

**FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A
100-YEAR FLOODPLAIN -- RICHMOND COUNTY, NEW YORK**

COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY PROGRAM

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NOTIFICATION OF ACTIVITY IN A FLOODPLAIN

To: All interested Agencies, Groups, and Individuals

This is to give notice that New York State Homes and Community Renewal (NYS HCR), and New York City Office of Management and Budget (NYC OMB) have conducted an evaluation as required by Executive Order 11988 in accordance with HUD regulations under 24 CFR 55.20 Subpart C - Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, to determine the potential effects that its activity in the floodplain would have on the human environment. This activity—NY Rising and NYC Build It Back (BIB) Acquisition for Redevelopment Program—is funded under the Community Development Block Grant – Disaster Recovery (CDBG-DR) Program pursuant to Title I of the Housing and Community Development Act of 1974 (U.S.C. 5301 et seq.).

Pursuant to the CDBG-DR Program and Federal Register Notices 78 Fed. Reg. 14,329 and 78 Fed. Reg. 69,104 (Notices), published March 5, 2013, and November 18, 2013, respectively, NYS has been allocated approximately \$3.8 billion of CDBG-DR funds for storm recovery activities, including but not limited to the acquisition, demolition, reconstruction, improvement, financing, and use of existing properties in storm-impacted municipalities and counties. Pursuant to the Notices, NYC has been allocated \$3.2 billion of CDBG-DR funds for storm recovery activities in NYC. A portion of the current allocation will be used for the acquisition and redevelopment of some of the worst damaged properties, including those that are the subject of this Notice. This Notice pertains to properties opting into the Acquisition for Redevelopment Program in Richmond County, NY.

There are approximately 5,300 acres of floodplain in Richmond County. Floodplains are delineated on the FEMA Base Flood Elevation Maps, which can be viewed at www.msc.fema.gov. The actual property addresses of applicants participating in this program will not be verified until applications for assistance are reviewed and determined eligible for the program.

The proposed action is an Acquisition for Redevelopment program that would purchase damaged properties for the purpose of demolition, reconstruction, and future redevelopment. This process will use grant funds to acquire parcels from voluntary sellers affected by Superstorm Sandy. Existing improvements on some parcels will be demolished. Some parcels would then be redeveloped into one-two (1-2) unit residential dwellings (or in rare instances, left vacant). In instances where demolition or redevelopment into one-two (1-2) unit residential structures is impracticable, other redevelopment activities may occur. These project activities would be determined on a case by case basis, and be consistent with all federal, state, and municipal laws and zoning requirements. If the redevelopment involves a use other than one-two (1-2) unit residential buildings, further environmental assessment will be performed to ensure compliance with federal and state environmental guidelines.

The proposed Acquisition for Redevelopment action is necessary to prevent substantially damaged homes from further deteriorating or being abandoned by owners who do not have the resources or desire to rehabilitate their homes and provide adequate assistance to Richmond County residents to make a life-altering move. The action is also needed to allow for consistent redevelopment; unlike a traditional buyout that would not preserve the character of neighborhoods if scattered lots were to be left open in perpetuity, replacing damaged homes with safe, modern construction will promote community revitalization in these neighborhoods.

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 resulting from the NY Rising and NYC BIB Acquisition for Redevelopment Program in Richmond County would be in accordance with all local and state regulations as part of the acceptance of assistance funding.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains facilitates and enhances Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

ALTERNATIVES CONSIDERED

NYS HCR and NYC OMB have considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values of the floodplain, and have determined the best practicable alternative is the proposed action of Acquisition for Redevelopment. The alternative actions considered are as follows: Buyouts, Rehabilitation Grants, No Action, and Acquisitions for Redevelopment (Proposed Action). These alternatives are discussed below.

No Action Alternative

A No Action alternative is not proposed as it does not adequately achieve NYS and NYC goals of promoting a safe and healthy living environment for Richmond County residents. Under the No Action alternative, the funding for the proposed acquisition of residential properties in the high flood risk areas of Richmond County would not be authorized. There would be no acquisition of properties. Homeowners who are unable or unwilling to repair their homes would not be assisted in relocating outside of the high flood risk areas. Under a No Action alternative, abandoned properties would remain, posing an ongoing risk to health and safety, as well as diminishing property values of neighboring homes and contributing to a depressed economy.

Rehabilitation Grants

Under this alternative, homeowners would be able to apply for programs for financial assistance for the repair and rehabilitation of their properties that were damaged or destroyed by the storms. While these assistance programs would include financial support and requirements for resiliency upgrades for the individual properties that would reduce the potential damage from future storms, some homeowners may not be willing to repair their homes. Further, in repairing substantially damaged homes, the residents may be displaced for a longer period of time while home repairs and resiliency efforts are being made. Some owners of substantially damaged homes may already have relocated or purchased a new home. For these owners, rehabilitation grants would not be effective in assisting them to recover from recent storm events.

Buyouts

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 Superstorm Sandy in Richmond County. This alternative would satisfy the need to relocate homeowners as out of high flood risk areas and the goal to improve the storm attenuation properties of the affected communities; however, it would not satisfy the need to redevelop acquired properties with newer, more resilient construction. It would also not satisfy the need to maintain the residential character of some neighborhoods.

FLOODPLAIN MANAGEMENT PLAN

NYS HCR and NYC OMB have reevaluated the alternatives to building in the floodplain and have determined that there is no practicable alternative. A full copy of the Floodplain Management Plan (8-step process) documenting compliance with Executive Order 11988 can be viewed online at <http://www.nyshcr.org/Programs/NYS-HCR-CDBG-DR/EnvironmentalReview> or at the addresses listed below under public comments:

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the Floodplain Management Plan or a request for further information to Thomas King, Certifying Officer, NYS Homes and Community Renewal – Governor’s Office of Storm Recovery, 99 Washington Avenue, Suite 1010, Albany, NY 12231 and/or Calvin Johnson, Assistant Director CDBG-DR, City of New York Office of Management and Budget, 255 Greenwich Street, 8th Floor, New York, NY 10007. Written comments may also be submitted via email to Thomas King at

NYSCDBG_DR_ER@nyshcr.org and/or Calvin Johnson at CDBGDR-Enviro@omb.nyc.gov. Please include “Richmond County Acquisition Floodplain Management Comments” in the subject line. All comments received by **Friday, May 30, 2014** will be considered by NYS HCR and NYC OMB.

Thomas J. King, NYS Homes and Community Renewal, Governor’s Office of Storm Recovery
Dean Fuleihan, Director, City of New York, Office of Management and Budget
Certifying Officers

May 23, 2014