchasing homes from willing sellers, demolishing existing structures and allowing the properties to revert back to a natural state, restoring the beneficial characteristics of the floodplain. The Acquisition portion of the program would increase communities’ resilience by purchasing impacted properties from willing sellers, enabling current residents to relocate from harm’s way, while allowing those who wish to remain in the neighborhood and rehabilitate their homes to do so without creating a “gap tooth” effect. The future use of the recovered land is unknown at this time; however, some parcels may be rehabilitated while others would have the structures demolished and may be redeveloped in the future. Although there was some assistance granted to the county immediately following the storms, such as NYS Department of Agriculture and Markets emergency funding for soil and water districts and NYS Department of Transportation funding for bridge repairs, there still remains a need for recovery assistance in Putnam County.

In addition to funding the Buyout and Acquisition of residential properties, under the Action Plan, NYS is also allocating CDBG-DR funding for housing recovery for one- to four- unit residential properties, rehabilitation of 5+ unit multi-family residential properties, bulkhead repairs, and economic development for businesses damaged by the aforementioned storms. These actions are important in assisting NYS in making a more complete recovery after being devastated by three severe storm events in a short time span.

The action covered by this PEA is the Buyout and Acquisition of one to two unit residential properties in Putnam County that were damaged or destroyed by Superstorm Sandy and Hurricane Irene. The Buyout portion of the program is needed to help reduce the number of residences that could be impacted by future storms and improve the abilities of communities to withstand future storms by increasing the areas with storm attenuation characteristics. The Acquisition portion of the program is needed to acquire homes or empty lots in an area where other homeowners have damaged properties but want to stay, and support a broader reconstruction effort in these areas.

Additionally, many counties initiated programs to help rebuild after the storms and increase resiliency of communities to future extreme weather events. After the events of Superstorm Sandy, Putnam County partnered with Mercy College to form the Leadership Alliance, a one-year long pilot program where representatives from 20 stakeholders in the county will worked

together to design a well-defined approach to responding to a disaster. The product of the partnerships was the development of Putnam County's Multi-Jurisdictional Hazard Mitigation Plan. These types of resiliency measures will complement the recovery efforts under the NY Rising programs, making these efforts more effective.

## **1.7 Program Description**

The NY Rising Buyout and Acquisition Program would fund the purchase of storm-damaged one- to two- unit residential buildings in specified areas from residents who wish to sell their homes and relocate away from areas prone to repeated storm damage. Participation in the NY Rising Buyout and Acquisition Program is voluntary. NYS will not use its power of eminent domain to force any homeowner to sell their property. The property owners must apply to the NY Rising Buyout and Acquisition Program and decide whether to accept the accompanying conditions.

Certain highest risk areas in the floodplains, determined to be among the most susceptible to future disasters and which present a greater risk to people and property, would be identified by NYS and its local partners for this program as "enhanced target zones." NYS would make purchases inside the enhanced target zones as "Buyouts," as defined by HUD. Properties outside of these enhanced target zones would be purchased as "Acquisitions." These two purchasing options are detailed below.

### **Program Requirements**

The following basic program eligibility requirements apply to the NY Rising Buyout and Acquisition Program:

- The home must be located within one of the counties designated a disaster area.
- The residential property was damaged as a direct result of one of these storms:
  - Hurricane Irene: (8/26/2011)
  - Tropical Storm Lee: (9/7/2011)
  - Superstorm Sandy: (10/29/2012)
- Housing to be assisted must be owned by the person(s) occupying the unit as their primary residence at the time of one of the three storms. Ownership is defined as holding fee simple title supported by a deed recorded with the County Recorder.
- Properties which are occupied by a tenant year-round are also eligible for purchase.
- The correct documents are essential for HTFC to obtain good title to a property, and all documents necessary to establish the seller(s) title and extinguish all other ownership interests and claims must be recorded before (or together with) closing the HTFC purchase transaction. Examples include satisfaction of judgment, discharge of mortgage, affidavit of survivorship, change of owner name, etc.
- Properties must be in compliance with Environmental Code 24 CFR Part 58.
- The property must be inside a 100-year floodplain for Buyouts and may be located in a 500-year floodplain for Acquisitions.
- The property was substantially damaged (damages equal or exceed 50% of the Fair Market Value [FMV] prior to the event, as determined by a local authorized official).

- The property must be a one- to two- unit home, such as a single family house or a duplex. Vacant land that falls within the defined enhanced target zones and/or land that is contiguous to a primary residence (of the property owner) is eligible for assistance.
- The property is wholly residential in character.
- Property taxes must be current or in the process of being made current.
- Property owners who lost ownership of their homes due to foreclosure are ineligible for assistance.
- Non-residential structures that are not attached to the residence are ineligible for assistance.
- Properties located where federal assistance is not permitted are ineligible for assistance.
- Second homes and vacation properties are not eligible. A property is considered a second home for the purposes of this program if:
  - The home is not rented out at any time during the year but it is a second home regardless of the number of days of use by the household.
  - The home is rented out for part of the year and the owner uses the home more than 14 days, or more than 10% of the number of days during the year.

#### Ownership with Other Individuals

- Property owners who owned and occupied a structure at the time of the storm that is located on land that they owned along with other individuals (e.g., owned together with their family) must be treated as a property owner on owned land and are eligible.
- All property owners of the property to be purchased must voluntarily agree to sell the property to HTFC. Any property owner of a recorded interest in the property who refuses to agree to sell the property has the power to veto the transaction and prevent the purchase.

#### Deceased Owner

- If any owner of a property is deceased, whether before or after the storm event, the Executor (or Administrator) of the estate must join in the sale of the property to HTFC.
- Surrogate's Court consideration and approval is required before HTFC buys real property from any probate estate.

#### Reverse Mortgage

- Owners with a reverse mortgage at the time of the storm are eligible, provided the remainder of the term of the reverse mortgage is more than five years when the application is submitted.

#### Gift of Property

- A gift of property (property transfer made without exchange or payment) made post-storm are eligible.
- Gift of property made prior to the storm are eligible and residency is established in the same manner as other properties.
- For the purpose of the Program, a gift of property must be in writing, notarized, and recorded in the public record.

- The Program reserves the right to demand any award amount to be paid back in full to NYS if, at any time, a determination is made that a transfer of money between the two parties had occurred in conjunction with the gift of property.

#### Property Held in Trust

- Property held in trust for the benefit of natural persons can be eligible as long as at least one of the occupants at the time of the storm was a current beneficiary of the trust. The trustee's powers must include the ability to encumber the property with liens.
- If the trustee's powers do not include the ability to encumber the property with liens, the beneficiaries with an interest in the damaged property must sign the closing documents along with the trustee.
- The following is required to confirm eligibility:
  - The property owner must provide a copy of the trust document.
  - The trust document or an abstract or extract of the trust must be recorded in the conveyance records of the county in which the damaged property is located and may be recorded post-storm, if necessary.
  - The applicable award agreement and/or declarations must be executed by trustee(s) unless the trust distributes the property to a beneficiary, in which event the beneficiary receiving the property must execute the applicable award agreement and/or declarations. If the property was not serving as the primary residence for the current beneficiaries or trustee, the property owner(s) is not eligible for assistance.

#### Other Ownership Issues

- Contract for deed is not eligible unless the property owner converts his/her contract to full ownership prior to receiving funding assistance from the Program.
- Rent or lease-to-own is not eligible unless the property owner converts their contract to full ownership prior to receiving funding assistance from the Program.
- Conditional Sale Contracts are not eligible unless the property owner converts their contract to full ownership prior to receiving funding assistance from the Program.
- The following legal documents are proof that a property owner was purchasing a home on a contract as identified above:
  - Notarized contract dated and executed prior to the incident date for review by the Program's legal staff.
  - Notarized and executed contract that was filed prior to the incident date in the conveyance records of the county.
- Proof that a contract has been completed and title conveyed to the purchaser is provided by one of the following:
  - Presentation to the customer representative of a notarized, executed conveyance document from the seller to the contract purchaser.
  - Evidence of recordation of the title in the name of the property owner in the conveyance records of the county.

Households earning less than 80% of the area median income would be prioritized during the processing applications for assistance.

## 1.8 Buyouts

Enhanced Buyouts would occur in select pre-defined enhanced target zones, which would be determined in consultation with county and local governments, as well as local residents. Homes inside an enhanced target zone would be eligible for purchase starting at 100% of the property's pre-storm FMV. The program would also include an incentive(s) ranging from 5% - 15% on top of the pre-storm FMV of property acquired through the Buyout program, as detailed below.

After the property is purchased, all structures on the property would be demolished. Reconstruction would not occur on lots in these areas. Buyout properties would be maintained in perpetuity as coastal buffer zones or other non-residential/commercial uses; vacant or undeveloped land in these targeted areas may also be purchased. These properties would be subject to a conservation easement or deed restriction.

The HTFC would hold title to the property until the property is transferred to another owner with restrictions on use. The Buyouts would reduce the number of residents in harm's way in the high risk flood areas and allow the properties to be part of the communities' efforts to increase resiliency to future storms.

The CDBG-DR funds would be used for the following specific activities for the Buyout of one- to two- unit storm-damaged residential properties:

- All customary costs associated with the purchase of private property, including:
  - Appraisals
  - Legal fees
  - Surveys
  - Title preparation
  - Insurance
- Site work and property maintenance costs, including:
  - Securing of the site
  - Environmental remediation
  - Backfill
  - Grading
  - Revegetation of the property with local, native plant species
- Demolition of structures on the property

5% Relocation Incentive:

NYS would provide this incentive to residents who participate in a Buyout in an enhanced target zone if they permanently relocate and provide evidence of the purchase of a new primary residence in the same county as their storm-damaged property. The rationale is to protect and preserve the community and facilitate the reclamation of land in high risk areas for natural protection against future damage. NYC residents who participate in NYS's Buyout program would be eligible for the relocation incentive for permanent relocation anywhere within the five counties of NYC.

#### 10% Enhanced Buyout Incentive:

In an effort to relocate homeowners out of the high risk enhanced target zones and protect as many as possible from future disasters, NYS would seek the maximum level of homeowner participation by offering this individual incentive so that as much land as possible in these areas can be returned to and reclaimed by nature, land that would be maintained in perpetuity as coastal buffer zones. This level of incentive was selected to ensure that a sufficient incentive is available, as the number of properties involved would need to be significant in these areas to produce the intended outcome.

#### 10% Group Buyout Incentive:

In the rare areas where the purchase of a group of properties together makes sense to re-purpose that area, NYS believes that graduated incentives are an essential component to induce homeowners to sell their properties. Outside the enhanced target zones, NYS may, in rare circumstances, provide a 10% Group Buyout Incentive to certain very limited clusters of homeowners (i.e., two to ten [2-10] consecutively located properties) whose properties are in the floodplain but not in an identified enhanced target zone. This incentive may be necessary in certain rare cases to facilitate the reclamation of a concentrated area of high risk properties and to avoid the patchwork effect of purchasing all but one or two properties in a cluster of properties.

As of the date of this PEA, there have not been any enhanced target zones identified in Putnam County.

## 1.9 Acquisitions

NYS would purchase applicant properties located outside of enhanced target zones as Acquisitions. Once a property is purchased, the existing structures on the property may be rehabilitated or the structure may be demolished to allow for future redevelopment. NYS would purchase the property, complete all Phase II environmental testing and soil remediation as necessary for the program site, and secure the site in such a manner that the site would not adversely impact adjacent properties or owners. Once the site has been secured, NYS may demolish the existing structures and complete any asbestos and hazardous materials survey and abatement. During this time, the properties would be unoccupied. The post-purchase fate of acquired properties would be determined in consultation with local officials to ensure that the properties best serve the future goals of the community and would be in accordance with local zoning and land use plans. Because the future use of acquired properties has not yet been determined, this Tier 1 PEA only analyzes the environmental effects through the short-term securing of the property and demolition activities that would take place on some of the properties. Once the future use of an acquired property has been determined, additional environmental assessments would be completed as necessary.

The CDBG-DR funds would be used for the following specific activities for the acquisition of one- to two- unit storm-damaged residential properties and vacant lots:

- Customary costs associated with the acquisition of private property, including:
  - Appraisals
  - Legal fees

- Title fees
  - Surveys
  - Title preparation
  - Title report
  - Title insurance
  - Transfer tax
  - Title fees (adjustments, water/sewer, violations, etc)
- Liability insurance
- Site work and property maintenance costs, including:
  - Site security
  - Fencing
  - Environmental remediation
  - Backfill
  - Grading
  - Real estate taxes
  - Utility management
  - Property maintenance
  - Violations
  - Working capital
- Demolition of structures on the property, including:
  - Demolition and removal of structures
  - Permits and filing fees
  - Lead abatement
  - Asbestos abatement
- Any customary costs associated with the potential future disposition of property, including:
  - Marketing and advertising
  - Broker fees
  - Legal fees
  - Program administration costs

NYS would use the 2013 Federal Housing Administration loan limits as the ceiling for the purchase price for properties that participate in this program. Purchase offers must begin with the post-storm FMV of the property. In these instances, however, NYS proposes to supplement this post-storm FMV with an added homeowner resettlement incentive equal to a maximum of the difference between the post-storm and pre-storm values of the property.

Such an incentive is necessary to allow homeowners inside flood-prone areas that have sustained damage to their primary residence who are otherwise unable or unwilling to repair their home and seek to relocate to a safer, less flood-prone area, the ability to do so. Furthermore, this resettlement incentive recognizes the uncertainty of post-storm values of storm-damaged homes, relative to the high costs associated with relocation, therefore affording homeowners the maximum amount of assistance necessary to make this life-altering change.

This resettlement incentive would help homeowners to remain in the community and contribute to its overall recovery from the disaster, while also ensuring that acquired land, if redeveloped, would be redeveloped in a safer, more resilient manner for the future occupants of the area.

## **1.10 Alternatives to the Proposed Action**

After a consideration of the following alternatives, NYS has determined that the best practicable alternative is the Proposed Action. The alternative actions considered are as follows:

### **No Action Alternative**

Under the No Action alternative, the funding for the proposed Buyout and Acquisition of residential properties in high flood risk areas of Putnam County would not be authorized. There would be no purchase of properties.

Homeowners would not relocate outside of the high flood risk areas. The storm attenuation characteristics of the community would not be improved. Homeowners would not be assisted in relocating outside of the high flood risk areas. Under the No Action alternative, the flood damaged and destroyed residential properties would remain under their current ownership.

The homeowners would be responsible for the repair and rehabilitation of their properties. The homeowners may apply for other programs for financial assistance in the repair and rehabilitation of their properties that were damaged or destroyed by the storms. While these assistance programs include financial support and requirements for resiliency upgrades for the individual properties that would reduce the potential damage from future storms, these homeowners and their properties would continue to be susceptible to future flooding and other damage resulting from future storm events due to their location in the flood area. The communities' storm attenuation characteristics would remain the same.

Without any financial assistance, depending on motivations of owners and their willingness and/or ability to access resources to repair and upgrade homes and properties, there is potential that repairs would be limited, not completed to current building codes, and would not include resiliency measures (e.g., elevating their homes), leaving their properties more vulnerable to future flooding conditions. The communities' ability to attenuate the effects of future storm events would be decreased. Therefore, the No Action alternative would neither address NYS's need to relocate as many homeowners as possible out of high flood risk areas nor improve the storm attenuation properties of the affected communities.

Overall, the No Action alternative would be less consistent with local land use, zoning, and public policy objectives than the Proposed Action. Compared with the Proposed Action, it would have the potential for adverse impacts to economic conditions, community character, and cultural and visual resources. Similar to the Proposed Action, the No Action Alternative is not anticipated to result in potential impacts to natural resources, water resources, air quality, energy consumption, noise, or hazardous materials.

### **Action Alternative – 3+ Unit Residential Properties**

Under this alternative, the funding for the Buyout and Acquisition Program would be authorized for residential properties damaged or destroyed by Superstorm Sandy and Hurricane Irene in

Putnam County. However, the funding would not be limited to one- to two- unit residential properties as discussed in the Action Plan. All residential properties in Putnam County that were damaged or destroyed by the storms would be considered under the NY Rising Buyout and Acquisition Program.

This alternative would satisfy the need to relocate homeowners out of high flood risk areas. In enhanced target zones this alternative would satisfy the goal to improve the storm attenuation properties of the affected communities. The residents of properties with more than two units would also be relocated outside of the high risk areas resulting in fewer residents at risk from future storms. The properties themselves would be converted to open space, resulting in strengthening of the communities' storm attenuation characteristics.

Outside of enhanced target zones, this alternative would satisfy the need to allow some current homeowners to relocate out of high flood risk areas if they desire, while still allowing some residents who wish to remain in their homes the ability to do so, without creating a gap-tooth effect. The residents of properties with more than two units would also be eligible for Acquisitions, potentially leading to more properties that could be redeveloped.

Due to the higher costs associated with 3+ unit residential properties, if the NY Rising Buyout and Acquisition Program were to include 3+ unit residential properties, fewer properties overall could be included in the program. This alternative would result in similar environmental effects as the Proposed Action, although in different locations because it would include 3+ residential properties in place of certain 1- to 2-unit applicants. This alternative would lead to fewer properties reverting back to open space and fewer properties being rehabilitated or redeveloped in a more resilient manner. This alternative would not meet the goal of greater community storm resiliency through storm attenuation buffer areas and improved building resiliency.

#### Limited Action Alternative – Acquisitions Only

Under this alternative, the funding for an Acquisition program would be authorized for residential properties damaged or destroyed by Hurricane Irene and/or Superstorm Sandy in Putnam County. However, the funding would not be authorized for the Buyout of any properties.

NYS would purchase damaged properties. Once purchased, debris would be removed from the premises. Structures on the property could be rehabilitated or demolished. The properties would then be transferred or sold to new owners for redevelopment or future occupancy. This alternative would be more cost effective than the enhanced NY Rising Buyout and Acquisition Program, as it would not have the same Buyout incentives. More properties could be purchased with the CDBG-DR funding, and a greater number of homeowners could receive assistance.

This alternative would temporarily satisfy the need to relocate homeowners out of high flood risk areas until redevelopment is complete and other residents moved in. It would not satisfy the goal to improve the storm attenuation characteristics of the affected communities as there would be no increase in open space to absorb the effects of future storms. It would also not satisfy the goal of permanently relocating residents out of the areas that are most vulnerable to repeated storm damage.

This alternative would be less consistent with local land use, zoning, and public policy objectives than the Proposed Action. Compared with the Proposed Action, it would have greater potential for adverse impacts to natural resources, water resources, and energy consumption, as more residences would remain within the floodplain. Similar to the Proposed Action, the Limited Action Alternative – Acquisitions Only is not anticipated to result in potential impacts to economic conditions, community character, and cultural and visual resources as properties would eventually be redeveloped, nor are potential impacts to air quality, noise, or hazardous materials anticipated.

#### Limited Action Alternative – Traditional Buyouts Only

Under this alternative, only funding for a traditional Buyout program, in which NYS purchased properties and demolished structures to restore the floodplain to a natural state, would be authorized for residential properties damaged or destroyed by Hurricane Irene and/or Superstorm Sandy in Putnam County. However, the funding would not be authorized for the Acquisition of any properties.

This alternative would satisfy the need to relocate homeowners as out of high flood risk areas and the goal to improve the storm attenuation characteristics of the affected communities; however, it would not satisfy the need to maintain flexibility for the future use of properties, nor allow for the potential for newer, more resilient construction. It would also not satisfy the need to maintain the residential character of some neighborhoods.

If NYS purchased homes as Buyouts outside of specific enhanced target zones, a gap-tooth effect would occur, as some residents may choose to stay in their current home. Under this alternative, NYS could also only purchase homes in specified enhanced target zones. Homeowners outside of enhanced target zones would not be eligible to have their property acquired by NYS, leading to some residents continuing to live in homes that have not been properly repaired.

This alternative would be less consistent with local land use, zoning, and public policy objectives than the Proposed Action. Compared with the Proposed Action, it would have the potential for adverse impacts to economic conditions, community character, and cultural and visual resources due to the potential for some homeowners to remain in buyout areas while others relocate. Similar to the Proposed Action, the Limited Action Alternative – Traditional Buyouts Only is not anticipated to result in potential impacts to natural resources, water resources, air quality, energy consumption, noise, or hazardous materials.

#### Action Alternative—Repair and Reconstruction

Under this alternative, individual property owners would receive assistance to repair or reconstruct their homes. This assistance would include financial support and requirements for resiliency upgrades to the individual properties that would reduce the potential damage from future storms.

The cost of the NY Rising Buyout and Acquisition Program may be greater in the short-term than the cost of repairing and rebuilding in a more resilient manner in the existing developed parcels; however, this cost would prevent the expenditure of funding for future repairs to homes in areas that are the most vulnerable to repeated storm damage.

Under the repair and reconstruction alternative, there would be a far smaller increase in communities' resiliency to future storm damage and flooding. The alternative of repairing or reconstructing homes would not meet the goals of the NY Rising Buyout and Acquisition Program, which are to reduce the number of residents in the high risk flood areas, increase the amount of open space for storm attenuation, and allow for potential redevelopment of acquired properties with safer structures.

## **1.11 Cumulative Effects**

### **Introduction**

The federal Council on Environmental Quality's regulations implementing the procedural provisions of the National Environmental Policy Act (NEPA), set forth at 40 CFR Part 1500-1508, require federal agencies to consider the environmental consequences of their actions, including not only direct and indirect effects, but also cumulative effects. This section summarizes the Proposed Action's cumulative effects when considered with other planned programs in the area.

Cumulative impacts result from the incremental consequences of an action (the Proposed Action) when added to other past, present, and reasonably foreseeable future actions (40 CFR 1508.7). The cumulative effects of an action may be undetectable when viewed in the individual context of direct and even indirect impacts, but nevertheless can eventually lead to a measurable environmental change. For the purposes of this assessment of cumulative effects, reasonably foreseeable future actions include activities that may be authorized under other NY Rising Housing Recovery Programs within Putnam County.

### **Flood Risk**

Many existing homes in Putnam County were built prior to the implementation of current building standards and codes. Approximately 37% of all housing in Putnam County was built prior to 1960. In some areas, flood information was not available, not applicable at the time, or not taken into account when these homes were built. The areas which experienced flood damage from the recent storms, are at risk for flooding in future storms. Climate change poses increasing risk of flooding as sea levels rise and storms become more intense.

Flood risk maps have been and are being revised to account for the projected increasing flooding due to climate change. Building codes have been and are being changed to reflect these changes in flood risk.

The NY Rising Buyout and Acquisition Program in Putnam County would result in the demolition of homes in enhanced target zones and the restoration of these properties to natural conditions. The program would create open space for flood attenuation, which would mitigate the future flood risk for nearby neighborhoods. The acquisition of substantially damaged homes would also include resiliency measures that would mitigate the flood risk of future storms as any reuse of these properties would take currently available flood risk and building codes into account.

### **Construction Impacts**

While there is the potential for a cumulative impact from the generation of construction debris from the demolition a great number of homes through the NY Rising Buyout and Acquisition Program in conjunction with the repair and reconstruction activities from other NY Rising Housing Recovery Programs, most of the impact would be mitigated. Strict requirements for the disposal of debris are in place to prevent, to the extent possible, any negative impacts to the environment. The handling and disposal of demolition and construction debris, control of stormwater runoff, and noise impacts resulting from the NY Rising Buyout and Acquisition Program in Putnam County would be in accordance with all local, state, and federal regulations as part of the acceptance of assistance funding.

#### Green Building and Energy Efficiency

Any eventual repair or redevelopment of acquired properties would involve the installation of modern appliances, utilities, and insulation which would result in more efficient use of energy, particularly less overall energy use for heating and cooling. All future use of the acquired properties would be in accordance with current New York State building codes and standards resulting in improvements over the energy efficiency of the demolished buildings. This would result in an overall long-term positive impact on the natural environment.

#### Land Use, Zoning, and Public Policy

Land use, zoning, and public policies are also changing with regards to development within floodplains. Putnam County and affected community land use policies and plans regarding the mitigation of flood risk have been considered as part of this assessment. Municipalities are revising building codes to incorporate requirements for flood and storm mitigation measures along riverbanks. Through comprehensive planning and rezoning efforts, municipalities are also reducing the development potential of areas prone to flooding.

The demolition of Buyout homes reflects these changing land use policies by prohibiting redevelopment of properties in the areas most prone to storm damage. These land use policies would also be taken into account for any future reuse of Acquisition properties, and resiliency measures that would be implemented for any future reuse of these properties should lead to less debris caused by storms as buildings are more able to withstand hurricane impacts and better drainage would lead to less flooding.

#### Growth Inducement

The Proposed Action involves the purchase of storm-damaged 1-2 unit residential buildings, securing the site, demolition and clearing of existing structures, and potentially redevelopment consistent with the prior use. It would not alter regional growth patterns, change residential settlement patterns, displace any public or publicly funded community facilities, or significantly affect the growth in employment centers. Therefore, the Proposed Action would not be expected to generate significant secondary or induced effects, or induce any significant development activity that would otherwise not occur in the region or study area.

## 1.12 Summary

Buyout actions undertaken by the NY Rising Buyout and Acquisition Program would take place in enhanced target zones within the 100-year floodplain. While enhanced target zones would be located in the areas most vulnerable to storm damage, no enhanced target zones have been identified in Putnam County at this time. Acquisition activities would take place on individual residential properties throughout Putnam County. While Acquisition activities are expected to be located primarily in the high risk floodplains, the exact location of these properties are not yet fully known, as the program is still accepting applications. After considering the alternatives, HCR has determined that there is no practicable alternative other than to proceed with the proposed program. While there are some inherent risks to living in a floodplain that cannot be completely avoided, the individual actions undertaken by the described NY Rising Buyout and Acquisition Program would result in fewer residents in the areas most susceptible to future flood hazards and contribute to the communities' storm attenuation characteristics. The program would also result in future use of the acquired properties that takes known flood risks into account and incorporates mitigation measures. The program would provide a positive financial impact on the neighborhoods and communities in Putnam County.

## **2.0 Tiering of Environmental Review**

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The NY Rising Buyout and Acquisition Program is tiered for the environmental review process in accordance with HUD tiering regulations found at 24 CFR Part 58.15. A tiered approach is used when actual site locations have not yet been determined and allows the environmental review process to be streamlined by evaluating impacts of functionally and geographically aggregated activities. This Tier 1 PEA review provides guidelines for Tier 2 reviews to ensure that no extraordinary circumstances exist beyond the issues identified and evaluated in this document. Tier 2 reviews document environmental impacts on a site-specific level. In accordance with 24 CFR Part 58.22, no choice-limiting actions would take place at a particular site until a Tier 2 Checklist is completed for that site. HCR is acting as the RE under the HUD NEPA regulations.

### **2.1 Tier 1 Environmental Review**

Tier 1 PEAs assess the individual and cumulative environmental impacts of program activities on a specific geographical area. Tier 1 PEAs may also be prepared when the environmental impacts are generic or common to a class of actions, or to other activities that are not location-specific. The PEA can serve as a foundation and reference document to allow the efficient completion of Supplemental or Individual Environmental Assessments for the individual actions described in the PEA.

This Tier 1 PEA was specifically designed to evaluate the environmental impacts of the NY Rising Buyout and Acquisition Program in Putnam County. With the PEA in place, the environmental review process required by NEPA and its associated environmental laws would be streamlined.

Under the Tier 1 environmental assessment, the following laws and authorities referenced under HUD's regulations at 24 CFR Part 58.5 have been fully considered and do not require a Tier 2 site-specific review:

- Coastal Zone Management (Coastal Zone Management Act, 1972)
- Sole Source Aquifers (42 USC 201, 300(f) et seq., and 21 U.S.C. 349) as amended; particularly section 1424(e)(42 USC 300h-3(e))
- Wild and Scenic Rivers (16 U.S.C. 1271, Sec. 7(b), (c))
- Clean Air Act (40 CFR Parts 6, 51, 93)
- Farmland Policy Act (7 CFR Part 658)
- Environmental Justice (Executive Order 12898)
- Noise Abatement and Control (24 CFR Part 51, Subpart B)
- Explosive and Flammable Operations (24 CFR Part 51 C)
- Airport Clear Zones and Accident Potential Zones (24 CFR Part 51 D)

Based upon completion of this Tier 1 PEA, environmental review of the proposed program indicates there would be no significant changes to existing environmental conditions across the impact categories implemented by HUD in response to NEPA, with the possible exception of the subject areas listed below.

## 2.2 Tier 2 Environmental Review

Based on the completion of this environmental assessment, the following subject areas require Tier 2 site-specific analysis before it can be concluded that the proposed site activities would have no significant environmental impacts on an individual site. These authorities are referenced under HUD's regulations at 24 CFR Part 58.5:

- Wetland Protection (Executive Order 11990)
- Historic Preservation (36 CFR Part 800)
- Floodplain Management (Executive Order 11988; 24 CFR Part 55)
- Endangered Species Act (50 CFR Part 402)
- Toxic Chemicals and Radioactive Materials (24 CFR Part 58, Sec 5(i)(2))

Tier 2 site-specific reviews would include desktop evaluation of the application, the proposed site activity, and its location relative to the above compliance factors. Reviews would also include direct field observation with photographs and notes for the file, as well as possible resource agency consultations. If there are no impacts identified, or if impacts would be fully mitigated through individual site actions, then the proposed project planned for a residential site would proceed without further notice to the public. If impacts cannot be identified and mitigated during the site-specific reviews, then that site may be subject to further studies, treated as a separate project, subject to agency consultations, and the environmental review process may require the publishing or posting of notices for that individual site. Each completed Tier 2 site-specific checklist and supporting documents would be submitted to HCR for review and approval before individual site work or construction begins. A sample Tier 2 site specific checklist and template is included with this Tier 1 PEA.

### **3.0 Conditions for Approval and Mitigation**

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The following mitigation measures are required as conditions for approval of the project. Most of the required reviews discussed below would be completed in the Tier 2 site-specific reviews.

#### **3.1 General**

The applicant would acquire all required federal, state and local permits before beginning construction and would comply with all permit conditions. If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for reevaluation under NEPA.

#### **3.2 Historic Preservation**

All activities must comply with Section 106 of the National Historic Preservation Act (NHPA) per the implementing regulations at 36 Code of Federal Regulations (CFR) Part 800. Compliance with Section 106 is achieved through the procedures in the Programmatic Agreement among FEMA, the NYS Historic Preservation Office, the NYS Office of Emergency Management, the Delaware Nation, the Delaware Tribe of Indians, the Shinnecock Nation, the Stockbridge-Munsee Community Band of Mohicans, the NYC Landmarks Preservation Commission, and the Advisory Council On Historic Preservation. In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains are uncovered on a specific site, the work on that site must be halted, and the applicant would take reasonable measures to avoid or minimize harm to the finds. All archeological findings would be secured and access to the sensitive area restricted. HCR would consult with the State Historic Preservation Office (SHPO), Tribal Historic Preservation Office (THPO), and Tribes, and work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the program is in compliance with the NHPA.

The qualified Historic Preservation professional is staff at NYS Office of Parks, Recreation and Historic Preservation (OPRHP). If the primary reviewer is not able to determine compliance for a site based on the Programmatic Agreement (see Appendix N: NY Historic Preservation Programmatic Agreement), the site would be sent for further review to OPRHP and all recommendations made by OPRHP would be incorporated into the program design. HCR would review each site during the Tier 2 environmental assessment for compliance with the Programmatic Agreement.

#### **3.3 Floodplain Management and Flood Insurance**

In December 2012, FEMA issued ABFEs through its National Flood Insurance Program (NFIP). The ABFEs increased the anticipated depth of tidal flooding during the 100-year flood in many areas and correspondingly increased the area expected to be inundated by such a flood. In areas where preliminary ABFE maps have been developed, those maps would govern. In areas where no preliminary ABFE maps exist, FEMA Base Flood Elevations (BFE) data would be referenced for application of the Program within the county. Each site would be reviewed for its location with regard to the floodplain ABFE or BFE maps.

All development within Special Flood Hazard Areas (SFHAs) is subject to floodplain development regulations. When a NYS entity funds a project, Rule 6 Part 502 of the New York Code, Rules and Regulations (NYCRR) requires that when existing structures receive substantial improvements, the lowest floor (including basement) of each building in flood hazard areas must be constructed at least one foot above the BFE. Finally, each participating community has a local regulation for flood damage prevention that contains specific standards for any development in SFHAs. Where no BFE exists, the lowest floor needs to be at least three feet above the highest adjacent grade where technically feasible.

Any rehabilitation and mitigation work to substantially damaged structures conducted under the Acquisition portion of the program would comply with the relevant regulations or codes. Any future redevelopment would be subject to the above floodplain regulations. A separate environmental assessment must be completed at the time that redevelopment is proposed. Flood insurance would be required for all Acquisition properties under the NY Rising Buyout and Acquisition Program.

The Buyout portion of the program demolishes the existing structures and retains them as open space in perpetuity. NYS is not repairing existing buildings or constructing new buildings under this portion of the program, and under 24 CFR Part 55.12(c)(3), the eight-step decision making process for action taking place in a floodplain or for action taking place in a wetland does not apply to the Buyout activities of the program (see Section 4.0 Eight-Step Decision Making Process). Also, because structures are being demolished and there would be no future residents, flood insurance would not be required for Buyout properties.

HCR completed the eight-step decision making process required under 24 CFR part 55.20 and Executive Order 11988—Floodplain Management for the NY Rising Buyout and Acquisition Program for Putnam County on October 14, 2013 (see Section 4.1 Eight-Step Decision Making Process for a Proposed Action in the Floodplain and Appendix R: Putnam County Floodplain Management Plan and Public Notices).

### **3.4 Wetlands Protection and Water Quality**

All sites would be evaluated for the presence of wetlands in accordance with New York State Department of Environmental Conservation (NYSDEC) and the U. S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) maps. When necessary, on-site wetlands inspection would occur in the Tier 2 site-specific assessment, and if project work on a specific site would impact a wetland, the eight-step decision making process outlined in 24 CFR Part 55.20, modified for wetlands, would be completed. If the wetland impacts cannot be avoided, appropriate permits would be obtained in compliance with Executive Order 11990. These include those under Sections 401 and 404 of the Clean Water Act, as well as any applicable local or state permits.

There are no Wild and Scenic Rivers within Putnam County as designated by the U.S. Department of the Interior National Park Service or NYSDEC (see Appendix G: Putnam County Wild, Scenic, or Recreational Rivers). The proposed program will be confined to existing residential lots and will not disturb the bed or banks of any rivers and no permit is required.

There are no sole source aquifers in Putnam County. However, a substantial portion of Putnam County is within the Croton Watershed, which is part of the New York City east of Hudson Watershed (see Appendix F: NYC Watershed Maps). The NYC Department of Environmental Protection has implemented the “Rules and Regulations for Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources,” which lays out regulations for certain activities taking place within the watershed. All residential properties under the NY Rising Buyout and Acquisition Program located within the NYC Watershed area would be reviewed for consistency with the NYC Watershed rules. The requirements of the NY Rising Housing Recovery Program would prevent adverse impacts to the NYC Watershed.

The NYC Watershed rules can be found at:

[http://www.nyc.gov/html/dep/html/watershed\\_protection/watershed\\_regulations.shtml](http://www.nyc.gov/html/dep/html/watershed_protection/watershed_regulations.shtml).

The Program would implement and maintain erosion and sedimentation control measures to prevent deposition of sediment and eroded soil in on-site and off-site wetlands and waters. Soil compaction would be controlled by minimizing project activities in vegetated areas, including lawns.

### **3.5 Vegetation and Wildlife**

The NYSDEC New York Natural Heritage Program, the USFWS, and the National Marine Fisheries Service (NMFS) have been contacted to initiate consultation for program compliance with state and federal threatened and endangered species laws, and written responses have been received from the Natural Heritage Program and NMFS (See Appendix M: NY Natural Heritage Program Consultation, Appendix Q: USFWS Consultation Letters, and Appendix P: NMFS Consultation Letters).

Potential threatened or endangered species within Putnam County include the Indiana bat (*Myotis sodalis*), the northern long-eared Bat (*Myotis septentrionalis*), the New England Cottontail rabbit (*Sylvilagus transitionalis*), and the Bog Turtle (*Clemmys muhlenbergii*).

The Endangered Species Act (ESA) requires the action agency (HCR) to make a determination of effect on any federally listed species or designated critical habitat that may occur as a result of an action that is funded, authorized, or carried out by the action agency. HCR is acting as HUD’s designated representative for this program.

In accordance with the September 25, 2013 letter from the USFWS (See Appendix Q: USFWS Consultation Letters), each site would be reviewed to determine the level of effect. Further consultation with the USFWS would be conducted if a project may affect a listed species. HCR would determine if there are areas of multiple sites in close proximity that may result in an effect so that those sites can be reviewed together.

According to NY Natural Heritage Program consultation dated September 4, 2013, the NY Natural Heritage database has no records of state or federal endangered, threatened, or rare species being found in residential buildings in New York State. Furthermore, the buyout or acquisition of a property in itself would not impact endangered, threatened, and/or rare species or their habitats. For any acquired properties where new construction is being considered or proposed, a specific project site screening would be conducted to identify any potential impacts on endangered, threatened, and/or rare species.

Bald eagles may occur in the vicinity of Putnam County (Appendix Q: USFWS Consultation Letters). HCR would contact the USFWS for assistance in complying with the Bald and Golden Eagle Protection Act if a bald eagle is found on a site. The USFWS would be contacted to provide technical assistance to HCR to avoid and minimize impacts to birds protected under the Migratory Bird Treaty Act.

### **3.6 Soil Erosion**

Best management practices (BMPs), such as silt fence and erosion prevention, may be implemented, if required by permits or agency discretion. Work in areas of soils with high wind erosion potential may have to occur only during calm weather conditions or include additional watering and other dust suppression mitigation measures. Thorough planning, engineering review, and design, through the local permitting process, would minimize soil erosion that could result from program activities on sites with marginal soil properties.

### **3.7 Stormwater**

All sites would be evaluated for the need to comply with stormwater permitting requirements, including NYSDEC general permits or local Municipal Separate Storm Sewer Systems (MS4) permits. If multiple adjacent sites are involved, the sites would be aggregated for construction stormwater compliance. HCR would obtain all appropriate permits before demolition activities commence.

### **3.8 Noise**

Temporary increases in noise levels due to demolition activities would be minimized through compliance with local noise ordinances, including time-of-day work limitations and construction of temporary noise barriers. During demolition, NYS would outfit all equipment with operating mufflers.

HCR has determined that noise regulations under 24 CFR Part 51 Subpart B do not apply to disaster recovery programs which meet the definition under Part 51.101(a)(see Appendix O: HUD Noise Abatement and Explosive Operations Email). Part 51.101(a)states,

“[t]he policy does not apply to research demonstration projects which do not result in new construction or reconstruction, flood insurance, interstate land sales registration, or any action or emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that

has the effect of restoring facilities substantially as they existed prior to the disaster.”

The NY Rising Buyout and Acquisition Program provides disaster assistance using CDBG-DR funding for the purpose of saving lives and protecting property, public health, and public safety. The NY Rising Buyout and Acquisition Program would remove debris and wreckage from purchased properties, including the demolition of substantially damaged dwellings. These activities would protect public safety through the removal of unsafe structures and help to protect human life by relocating residents who are unwilling or unable to rehabilitate their homes out of unsafe housing. These activities meet the definition under 24 Part 51.101(a) for exempt activities and no further assessment would be required.

### **3.9 Air Quality**

As demonstrated in the conformity screening analysis for the proposed action, emissions from construction activities would be less than de minimis levels above which a general conformity analysis or determination would be required (see Appendix K: NYSDEC Air Quality Consultation and Conformity with State Implementation Plans), and therefore a conformity assessment is not warranted. All activities would comply with applicable federal, state, and local laws and regulations regarding construction emissions, including but not limited to NY Codes, Rules and Regulations (NYCRR), NYSDEC Air Quality Management Plan, and the NY State Implementation Plan (SIP).

### **3.10 Hazardous Materials**

HCR is charged with the overall inspection for hazardous materials, with the exception of common household hazardous materials such as paint, motor oil, or automotive batteries, for this program. HCR in conjunction with designated agencies or consultants under HCR’s direction would provide Qualified Environmental Professionals (QEPs) to perform on-site visits, where required. QEP are experienced persons with the skills to look for and recognize hazardous materials. The environmental reports generated by the QEPs would be reviewed by HCR, or consultants with environmental assessment experience under HCR’s direction, to confirm that all issues are appropriately identified and communicated to program applicants. HCR would ensure that necessary environmental reports and clearances would be appended to the Tier 2 closeout package for each program applicant.

Structures to be demolished may include lead-based paint and materials containing asbestos. Program activities would conform to Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York Department of Labor (12 NYCRR Part 56); the National Emission Standard for Asbestos—Standard for demolition and renovation (40 CFR Part 61.145); and National Emission Standard for Asbestos—Standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations (40 CFR Part 61.150).

All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to, the U.S. Environmental Protection Agency’s (EPA) Repair, Renovation, and Painting (RRP) Rule (40 CFR 745.80 Subpart E),

HUD's lead-based paint regulations in 24 CFR Part 35 Subparts A, B, H, J, and R, and HUD "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing." The Guidelines complement regulations that have been issued by HUD, the EPA, and the Occupational Safety and Health Administration (OSHA), and policies from the Centers for Disease Control and Prevention (CDC). In general, these regulations apply to housing constructed prior to 1978.

Mold can have an adverse effect on human health and is a very common problem in flooded homes. All homes would be inspected for mold contamination. Some situations may require extra precautions taken to limit the distribution of airborne mold spores during demolition.

HUD policy states that all occupied structures proposed for inclusion in HUD-funded programs be free of hazardous materials that could affect the health of the occupants. Site-specific assessments would identify any toxic or radioactive substances on, adjacent to, or near the target Buyout residential properties. Where site-specific assessments do not adequately reveal past land use near target residential properties, screening of historical land use would be used to assess the potential hazard to occupants of the home. Hazards of concern include, but may not be limited to, hydrocarbon-associated vapors and radon gas.

According to the EPA, Putnam County is located in Radon Zone 1, where the predicted average indoor radon screening level is greater than four picocuries per liter (pCi/L). Therefore, residential buildings to be rehabilitated or reconstructed in Putnam County would require radon testing and, if necessary, mitigation.

When the target residential property is on or within 3,000 feet of a potentially hazardous site, a QEP will determine if the potential hazard requires remediation. If remediation is required, it would be appropriately scheduled and coordinated with any building rehabilitation activities. There may be some residential properties with improper storage and excessive accumulation of toxic substances (i.e. petroleum products, pesticides, cleaning substances). Initial site inspection of residential properties may document the presence of abandoned and otherwise non-working vehicles with the potential for leakage of toxic materials. Barrels or tanks with petroleum products or other potentially toxic substances may be identified. Remediation activities may include the purging of lines, tanks, and equipment containing hazardous chemicals, gasses, or flammable materials. Air monitoring equipment may be used to determine if any hazardous conditions remain. Depending on the site-specific environmental assessment of the degree and extent of the hazard, the applicant may be responsible for the removal of such items before the program can proceed.

It would be the responsibility of the developer to implement engineering controls during construction, such as installation of vapor barrier systems, installation of active or passive sub-slab depressurization systems, and transportation and disposal of all soil material during excavation.

### **3.11 Solid Waste**

All solid waste must be properly segregated and disposed of at any of New York's 80 regulated (permitted) Construction & Debris (C&D) processing facilities and 280 registered C&D processing facilities and in accordance with applicable regulations. All hazardous waste, including PCBs, mercury, refrigerants, and electronic waste, must be segregated and disposed of at an appropriately licensed facility. In many cases, lead based paint is permitted to be disposed of as C&D waste. If a QEP determines that the quantity of lead based paint is suspected to be greater than allowable for C&D disposal waste, a toxicity characteristic leaching procedure (TCLP) test would be performed on the paint to determine if it must be disposed of at an appropriately licensed facility. Materials would be separated from C&D debris to be recycled or to be reused for a specific use. Material that is not recovered would be sent to a municipal solid waste landfill or to a C&D landfill.

### **3.12 Transportation**

HCR would coordinate with local transportation authorities to identify alternate routes and/or time of day mitigations to reduce potential temporary increases in vehicular traffic during the demolition phase.

### **3.13 Airport Clear Zones and Accident Potential Zones**

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 program area, as program sites located within 2,500 feet of a civil airport would require consultation with the appropriate civil airport operator. No known civil airports are located within 2,500 feet and no known military airports are located within 15,000 feet of the program area. Acquisition sites that would be redeveloped would be reviewed during a future environmental assessment for their location within the airport clear zones and potential accident zones.

### **3.14 Coastal Barrier Resources**

Under the Coastal Barrier Resources Act of 1982 (CBRA), project sites in the federally protected John C. Chaffee Coastal Barrier Resources System (CBRS) are ineligible for most new federal expenditures and financial assistance. The Coastal Barrier Improvement Act of 1990 expanded the CBRS and added a new category of otherwise protected areas (OPAs).

Most Federal expenditures are prohibited for program sites lying within a system unit of the CBRS, unless the action is consistent with CBRA. Activities that would be consistent with the CBRA include actions that would revert the land back to a natural state.

Most Federal expenditures, with the exception of federal assistance for flood insurance, are allowed in OPAs. If a program site is located within an OPA, the program applicant would be eligible for assistance; however, the applicant must provide proof of private flood insurance.

Each site would be reviewed during the Tier 2 Site-Specific Assessment for its proximity to the CBRS, and sites within a 150 foot buffer zone would undergo further coordination with USFWS. If a site is near a CBRS, mitigation measures would be taken to ensure that there are no adverse effects to the CBRS. In general, some storm-damaged properties may be located close to or within the CBRS, and in accordance with 24 CFR 5.6(c), no CDBG-DR funding would be used for Acquisition sites located within a system unit of the CBRS or OPA.

Under the Buyout portion of the program, NYS would demolish the structures on the property and the land would remain open in perpetuity. The Buyout activities of the NY Rising Buyout and Acquisition Program are consistent with CBRA and no further review is required. However, no part of Putnam County lies within the federally-protected CBRS or OPA.

### **3.15 Explosive and Flammable Operations**

Acceptable Separation Distance (ASD) requirements under 24 CFR Part 51 subpart C do not apply to the activities of the NY Rising Buyout and Acquisition Program as the definition for HUD assisted projects at 24 CFR Part 51.201 is predicated on whether the HUD project increases the number of people exposed to hazardous operations (see Appendix O: HUD Noise Abatement and Explosive Operations Email). The NY Rising Buyout and Acquisition Program would not need to apply 24 CFR Part 51 Subpart C because there would be no future occupation of the Buyout properties under the NY Rising Buyout and Acquisition Program and there will be no current occupants of the Acquisition properties under the Program. The requirements of 24 CFR Part 51 Subpart C would be evaluated under a separate environmental assessment for any redevelopment of Acquisition properties if the redevelopment would increase population density.

### **3.16 Farmland Policy Act**

The Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.) discourages federal activities that would convert farmland to nonagricultural purposes. Existing residential properties would be purchased under the NY Rising Buyout and Acquisition Program, and the structures on some program sites would be demolished to create open space or allow for future reuse of the properties. The program would not convert farmland to nonagricultural purposes and would not violate the Farmland Policy Protection Act (see Appendix J: Farmland Protection Checklist).

### **3.17 Environmental Justice**

According to the EPA, environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. The goal behind environmental justice is for all people to enjoy the same degree of protection from environmental and health hazards and to have a healthy environment in which to live, learn, and work. The CDBG-DR program would not have a negative impact on environmental justice as applicants would be treated equally, regardless of origin, race, or age, etc. This program may have a positive impact on environmental justice as priority would be given to applicants whose income is below 80% of the median income, or in the case of multi-family housing, where at least 51% of tenants are of low- or moderate-income. Approximately 45.7% of all NY Rising applications have been from low to moderate income individuals. These individuals are most in need of assistance in rehabilitating or reconstructing their living environment, and the program will help to remedy the environmental and health hazards caused by the recent storms.

NYS would pay particular attention to the needs of the most vulnerable populations: the elderly and disabled, minority populations, low- to moderate-income residents, and others. NYS and its partners would be conducting extensive outreach to ensure that available resources are made available to the populations with the greatest needs.

### **3.18 Coastal Consistency**

The proposed action has been evaluated for consistency with the policies and purposes of the NYS Coastal Management Program (NYSCMP) (see Appendix L: NYSDOS Coastal Consistency Consultation and NYS Coastal Assessment Form).

In conjunction with the State's general concurrence determination, in cases where the project is located within the jurisdiction of a Local Waterfront Revitalization Program (LWRP), the Tier II reviewer would conduct an assessment in accordance with 19 NYCRR Part 600 to determine whether the project is likely to affect the achievement of the policies and purposes of such approved LWRP and State agency programs. Project activities would be undertaken in a manner which complies with the policies of the approved LWRP. No communities in Putnam County currently have adopted LWRPs.

## 4.0 Eight-Step Decision Making Process

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Under 24 CFR Part 55.20, an eight-step decision making process must be completed for Proposed Actions taking place in a floodplain. 24 CFR Part 55.20 implements Executive Order 11988—Floodplain Management. The order requires federal agencies (or a state agency implementing a federal funding program) to reduce the loss of life and property caused by floods, minimize impacts of floods on human safety, health, and welfare, and preserve the natural and beneficial functions of floodplains. Under this order, federal agencies should first look at avoiding all actions in or adversely affecting floodplains unless no practicable alternatives exist. If no practicable alternatives exist, then federal agencies must evaluate the potential effects of the Proposed Action. In addition, federal agencies are required to demonstrate that all practicable alternatives have resulted in the reduction or elimination of the long- and short-term adverse impacts associated with occupancy and modifications of the floodplain. This eight-step process includes assessing all practicable alternatives and incorporating public review.

According to 24 CFR Part 55.12—Inapplicability of 24 CFR part 55 to certain categories of Proposed Actions, the decision-making steps in Parts 55.20(b), (c), and (g) (steps 2, 3, and 7) do not apply to actions under any HUD program involving the “repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects...and one- to four-family properties, in communities that are in the Regular Program of the NFIP and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for “substantial improvement” under §55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.”

According to 24 CFR Part 55.12 (c), the eight-step decision making process for action taking place in a floodplain or for action taking place in a wetland does not apply to:

- (3) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, but only if:
  - (i) The property is cleared of all existing structures and related improvements;
  - (ii) The property is dedicated for permanent use for flood control, wetland protection, park land, or open space; and
  - (iii) A permanent covenant or comparable restriction is placed on the property’s continued use to preserve the floodplain or wetland from future development.

The Buyout actions to take place under the NY Rising Buyout and Acquisition Program fall within the exemption found at 24 CFR Part 55.12(c)(3); however, the eight-step decision making process laid out 24 CFR 55.20 for action taking place in a floodplain, including a floodplain management plan and public notices, was completed for the NY Rising Buyout and Acquisition Program in Putnam County on October 14, 2013.

Under Executive Order 11990—Protection of wetlands, an agency must find “that there is no practicable alternative to such construction, and that the Proposed Action includes all practicable measures to minimize harm to wetlands which may result from such use.” Furthermore, the “agency shall also provide opportunity for early public review of any plans or proposals for new construction in wetlands.” HUD’s current wetland protection policy to comply with Executive Order 11990 is to use the eight-step decision making process provided in 24 CFR Part 55.22 modified for wetlands.

This section demonstrates how the eight-step decision making process is applied to the NY Rising Buyout and Acquisition program for Proposed Actions in the floodplain and for Proposed Actions in the wetlands.

## **4.1 Eight-Step Decision Making Process for Proposed Action in the Floodplain**

### **Description of Proposed Activities in the SFHA**

NYS was awarded funding, to be administered by the HCR, to provide financial assistance to homeowners whose primary residences were substantially damaged by Superstorm Sandy, Tropical Storm Lee, and Hurricane Irene within various NYS counties, including Putnam County. HCR is awarding this funding in accordance with the Action Plan. The Action Plan provides for, among other things, assistance to owners of substantially damaged one to two unit residential properties in Putnam County, NY within the 100-year floodplain by purchasing those properties and relocating residents out of the most flood-prone areas of the county.

The proposed activities include the purchasing of substantially damaged properties, short-term site security and mitigation measures, and demolition of existing structures.

### **Executive Order 11988 and 24 CFR Part 55**

Projects located within a SFHA are subject to Executive Order 11988 as implemented by 24 CFR Part 55. Under 24 CFR Part 55, an eight-step decision making process must be completed for Proposed Actions taking place in the floodplain. Information on where SFHAs are located is available on FIRMs published by FEMA. FEMA uses engineering studies to determine the delineation of these areas or zones subject to flooding. The relevant data source for the SFHA is the latest issued FEMA data or guidance, which includes advisory data (such as ABFEs) or preliminary and final FIRMs.

The SFHA is the area that would be inundated by a 100-year flood: an area that has a one percent or greater chance of experiencing a flood in any single year. SFHAs are shown on FIRMs, as shaded areas labeled with the letter “A” or “V.”

- “V” zones are coastal flood hazard zones subject to wave run-up in addition to storm surge.
- “A” zones include all other SFHAs.
- “VE” zones, “AE” zones, “V” zones, or “A” zones followed by a number are areas with specific flood elevations, known as BFEs.
- A zone with the letter “A” or “V” by itself is an appropriately studied flood hazard area without a specific flood elevation.
- Within an “AE” zone or a numbered “A” zone, there may be an area known as the “regulatory floodway,” which is the channel of a river and adjacent land areas which must be reserved to discharge a 100-year flood without causing a rise in flood elevations.

The SHFA covers large areas of Putnam County. An approximate total of 13,800 acres of floodplain, including surface waters, is mapped within the county boundary and an approximate total of 2,900 acres of floodplain, excluding surface waters, is mapped within the county (Base GIS review of FEMA BFE data).

#### **24 CFR Section 55.1(c)**

Under 24 CFR Section 55.1(c), except with respect to actions listed in Section 55.12(c), no HUD financial assistance (including mortgage insurance) may be approved after May 23, 1994 with respect to:

Any action, other than a functionally dependent use, located in a floodway;

Any critical action located in a coastal high hazard area (“V zone”) (a “critical action” is an action such as storage of volatile materials, irreplaceable record storage or construction of a hospital or nursing home); or

Any non-critical action located in a coastal high hazard area, unless the action is designed for location in a coastal high hazard area or is a functionally dependent use and complies with the construction standards outlined in HUD Regulations 24 CFR Section 55 (c)(3).

#### **24 CFR Sections 55.11 and 55.20**

Under 24 CFR Sections 55.11 (including Table 1) and 55.20, non-critical actions are allowed in “A” or “V” zones only if the actions are reviewed in accordance with the Floodplain Management Eight-Step Decision Making Process (eight-step process) outlined in 24 CFR Section 55.20. The eight-step process was conducted for the Action Plan Activities within Putnam County, and is detailed below.

#### **Base Flood Elevations**

In December 2012, FEMA issued ABFEs through its NFIP. The ABFEs increased the anticipated depth of tidal flooding during the 100-year flood in many areas and a corresponding increase in the area expected to be inundated by such a flood. In areas where preliminary ABFE maps have been developed those maps would govern. In areas where no preliminary ABFE maps exist, FEMA BFE data would be referenced for application of the program within the county.

#### **Step One: Determine if a Proposed Action is in the 100-Year Floodplain**

The geographic scope for the NY Rising Buyout and Acquisition Program described herein is the jurisdictional area of Putnam County, covering approximately 157,440 acres with approximately 2,900 acres located within floodplains (excluding surface water). Putnam County contains approximately 9,600 acres of surface water (lakes, ponds, reservoirs, and streams). Program activities are expected to take place in enhanced target zones and on individual residential properties throughout Putnam County that were affected by Hurricane Irene and Superstorm Sandy. Some of the more distressed neighborhoods are in the Towns of Carmel, Southeast, Kent, Patterson, Putnam Valley, and Philipstown. Property owners of any location within the county that sustained damage from Hurricane Irene and/or Superstorm Sandy are able to apply for the program.

Based on FEMA IA estimates from November 2013, the number of residences potentially impacted by these storms is approximately 649 from Hurricane Irene and 364 by Superstorm Sandy distributed across the Putnam County's six towns, three villages, and rural areas. At this time, no enhanced target zones have been identified in Putnam County. The number of potential structures impacted is subject to updates and refinements as more detailed information becomes available. The actual property addresses would not be identified until applications for assistance are reviewed and determined eligible for the program. The majority of the program applicants would be located in a NFIP "V" or "A" zone, as indicated on the FIRM.

**Step Two: Notify the public at the earliest possible time of a proposal to consider an action in a floodplain, and involve the affected and interested public in the decision making process.**

Because the Action Plan activities are located in the floodplain, HCR must publish an early notice that allows the public input into the decision to provide funding for rehabilitation in this area. Once the early public notice and comment period is complete, HCR would assess, consider, and respond to the comments received individually and collectively for the project file, then proceed to Step Three.

A 15-day "Notice for Early Public Review of a Proposed Activity in a 100-Year Floodplain" was published in The Daily News on September 13, 2013. (See Appendix R: Putnam County Floodplain Management Plan and Public Notices.) The 15-day period expired on September 30, 2013. The notice targeted local residents, including those in the floodplain. The notice was also sent to the following state and federal agencies on September 13, 2013: FEMA; the USFWS; the EPA; the U.S. Army Corps of Engineers (USACE); the National Park Service (NPS); NOAA; NMFS; NYSDEC; the OPRHP; the NYS Department of Transportation; and the NYS Office of Emergency Management. The notice was also sent to Putnam County and the towns and villages within Putnam County.

HCR received two public comments on this notice. The comments were related to eminent domain and to program outreach.

**Step Three: Identify and evaluate practicable alternatives to locating the Proposed Action in a floodplain**

The Proposed Action of the NY Rising Buyout and Acquisition Program would purchase substantially damaged one- to two- unit homes from willing sellers, demolish structures on all Buyout and potentially some Acquisition properties, and temporarily secure Acquisition sites against future damage. The Program would benefit homeowners whose primary residences sustained substantial damage from Superstorm Sandy and/or Hurricane Irene. The residence must be located in Putnam County.

The alternatives to the Proposed Action that would be considered are as follows:

Rehabilitation Grants: NYS would issue grant awards to assist homeowners with elevation and reconstruction of damaged properties and reimburse homeowners for repairs already completed. This alternative would identify all homes within the floodplain that were damaged by Superstorm Sandy and/or Hurricane Irene. Each property owner would then be provided funds to

repair the damage to their property. This program would require that any grant recipients elevate their property to updated elevation standards.

**No Action:** This alternative would offer no assistance to homeowners in the affected area. As such, home owners would be allowed to rebuild according to modern standards, demolish damaged properties, or leave their homes in their present condition. Many homeowners would be unable to recover from the devastation of Superstorm Sandy and Hurricane Irene. Further reconstruction would be parcel by parcel and result in wide variation in the safety and building standards of the affected parcels.

**Buyouts (Proposed Action):** NYS would purchase and demolish damaged properties to allow the floodplain to restore to its natural state. This process would use grant funds to purchase properties from willing sellers affected by Superstorm Sandy and/or Hurricane Irene. Once purchased, improvements on the property, such as single and multi-family homes, would be removed. The vacant land would then revert to its natural state.

**Acquisitions (Proposed Action):** NYS would purchase damaged properties for the purpose of rehabilitation, reconstruction, and/or demolition and future redevelopment. This process would use grant funds to acquire parcels from willing sellers affected by Superstorm Sandy and/or Hurricane Irene. The specific details of reuse of acquired properties are unknown at this time, and would be determined on a site-specific basis. Depending on the condition of the parcel, homes on the property may either be reconstructed or demolished and assessed for future redevelopment in a manner consistent with local comprehensive plans and zoning regulations.

**Step Four: Identify the potential direct and indirect impacts associated with the occupancy or modification of the floodplain.**

HCR has evaluated the alternatives to taking the Proposed Action in the floodplain, and has determined that the proposed activities must take place in the floodplain.

While there is the potential for a cumulative impact from the generation of debris from the demolition and reconstruction of a great number of homes through the Proposed Action in conjunction with the other NY Rising Programs, most of the impact would be mitigated. Direct and indirect impacts on the floodplain from short-term mitigation, site security, and demolition activities under the NY Rising Buyout and Acquisition Program would be minimal as these program sites are already developed with residential buildings.

The Program would facilitate the removal of debris and wreckage from applicant properties, and would protect public safety through the relocation of residents out of the most flood-prone areas. Under the Buyout portion of the program, once the property is purchased, any structures that remain on-site would be demolished and the area would be returned as close as practical to natural conditions and allowed to remain open space in perpetuity. This would allow the land to naturally provide a buffer and to mitigate future flooding.

The Acquisition portion of the program would allow for potential redevelopment of the property in the future. The effect of the Acquisition activities would be the promotion of community

revitalization by preventing undeveloped parcels from being scattered throughout otherwise developed areas.

While there are some inherent risks to developing in a floodplain or area which experiences severe weather that cannot be completely avoided, any future redevelopment of acquired parcels would be replaced with safe modern construction to minimize the impacts associated with the occupancy of the floodplain.

**Step Five: Where practicable, design or modify the Proposed Action to minimize the potential adverse impacts within the floodplain and to restore and preserve its natural and beneficial values.**

Regarding the Buyout portion of the program, restoring the Putnam County floodplain to its natural state would minimize threats to life and property, as well as restore and preserve natural and beneficial floodplain values. By preventing construction and reconstruction of homes in this area, this program would reduce the population within the floodplain, exposing fewer people to the effects of natural disasters. Further, since the land would be free of costly improvements, future storm damage would be minimized. By removing manmade buildings and infrastructure in this area, the floodplain would be returned to its natural state. All backfill soil would have low clay content to facilitate stormwater infiltration and be free of contaminants and deleterious materials to facilitate the return of the Buyout properties to a natural condition. As such, this program would not merely limit damage to the floodplain, but actually restore and improve upon the natural and beneficial floodplain values.

Acquisition of damaged properties would similarly protect life, property, and the natural and beneficial floodplain values. Rehabilitation, reconstruction or removal would improve health and safety by limiting public exposure to dangerous and dilapidated structures. It would also remove improvements that are not presently constructed to the highest elevation, preventing excessive future damage to these parcels. All repairs and reconstruction would be conducted in accordance with local land use plans and would be built using current construction standards to improve resistance to future flood damage.

Strict requirements for the disposal of debris are in place to prevent, to the extent possible, any negative impacts to the floodplain. The handling and disposal of demolition and construction debris, control of stormwater runoff, and noise impacts resulting from the NY Rising Buyout and Acquisition Program would be in accordance with all local, state, and federal regulation as part of the acceptance of assistance funding.

The program would also implement and maintain erosion and sedimentation control measures to prevent deposition of sediment and eroded soil in on-site and off-site wetlands and waters. Soil compaction would be controlled by minimizing program activities in vegetated areas, including lawns. BMPs, such as silt fence and erosion prevention, may be implemented if required by permits or agency discretion. Work in areas of soils with high wind erosion potential may have to occur only during calm weather conditions or include additional watering and other dust suppression mitigation methods. Thorough planning, engineering review, and design through the local permitting process would minimize soil erosion and damage to the floodplain that could result from program activities on sites with marginal soil properties.

**Step Six: Reevaluate the Proposed Action to determine: Whether it is still practicable in light of its exposure to flood hazards in the floodplain, the extent to which it will aggravate the current hazards to other floodplains, and its potential to disrupt floodplain values; and Whether alternatives preliminarily rejected at Step Three are practicable in light of the information gained in Steps Four and Five.**

HCR has reevaluated the Proposed Action and determined that the NY Rising Buyout and Acquisition Program is still practicable in light of its exposure to flood hazards in the floodplain. As the properties are already developed with one- to two- unit dwellings, the Program would not aggravate current hazards to the floodplain, nor would the Program disrupt floodplain values.

HCR also reconsidered the alternatives discussed in Step Three and determined the best practicable alternative is the Proposed Action. The alternative actions considered are as follows: Rehabilitation Grants and No Action. These alternatives do not meet the goals of the NY Rising Buyout and Acquisition Program. The Proposed Action is specifically designed to relocate residents out of areas most vulnerable to flooding, assist homeowners who are unable or unwilling to repair their substantially damaged homes, and increase communities' resiliency to future flooding by restoring the storm attenuation characteristics of the floodplain and providing an option for future resilient repair or redevelopment for individual parcels in developed neighborhoods.

**Step Seven: If the reevaluation results in a determination that there is no practicable alternative to locating the proposal in the floodplain, publish a final notice.**

It is HCR's determination that there is no better alternative than to provide funding for the Proposed Action in the floodplain. This is due to the need to: 1) restore the area to its natural condition to maintain the value of our floodplains; 2) limit excessive spending to rebuild properties in flood-prone areas; 3) prevent future high-value damage to land improvements by preventing the construction of such improvements in flood-prone areas; 4) minimize detrimental impacts on human health; 5) promote the redevelopment of damaged inland parcels consistent with current land use; and 6) remove damaged improvements to allow for future construction that meets with modern elevation and construction standards.

In accordance with 24 CFR 55, a 7-day "Notice for Final Public Review of a Proposed Activity in a 100-Year Floodplain" was published in The Daily News on October 3, 2013. The 7-day period expired on October 10, 2013. The notice targeted local residents, including those in the floodplain. The notice was also sent to the following state and federal agencies on October 3, 2013: FEMA, the USFWS, the EPA, the USACE, the NPS, NOAA, NMFS, NYSDEC, the OPRHP; the NYS Department of Transportation; and the NYS Office of Emergency Management. The notice was also sent to Putnam County and the towns and villages within Putnam County. The notice described the reasons why the project must be located in the floodplain, a list of alternatives considered, and all mitigation measures to be taken to minimize adverse impacts and preserve natural and beneficial floodplain values.

HCR received zero public comments on this notice.

### **Step Eight: Implement the Action.**

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

## **4.2 Eight-Step Decision Making Process for Proposed Action in a Wetland**

It is HUD's current policy to use the same eight-step process for Proposed Action in a floodplain, modified for wetlands, to comply with Executive Order 11990—Protection of Wetlands. This eight-step process would take place on a site-specific basis if a site is determined to be in a wetland, as defined by HUD and Executive Order 11990.

Under Executive Order 11990, wetlands are defined as “those areas inundated by surface or ground water with a frequency sufficient to support and, under normal circumstances, do or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.”

The demolition of residential properties in Putnam County may take place in or next to wetlands. All sites would be evaluated during the Tier 2 site-specific environmental assessment for location with regard to wetlands using NYSDEC and USFWS NWI maps. On-site wetlands delineation and coordination with NYSDEC and the USACE would take place for all sites determined to be in or near a wetland. If the on-site inspection determines that the project would impact a wetland, the eight-step decision making process outlined in 24 CFR Part 55.20, modified for wetlands would be completed, including public notices for proposed project activities of the NY Rising Buyout and Acquisition Program that are in or adjacent to wetlands.

## **5.0 Evaluation of Effects and Summary of Findings and Conclusions**

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In 2011, Putnam County was impacted by Hurricane Irene. The county was again impacted by Superstorm Sandy in 2012. This Tier 1 Programmatic Environmental Assessment has resulted in a Finding of No Significant Impact (FONSI) for the NY Rising Buyout and Acquisition Program in Putnam County, NY. In accordance with the December 11, 2012 HUD memorandum regarding Environmental Review Processing During Emergencies and Following Disasters under 24 CFR Part 58, the FONSI and Notice of Intent to Request Release of Funds (NOIRROF) public notices would be published together on the same date in order to combine public comment periods and facilitate the efficient review of this environmental assessment.

Programmatic compliance for certain environmental factors has been evaluated at the Tier 1 level so that further review for these factors is not necessary at the Tier 2 site-specific level. This Tier 1 PEA has also identified the environmental compliance factors which must be evaluated during the Tier 2 site-specific environmental assessments, and laid out the criteria and procedures for ensuring compliance.

Certain categories evaluated in the NEPA Checklist and Environmental Assessment Worksheet may have the potential for adverse effects. Program sites would be evaluated on the Tier 2 level to determine any potential adverse effects for that site. If adverse impacts are found to exist, appropriate mitigation measures would be required in order to comply with NEPA and HUD Environmental Standards. These mitigation measures are identified in Section 3 and may include: 1) modification of the site-specific project scope to avoid or minimize effects on historic or cultural resources, 2) flood hazard prevention and mitigation, 3) wetland protection, 4) modification of the site-specific project scope to avoid or minimize effects on threatened or endangered species, 5) and standard construction BMPs to minimize project generated noise.

The environmental assessment checklists used to complete this Tier 1 assessment are included in the Statutory and Environmental Assessment Checklists section. Maps, agency consultations, and research supporting the Tier 1 environmental assessment are presented in the Appendices. A summary of agency consultation for the proposed action is provided at the end of Section 6.0.

Individual actions undertaken by the described NY Rising Buyout and Acquisition Program would take place in enhanced target zones and on individual residential properties throughout Putnam County. While many of these activities would take place in the 100-year floodplain, the exact location of all potential enhanced target zones or program sites is not yet known. After considering the alternatives, HCR has determined that there is no practicable alternative other than to proceed with the proposed program. While there are some inherent risks to living in a floodplain or area which experiences severe weather that cannot be completely avoided, the individual actions undertaken by the described NY Rising Buyout and Acquisition Program would result in fewer residents in the areas most susceptible to future flood hazards and contribute to the communities' storm attenuation characteristics. The program would also result in better reuse of the acquired properties and would provide a positive financial impact on the neighborhoods and communities in Putnam County.

## 6.0 List of Sources, Agencies, and Persons Consulted

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**NY Rising Buyout and Acquisition Program  
Agency Consultation Record**

<b>Agency Consulted</b>	<b>Type of Consultation</b>	<b>Date of Consultation</b>	<b>Date of Agency Response</b>	<b>Consultation Details</b>
New York State Department of Environmental Conservation (NYSDEC)	Air Quality	August 29, 2013	None	NYSDEC has not provided a response to the request for consultation.
New York State Department of State (NYSDOS)	Coastal Zone Consistency	August 29, 2013	October 18, 2013	NYSDOS determined that the program is generally consistent with the New York State Coastal Management Program
New York Natural Heritage Program (NYNHP)	Threatened and Endangered Species	August 27, 2013	September 4, 2013	NYNHP did not identify any potential impacts to endangered, threatened, and/or rare species or their habitats by the proposed buyout and acquisition activities. Following acquisition, if any construction is proposed, then a specific project site screening should be conducted.
National Marine Fisheries Service (NMFS)	Threatened and Endangered Species and Essential Fish Habitat	September 19, 2013	April 16, 2014	NMFS determined that the program would have no effect to NMFS listed species and that no ESA Section 7 consultation was necessary.
United States Fish and Wildlife Service (USFWS)	Threatened and Endangered Species	August 26, 2013	September 25, 2013	USFWS identified federally listed threatened and endangered species within Westchester County and advised that it is the action agency's responsibility to determine whether or not the proposed action would affect listed species.

**Notes:** See Appendices for copies of consultation letters.

**Other agency coordination:**

New York State Historic Preservation Office – Activities under the proposed action would comply with the Programmatic Agreement among FEMA, the NYS Historic Preservation Office, the NYS Office of Emergency Management, the Delaware Nation, the Delaware Tribe of Indians, the Shinnecock Nation, the Stockbridge-Munsee Community Band of Mohicans, the NYC Landmarks Preservation Commission, and the Advisory Council On Historic Preservation.

Environmental Protection Agency (Sole Source Aquifers) - Activities under the proposed action would be reviewed in accordance with the Memorandum of Understanding between HUD and the EPA.

**Exhibit 1:**  
**NEPA Environmental Assessment Checklist**

## NEPA Environmental Assessment Checklist

[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]

NYSHCR has evaluated the significance of the effects of the proposal on the character, features and resources of the project area. The relevant base data, verifiable source documentation, and required mitigation measures supporting the finding are described below. The following impact codes describe the determination of impact. **Impact Codes:** (1) - No impact anticipated; (2) - Potentially beneficial; (3) - Potentially adverse; (4) - Requires mitigation; (5) - Requires project modification.

Land Development	Code	Source or Documentation
Conformance with Comprehensive Plans and Zoning	1	<p>The most current plan with policy recommendations for Putnam County is the Report of the Task Force on Vision 2010 Guiding Putnam into the Next Decade, prepared in 2003. This program has been reviewed by the NYSDOS, which has determined that the program meets the department's general consistency concurrence criteria, and therefore the department has no objection to the use of HUD funds for this financial assistance activity. However, if a federal permit or other form of federal agency authorization is required for a program site, NYSDOS will conduct a separate review for those permit activities. In such a case, a copy of the federal application for authorization, a completed Federal Consistency Assessment Form, and all supporting information will be forwarded to NYSDOS at the same time it is submitted to the federal agency from which the necessary authorization is required. A NYSDOS Coastal Assessment Form and analysis of the Program's consistency with NYS Coastal Management Policy have also been prepared. (See Appendix L: NYSDOS Coastal Consistency Consultation). In conjunction with the State's general concurrence determination, in cases where the project is located within the jurisdiction of a Local Waterfront Revitalization Program (LWRP), the Tier 2 reviewer would conduct an assessment in accordance with 19 NYCRR Part 600 to determine whether the project is likely to affect the achievement of the policies and purposes of such approved LWRP and State agency programs. Project activities would be undertaken in a manner which complies with the policies of the approved LWRP.</p> <p><b>Buyout</b> The Buyout program would convert properties within the floodplain in storm-impacted areas to open space or other non-residential/non-commercial uses. Once all targeted properties are converted, much of the resulting open space would be contiguous and, therefore, compatible with the surrounding land uses. The Buyout program would not require any changes to existing land use designations as the land would revert to open space. The appropriate permits for demolition activities would be obtained.</p> <p><b>Acquisition</b> Property purchased under the Acquisition program would not likely result in any changes in land use designations. Efforts to temporarily secure the structure or the property against future storm events would not result in any permanent changes in land use designations. The Acquisition properties may be demolished under this program for future redevelopment. Appropriate permits for demolition activities would be obtained. Anticipated redevelopment would be consistent with current land use. If new development is proposed that is not consistent with current land use, additional environmental review would be done to ensure that any proposed development is consistent with the Putnam County Vision 2010 Plan.</p> <p><b>Source: 25, 43</b></p>

Land Development	Code	Source or Documentation
Compatibility and Urban Impact	2	<p><b>Buyout</b> The Buyout program would create new open space throughout Putnam County, primarily in low-lying areas prone to flooding or close to the shoreline primarily on the western portion of the County. The proposed Buyout program in Putnam County fits with all of the regional and local plans, particularly with regard to conserving and creating open space. The conversion to open space land use and reduction in housing density is compatible with the visual character and quality of each area. Creating the open space would establish a larger buffer between the areas identified with potential for future flooding and residential uses.</p> <p><b>Acquisition</b> Property purchased under the Acquisition program would not result in any changes in compatibility and urban impact. Efforts to temporarily secure the structure or the property against future storm events would not result in any permanent changes in land use that could be incompatible with surrounding land uses. Redevelopment would be consistent with current land use (1-2 unit residential structures) and provide an urban design and compatibility benefit by revitalizing the appearance and sustainability of these properties. For any proposed new development other than 1-2 unit residential development, additional environmental review may be done to ensure that the proposed development is consistent with the Putnam County Vision 2010 Plan and compatible with existing structures.</p> <p><b>Source: 12, 25, 43</b></p>
Slope	1	<p><b>Buyout</b> The Buyout program would return properties to natural conditions. As part of this program, the properties would be backfilled and graded following removal of any structures. Because these properties are already developed, adverse effects to slope are not anticipated.</p> <p><b>Acquisition</b> Property purchased under the Acquisition program would not affect slopes on properties. Any effects from minor short-term adjustments including soil amendment or replacement of eroded soils pending redevelopment within a localized area on a property are considered negligible. Appropriate permits for demolition activities would be obtained. Because these properties are already developed, adverse effects to slope resulting from demolition are not anticipated. If new development is proposed subsequent to this action, additional environmental review may be done to ensure that any proposed development does not impact slope.</p> <p><b>Source: 32, 35</b></p>

Land Development	Code	Source or Documentation
Soil Erosion	4	<p><b>Buyout</b>  Buyout areas would generally be in floodplain areas subject to erosion and loss of soil especially from storm activity. Buyout properties would be graded and re-vegetated following demolition activities to prevent erosion. There would be a short-term increase in the potential for erosion from the site disturbance. As required by the Soil Erosion Conditions for Approval, BMPs, such as silt fence and erosion prevention, may be implemented, if required by permit or agency discretion. These BMPs would reduce the potential for erosion. There would be a short-term increase in the potential for erosion due to the site disturbance during demolition. A Stormwater Pollution Prevention Plan (SWPPP) per the NYSDEC regulations would be implemented on-site during demolition to reduce the potential for erosion. Short-term BMPs, such as silt fence and erosion prevention, would be implemented to mitigate erosion where highly erodible soils are present, if required by permit or agency discretion (see Soil Erosion Conditions for Approval). State and local permitting requirements would incorporate BMPs (erosion blanketing, phasing, and sequencing of construction) to eliminate erosion impacts for program locations that require excavation or soil modification. Demolition and incidental grading would be carried out in a manner to avoid the discharge or fill in accordance with the Clean Water Act during demolition. Work in areas of soils with high wind erosion potential may have to be scheduled only during calm weather conditions or include additional watering and other dust suppression mitigation methods. Buyout properties would be graded and seeded immediately following demolition to minimize erosion and runoff. Soil disturbance that would substantially increase the erosion potential is not anticipated.</p> <p><b>Acquisition</b>  Efforts to secure the property, increase the short-term resiliency of the structure or property against future storm events, or demolition would require the same mitigation methods and have the same impacts as discussed for the Buyout of properties described above.</p> <p><b>Source: 32</b></p>
Soil Suitability	4	<p><b>Buyout</b>  The Buyout program would return the land to open space, for which soil suitability issues would be minimal. BMPs, including silt fences, would be employed for stabilization from potential erosion during the re-vegetation process.</p> <p><b>Acquisition</b>  The suitability of the soils present would have to be considered for any efforts to demolish for future redevelopment, secure the property, or increase the short-term resiliency of the structure or property against future storm events.</p> <p><b>Source: 14, 32</b></p>

Land Development	Code	Source or Documentation
Hazards and Nuisances including Site Safety	4	<p><b>Buyout</b>  The Buyout program would include demolition of structures. These structures could contain asbestos, lead-based paint, or other toxic materials. HCR in conjunction with designated agencies or consultants under HCR’s direction will provide qualified environmental professionals to perform on-site visits as necessary; QEPs are experienced persons with the skills to look for and recognize hazardous materials and their condition generally as well as the most common types of residential contamination found within this geographic area. The reports generated by the QEPs with environmental assessment experience will be reviewed by HCR or consultant under HCR direction to confirm that all items on the checklist are appropriately addressed.</p> <p>Typical effects of construction/demolition actions may include the presence of heavy equipment, which could pose safety issues to nearby populations. Construction and demolition would be addressed under existing regulations governing construction activity in NYS, Putnam County, and local municipalities.</p> <p><b>Acquisition</b>  Efforts to secure the property, to increase the short-term resiliency of the structure or property against future storm events, or demolition for redevelopment would require the same mitigation methods and have the same impacts as discussed for the Buyout of properties described above.</p> <p><b>Source: 10, 16, 17</b></p>
Energy Consumption	2	<p><b>Buyout</b>  The Buyout program would not expand the housing stock relative to conditions prior to recent storm events and would not increase long-term energy consumption. Demolition activities could involve the use of fossil fuel energy consumption unless explicitly prohibited by local ordinances. The reversion of properties to open space and related natural uses would result in a net decrease in energy consumption from the absence of buildings requiring energy consumption. This would result in a beneficial impact to energy consumption at the subject properties.</p> <p><b>Acquisition</b>  The Acquisition program would not expand the housing stock relative to conditions prior to recent storm events and would not increase long-term energy consumption. Newly constructed 1-2 unit homes would be more energy-efficient than the homes being demolished as a result of the program, due to incorporation of modern, energy efficient building materials and practices.</p> <p><b>Source: 25, 43</b></p>

Land Development	Code	Source or Documentation
<p><b>Noise</b> Contribution to Community Noise Levels</p>	<p>4</p>	<p><b><i>Buyout</i></b> Demolition of structures associated with the Buyout program would result in temporary increases in noise levels due to activities involving heavy equipment and truck operations. These increases would be mitigated by implementing the Noise Conditions for Approval, including outfitting of equipment with mufflers, and compliance with local noise ordinances including time-of-day work limitations. The reversion of properties to open space and related natural uses would result in a net decrease in noise levels associated with these properties.</p> <p><b><i>Acquisition</i></b> The Acquisition program is anticipated to result in the same amount of development that existed at pre-Hurricane Irene and Superstorm Sandy levels, and would not result in any significant increase in ambient noise levels. Demolition, construction, and efforts to temporarily secure the structure or the property against future storm events could result in temporary increases in noise levels due to heavy equipment and truck operations. These increases would be mitigated by implementing the Noise Conditions for Approval, including outfitting of equipment with mufflers and compliance with local noise ordinances including time-of-day work limitations.</p> <p><b>Source: 17</b></p>

Land Development	Code	Source or Documentation
<p><b>Air Quality</b> Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels</p>	<p>4</p>	<p>The proposed action would be located in Putnam County, which is within a non-attainment area for ozone. Section 176(c) of the Clean Air Act (CAA) requires a federal agency that funds any activity in a nonattainment or maintenance area to conform to the NY State Implementation Plan (SIP). Conforming to a SIP means that an action would not:</p> <ul style="list-style-type: none"> <li>• Cause or contribute to a new violation of any standard in any area;</li> <li>• Increase the frequency or severity of any existing violation of any standard in any area; or</li> <li>• Delay timely attainment of any standard or any required interim emission reduction or other milestones in any area.</li> </ul> <p>The activities associated with the proposed action, including alteration or demolition of existing structures, would include implementation of the Air Quality Conditions for Approval as stated in the project description. These conditions include compliance with applicable federal, state, and local laws and regulations regarding construction emissions, including but not limited to NYCRR, NYSDEC Air Quality Management Plan, and the SIP.</p> <p>As demonstrated in the conformity screening analysis for the proposed action, emissions from construction activities would be less than de minimis levels above which a general conformity analysis or determination would be required (see Appendix K: NYSDEC Air Quality Consultation and Conformity with State Implementation Plans), and therefore a conformity assessment is not warranted. Construction activities as a result of the proposed action may result in temporary increases in emissions from on-site equipment, construction-related vehicles and nonroad engines, and fugitive dust. However, all activities under the proposed action would comply with applicable federal, state, and local laws and regulations regarding construction emissions, as discussed in Section 3.0, “Conditions for Approval and Mitigation.” Overall, construction activities would occur at scattered sites under the proposed action, and air pollutant concentration increments from construction activities are highly localized, i.e., almost entirely due to construction activity in close proximity to receptor locations and not due to cumulative effects from the larger area.</p> <p>In cases where new appliances are required (e.g., boiler, HVAC, etc.), it is anticipated that newer, energy efficient appliances would be installed per applicable building codes and federal, state, and local ordinances, resulting in potential benefits in the form of cleaner air.</p> <p><b>Source: 18, 19</b></p>

Land Development	Code	Source or Documentation
<p><b>Environmental Design</b>  Visual Quality - Coherence, Diversity, Compatible Use and Scale</p>	<p>2</p>	<p><b>Buyout</b>  The Buyout program would convert properties in the floodplain in storm-impacted areas to open space or other non-residential, non-commercial uses. These uses would involve restoration of the natural features of the land, and would enhance the visual quality of the site and its surroundings.</p> <p>Once all targeted properties are converted, the resulting open space would be compatible with the surrounding land uses in terms of both visual quality and scale. The coherence of the landscape would be improved with the restoration of its natural use and would provide a benefit to neighboring communities, resulting in a beneficial impact. The program would have a beneficial effect by improving the visual appearance of neighborhoods by removing unsightly structures destroyed by recent storm events and returning the landscape to a more natural appearance.</p> <p><b>Acquisition</b>  Demolition, construction, and efforts to temporarily secure the structure or the property against future storm events would improve the visual values and environmental design over the short-term as storm damage is repaired and decisions on disposition of these properties are made. If new development is proposed subsequent to this action that does not involve redevelopment of 1-2 unit housing, additional environmental review would be done to ensure that any proposed development is consistent with the Putnam County Vision 2010 Plan.</p> <p><b>Source: 25, 43</b></p>

Socioeconomic	Code	Source or Documentation
Demographic Character Changes	3	<p>The NYSDEC has identified potential environmental justice areas, as established in NYSDEC Commissioner Policy 29 on Environmental Justice and Permitting (CP-29), Potential EJ Areas are 2000 U.S. Census block groups of 250 to 500 households each that, in the 2000 Census, had populations that met or exceeded at least one of the following statistical thresholds:</p> <ul style="list-style-type: none"> <li>• At least 51.1% of the population in an urban area reported themselves to be members of minority groups; or</li> <li>• At least 33.8% of the population in a rural area reported themselves to be members of minority groups; or</li> <li>• At least 23.59% of the population in an urban or rural area had household incomes below the federal poverty level.</li> </ul> <p>However, there are no environmental justice areas in Putnam County (see Appendix B for the Potential Environmental Justice Area Maps).</p> <p><b>Buyout</b>  One of the objectives of the Buyout program is to relocate residents to similar housing in safer areas of the county. As such, the Buyout program may result in a change in the population and demographics of Putnam County if residents choose to relocate outside the county. With the large population of Putnam County, this potential change would not be substantial enough to change the demographic character of the county as a whole.</p> <p><b>Acquisition</b>  One of the objectives of the Acquisition program is to relocate residents to similar housing in safer areas of the county and redevelop properties in a resilient manner for future residents. As such, the Acquisition program may result in a slight change in the population and demographics of Putnam County if residents choose to relocate outside the county. With the large population of Putnam County, this potential change would not be substantial enough to change the demographic character of the county as a whole.</p> <p><b>Source: 12, 13</b></p>

Socioeconomic	Code	Source or Documentation
Displacement	3	<p>One of the primary objectives of NYS's response to recent storm events and CDBG-DR funding is to avoid the permanent displacement of residents.</p> <p>The Buyout and Acquisition programs will, by definition, only relocate the residents of the dwellings who agree to participate in the program. In accordance with the Action Plan (April 2013), NYSHCR is expected to, and is making, a concerted effort to minimize displacement of persons or entities and assist those displaced as a result of the disasters. If an individual person or entity is displaced as a result of the CDBG-DR investment, NYS would provide assistance as required through the Uniform Relocation Act Requirements. The program also encourages willing sellers to relocate within the county through an incentive of 5% over the pre-storm FMV of their home.</p> <p>The Buyout program would result in displacement. The program is voluntary and based on willing sellers applying for program funds. Buyouts are designed to provide the pre-storm FMV to willing sellers so that they would gain adequate compensation to relocate within Putnam County. Residents would be compensated such that they would be able to relocate to similar housing in safer areas within Putnam County.</p> <p>The Buyout and Acquisition programs would be applied to all willing sellers, regardless of race, age, or income status. As such, the Buyout and Acquisition programs would not substantially alter the demographic characteristics of Putnam County.</p> <p><b>Source: 16</b></p>

Socioeconomic	Code	Source or Documentation
Employment and Income Patterns	3	<p>The relocation of residents in the Buyout and Acquisition areas is not expected to alter their employment or income status, or that of Putnam County, since they could continue to retain their current jobs and income. However, if the customer base of a small business is diminished, localized economic effects could occur. These effects could include economic losses to local business, and could result in the loss of the affected local businesses if their income is diminished to the extent that it is no longer feasible to operate in that area.</p> <p>In addition, residents moving out of the Buyout Acquisition areas would result in a reduction in the tax base within these affected municipalities as residential properties are converted to open space, or redeveloped at a later date.</p> <p><b>Buyout</b></p> <p>The Buyout program would increase employment and income patterns in the short-term through demolition and site restoration. There would likely be a temporary increase in employment and income from an increase in activities associated with demolition and disposal of materials and converting the property to open space. If residents of properties included in the Buyout program choose to relocate outside Putnam County, there may be a reduction in county-wide workforce levels, but not necessarily employment levels. To the extent that these residents relocate within Putnam County and purchase housing of comparable value, this would not result in an overall tax base reduction for the county. In addition, the number of residences and the demand for residential infrastructure and services would decline in the Buyout areas, as well.</p> <p><b>Acquisition</b></p> <p>If new development is proposed subsequent to this action, there may be additional employment and income associated with new construction. To the extent that these residents relocate within Putnam County and purchase housing of comparable value, this would not result in an overall tax base reduction for the county.</p> <p><b>Source: 12, 13</b></p>

<b>Community Facilities and Services</b>	<b>Code</b>	<b>Source of Documentation</b>
Educational Facilities	3	<p><b>Buyout</b> The proposed incentives would encourage many students displaced by recent storm events to return to their local school or a nearby school in Putnam County. If relocation in the same school district does not occur, some school districts in other parts of Putnam County may see a slight increase in enrollment from displaced families, and those districts in the affected areas may see decreased enrollment. If this increase in other school districts is realized, it would not be significant, as these students would likely be spread throughout the county.</p> <p><b>Acquisition</b> Efforts to secure the property or increase the short-term resiliency of the structure or property against future storm events would not affect educational facilities, as changes in enrollment would be similar to those described for the Buyout program.</p> <p><b>Source: 11</b></p>
Commercial Facilities	3	<p><b>Buyout</b> The Buyout program would not result in a significant effect on existing commercial establishments. Through the incentive program, residents remaining in Putnam County would likely continue to frequent commercial establishments if they are able to remain living in the same neighborhood or one very nearby in Putnam County. If this does not occur, some commercial establishments in the areas affected by recent storm events may experience a decrease in revenue if residents move to another part of Putnam County. Commercial establishments in other parts of Putnam County may experience a very slight increase in revenue which would be an economic benefit to these businesses, especially those that experienced a loss in revenue since the storm.</p> <p><b>Acquisition</b> Efforts to secure the property or increase the short-term resiliency of the structure or property against future storm events would not have a significant effect on commercial facilities and would be similar to those described for the Buyout program.</p> <p><b>Source: 15</b></p>
Health Care	3	<p><b>Buyout</b> The Buyout program would not result in a large increase in demand on the health care system. There is a potential for health care facilities near the affected areas to experience a decrease in demand as the local population decreases. Some localized health care facilities away from the impacted areas may see a slight increase in demand as people relocate. If this increase is realized, it would not be significant as displaced residents would likely be spread throughout the county. The overall population of Putnam County is expected to remain at or below pre-storm levels, so there would be no substantial increase in the demand for health care facilities.</p> <p><b>Acquisition</b> Efforts to secure the property or increase the short-term resiliency of the structure or property against future storm events would not increase demand for health care facilities.</p> <p><b>Source: 29, 30</b></p>

<b>Community Facilities and Services</b>	<b>Code</b>	<b>Source of Documentation</b>
Social Services	3	<p><b><i>Buyout</i></b>  The Buyout program would not result in a large increase in demand on social services. There is a potential for some social service facilities near the affected areas to experience a decrease in demand as the local population decreases. Some localized social service facilities located away from the impacted areas may see a slight increase in demand as people relocate. If this increase is realized, it would not be substantial as displaced residents would likely be spread throughout the county and the overall population of Putnam County is expected to remain at or below pre-storm levels, so there would be no substantial increase in the demand for social services.</p> <p><b><i>Acquisition</i></b>  Efforts to secure the property or increase the short-term resiliency of the structure or property against future storm events would not affect the overall demand for social services and would be similar to those described for the Buyout program.</p> <p><b>Source: 45</b></p>
Solid Waste	4	<p><b><i>Buyout</i></b>  The Buyout program would generate substantial quantities of solid waste from building demolition and removal and would include implementation of the Solid Waste Conditions for Approval as stated in the project description. All solid waste must be properly segregated and disposed of at any of the county landfills. All hazardous waste (Asbestos Containing Material [ACM], lead, etc.) would be segregated and disposed of at an appropriately licensed facility. Materials can be separated from C&amp;D debris to be recycled or to be reused for a specific use. Material that is not recovered is sent to a municipal solid waste landfill or to a C&amp;D debris landfill. Facilities and landfills would be determined based on proximity to site specific properties.</p> <p><b><i>Acquisition</i></b>  Efforts to secure the property, increase the short-term resiliency of the structure or property against future storm events, or demolish sites for redevelopment would generate C&amp;D debris. This debris would be managed as discussed above for the Buyout program and would include implementation of the Solid Waste Conditions for Approval as stated in the project description. Facilities and landfills would be determined based on proximity to the different areas and capacities.</p> <p><b>Source: 1, 10, 36</b></p>

<b>Community Facilities and Services</b>	<b>Code</b>	<b>Source of Documentation</b>
Waste Water	3	<p><b>Buyout</b> The Buyout program would not generate wastewater because no new construction would take place, and demolition of residential homes and conversion to open space does not generate a substantial amount of wastewater, so the Buyout program would not result in a significant demand on Putnam County’s sewage treatment plants or the other independent treatment facilities operating in the county.</p> <p><b>Acquisition</b> Demolition and efforts to temporarily secure the structure or the property against future storm events would not result in any wastewater impacts as they would not result in generating additional wastewater. BMPs would be implemented during demolition to avoid impacts from the decommissioning, removal and/or disconnection of septic systems and sewage components.</p> <p><b>Source: 31, 33, 41</b></p>
Stormwater	3	<p><b>Buyout</b> All Buyout sites would be evaluated for the need to comply with stormwater permitting requirements, including NYSDEC general permits or local MS4 permits. If multiple adjacent sites are worked on, the sites would be aggregated for the purposes of construction stormwater compliance.</p> <p>Removing existing residential buildings and converting the land to open space would decrease the amount of runoff going into the local stormwater system. Creating open space and replacing existing impervious surfaces, such as building foundations and associated impervious surfaces such as driveways and patios, will enable rainwater to percolate into the ground at a faster rate, thereby reducing the amount of stormwater runoff into the local stormwater corridor system, and likely increasing stormwater runoff into the groundwater recharge basins. Demands on the local stormwater corridor system will decrease due to an increase in percolation in the Buyout areas, but increase in the groundwater system. Any potential increase in stormwater runoff to the ground water system is not expected to exceed the capacity of this infrastructure.</p> <p><b>Acquisition</b> Demolition and efforts to temporarily secure the structure or the property against future storm events would not result in any stormwater impacts. All Acquisition sites would be evaluated for the need to comply with stormwater permitting requirements (NYSDEC general permit or local MS4 permits). If multiple adjacent sites are worked on, the sites would be aggregated for the purposes of construction stormwater compliance.</p> <p><b>Source: 31, 33, 41</b></p>

<b>Community Facilities and Services</b>	<b>Code</b>	<b>Source of Documentation</b>
Water Supply	1	<p><b>Buyout</b> Under the Buyout program, no additional demands would be placed on the Putnam County water supply as no new residences are being built. Demand may decline if residents choose to relocate outside the county. Adjustments and consolidation of water delivery systems and utilities may be needed to maintain services to residents not involved with the Buyout.</p> <p><b>Acquisition</b> Efforts to secure the property, increase the short-term resiliency of the structure or property against future storm events, or demolish sites for redevelopment would not result in any increase in water demand.</p> <p><b>Source: 6, 20, 34, 42</b></p>
Public Safety Police	3	<p><b>Buyout</b> The Buyout program would not result in additional housing units and would not increase the demand on the police services in Putnam County. Through the proposed incentive program, many families displaced by recent storm events may be able to return to their local neighborhoods in Putnam County. If relocation in the same neighborhood does not occur, some police departments in Putnam County may see a slight increase in demand from displaced families. If this increase is realized, it would not be significant as residents would likely be spread throughout Putnam County. Police services in the affected areas may decrease as the population is reduced. But the overall population in Putnam County is not expected to change, so there would be no substantial increase in demand for services from local police precincts as new residences are not being added and existing residents would likely remain in the county. Debris from demolition activities would be managed to not impede response time in local neighborhoods. It is possible debris or trucks may temporarily block access, though this would be minor and temporary. Creating open space would benefit the area by creating a protective buffer from future flooding hazards.</p> <p><b>Acquisition</b> Efforts to secure the property, increase the short-term resiliency of the structure or property against future storm events, or demolish sites for redevelopment would have no direct effects on police services. Any relocation due to Acquisition would have the same minor impacts as discussed for the Buyout program above.</p> <p><b>Source: 24</b></p>

<b>Community Facilities and Services</b>	<b>Code</b>	<b>Source of Documentation</b>
<b>Public Safety</b> Fire	3	<p><b><i>Buyout</i></b> The Buyout program would not result in additional housing units and would not increase the demand on the fire departments in Putnam County. Through the proposed incentive program, many families displaced by recent storm events may be able to return to their local neighborhoods in Putnam County. If relocation in the same neighborhood does not occur, some fire departments in Putnam County may see a slight increase in demand from displaced families. If this increase is realized, it would not be substantial as residents would likely spread throughout the county. Service demands on some fire departments in the affected areas may decrease as the population is reduced. The overall population in Putnam County is not expected to change, so there would be no significant adverse effects on local fire departments as new residences are not being added, and existing residents would likely remain in the county. Debris from demolition activities would be managed as to not impede response time in local neighborhoods. It is possible debris or trucks may temporarily block access, though this would be minor and temporary. Creating open space would benefit the area by reducing the amount of derelict properties, which pose potential fire hazards.</p> <p><b><i>Acquisition</i></b> Efforts to secure the property, increase the short-term resiliency of the structure or property against future storm events, or demolish sites for redevelopment would have no direct effects on fire services. Any relocation due to Acquisition would have the same minor impacts as discussed for the Buyout program above.</p> <p><b>Source: 26, 28</b></p>
<b>Public Safety</b> Emergency Medical Services	3	<p><b><i>Buyout</i></b> The Buyout program would not result in additional housing units and would not increase the demand on the local emergency medical departments. Through the proposed incentive program, many families displaced by recent storm events may be able to return to their local neighborhoods in Putnam County. If relocation in the same neighborhood does not occur, some emergency medical departments in Putnam County may see a slight increase in demand from displaced families. If this increase is realized, it would not be substantial. Demands on emergency medical services in the affected areas may decrease as the population is reduced, The overall population in Putnam County is not expected to change, so there would be no significant adverse effects on local emergency medical departments as new residences are not being added, and existing residents would likely remain in the county. Debris from demolition activities would be managed to not impede response time in local neighborhoods. It is possible debris or trucks may temporarily block access, though this would be minor and temporary.</p> <p><b><i>Acquisition</i></b> Efforts to secure the property, increase the short-term resiliency of the structure or property against future storm events, or demolish sites for redevelopment would not significantly affect EMS. Any relocation due to Acquisition would have the same minor impacts as discussed for the Buyout properties above.</p> <p><b>Source: 26, 28</b></p>

<b>Community Facilities and Services</b>	<b>Code</b>	<b>Source of Documentation</b>
<b>Open Space and Recreation</b> Open Space	2	<p><b>Buyout</b>  The Buyout program would significantly increase the amount of open space in the affected area. Under this program, residential buildings would be purchased and demolished, and open space with native vegetation would be created and remain in perpetuity. This open space would act as a buffer against future flood hazards, potentially reduce the impact of future storms, and provide additional land for public uses such as recreation or community gatherings.</p> <p><b>Acquisition</b>  Under this program, residential buildings would be purchased, demolished, and redeveloped in a consistent manner. Demolition, redevelopment, and efforts to temporarily secure the structure or the property against future storm events would have no effect on open space.</p> <p><b>Source: 27, 38, 43</b></p>
<b>Open Space and Recreation</b> Recreation	1	<p><b>Buyout</b>  The Buyout program would reduce the population of local neighborhoods impacted by recent storm events but increase the amount of land potentially used for recreation. This would not result in any new significant demand on recreational facilities in the county.</p> <p><b>Acquisition</b>  Demolition, redevelopment, and efforts to temporarily secure the structure or the property against future storm events would have no effect on recreation.</p> <p><b>Source: 27, 38</b></p>
Cultural Facilities	1	<p><b>Buyout</b>  The Buyout program would not result in an increase in demand on cultural facilities, as there would be no increase in population.</p> <p><b>Acquisition</b>  Demolition, redevelopment, and efforts to temporarily secure the structure or the property against future storm events would not create any additional demand for, nor affect, cultural facilities.</p> <p><b>Source: 39, 40, 43, 46</b></p>

<b>Community Facilities and Services</b>	<b>Code</b>	<b>Source of Documentation</b>
Transportation	3	<p><b><i>Buyout</i></b>  The Buyout program would likely generate an increase in vehicular traffic during the demolition. This impact would be temporary and end when all demolition, debris removal and conversion to open space is complete. Any disruption to transportation would be managed through Intelligent Transportation Systems implemented by the relevant municipality.</p> <p>Vehicular traffic would likely decrease in the areas impacted by recent storm events in the long-term due to a decrease in the local population. Through the proposed incentive program, residents displaced by recent storm events may be able to remain in the local neighborhood in Putnam County. If relocation in the same neighborhood does not occur, vehicular traffic in other areas in Putnam County may see a slight increase from displaced families. If this increase is realized, it would not be substantial.</p> <p><b><i>Acquisition</i></b>  Efforts to demolish for redevelopment, secure the property, or increase the short-term resiliency of the structure or property against future storm events would not significantly affect transportation and could involve short-term increase in vehicular traffic as discussed above for the Buyout program.</p> <p><b>Source: 37, 43</b></p>

Natural Features	Code	Source of Documentation
Water Resources	4	<p>Putnam County does not contain a sole source aquifer. A substantial portion of Putnam County lies within the Croton Watershed, which is part of the New York City Water Supply System. All 1-2 Unit residential properties under the NY Rising Buyout and Acquisition program located within the NYC Watershed area would be reviewed for consistency with the NYC Watershed rules.</p> <p>Because these programs would occur on lands already containing residences, water supplies are already established. Hazardous materials, especially stored liquids such as fuels and pesticides in existing buildings and on or adjacent to program properties could be released during demolition and transported to groundwater through percolation. Potential hazardous materials and wastes would be assessed and remediated and all applicable federal, state, and local laws and regulations complied with, as described in the Hazardous Materials Conditions for Approval. These procedures would minimize the potential for contamination of groundwater from building demolition and site restoration. Tier 2 mitigation plans would be developed, as necessary, to minimize impacts on groundwater as the locations of participating properties are determined. No site-altering activities would occur until mitigation plans are implemented.</p> <p>After demolition, removal, and land restoration, there would be beneficial long-term effects on water resources from the removal of impervious surfaces, adding to recharge and filtering, and removal of potential sources of pollution from vehicles, solvents, and nitrite pollution from sewage and septic systems. There would also be slight reduction in localized pumping and overall demand, perhaps reducing the rate of seawater infiltration.</p> <p><b>Source: 42</b></p>

Natural Features	Code	Source of Documentation
Surface Water	4	<p>There are no Wild and Scenic Rivers in Putnam County as designated by the U.S. Department of the Interior National Park Service or NYSDEC (see Appendix G: Putnam County Wild, Scenic, or Recreational Rivers). The proposed program would be confined to existing residential lots, and would not disturb the bed or banks of these rivers and no permit is required.</p> <p>All sites would be evaluated for the presence of wetlands during the Tier 2 review, and if project work on a specific site would impact a wetland, appropriate permits would be obtained, in compliance with Executive Order 11990. These include permits under Sections 401 and 404 of the Clean Water Act, and any applicable local or state permits.</p> <p>The Wetlands and Water Quality, and the Soil Erosion Conditions for Approval would be implemented during soil disturbances associated with demolition and land restoration. These measures would minimize erosion and deposition of sediment and eroded soil in on-site and off-site wetlands and waters.</p> <p><b>Buyout</b></p> <p>Buyouts would be limited to the footprint of the affected properties. They are generally not expected to include surface water bodies but could be adjacent to water. Earthwork associated with demolition, backfill, and grading have the potential for short-term adverse impacts on surface waters from erosion, sedimentation, and hazardous materials. Buyouts would result in a decrease in impervious surfaces where implemented, thus reducing the quantity of runoff. In some instances, establishing coastal buffer zones would allow surface waters to flood in a more natural way onto pervious, vegetated lands.</p> <p><b>Acquisition</b></p> <p>Demolition activities under the Acquisition program would be limited to the footprint of the affected properties. They are generally not expected to include surface water bodies but could be adjacent to water. Earthwork associated with demolition, backfill, and grading have the potential for short-term adverse impacts on surface waters from erosion, sedimentation, and hazardous materials. Mitigation methods would be utilized.</p> <p><b>Source: 4, 5, 41</b></p>

Natural Features	Code	Source of Documentation
Unique Natural Features and Agricultural Lands	3	<p>NYSDEC indicates one designated Critical Environmental Area (CEA) within Putnam County. This area which is called Great Swamp is targeted for protection, preservation, or acquisition by the County or local jurisdictions. The Great Swamp area is located in the northeastern corner of Putnam near Patterson. NYSDEC has designated one site in Hudson Highlands State Park in Putnam County as a Unique Geologic Feature. The program would be compatible with current land use of the surrounding urban upland areas and would have no effect on CEAs and Unique Natural Features.</p> <p>The USDA NRCS provides map information regarding soil types that are considered Prime Farmland and Farmland of Statewide Importance. According the NRCS soils data, there are nine (9) mapped soil types within Putnam County that are defined as Prime Farmland. There are nine (9) mapped soil types defined as Farmland of Statewide Importance. Two (2) soil types are defined as Prime Farmland if Drained. There are about 6,732 acres of agricultural land including forest and pasture land. This represents 7.2% of the total county acreage.</p> <p><b>Buyout</b> None of the Buyout properties are expected to be identified as farmlands. If the Buyout program does occur on agricultural land, the demolition and site restoration activities would not result in agricultural land use conversion. There would be no effect on CEAs and Unique Natural Features.</p> <p><b>Acquisition</b> None of the Acquisition properties are expected to be identified as farmlands. If the Acquisition program does occur on agricultural land, the demolition and site restoration activities would not result in agricultural land use conversion. Demolition, redevelopment, and efforts to temporarily secure the structure or the property against future storm events would have no effect on CEAs, unique natural features or agricultural lands.</p> <p><b>Source: 7, 14, 32, 47</b></p>

Natural Features	Code	Source of Documentation
Vegetation and Wildlife	4	<p>Information has been requested from the NYSDEC New York Natural Heritage Program (Appendix M: NY Natural Heritage Program Consultation), the USFWS (Appendix Q: USFWS Consultation Letters), and NMFS (Appendix P: NMFS Consultation Letters). Consultation with these agencies has been initiated for the program, and written responses have been received.</p> <p>Section 7 of the ESA requires the Action Agency HCR to make a determination of effect on any federally-listed species or designated critical habitat that may occur as a result of an action that is funded, authorized, or carried out by the Action Agency. HCR is acting as HUD's designated representative for this program. The determination of effect and USFWS consultation would be carried out as described in the Vegetation and Wildlife Conditions for Approval.</p> <p>In accordance with the September 25, 2013 letter from USFWS, each site would be reviewed under Tier 2 to determine the level of adverse effect in accordance with USFWS seven-step project review process and/or other compliance review tools as directed by USFWS. Further consultation with USFWS would be conducted in the event that an adverse effect is determined. Additionally, HCR would determine if there are areas of multiple sites in close proximity that may result in an adverse effect so that those sites can be reviewed together, if necessary. According to USFWS, there are two threatened or endangered species, one candidate species, and one species proposed for listing that are known to occur in Putnam County. Locations and habitats of these species are described in Appendix Q: USFWS Consultation Letters. No program sites are anticipated to include habitat for these species in their project footprint; however, further Tier 2 review would be conducted as necessary.</p> <p>HCR would comply with the Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act as described in the Vegetation and Wildlife Conditions of Approval.</p> <p>According to the NYSDEC and USFWS, there are no national wildlife refuges located within Putnam County.</p> <p><b>Buyout</b></p> <p>The Buyout Program would result in an increase of the total area of vegetated lands in Putnam County and increase the total area of wildlife habitat. The magnitude of beneficial ecological effects from the program would be commensurate with the total area of lands in the program that, after demolition and site restoration, could provide habitat for wildlife. Potential adverse effects from implementing the program include the proliferation of weeds from disturbed soils and a potential increase in nuisance wildlife, such as raccoons and skunks, from creating additional habitat in urban settings. However, all properties would be reviewed for compliance with Section 7 of the ESA at the Tier 2 site-specific level.</p> <p><b>Acquisition</b></p> <p>Demolition, redevelopment, and efforts to temporarily secure the structure or the property against future storm events would have limited effects on vegetation and wildlife. No program sites are anticipated to include habitat for federally listed species in their disturbance footprint. However, all properties would be reviewed for compliance with Section 7 of the ESA at the Tier 2 site-specific level.</p> <p><b>Source: 8, 22</b></p>

**Exhibit 2:**  
**Environmental Assessment Worksheet**

## Environmental Assessment Work Sheet

**Program Name and Description:**

**Program Name:** Hurricane Sandy Disaster Recovery Program – CDBG-DR

**Location:** Scattered Sites, Putnam County, New York

**Activities included in the project:** Buyout and Acquisition of residential properties in Putnam County damaged during Superstorm Sandy and/or Hurricane Irene.

**Directions:** HCR has determined whether the activities affiliated with the project would affect the resource under consideration and trigger formal compliance consultation procedures with the appropriate oversight agency and/or subsequent mitigation, as described below. If the activity affects the resource, “A” is indicated in the Status Determination column below and a site-specific Tier 2 review would be conducted for the category. “B” is indicated in the column if the activity does not affect the resources under consideration. The Compliance Documentation column indicates what source documentation was used to make the compliance determination and copies of all necessary documentation are attached to the Environmental Review Record (ERR).

Statutes, Executive Orders, and Regulations listed at 24 CFR Sec. 58.5 and 58.6	Status Determination (A or B)	Compliance Documentation
<b>Flood Disaster Protection Act</b> [Flood Insurance; §58.6(a)]	A	The program is located within the SFHA based on a review of the FEMA FIRM, for Putnam County, New York (FEMA ID No. 36079CIND0A) (see Appendix C: Putnam County FEMA Flood Insurance Rate Maps). All sites would be reviewed for their location within the floodplain, and if they are in the SFHA, then the applicant would be required to purchase and maintain flood insurance. Compliance requirements would be determined in a Tier 2 environmental review. <b>Source: 21</b>
<b>Coastal Barrier Resources Act/Coastal Barrier Improvement Act</b> [§58.6(c)]	B	There are no sites in Putnam County located within the CBRS or OPA, and no HUD funding would be used in a system unit of the CBRS or OPA. <b>Source: 9</b>
<b>Airport Runway Clear Zone or Clear Zone Disclosure</b> [§58.6(d)]	B	<b>Buyout</b> Under the Buyout program, the properties would have no occupants; therefore, §58.6(d) is not applicable. <b>Acquisition</b> Under the Acquisition program, the properties would have no occupants until future redevelopment; therefore, §58.6(d) is not applicable at this time. <b>Source: 2, 3</b>

Statutes, Executive Orders, and Regulations listed at 24 CFR Sec. 58.5 and 58.6	Status Determination (A or B)	Compliance Documentation
<b>Wetland Protection</b> [Executive Order 11990]	A	<p>All sites would be evaluated for the presence of wetlands in accordance with NYSDEC and the USFWS NWI maps and, if necessary, an on-site wetlands inspection and delineation would occur (see Appendix D: Putnam County Wetlands Maps and/or USFWS website). If project work on a specific site would impact a wetland, appropriate permits would be obtained, in compliance with Executive Order 11990. If Executive Order 11990 is triggered, the eight-step decision making process under 24 CFR Part 55.20 modified for wetlands would be completed.</p> <p>Compliance requirements would be determined in a Tier 2 environmental review.</p>
<b>Coastal Zone Management</b> [Coastal Zone Management Act, 1972]	B	<p>This program has been reviewed by NYSDOS, which made a “general concurrence determination” based on the fact the program involves Buyout, Acquisition, demolition, and construction of 1-2 unit homes (see Appendix L: NYSDOS Coastal Consistency Consultation and NYS Coastal Assessment Form).</p> <p>However, if a federal permit or other form of federal agency authorization is required for a program site, NYSDOS will conduct a separate review for those permit activities. In such a case, a copy of the federal application for authorization, a completed Federal Consistency Assessment Form, and all supporting information will be forwarded to NYSDOS at the same time it is submitted to the federal agency from which the necessary authorization is required. A NYSDOS Coastal Assessment Form (CAF) and analysis of the Program’s consistency with NYS Coastal Management Policy have also been prepared (see Appendix L: NYSDOS Coastal Consistency Consultation).</p> <p>In conjunction with the State’s general concurrence determination, in cases where the project is located within the jurisdiction of a Local Waterfront Revitalization Program (LWRP), the Tier 2 reviewer would conduct an assessment in accordance with 19 NYCRR Part 600 to determine whether the project is likely to affect the achievement of the policies and purposes of such approved LWRP and State agency programs. Project activities would be undertaken in a manner which complies with the policies of the approved LWRP.</p>
<b>Historic Preservation</b> [36 CFR Part 800]	A	<p>Program sites may contain historic properties or be located adjacent to historic properties. A Programmatic Agreement (see Appendix N: NY Historic Preservation Programmatic Agreement) with SHPO has been executed, and all properties would be reviewed under Section 106 of the National Historic Preservation Act for compliance with the Programmatic Agreement and forwarded to the OPRHP for further review as required by the Programmatic Agreement. If the primary reviewer is not able to determine compliance from a project based on the Programmatic Agreement (see Appendix N: NY Historic Preservation Programmatic Agreement), the project would be sent for further review to OPRHP and all recommendations made by OPRHP would be incorporated into the project design. Each site would be reviewed for compliance with the Programmatic Agreement in a Tier 2 environmental review.</p>

Statutes, Executive Orders, and Regulations listed at 24 CFR Sec. 58.5 and 58.6	Status Determination (A or B)	Compliance Documentation
<b>Floodplain Management</b> [Executive Order 11988; 24 CFR Part 55]	A	<p><b>Buyout</b>            Program sites may be located in a 100-year floodplain, and although the program activities are exempt from the eight-step decision making process under 24 CFR Part 55.21(c)(3), the Buyout program has been reviewed in accordance with 24 CFR Part 55.20 and would be reviewed to ensure compliance with the floodplain management plan (see Appendix R: Putnam County Floodplain Management Plan and Public Notices). Compliance requirements would be determined in a Tier 2 environmental review.</p> <p><b>Acquisition</b>            Program sites may be located in a 100-year or 500-year floodplain, and the Acquisition for redevelopment program has been reviewed in accordance with 24 CFR Part 55.20 and would be reviewed to ensure compliance with the floodplain management plan (see Appendix R: Putnam County Floodplain Management Plan and Public Notices). Compliance requirements would be determined in a Tier 2 environmental review.</p>
<b>Sole Source Aquifers</b> [40 CFR Part 149]	B	<p>There are no sole source aquifers in Putnam County; therefore, the proposed action would have no effect on sole source aquifers (Appendix H: Putnam County Sole Source Aquifer Map and Memorandum of Understanding). However, part of Putnam County overlays the NYC Water Supply System (Appendix F: NYC Watershed Maps).</p> <p>A memorandum of understanding (MOU) between HUD and the EPA states that projects identified as exempt in 24 CFR 58.34 ‘Exempt Activities’ would not create a significant hazard to public health. The demolition and/or stabilization of a property under the Buyout and Acquisition Program is considered an exempt activity under 58 CFR Part 58.34 (a)(10). The MOU further states that the construction of individual new residential structures containing from one to four units would also not create a significant hazard to public health. As such, future redevelopment under the Acquisition program would also have no effect on sole source aquifers.</p>

Statutes, Executive Orders, and Regulations listed at 24 CFR Sec. 58.5 and 58.6	Status Determination (A or B)	Compliance Documentation
<p><b>Endangered Species Act</b> [50 CFR Part 402]</p>	<p>A</p>	<p>Information has been requested from the NYSDEC New York Natural Heritage Program (Appendix M: NY Natural Heritage Program Consultation), the USFWS (Appendix Q: USFWS Consultation Letters), and NMFS (Appendix P: NMFS Consultation Letters). Consultation with these agencies has been initiated for the program, and written responses have been received.</p> <p>Section 7 of the ESA requires the Action Agency (HCR) to make a determination of effect on any federally listed species or designated critical habitat that may occur as a result of an action that is funded, authorized, or carried out by the Action Agency. HCR is acting as HUD's designated representative for this program. The determination of effect and USFWS consultation would be carried out as described in the Vegetation and Wildlife Conditions for Approval. In accordance with the September 25, 2013 letter from USFWS, each site would be reviewed under Tier 2 to determine the level of adverse effect in accordance with USFWS seven-step project review process and/or other compliance review tools as directed by USFWS. Further consultation with USFWS would be conducted in the event that an adverse effect is determined. Additionally, HCR would determine if there are areas of multiple sites in close proximity that may result in an adverse effect so that those sites can be reviewed together, if necessary.</p> <p>There are two threatened or endangered species, one candidate species, and one species proposed for listing that are known to occur in Putnam County. Locations and habitats of these species are described in Appendix Q: USFWS Consultation Letters. No program sites are anticipated to include habitat for these species in their project footprint; however, further Tier 2 review would be conducted as necessary.</p> <p>HCR would comply with the Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act as described in the Vegetation and Wildlife Conditions of Approval.</p> <p>According to the NYSDEC and USFWS, there are no national wildlife refuges located within Putnam County.</p> <p><b>Buyout</b></p> <p>The Buyout Program would result in an increase of the total area of vegetated lands in and the total area of wildlife habitat in Putnam County. The magnitude of beneficial ecological effects from the program would be commensurate with the total area of lands in the program that, after demolition and site restoration, could provide habitat for wildlife. Potential adverse effects from implementing the program include the proliferation of weeds from disturbed soils and a potential increase in nuisance wildlife, such as raccoons and skunks, from creating additional habitat in urban settings. However, all properties would be reviewed for compliance with Section 7 of the ESA at the Tier 2 site-specific level.</p> <p><b>Acquisition</b></p> <p>Demolition, redevelopment, and efforts to temporarily secure the structure or the property against future storm events would have limited effects on vegetation and wildlife. No program sites are anticipated to include habitat for federally listed species in their disturbance footprint. However, all properties would be reviewed for compliance with Section 7 of the ESA at the Tier 2 site-specific level.</p>

Statutes, Executive Orders, and Regulations listed at 24 CFR Sec. 58.5 and 58.6	Status Determination (A or B)	Compliance Documentation
<b>Wild and Scenic Rivers</b> [16 U.S.C. 1271, Sec. 7(b), (c)]	B	There are no Wild and Scenic Rivers in Putnam County as designated by the U.S. Department of the Interior National Park Service or NYSDEC (see Appendix G: Putnam County Wild, Scenic, or Recreational Rivers). No impacts would result and further assessment is not required.  The proposed program would be confined to existing residential lots, and would not disturb the bed or banks of rivers. Implementation of BMPs for erosion and sediment control and management of hazardous substances would prevent introduction of sediment and contaminants into the rivers.
<b>Clean Air Act</b> [40 CFR Parts 6, 51, 93]	B	Program activities would be completed on existing residential developed sites and structures and would not substantively affect the NY SIP due to the implementation of standard BMPs that control dust and other emissions during construction. Air quality impacts would be short-term and localized. No significant impacts on air quality would result, the program would comply with the SIP, and further assessment is not required. The program would include implementation of the Air Quality Conditions for Approval as stated in the project description (see Appendix K: NYSDEC Air Quality Consultation Letters).
<b>Farmland Policy Act</b> [7 CFR Part 658]	B	The program would not convert farmland to nonagricultural purposes and, therefore, would not invoke the Farmland Policy Protection Act. Further assessment is not required (see Appendix J: Farmland Protection Checklist).
<b>Environmental Justice</b> [Executive Order 12898]	B	The program is not expected to result in EJ impacts, as it is intended to relocate as many homeowners as possible out of high flood risk areas regardless of origin, race, age, etc. This program may have a positive impact on EJ as priority would be given to applicants whose income is below 80% of the median income, or in the case of multi-family housing, where at least 51% of tenants are of low- or moderate-income. There are no EJ Areas in Putnam County (see Appendix B: Potential Environmental Justice Area Maps).
<b>Noise Abatement and Control</b> [24 CFR Part 51, Subpart B]	B	Demolition and redevelopment activities could cause temporary increases in noise levels. Temporary increases in noise levels would be mitigated with implementation of the Noise Conditions for Approval as stated in the project description. HUD has determined that its Part 51 noise regulations are not applicable to a disaster recovery program which meets the definition of 24 CFR Part 51.101(a)(3) for emergency assistance under disaster provisions or appropriations provided to save lives, protect property, protect public health and safety, and remove debris and wreckage, or provide assistance that has the effect of restoring facilities substantially as they existed prior to the disaster (see Appendix O: HUD Noise Abatement and Explosive Operations Email.).

Statutes, Executive Orders, and Regulations listed at 24 CFR Sec. 58.5 and 58.6	Status Determination (A or B)	Compliance Documentation
<b>Explosive and Flammable Operations</b> [24 CFR Part 51 C]	B	<p><b>Buyout</b>            Acceptable Separation Distance requirements do not apply because the definition for HUD assisted projects in 24 CFR Part 51.201 is predicated on whether the HUD project increases the number of people exposed to hazardous operations. The environmental review for housing Buyout has determined that program activities that would not increase the number of dwelling units is not required to apply 24 CFR Part 51 Subpart C (see Appendix O: HUD Abatement and Explosive Operations Email).</p> <p><b>Acquisition</b>            The requirements of 24 CFR Part 51.201 would not apply to program sites that are redeveloped at the same or less density as the current use. If there are redevelopment sites that would increase the population density, then a separate environmental review would be completed to assure compliance in accordance with the HUD Acceptable Separation Distance Guidebook prior to any redevelopment activities.</p>

Statutes, Executive Orders, and Regulations listed at 24 CFR Sec. 58.5 and 58.6	Status Determination (A or B)	Compliance Documentation
<b>Toxic Chemicals and Radioactive Materials</b> [24 CFR Part 58, Sec 5(i)(2)]	A	<p>HUD policy requires that the proposed site and adjacent areas be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants of the property; however, there would be no future occupancy for the Buyout properties.</p> <p>A Phase I environmental site assessment would be prepared by a QEP, for each property to determine the presence or absence of recognized environmental conditions. Based on the findings of the Phase I environmental site assessment, additional investigation work would be conducted where required. If required, the site would be remediated in accordance with all applicable city, state, and federal regulations. Any remediation would be appropriately scheduled and coordinated with any demolition and/or redevelopment activities.</p> <p>All solid waste materials would be managed and transported in accordance with the state's solid and hazardous waste rules. Structures to be redeveloped or demolished may include lead-based paint and asbestos containing materials; program activities would conform to Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York Department of Labor (12 NYCRR Part 56); the National Emission Standard for Asbestos—Standard for demolition and renovation (40 CFR Part 61.145); and National Emission Standard for Asbestos—Standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations (40 CFR Part 61.150); EPA Repair, Renovation, and Painting (RRP) Rule (40 CFR 745.80 Subpart E), HUD's lead-based paint regulations in 24 CFR Part 35 Subparts A, B, H, J, and R, and HUD "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing." The Guidelines complement regulations that have been issued by HUD, the EPA, and the Occupational Safety and Health Administration (OSHA), and policies from the Centers for Disease Control and Prevention (CDC). In general, these regulations apply to housing constructed prior to 1978.</p> <p>Mold can also have an adverse effect on human health and is a very common problem in houses that have been flooded. All homes would be inspected for mold contamination. Some situations may require extra precautions taken to limit the distribution of airborne mold spores during demolition.</p> <p>According to the EPA, Putnam County is located in Radon Zone 1. Zone 1 counties have a predicted average indoor radon screening level greater than 4 pCi/L. Radon mitigation would not be necessary for program sites in Putnam County as the properties would be demolished or redeveloped. Redevelopment would be subject to a future environmental review.</p> <p>Compliance requirements would be determined in a Tier 2 environmental review. This review would include site-specific assessments to identify any toxic or radioactive substances on, adjacent to, or near the subject properties.</p>
<b>Airport Clear Zones and Accident Potential Zones</b> [24 CFR Part 51 D]	B	<p>Based on guidance provided by the U.S. Department of Housing and Urban Development in Fact Sheet #D1, the National Plan of Integrated Airport Systems was reviewed for civilian, commercial service airports within the vicinity of the program area, as projects located within 2,500 feet of a civil airport would require consultation with the appropriate civil airport operator. No known civil airports are located within 2,500 feet and no known military airports are located within 15,000 feet of the program area.</p>

**Determination:** HCR has complied with all provisions of 24 CFR Part 58, Subpart E – Environmental Review Process: Environmental Assessments, has examined alternatives to the project itself and feasible ways to modify the project to eliminate or minimize adverse impacts, and based on steps (a) through (f) found in the regulations, made the following determination:

- (1) Finding of No Significant Impact (FONSI), whereby HCR may proceed to dissemination and publication of the FONSI, per regulations found at 24 CFR Part 58, sec. 58.43(a).

PREPARER SIGNATURE:



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PREPARER NAME:

Delight Buenaflor, Tetra Tech, Inc.

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DATE:

4 November 2013

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PREPARER SIGNATURE:



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PREPARER NAME:

Revised by: Jonathan Lipinski, ProSource Technologies, LLC

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DATE:

Revised on: 20 February 2014

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PREPARER SIGNATURE:



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PREPARER NAME:

Revised by: Rebecca A. Steffen, ProSource Technologies, LLC

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DATE:

Revised on: 20 February 2014

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**Determination:** HCR has complied with all provisions of 24 CFR Part 58, Subpart E – Environmental Review Process: Environmental Assessments, has examined alternatives to the project itself and feasible ways to modify the project to eliminate or minimize adverse impacts, and based on steps (a) through (f) found in the regulations, made the following determination:

- (1) Finding of No Significant Impact (FONSI), whereby HCR may proceed to dissemination and publication of the FONSI, per regulations found at 24 CFR Part 58, sec. 58.43(a).

**PREPARER SIGNATURE:**



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**PREPARER NAME:**

Ashley Ley, AKRF, Inc.

---

**DATE:**

November 3, 2014

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**Exhibit 3:**  
**Buyout Site-Specific Checklist**

**TIER 2 SITE SPECIFIC CHECKLIST**

**Page 2 of 6**

Application#:

Project Address:

**TIER 2 ENVIRONMENTAL REVIEW RECORD  
SITE SPECIFIC CHECKLIST**

Department of Housing and Urban Development Appropriation Act, 2013  
The Community Development Block Grant Program Disaster Recovery Program –  
Housing Assistance Programs – Putnam County Buyout Program

Parcel ID#:

Property address:

Building construction date:

Description of project work: Following purchase of a property, the land would remain a coastal buffer zone in perpetuity. Structures on the properties would be removed, the land would be backfilled and graded, and the soil would be revegetated using locally appropriate, native plant species.

Will any ground disturbance be conducted?

**SEQRA CLASSIFICATION**

It is the finding of NYSHCR that the activity(ies) proposed in this NYS CDBG-DR project generally constitute Unlisted actions in accordance with 6 NYCRR Part 617.4 and 6.17.5, but were reviewed, generically, as Type I actions since specific site addresses had not yet been chosen. The Generic Review established site specific review requirements to ensure that no individual action exceeds the scope of the SEQRA review. NYSHCR, as lead agency, determined on October 10, 2013, that the proposed action will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**NEPA CLASSIFICATION**

It is the finding of NYSHCR that the activity(ies) proposed in this NYS CDBG-DR project falls within the scope of the Tier 1 and FONSI dated: November 14, 2013.

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.

**Finding of Tier 2 Review:**

The proposed activity complies with environmental requirements for funding. The closeout items must be completed. The closeout items are listed at the end of this document.

The proposed activity does not comply with environmental requirements for funding for the following reasons; i.e., permanent impact to wetland or inconsistency with the coastal program

A finding cannot be made without (describe missing or needed information or documentation).

**TIER 2 SITE SPECIFIC CHECKLIST**

Application#:

Project Address:

**SITE SPECIFIC STATUTORY CHECKLIST  
& ADDITIONAL NYS REQUIREMENTS**

Check "A" if further close-out documentation is required.  
Provide written discussion of compliance or necessary mitigation measures.

Check "B" if the criteria review is complete.  
Provide written discussion and attach any supporting materials.

Area of Statutory - Regulatory Compliance	A	B	Compliance Discussion Attach Supporting Material
<b>Procedures to comply with Related Laws at 24 CFR 58.6</b>			
Flood Disaster Protection Act of 1973		X	The property is located in a Special Flood Hazard area. However, the buildings are scheduled to be demolished and the area will be green space. No flood insurance is required.
Coastal Barrier Resources Act		X	No programs activities will occur in a system unit of the Coastal Barrier Resource System. According to the Coastal Barrier Resource System maps, the program site is not located in a Coastal Barrier Resource Area or Otherwise Protected Area.
Runway Clear Zones (development)		X	Not applicable. Under this program, the property will have no occupants.
<b>Procedures to comply with Related Laws at 24 CFR 58.5 and Other NYS Requirements</b>			
Historic Properties			
Floodplain Management		X	Buyout actions to take place under the NY Rising Buyout and Acquisition Program fall within the exemption found at 24 CFR Part 55.12(c)(3); however, the 8-Step Process in 24 CFR Part 55.20 was completed under the Putnam County Floodplain Management Plan. A notice for final public review was published on October 3, 2013.
Wetland Protection			
Coastal Zone Management		X	This program has been reviewed by the New York Department of State (NYS DOS), which made a "general concurrence determination" based on the fact that the program involves rehabilitation.
Local Waterfront Revitalization Plan			
Sole Source Aquifers		X	No sole source aquifers exist in Putnam County; therefore, the proposed program would have no effect on sole source aquifers.
Endangered Species			
Wild and Scenic Rivers		X	Not applicable. The property is not located along a wild and scenic river as designated by the U.S. Department of the Interior and the New York State Department of Environmental Conservation. No impacts would result and further assessment is not required.

**TIER 2 SITE SPECIFIC CHECKLIST**

Application#:

Project Address:

Area of Statutory - Regulatory Compliance	A	B	Compliance Discussion Attach Supporting Material
Air Quality		X	The program would not substantively affect the State Implementation Plan (SIP). No significant impacts on air quality will result and further assessment is not required.
Farmlands Protection (including NYS Ag & Market Law)		X	The program will not convert farmland to nonagricultural purposes and, therefore, would not violate the Farmland Policy Protection Act and will comply with the New York State Agriculture and Markets Law.
Noise Abatement and Control		X	Not applicable. Compliance was determined in the Tier 1 Environmental Assessment.
Thermal/ Explosive Hazards		X	Acceptable separation distance requirements do not apply because the definition for HUD assisted projects in 24 CFR Part 51.201 is predicated on whether the HUD project increases the number of people exposed to hazardous operations. Therefore, the environmental review for grants to elevate, rehabilitate, or reconstruct housing that existed prior to the disaster where the number of dwelling units is not increased, is not required to apply 24 CFR Part 51 Subpart C.
HUD Environmental Standards			
Environmental Justice		X	Not applicable. Compliance was determined in the Tier 1 Environmental Assessment.
Asbestos & Lead-Based Paint	X		An asbestos survey will be performed by qualified professionals prior to any disturbance of suspected materials. Structures to be reconstructed or rehabilitated must conform to Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York Department of Labor (Cited as 12 NYCRR Part 56), 40 CFR Part 61 National Emission Standards for Hazardous Air Pollutants, Subpart A – General Provisions and Subpart M National Emissions Standards for Asbestos, the Asbestos Hazard Emergency Response Act (AHERA), the Asbestos School Hazard Abatement Reauthorization Act (ASHARA) along with the requirements of OSHA 29 CFR 1910.134, 29 CFR 1910.1101 and the Worker Protection Rule 40 CFR Part 763 Subpart G.
Radon		X	Not applicable. Under this program, the property will have no occupants. Furthermore, the property is not located in Radon Zones 1 or 2 according to the EPA Map of Radon Zones for NYS. No additional steps are required for radon mitigation.

**TIER 2 SITE SPECIFIC CHECKLIST**

Application#:

Project Address:

**ADDITIONAL SEQRA REVIEW**

Check "A" if further close-out documentation is required.  
Provide written discussion of compliance or necessary mitigation measures.

Check "B" if the criteria review is complete.  
Provide written discussion and attach any supporting materials.

Area of Statutory - Regulatory Compliance	A	B	Compliance Discussion Attach Supporting Material
National Natural Landmark			
Significant Wildlife Habitat			
Unique or Unusual Landforms			
Aesthetic Resources, Open Space and Recreation			
State Protected Waterbody			
Critical Environmental Areas			
Historic Properties			
Agricultural and Markets Law			

**TIER 2 SITE SPECIFIC CHECKLIST**

**Page 6 of 6**

Application#:

Project Address:

**TO BE FILLED OUT BY PERSON WHO PREPARED DOCUMENT:**

Prepared by:

Signature

Date:

**TO BE FILLED OUT BY HCR CERTIFYING OFFICER OR OTHER  
APPROPRIATELY DESIGNATED OCR OFFICIAL:**

This Site Specific Checklist is determined to be acceptable.

Signature:

Printed Name:

Date:

**Exhibit 4:**  
**Acquisition Site-Specific Checklist**

**TIER 2 SITE SPECIFIC CHECKLIST**

**Page 2 of 6**

Application#:

Project Address:

**TIER 2 ENVIRONMENTAL REVIEW RECORD  
SITE SPECIFIC CHECKLIST**

Department of Housing and Urban Development Appropriation Act, 2013  
The Community Development Block Grant Program Disaster Recovery Program –  
Housing Assistance Programs – Putnam County Acquisition Program

Parcel ID#:

Property address:

Building construction date:

Description of project work: Following purchase of a property, the land would remain a coastal buffer zone in perpetuity. Structures on the properties would be removed, the land would be backfilled and graded, and the soil would be revegetated using locally appropriate, native plant species.

Will any ground disturbance be conducted?

**SEQRA CLASSIFICATION**

It is the finding of NYSHCR that the activity(ies) proposed in this NYS CDBG-DR project generally constitute Unlisted actions in accordance with 6 NYCRR Part 617.4 and 6.17.5, but were reviewed, generically, as Type I actions since specific site addresses had not yet been chosen. The Generic Review established site specific review requirements to ensure that no individual action exceeds the scope of the SEQRA review. NYSHCR, as lead agency, determined on October 10, 2013, that the proposed action will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**NEPA CLASSIFICATION**

It is the finding of NYSHCR that the activity(ies) proposed in this NYS CDBG-DR project falls within the scope of the Tier 1 and FONSI dated: November 14, 2013.

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.

**Finding of Tier 2 Review:**

The proposed activity complies with environmental requirements for funding. The closeout items must be completed. The closeout items are listed at the end of this document.

The proposed activity does not comply with environmental requirements for funding for the following reasons; i.e., permanent impact to wetland or inconsistency with the coastal program

A finding cannot be made without (describe missing or needed information or documentation).

**TIER 2 SITE SPECIFIC CHECKLIST**

Application#:

Project Address:

**SITE SPECIFIC STATUTORY CHECKLIST  
& ADDITIONAL NYS REQUIREMENTS**

Check "A" if further close-out documentation is required.  
Provide written discussion of compliance or necessary mitigation measures.

Check "B" if the criteria review is complete.  
Provide written discussion and attach any supporting materials.

Area of Statutory - Regulatory Compliance	A	B	Compliance Discussion Attach Supporting Material
<b>Procedures to comply with Related Laws at 24 CFR 58.6</b>			
Flood Disaster Protection Act of 1973			
Coastal Barrier Resources Act		X	No programs activities will occur in a system unit of the Coastal Barrier Resource System. According to the Coastal Barrier Resource System maps, the program site is not located in a Coastal Barrier Resource Area or Otherwise Protected Area.
Runway Clear Zones (development)		X	Not applicable. Under this program, the property will have no occupants. If the status of the properties changes, an additional review will be completed at that time.
<b>Procedures to comply with Related Laws at 24 CFR 58.5 and Other NYS Requirements</b>			
Historic Properties			
Floodplain Management			
Wetland Protection			
Coastal Zone Management		X	This program has been reviewed by the New York Department of State (NYS DOS), which made a "general concurrence determination" based on the fact that the program involves rehabilitation.
Local Waterfront Revitalization Plan			
Sole Source Aquifers		X	No sole source aquifers exist in Putnam County; therefore the proposed program would have no effect on sole source aquifers.
Endangered Species			
Wild and Scenic Rivers		X	The property is not located along a wild and scenic river as designated by the U.S. Department of the Interior and the New York State Department of Environmental Conservation. No impacts would result and further assessment is not required.
Air Quality		X	The program would not substantively affect the State Implementation Plan (SIP). No significant impacts on air quality will result and further assessment is not required.

**TIER 2 SITE SPECIFIC CHECKLIST**

Application#:

Project Address:

Area of Statutory - Regulatory Compliance	A	B	Compliance Discussion Attach Supporting Material
Farmlands Protection (including NYS Ag & Market Law)		X	The program will not convert farmland to nonagricultural purposes and, therefore, would not violate the Farmland Policy Protection Act and will comply with the New York State Agriculture and Markets Law..
Noise Abatement and Control		X	Not applicable. Compliance was determined in the Tier 1 Environmental Assessment.
Thermal/ Explosive Hazards		X	Acceptable separation distance requirements do not apply because the definition for HUD assisted projects in 24 CFR Part 51.201 is predicated on whether the HUD project increases the number of people exposed to hazardous operations. Therefore, the environmental review for grants to elevate, rehabilitate, or reconstruct housing that existed prior to the disaster where the number of dwelling units is not increased, is not required to apply 24 CFR Part 51 Subpart C.
HUD Environmental Standards			
Environmental Justice		X	Not applicable. Compliance was determined in the Tier 1 Environmental Assessment.
Asbestos & Lead-Based Paint			
Radon		X	Not applicable. Under this program, the property will have no occupants. Furthermore, the house is located in Putnam County, a Radon Zone 1 county, according to the EPA Map of Radon Zones for NYS. If the status of the properties changes radon mitigation measures and testing will be conducted by a qualified professional in accordance with applicable federal, state, and local laws and regulations unless localized radon information is provided to show that radon mitigation is not necessary.

**TIER 2 SITE SPECIFIC CHECKLIST**

Application#:

Project Address:

**ADDITIONAL SEQRA REVIEW**

Check "A" if further close-out documentation is required.  
Provide written discussion of compliance or necessary mitigation measures.

Check "B" if the criteria review is complete.  
Provide written discussion and attach any supporting materials.

Area of Statutory - Regulatory Compliance	A	B	Compliance Discussion Attach Supporting Material
National Natural Landmark			
Significant Wildlife Habitat			
Unique or Unusual Landforms			
Aesthetic Resources, Open Space and Recreation			
State Protected Waterbody			
Critical Environmental Areas			
Historic Properties			
Agricultural and Markets Law			

**TIER 2 SITE SPECIFIC CHECKLIST**

**Page 6 of 6**

Application#:

Project Address:

**TO BE FILLED OUT BY PERSON WHO PREPARED DOCUMENT:**

Prepared by:

Signature

Date:

**TO BE FILLED OUT BY HCR CERTIFYING OFFICER OR OTHER  
APPROPRIATELY DESIGNATED OCR OFFICIAL:**

This Site Specific Checklist is determined to be acceptable.

Signature:

Printed Name:

Date:

**Exhibit 5:**  
**Site-Specific Checklist Template**

**TIER 2 SITE SPECIFIC CHECKLIST**

Application#:

Project Address:

**TIER 2 ENVIRONMENTAL REVIEW RECORD  
SITE SPECIFIC CHECKLIST**

Department of Housing and Urban Development Appropriation Act, 2013  
The Community Development Block Grant Program Disaster Recovery Program –  
Housing Assistance Programs – Buyouts and Acquisitions

Parcel ID#:

Property address:

Building construction date:

Description of project work: Following purchase of a property, the land would remain a coastal buffer zone in perpetuity. Structures on the properties would be removed, the land would be backfilled and graded, and the soil would be revegetated using locally appropriate, native plant species.

Will any ground disturbance be conducted?

**SEQRA CLASSIFICATION**

It is the finding of NYSHCR that the activity(ies) proposed in this NYS CDBG-DR project generally constitute Unlisted actions in accordance with 6 NYCRR Part 617.4 and 6.17.5, but were reviewed, generically, as Type I actions since specific site addresses had not yet been chosen. The Generic Review established site specific review requirements to ensure that no individual action exceeds the scope of the SEQRA review. NYSHCR, as lead agency, determined on October 10, 2013, that the proposed action will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**NEPA CLASSIFICATION**

It is the finding of NYSHCR that the activity(ies) proposed in this NYS CDBG-DR project falls within the scope of the Tier 1 and FONSI dated: November 14, 2013.

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.

**Finding of Tier 2 Review:**

The proposed activity complies with environmental requirements for funding. The closeout items must be completed. The closeout items are listed at the end of this document.

The proposed activity does not comply with environmental requirements for funding for the following reasons; i.e., permanent impact to wetland or inconsistency with the coastal program

A finding cannot be made without (describe missing or needed information or documentation).

TIER 2 SITE SPECIFIC CHECKLIST

Application#:

Project Address:

**SITE SPECIFIC STATUTORY CHECKLIST & ADDITIONAL NYS REQUIREMENTS**

Check “A” if further close-out documentation is required.  
Provide written discussion of compliance or necessary mitigation measures.

Check “B” if the criteria review is complete.  
Provide written discussion and attach any supporting materials.

Area of Statutory - Regulatory Compliance	A	B	Compliance Discussion Attach Supporting Material
<b>Procedures to comply with Related Laws at 24 CFR 58.6</b>			
Flood Disaster Protection Act of 1973			<p><i>If buyout, select:</i> The property is located in a Special Flood Hazard area. However, the buildings are scheduled to be demolished and the area will be green space. No flood insurance is required.</p> <p><i>If acquisition, select:</i> <i>Is the property located in a Special Flood Hazard Area (SFHA)?</i>                      a. <i>No – review concluded. Create map to document. Put an X in Column B and add text:</i> Not applicable. The property is not located in a Special Flood Hazard Area.                      b. <i>Yes – Create map to document. Put an X in Column A. Add text:</i> The property is located in a Special Flood Hazard Area, and proof of insurance is required. Grantees must adhere to the guidelines stipulated in the construction contract.</p>
Coastal Barrier Resources Act		X	No programs activities will occur in a system unit of the Coastal Barrier Resource System. According to the Coastal Barrier Resource System maps, the program site is not located in a Coastal Barrier Resource Area or Otherwise Protected Area.
Runway Clear Zones (development)		X	<p><i>If buyout:</i> <i>Put an X in Column B and add text:</i> Not applicable. Under this program, the property will have no occupants.</p> <p><i>If acquisition, select:</i> <i>Is the property located in an Airport Runway Clear Zone?</i>                      a. <i>No – review concluded. Put an X in Column B and add text:</i> Not applicable. The property is not located within 2500 feet of an airport Runway Clear Zone.                      b. <i>Yes – attach a signed copy of the disclosure notice. Put an X in Column A. Add text:</i> Acquisitions located within an airport Runway Clear Zone or potential accident zone shall be structured so that the property is not redeveloped in a manner where there is frequent human occupation. Pursuant to 24 CFR 51.303(a)(2), prior to purchasing the property the State must seek written assurances from the airport operator to the effect that there are no plans to purchase the land involved with such facilities as part of a Runway Clear Zone or Clear Zone acquisition program.</p>

**TIER 2 SITE SPECIFIC CHECKLIST**

Application#:

Project Address:

		<p>Pursuant to 24 CFR part 51.303(a)(3), if the State later sells or otherwise transfers the property the State will provide notice to the buyer advising that the property is located in an airport Runway Clear Zone or potential accident zone, and of the limitations of the property. The buyer must sign a statement acknowledging receipt of this information (a sample notice is available here:  <a href="http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_14226.pdf">http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_14226.pdf</a>)</p>
<b>Procedures to comply with Related Laws at 24 CFR 58.5 and Other NYS Requirements</b>		
Historic Properties		<p>1) <i>Are the project activities covered by the Tier 1 Allowances in the Programmatic Agreement? (in particular, are those activities limited to repair and retrofit* of a building less than 45 years old?)</i></p> <p>a) <i>Yes – review concluded. Put an X in Column B and add text:</i> The house was constructed in [year] and is less than 45 years old. The proposed rehabilitation activities are limited to repair and retrofit. As such, the proposed activities comply with Tier I Allowance II.A.</p> <p>b) <i>No – Go to Step 2.</i></p> <p>2) <i>An architectural historian will be reviewing all houses and their attached structures that are 45 years and older. The historian will make a recommendation on whether the house is eligible for the National Register and you will be provided with the report.</i></p> <p>a) <i>If the historian determines it is <b>not</b> eligible for the National Register, then put an X in Column B and add text:</i> Based on a Section 106 project review in accordance with the Programmatic Agreement, the house and its attached structures are not eligible for the National Register.</p> <p>b) <i>If the historian determines it <b>is</b> eligible for the National Register and the activities meet the Tier 2 allowances, then review concluded. Put an X in Column B and add text:</i> The project complies with Tier II Allowance(s).</p> <p>c) <i>If the historian determines it <b>is</b> eligible for the National Register and the activities do <b>not</b> meet the Tier 2 allowances then: A Qualified professional will undertake a Section 106 project review in accordance with the Programmatic Agreement, coordinate with HCR, and add text documenting that review process.</i></p> <p><i>*Repair and retrofit activities are limited to the building footprint, the building will not be raised higher than 1 foot above base flood elevation, and pile driving will not occur at the property.</i></p>

TIER 2 SITE SPECIFIC CHECKLIST

Application#:

Project Address:

<p>Floodplain Management</p>		<p><i>If buyout, select:</i></p> <p>The 8-Step Process in 24 CFR Part 55.20 was completed under the Putnam County Floodplain Management Plan. A notice for final public review was published on October 2, 2013. By restoring the floodplain to its natural state, this program mitigates the potential for future damage from flooding and promotes public safety by removing dwellings from the path of natural disasters. Further, it enhances the environment by restoring the seaside area to its natural floodplain condition.</p> <p><i>If acquisition select:</i></p> <p>(1) The 8-Step Process in 24 CFR Part 55.20 was completed under the Putnam County Floodplain Management Plan. A notice for final public review was published on October 2, 2013. A policy to prohibit redevelopment in the floodplain is not considered practicable due to the great number of parcels within the floodplain. Grantees must adhere to elevation and other requirements outlined in the Floodplain Management Plan</p>
<p>Wetland Protection</p>		<p><i>Are project activities to be conducted within wetlands identified through the National Wetlands Inventory or New York State Department of Conservation (NYSDEC) or their adjacent areas (within 100 feet of NYSDEC freshwater wetlands or 300 feet of NYSDEC tidal/coastal wetlands)?</i></p> <p>a) <i>No – review concluded. Create map to document. Put an X in Column B and add text:</i> Not applicable. The property boundary is greater than 300 feet from a tidal wetland and greater than 100 feet from a freshwater wetland.</p> <p>i) <i>Yes (activities in the wetland) – Coordinate with HCR regarding additional compliance steps.</i></p> <p>ii) <i>Yes (activities in the <b>tidal/coastal wetland buffer</b> only) – create map to document. <b>Are the project activities a compatible use under Tidal Wetlands Land Use Regulations (6NYCRR Part 661.5 <a href="http://www.dec.ny.gov/permits/6347.html">http://www.dec.ny.gov/permits/6347.html</a>)?</b></i></p> <p>1) <i>Yes – Review concluded. Put an X in Column B and add text:</i> The property is adjacent to a wetland; however, project activities are exempt under 6 NYCRR Part 661.5.</p> <p>2) <i>No. Is there a functional and substantial man-made structure (including, but not limited to paved streets, highways, railroads, bulkheads, sea walls and rip-rap walls), a minimum of 100 feet in length, running parallel to all sides of the wetland (like a barrier) between the house and the waterbody? Note that garages and sheds do not count. Yes – Review concluded. Put an X in Column B and add text:</i> There is a [type of structure] which is a functional and substantial fabricated structure, a minimum of 100 feet in length, located between the house and the wetland and, therefore, the house is not located in an adjacent area as defined in 6 NYCRR Part 661.4.</p> <p>3) <i>No. If project activities located <b>in the tidal/coastal wetland buffer</b> are not a compatible use or occur in the <b>freshwater wetland buffer</b>, then determine whether only a NYSDEC permit is needed (not U.S. Army Corps jurisdictional determination).</i></p>

TIER 2 SITE SPECIFIC CHECKLIST

Application#:

Project Address:

			<p><i>A) If yes, only a NYSDEC needs to be obtained, then put an X in Column A and add text: Project activities will be conducted in the wetlands buffer. A New York State Department of Environmental Conservation permit will be obtained prior to conducting project activities.</i></p> <p><i>B) No. Coordinate with HCR regarding additional compliance steps.</i></p>
Coastal Zone Management		X	This program has been reviewed by the New York Department of State (NYS DOS), which made a “general concurrence determination” based on the fact that the program involves rehabilitation.
Local Waterfront Revitalization Plan			<p><i>Is the project site located within an approved LWRP?</i></p> <p><i>a) If yes, prepare an LWRP policy analysis and submit to the local Waterfront Revitalization Committee for their recommendation and allow 30 days for their recommendation. Once recommendation is received, make determination whether action would be consistent with the LWRP.</i></p> <p><i>i) If consistent, insert text: The proposed action would be consistent with the ____ LWRP per attached letter dated ____.</i></p> <p><i>ii) If not consistent, consult with HCR.</i></p> <p><i>b) If no, insert text: The project site is not located within the jurisdiction of an approved LWRP.</i></p>
Sole Source Aquifers		X	Not applicable. No sole source aquifers exist in Putnam County.
Endangered Species			<p><i>Determine if the project activities will have “no effect” on or “is not likely to adversely affect” any federal or state protected (listed or proposed) rare, threatened or endangered species nor adversely modify designated critical habitats. [This finding is to be based on the review of designated critical habitats, consultation with U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS) or NYSDEC, or through a special study completed by a biologist or botanist. A determination of “no effect” based on the well-documented absence of listed species and critical habitats does not require USFWS or NYSDEC concurrence.] To make this determination:</i></p> <p><i>a) Review NYSDEC Resource Mapper for known occurrences. See list of species for your county (FWS 8/7/13 letter) and if new FWS GIS layers apply.</i></p> <p><i>b) Review GAP land use maps for suitable habitat</i></p> <p><i>c) Is a protected species documented or is suitable habitat present?</i></p> <p><i>i) No – review concluded. Create map to document. Put an X in Column B and add text: Not applicable. According to information reviewed from the New York State Environmental Resource Mapper at <a href="http://www.dec.ny.gov/imsmaps/ERM/viewer.htm">http://www.dec.ny.gov/imsmaps/ERM/viewer.htm</a>, no rare, threatened or endangered species are known to exist in the property’s vicinity. The property is located in a [high/medium/low (choose one)] -density residential development and does not support or provide habitat for any rare, threatened or endangered plant or animal species. Therefore, the project would not affect any natural habitats containing such species or any designated or proposed critical habitat.</i></p> <p><i>ii) Yes - create map to document. Will the project activities have an effect on the documented protected species or suitable habitat (project activities inside the house, replacing siding or roof, painting, etc.)?</i></p>

**TIER 2 SITE SPECIFIC CHECKLIST**

Application#:

Project Address:

			<p>1) <i>No. Put an X in Column B and add text:</i> Not applicable. According to information reviewed from the New York State Environmental Resource Mapper at <a href="http://www.dec.ny.gov/imsmaps/ERM/viewer.htm">http://www.dec.ny.gov/imsmaps/ERM/viewer.htm</a> and the guidance provided by the U.S. Fish and Wildlife Service, rare, threatened or endangered species are known to exist in the property’s vicinity. However, the project activities will have no effect on the documented rare, threatened or endangered plant or animal species and any natural habitats containing such species or any designated or proposed critical habitat.</p> <p>2) <i>Yes. Coordinate with HCR regarding additional compliance steps.</i></p>
Wild and Scenic Rivers		X	Not applicable. The property is not located along a wild and scenic river as designated by the U.S. Department of the Interior and the New York State Department of Environmental Conservation. No impacts would result and further assessment is not required.
Air Quality		X	The program would not substantively affect the State Implementation Plan (SIP). No significant impacts on air quality will result and further assessment is not required.
Farmlands Protection (including NYS Ag & Market Law)		X	The program will not convert farmland to nonagricultural purposes and, therefore, would not violate the Farmland Policy Protection Act and will comply with the New York State Agriculture and Markets Law..
Noise Abatement and Control		X	Not applicable. Compliance was determined in the Tier 1 Environmental Assessment.
Thermal/ Explosive Hazards			Acceptable separation distance requirements do not apply because the definition for HUD assisted projects in 24 CFR Part 51.201 is predicated on whether the HUD project increases the number of people exposed to hazardous operations. All future development would be consistent with the site’s prior use and at the same or less density. Therefore, the environmental review for grants to acquire and redevelop properties that existed prior to the disaster where the number of dwelling units is not increased, is not required to apply 24 CFR Part 51 Subpart C.
HUD Environmental Standards			<p><i>Is the property:</i></p> <ul style="list-style-type: none"> <li>• <i>Listed on an EPA Superfund National Priorities or CERCLA list or equivalent State list?</i></li> <li>• <i>Located within 3,000 feet of a toxic or solid waste landfill site?</i></li> <li>• <i>Known to contain an underground storage tank other than a residential fuel tank?</i></li> <li>• <i>Known or suspected to be contaminated by toxic chemicals or radioactive materials?</i></li> </ul> <p>a) <i>No – review concluded. Create map to document. Put an X in Column B and add text:</i> Not applicable. The property is not listed on a U.S. Environmental Protection Agency (EPA) Superfund National Priorities or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) list or equivalent State list, is not located within 3,000 feet of a toxic or solid waste landfill site, does not have an underground storage tank other than a residential fuel tank, and is not known or suspected to be contaminated by toxic chemicals or radioactive materials.</p>

TIER 2 SITE SPECIFIC CHECKLIST

Application#:

Project Address:

			<p>b) <i>Yes. Create map to document. Consult with an environmental professional to determine if the hazard could impact the residences at the property.</i></p> <p>c) <i>No – review concluded. Put an X in column B and add text: _____ [insert issue] was identified in the area of the property. However, based on _____ [insert reason why not a problem] it is not expected to pose a hazard to the residents of the property. No further review is necessary.</i></p> <p>d) <i>Additional coordination with HCR required. Add text: Additional study will be completed to assess if a hazard is present that could affect the health and safety of occupants or conflict with the intended utilization of the property.</i></p>
Environmental Justice		X	Not applicable. Compliance was determined in the Tier 1 Environmental Assessment.
Asbestos & Lead-Based Paint			<p><i>Was the dwelling constructed prior to 1978?</i></p> <p>a) <i>No – review concluded. Put an X in Column A. Add text: The house was constructed after 1978 and is not expected to contain lead-based paint. An asbestos survey will be performed by qualified professionals prior to any disturbance of suspected materials. Structures to be reconstructed or rehabilitated must conform to Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York Department of Labor (Cited as 12 NYCRR Part 56), the National Emission Standard for Asbestos pertaining to demolition and renovation in 40 CFR 61.145, and the National Emission Standard for Asbestos pertaining to waste disposal for manufacturing, fabricating, demolition, and spraying operations in 40 CFR 61.150.</i></p> <p>b) <i>Yes – review concluded. Review DASNY checklist. Put an X in Column A. Add text: The house was constructed prior to 1978. Asbestos and lead-based paint surveys will be performed by qualified professionals and a clearance report will be submitted prior to any disturbance of suspected materials.</i></p> <p>Structures to be reconstructed or rehabilitated must conform to Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York Department of Labor (Cited as 12 NYCRR Part 56), the National Emission Standard for Asbestos pertaining to demolition and renovation in 40 CFR 61.145, and the National Emission Standard for Asbestos pertaining to waste disposal for manufacturing, fabricating, demolition, and spraying operations in 40 CFR 61.150. All project activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to, HUD’s lead-based paint regulations in 24 CFR Part 35 Subparts B, H, and J.</p>
Radon		X	The property is located in Putnam County, a Radon Zone 1 county, according to the EPA Map of Radon Zones for NYS. Radon mitigation measures and testing will be conducted by a qualified professional in accordance with applicable federal, state, and local laws and regulations unless localized radon information is provided to show that radon mitigation measures are not necessary.

**TIER 2 SITE SPECIFIC CHECKLIST**

Application#:

Project Address:

Stormwater		<p><i>Does the acquisition involve multiple properties less than one quarter mile apart, which on aggregate, involve more than 1 acre, or a single property comprising 1 acre* or greater?</i></p> <p>a) <i>No – review concluded. Put an X in Column B. Add text:</i> The acquisition involves less than 1 acre of disturbance, therefore a SPDES General Permit for Stormwater Discharges Associated with Construction Activity is not required. However, best management practices (BMPs), such as silt fence and erosion prevention should be implemented during demolition activities.</p> <p>b) <i>Yes – does the acquisition involve the demolition of buildings, during which time more than 1 acre of soil will be disturbed?</i></p> <p>i) <i>No – review concluded. Put an X in Column B. Add text:</i> The acquisition involves less than 1 acre of disturbance, therefore a SPDES General Permit for Stormwater Discharges Associated with Construction Activity is not required. However, best management practices (BMPs), such as silt fence and erosion prevention should be implemented during any demolition activities.</p> <p>ii) <i>Yes – put an X in Column A. Add text:</i> The acquisition involves more than 1 acre of disturbance. Therefore the project needs to request coverage under the SPDES General Permit for Stormwater Discharges Associated with Construction Activity (GP-0-10-001). A Notice of Intent must be filed with NYSDEC prior to any demolition activities, and a Stormwater Pollution Prevention Plan (SWPPP) prepared that contains erosion and sediment control measures.</p>
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**TIER 2 SITE SPECIFIC CHECKLIST**

Application#:

Project Address:

**ADDITIONAL SEQRA REVIEW**

Check “A” if further close-out documentation is required.  
Provide written discussion of compliance or necessary mitigation measures.

Check “B” if the criteria review is complete.  
Provide written discussion and attach any supporting materials.

Area of Statutory - Regulatory Compliance	A	B	Compliance Discussion Attach Supporting Material
National Natural Landmark			<p><i>Is the property located at or adjacent to a National Natural Landmark?</i></p> <p><i>a) If no, then put an X in Column B and add text: Not applicable. There are no national natural landmarks located at or adjacent to the property.</i></p> <p><i>b) If yes, then coordinate with HCR regarding additional compliance steps.</i></p>
Significant Wildlife Habitat			<p><i>Is the property located in, adjacent to, or less than 100 feet away from a Significant Coastal Fish and Wildlife Habitat?</i></p> <p><i>a) No – review concluded. Put an X in Column B and add text: Not applicable. Based on a review of NYSDEC designated Significant Coastal Fish and Wildlife Habitats (SCFWH), no SCFWHs are located in or substantially contiguous to the property.</i></p> <p><i>b) Yes – Will the project result in the removal of any portion of a significant wildlife habitat?</i></p> <p><i>i) No – review concluded. Put an X in Column B and add text: Not applicable. The project activities will not result in the removal of any portion of a Significant Coastal Fish and Wildlife Habitat.</i></p> <p><i>ii) Yes. Coordinate with HCR regarding additional compliance steps.</i></p>
Unique or Unusual Landforms			<p><i>Is the property located in, adjacent to, or less than 100 feet away from a unique or unusual landform?</i></p> <p><i>a) No – Review Concluded. Put an X in Column B and add text: Not applicable. The property is not located in or substantially contiguous to a unique or unusual landform.</i></p> <p><i>b) Yes – Create map to document.</i></p> <p><i>i) Will the project activities result in modification or destruction of, or inhibit access, to any unique or unusual land forms located on or substantially contiguous to the property?</i></p> <p><i>(1) No – review concluded. Put an X in Column B and add text: Not applicable. The project will not affect the quantity or quality of _____ [insert name of that unique or unusual landform].</i></p> <p><i>(2) Yes. Coordinate with HCR regarding additional compliance steps.</i></p>

**TIER 2 SITE SPECIFIC CHECKLIST**

Application#:

Project Address:

<p>Aesthetic Resources, Open Space and Recreation</p>		<p><i>Is the property located in, adjacent to, or within 100 feet away from an aesthetic resource, open space or recreational area?</i></p> <p>a) <i>No – review concluded. Put an X in Column B. Add text:</i> Not applicable. The property is not located in or substantially contiguous to an aesthetic resource, open space or recreation area.</p> <p>b) <i>Yes – Create map to document. Will the project activities result in land use obviously different from, or in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource, or result in a loss of recreational opportunities or a reduction of an open space resource?</i></p> <p>i) <i>No – review concluded. Put an X in Column B. Add text:</i> Not applicable. The project activities will not significantly affect the quantity or quality of _____ [insert name of that aesthetic resource, open space or recreational area] or recreational opportunities associated with it.</p> <p>ii) <i>Yes. Coordinate with HCR regarding additional compliance steps.</i></p>
<p>State Protected Waterbody</p>		<p><i>Is the property located in, adjacent to, or less than 100 feet away from any waterbody (e.g., streams, rivers, etc.) designated as protected [Article 15 the Environmental Conservation Law (ECL)]?</i></p> <p>a) <i>No – review concluded. Create map to document. Put an X in Column B. Add text:</i> Not applicable. The property is not located in or substantially contiguous to a state protected waterbody.</p> <p>b) <i>Yes – create map to document. Will the project result in the disturbance of the waterbody or its natural bank (i.e., undeveloped land within 50 feet of mean high water (MHW) line)?</i></p> <p>i) <i>No – review concluded. Put an X in Column B. Add text:</i> The project activities will not result in the disturbance of a waterbody located within 50 feet of the mean high water (MHW) line.</p> <p>ii) <i>Yes – Create a map to document. Coordinate with HCR regarding additional compliance steps.</i></p>
<p>Critical Environmental Areas</p>		<p><i>Is the property located in, adjacent to, or less than 100 feet away from a Critical Environmental Area designated pursuant to Article 8 of the ECL and 6 NYCRR 617?</i></p> <p>a) <i>No – review concluded. Put an X in Column B. Add text:</i> Not applicable. The property is not located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL and 6 NYCRR 617.</p> <p>b) <i>Yes. Will the project activities result in:</i></p> <ul style="list-style-type: none"> <li>• <i>A reduction in the quantity of the resource?</i></li> <li>• <i>A reduction in the quality of the resource? Or</i></li> <li>• <i>Affect the use, function or enjoyment of the resource?</i></li> </ul> <p>i) <i>No – review concluded. Put an X in Column B. Add text:</i> Not applicable. The project activities will not result in a reduction in the quantity or quality of the ____ [name that CEA], nor affect the use, function or enjoyment of the_ [name that CEA].</p> <p>ii) <i>Yes. Coordinate with HCR regarding additional compliance steps.</i></p>

**TIER 2 SITE SPECIFIC CHECKLIST**

Application#:

Project Address:

Historic Properties		<p><i>Is the building a National Register of Historic Places (NRHP)-listed property or located adjacent to a NRHP listed property or a Historical District?</i></p> <p>a. <i>No – review concluded. Place X in Column B. Add text:</i> Not applicable. The building is not a historic property or located adjacent to a historic property; therefore, there is no potential effect on historic properties.</p> <p>b. <i>Yes. Coordinate with a qualified professional to evaluate the potential impact to adjacent historic properties and coordinate with HCR.</i></p>
Agricultural and Markets Law		<p><i>Is the property located within 500 feet of agricultural land?</i></p> <p>a. <i>No – review concluded. Place X in Column B. Add text:</i> This project will comply with the New York State Agriculture and Markets Law.</p> <p>b. <i>Yes. Do any of the following apply?</i></p> <p>i) <i>The project would sever, cross or limit access to agricultural land (including cropland, hayfields, pasture, vineyard, orchard, etc.).</i></p> <p>ii) <i>Construction activity would excavate or compact the soil profile of agricultural land.</i></p> <p>iii) <i>The project would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.</i></p> <p>(1) <i>No – review concluded. Place X in column B. Add text:</i> Not applicable. The project activities have no potential to affect agricultural lands.</p> <p>(2) <i>Yes. Coordinate with HCR regarding additional compliance steps.</i></p>

**TIER 2 SITE SPECIFIC CHECKLIST**

**Page 13 of 13**

Application#:

Project Address:

**TO BE FILLED OUT BY PERSON WHO PREPARED DOCUMENT:**

Prepared by:

Signature

Date:

**TO BE FILLED OUT BY HCR CERTIFYING OFFICER OR OTHER  
APPROPRIATELY DESIGNATED OCR OFFICIAL:**

This Site Specific Checklist is determined to be acceptable.

Signature:

Printed Name:

Date:

**Exhibit 6:**  
**DASNY Site Inspection Checklist**

**NEW YORK STATE HOMES & COMMUNITY RENEWAL  
OFFICE OF COMMUNITY RENEWAL  
SUPPLEMENTAL ENVIRONMENTAL QUESTIONNAIRE**

Department of Housing and Urban Development Appropriation Act, 2013  
Community Development Block Grant Program Disaster Recovery Program –  
NY Rising Buyout and Acquisition Program in Putnam County, NY

Property address: \_\_\_\_\_

\_\_\_\_\_

Application #: \_\_\_\_\_

**TO BE COMPLETED BY THE FIELD INSPECTOR; ATTACH ANY SPECIFIC NOTES, PHOTOS, AND ADDITIONAL MATERIAL:**

	Yes	No	<b>Compliance Data Attach Supporting Material</b>
1	<input type="checkbox"/>	<input type="checkbox"/>	Based on your observations from the site, is there any visible apparent evidence of explosive or fire-prone materials such as liquid propane, gasoline, or other storage tanks adjacent to or visible from the project site? If yes, provide details.
2	<input type="checkbox"/>	<input type="checkbox"/>	Based on your observations from the site, is there any visible apparent evidence that the project site is near a commercial or industrial property? If yes, which company and the approximate distance.
3	<input type="checkbox"/>	<input type="checkbox"/>	Based on your observations from the site, is there any visible apparent evidence of soil problems (foundations cracking or settling, basement flooding, etc.) in the area of the site? If yes, specify which.
4	<input type="checkbox"/>	<input type="checkbox"/>	Based on your observations from the site, there any visible apparent evidence of any natural areas or parks, or are there any ponds or parks adjacent to the site? If yes, specify what.
5	<input type="checkbox"/>	<input type="checkbox"/>	Is there any visible apparent indication of any of the following (check all that apply): <input type="checkbox"/> distressed vegetation <input type="checkbox"/> oil/chemical spills <input type="checkbox"/> waste material/containers <input type="checkbox"/> loose/empty drums, barrels <input type="checkbox"/> soil staining, pools of liquid <input type="checkbox"/> abandoned machinery, cars, refrigerators, etc. <input type="checkbox"/> transformers, fill/vent pipes, pipelines, drainage structures If yes, attach photos and note where on the property these items are located.
6	<input type="checkbox"/>	<input type="checkbox"/>	Is there any visible apparent evidence of an underground or above-ground storage tank? If yes, specify which one and the location. Also specify the tank contents if possible. Please take a photograph of any tank(s).
7	<input type="checkbox"/>	<input type="checkbox"/>	Are there active rills and gullies on site? If yes, provide photographs.

**SUPPLEMENTAL ENVIRONMENTAL QUESTIONNAIRE**

	Yes	No	<b>Compliance Data Attach Supporting Material</b>
8	<input type="checkbox"/>	<input type="checkbox"/>	Is there any visible apparent indication of mold? If yes, describe location and extent.
9	<input type="checkbox"/>	<input type="checkbox"/>	Is there any visible apparent evidence of asbestos, lead-based paint, or hazardous materials present in the structure? Are removal plans or third-party clearance reports or operations and maintenance plans available from the property owner? If yes, attach copies.
10	<input type="checkbox"/>	<input type="checkbox"/>	Are there other unusual conditions on site? Explain in attached supporting material. Please take photographs, if possible.

**Inspector's Signature:** By signing this document I agree that I performed, or am familiar with, the site inspection(s) that are described above and certify that, to the best of my knowledge, the information provided is true and correct.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Property address: \_\_\_\_\_

\_\_\_\_\_

Application #: \_\_\_\_\_

## **Appendix A:**

### **Putnam County USGS Topographic Maps**

# Putnam County Topographic Map

NOTES: Data available from U.S. Geological Survey, National Geospatial Program.

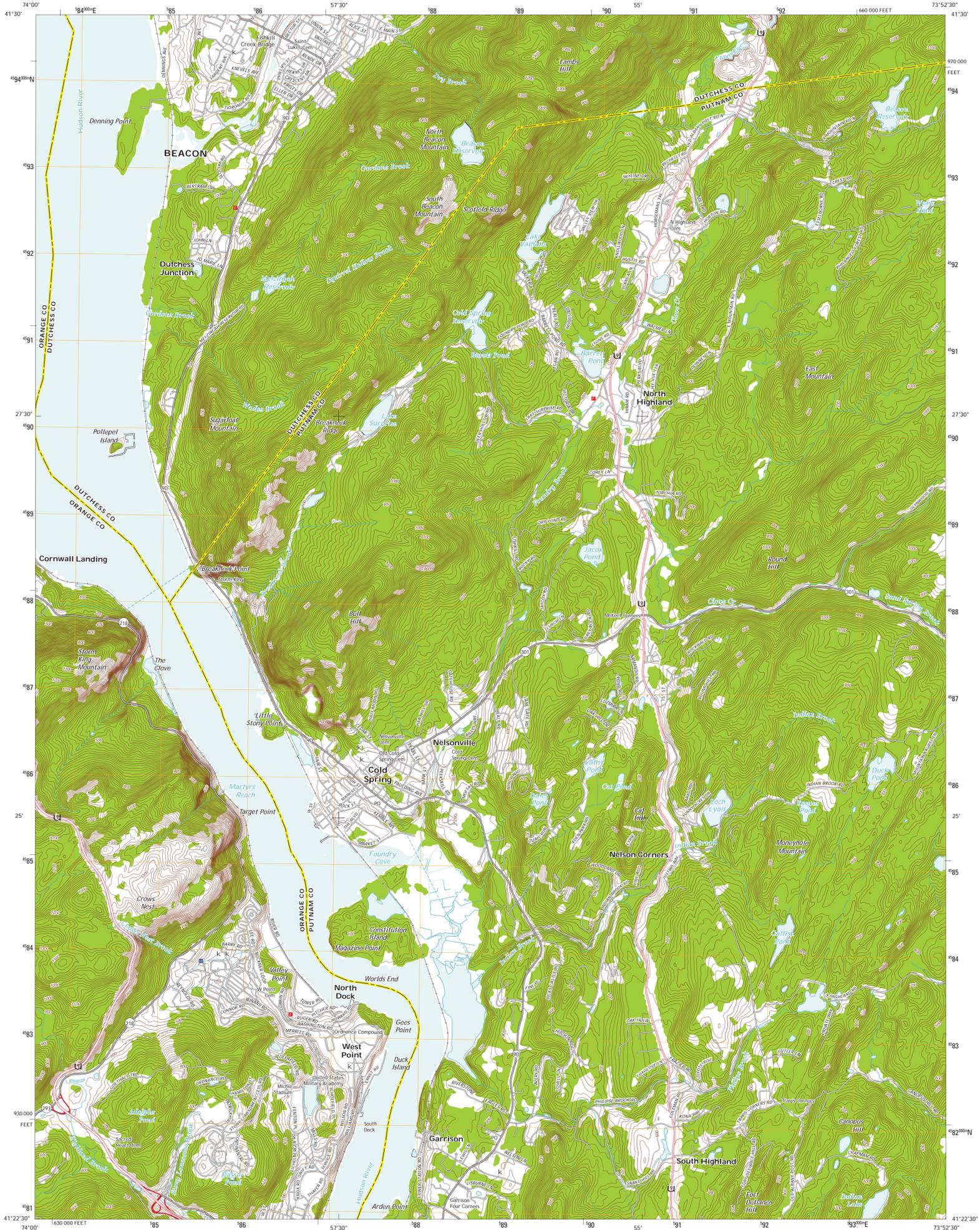




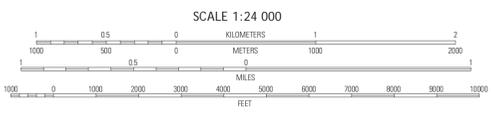
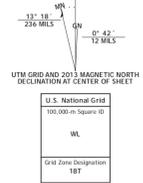
U.S. DEPARTMENT OF THE INTERIOR  
U. S. GEOLOGICAL SURVEY



WEST POINT QUADRANGLE  
NEW YORK  
7.5-MINUTE SERIES



Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83)  
World Geodetic System of 1984 (WGS84). Projection and  
1:000-meter grid: Universal Transverse Mercator, Zone 18T  
10 000-foot ticks: New York Coordinate System of 1993 (east  
zone)



Imagery: NAIP, July 2011  
Roads: ©2006-2012 TomTom  
Names: GNS, 2012  
Hydrography: National Hydrography Dataset, 2011  
Contours: National Elevation Dataset, 1999  
Boundaries: Census, BWC, IRC, USGS, 1972 - 2012

This map was produced to conform with the  
National Geospatial Program US Topo Product Standard, 2011.  
A metadata file associated with this product is draft version 0.6.7

QUADRANGLE LOCATION

Newburgh	Wappingers Falls	Hopewell Junction
Cornwall-on-Hudson	West Point	Oswego Lake
Polytopus Lake	Peekskill	Mohegan Lake

ADJOINING 7.5' QUADRANGLES

WEST POINT, NY  
2013



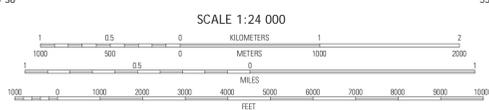
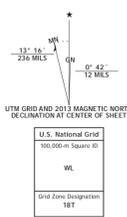
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U. S. GEOLOGICAL SURVEY



PEEKSKILL QUADRANGLE  
NEW YORK  
7.5-MINUTE SERIES



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World Geodetic System of 1984 (WGS84). Projection and  
1 000-meter grid: Universal Transverse Mercator, Zone 18T  
10 000-foot ticks: New York Coordinate System of 1983 (east  
zone)



QUADRANGLE LOCATION

Cornwall-on-Hudson	Wald Point	Osiskany Lake
Popolopon Lake	Peekskill	Mohagan Lake
Thibault	Haverstraw	Oriskany

Imagery: NAIP, July 2011  
Roads: ©2006-2012 TomTom  
Names: ©2012  
Hydrography: National Hydrography Dataset, 2011  
Contours: National Elevation Dataset, 1999  
Boundaries: Census, IBAC, BC, USGS, 1972, 2012

CONTOUR INTERVAL 20 FEET  
NORTH AMERICAN VERTICAL DATUM OF 1988

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PEEKSKILL, NY  
2013

ADJOINING 7.5' QUADRANGLES



U.S. DEPARTMENT OF THE INTERIOR  
U. S. GEOLOGICAL SURVEY

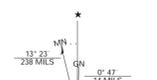


OSCAWANA LAKE QUADRANGLE  
NEW YORK  
7.5-MINUTE SERIES

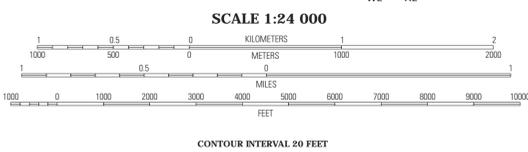


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North American Datum of 1983 (NAD83)  
World Geodetic System of 1984 (WGS84). Projection and  
1 000-meter grid: Universal Transverse Mercator, Zone 18T  
10 000-foot ticks: New York Coordinate System of 1983  
(east zone)

Imagery.....NAP, July 2006 - May 2008  
Roads.....US Census Bureau TIGER data  
with limited USGS updates, 2006 - 2007  
Names.....CENS, 2008  
Hydrography.....National Hydrography Dataset, 2006  
Contours.....National Elevation Dataset, 1999



U.S. National Grid
100,000m Square ID
99
WL XL
Grid Zone Designation
18T



This map was produced to conform with version 0.5.10 of the  
draft USGS Standards for 7.5 Minute Quadrangle Maps.  
A metadata file associated with this product is also draft version 0.5.10



QUADRANGLE LOCATION

Wapplegers Falls	Hopewell Junction	Poughkeepsie
West Point	Oscawana Lake	Lake Carmel
Peekskill	Mahopac Lake	Croton Falls

ADJOINING 7.5' QUADRANGLES



OSCAWANA LAKE, NY  
2010



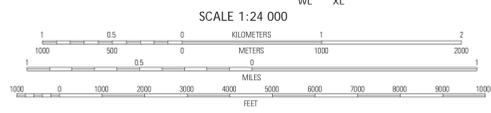
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U. S. GEOLOGICAL SURVEY



MOHEGAN LAKE QUADRANGLE  
NEW YORK  
7.5-MINUTE SERIES



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World Geodetic System of 1984 (WGS84). Projection and  
1 000-meter grid. Universal Transverse Mercator, Zone 18T  
10 000-foot ticks. New York Coordinate System of 1983 (east  
zone)



QUADRANGLE LOCATION			
West Point	Occotus Lake	Lake Carmel	
Peekskill	Mohegan Lake	Croton Falls	
Haverstraw	Ossining	Mount Kisco	

Imagery.....NAIP, July 2011  
Roads.....©2006-2012 TomTom  
Names.....©2012  
Hydrography.....National Hydrography Dataset, 2011  
Contours.....National Elevation Dataset, 1999  
Boundaries.....Census, IPAC, IBC, USGS, 1972 - 2012

CONTOUR INTERVAL 20 FEET  
NORTH AMERICAN VERTICAL DATUM OF 1988  
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National Geospatial Program US Topo Product Standard, 2011.  
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MOHEGAN LAKE, NY  
2013

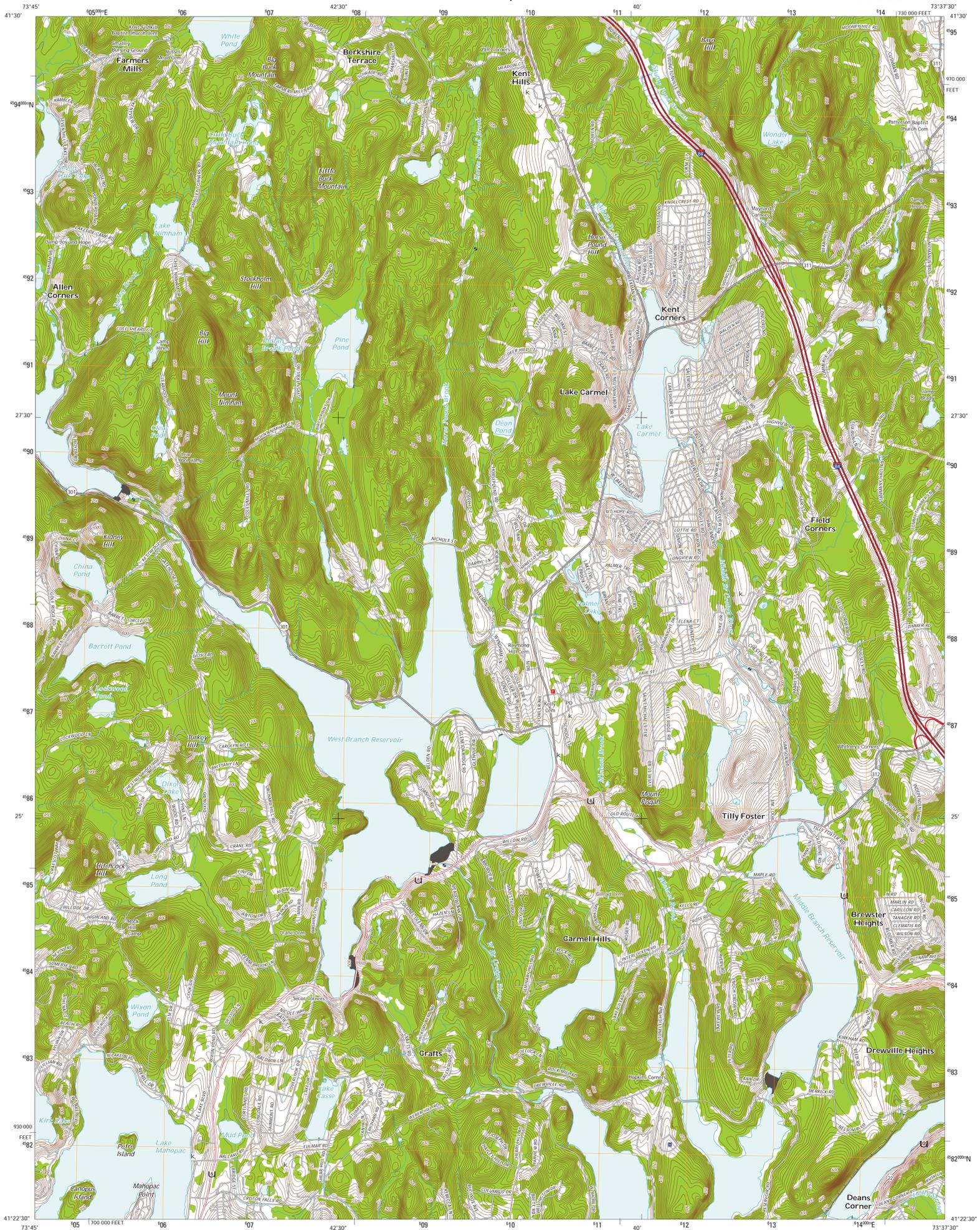
ADJOINING 7.5' QUADRANGLES



U.S. DEPARTMENT OF THE INTERIOR  
U. S. GEOLOGICAL SURVEY



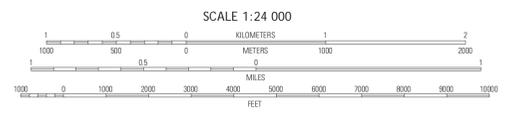
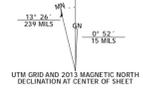
LAKE CARMEL QUADRANGLE  
NEW YORK-PUTNAM CO.  
7.5-MINUTE SERIES



41°22'30" 73°45' 105°W E 06 07 42°30' 08 09 10 11 40' 12 13 14 73°37'30" 41°30' 19000 FEET 194 193 192 191 190 189 188 187 186 185 184 183 182 93000 FEET 41°22'30" 73°45' 105°W E 06 07 42°30' 08 09 10 11 40' 12 13 14 73°37'30" 41°30'

Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83)  
World Geodetic System of 1984 (WGS84). Projection and  
1:100,000-meter grid. Universal Transverse Mercator, Zone 18T  
10 000-foot ticks: New York Coordinate System of 1993 (east  
zone)

Imagery ..... NAIP, July 2011  
Roads ..... ©2006-2012 TomTom  
Names ..... GNS, 2012  
Hydrography ..... National Hydrography Dataset, 2011  
Contours ..... National Elevation Dataset, 1999  
Boundaries ..... Census, BWC, IRC, USGS, 1972 - 2012



QUADRANGLE LOCATION

Highport Junction	Ploughquad	Pawling
Occawana Lake	Lake Carmel	Brewster
Mohagan Lake	Croton Falls	Peach Lake

ADJOINING 7.5 QUADRANGLES



LAKE CARMEL, NY  
2013

CONTOUR INTERVAL 10 FEET  
NORTH AMERICAN VERTICAL DATUM OF 1988

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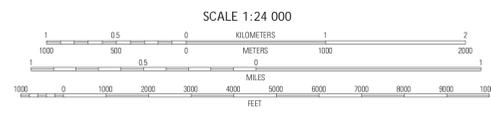
U.S. DEPARTMENT OF THE INTERIOR  
U. S. GEOLOGICAL SURVEY



CROTON FALLS QUADRANGLE  
NEW YORK  
7.5-MINUTE SERIES



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North American Datum of 1983 (NAD83)  
World Geodetic System of 1984 (WGS84). Projection and  
1:000-meter grid. Universal Transverse Mercator, Zone 18T  
10 000-foot ticks. New York Coordinate System of 1983 (east  
zone)



CONTOUR INTERVAL 10 FEET  
NORTH AMERICAN VERTICAL DATUM OF 1988

This map was produced to conform with the  
National Geospatial Program US Topo Product Standard, 2011.  
A metadata file associated with this product is draft version 0.6.7



QUADRANGLE LOCATION

Croton Falls	Lake Katonah	Brewster
Mahopac	Croton Falls	Peach Lake
Oshtemo	Mount Kisco	Pound Ridge

ADJOINING 7.5 QUADRANGLES

CROTON FALLS, NY  
2013



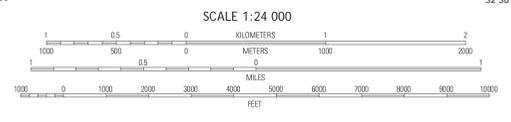
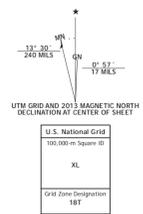
U.S. DEPARTMENT OF THE INTERIOR  
U. S. GEOLOGICAL SURVEY



BREWSTER QUADRANGLE  
NEW YORK-CONNECTICUT  
7.5-MINUTE SERIES



Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83)  
World Geodetic System of 1984 (WGS84) Projection and  
1 000-meter grid. Universal Transverse Mercator, Zone 18T  
10 000-foot ticks. New York Coordinate System of 1993 (east  
zone). Connecticut Coordinate System of 1983



QUADRANGLE LOCATION

Poughaug	Paulling	Now Millford
Lake Carmel	Brewster	Danbury
Croton Falls	Peach Lake	Bethel

ADJOINING 7.5' QUADRANGLES

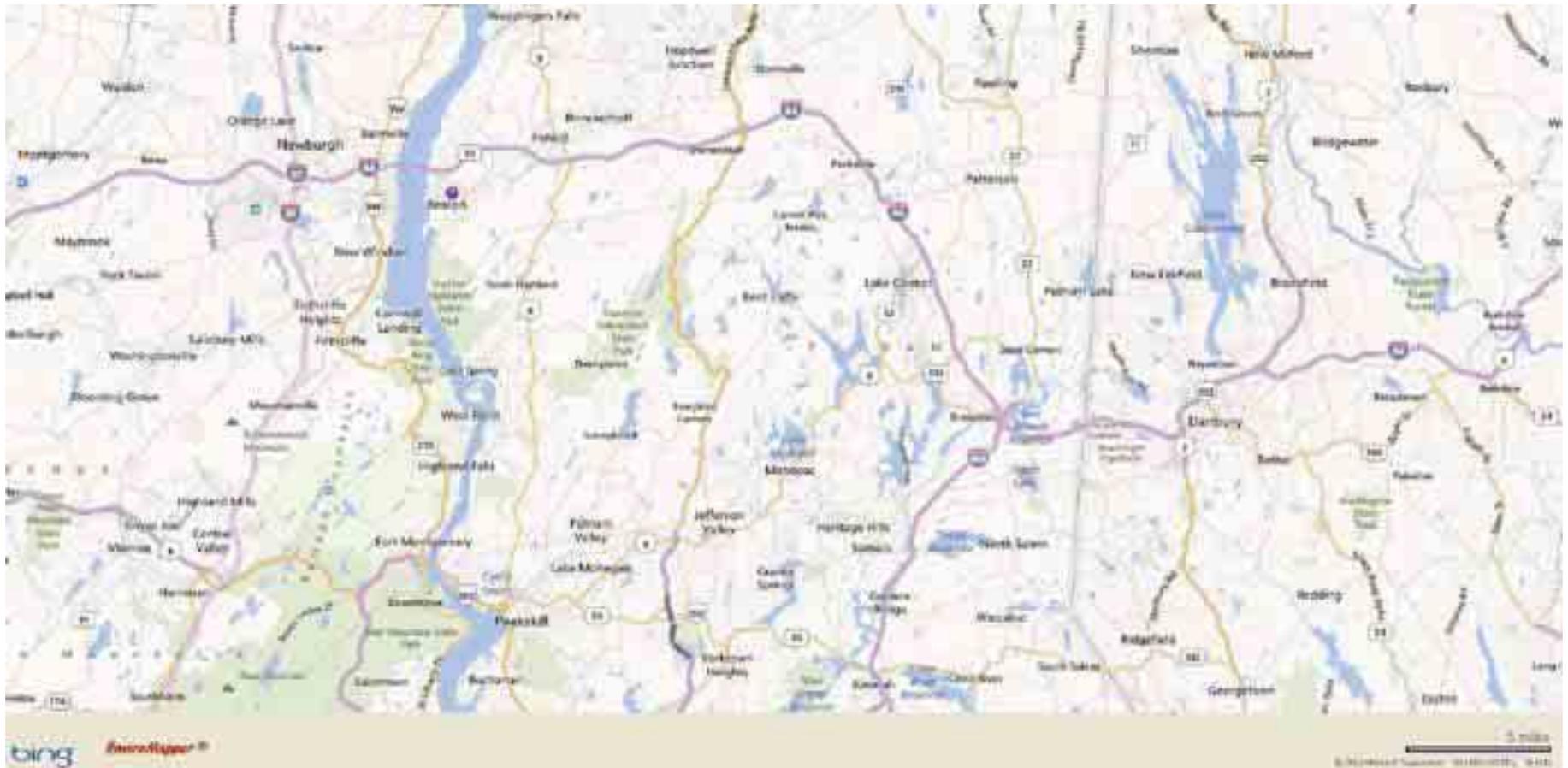
BREWSTER, NY-CT  
2013

## **Appendix B:**

### **Potential Environmental Justice Area Map**

## Putnam County, NY Environmental Justice Map

  
EJ Grants CARE Grants



There are no Environmental Justice Areas in Putnam County, NY.

## **Appendix C:**

### **Putnam County FEMA Flood Insurance Rate Maps**

