



The City of New York Action Plan Amendment 10 (non-substantial)

Submitted to HUD: September 18, 2015

Acknowledged by HUD: September 23, 2015

For CDBG-DR Funds, Disaster Relief Appropriations Act of 2013 (P.L. 113-2)

Hurricane Sandy hit New York City on October 29, 2012. The City of New York's Action Plan describes how the City will use its award of Community Development Block Grant – Disaster Recovery (CDBG-DR), received from the U.S. Department of Housing and Urban Development (HUD) across three allocations, to support recovery from Hurricane Sandy and to build more resiliently against the to the challenges of climate change. The programs in this Action Plan include programs to build and support housing, businesses, resiliency, and New York City infrastructure and other City services.

On May 7, 2013, the Department of Housing and Urban Development (HUD) approved the City's initial Action Plan which has subsequently been amended several times through both substantial and non-substantial amendments. The entirety of the City's \$4,213,876,000 CDBG-DR award through the third allocation is described in the Action Plan (as of Amendment 8B approved on April 13, 2015).

Any change greater than \$1 million in funding committed to a certain program, the addition or deletion of a program, or change in the designated beneficiaries of a program constitutes a substantial amendment. Substantial amendments will be available for public comment, including during at least one public hearing, and must be submitted to and approved by HUD. The City may also make non-substantial amendments to its Action Plan that do not require a public comment period but must be posted on the City's website.

The City will post all Action Plans, amendments, and its responses to public comments on the City's CDBG-DR website: www.nyc.gov/cdbg.

This Action Plan Amendment 10 is a non-substantial amendment.

Amendment 10 (non-substantial)

Amendment 10 makes several updates to the Infrastructure and Other City Services chapter of the Action Plan. These changes reflect two waivers granted to the City in the August 25, 2015 Federal Register Notice (80 FR 51589). The Notice states the following:

- Covered Projects Requirements: “. . .for purposes of identifying major infrastructure projects that are held to the requirements of the notice published November 18, 2013, and any subsequent notice that includes provisions for major infrastructure projects, HUD is providing

New York City a waiver of the major infrastructure identification criteria to exclude projects located in multiple counties that are located exclusively within the City, only where the project would not otherwise meet the definition of a major infrastructure project by exceeding the total cost thresholds described above.”

- Breezy Point Flood Mitigation System: HUD has waived “24 CFR 570.202(a)(1) to the extent necessary to allow for the city’s Breezy Point Flood Mitigation System to be classified as an eligible housing rehabilitation and preservation activity. Further, the Department is waiving section 105(a)4 of the HCD Act to the extent necessary to allow for the new construction associated with this activity that would otherwise be prohibited.”

As a result of these waivers, project information in the Infrastructure and Other City Services chapter of the Action Plan has been updated as follows:

Covered Project: DOT - Movable Bridges and Underpasses

- The five bridges formerly described as Covered Projects are no longer classified as Covered Projects because each bridge is located entirely within the City’s boundaries and the CDBG-DR funding amount does not exceed the Covered Project threshold (total project cost of \$50 million or more, including at least \$10 million of CDBG-DR funds).
- The project descriptions for bridges have been moved from the Covered Project section and can now be found in the Rehabilitation/Reconstruction of Public Facilities section under Department of Transportation.
- Because anticipated project costs will exceed the Covered Project threshold, the Battery Park/ West Street Underpasses project continues to be classified as a Covered Project.

Covered Project: HMGP - Breezy Point Risk Mitigation System

- The project description has been updated to reflect the receipt of the waiver and the change in eligible activity to “Housing Rehabilitation and Preservation per waiver in August 25, 2015 Federal Register Notice”
- The project description has been updated to reflect the current status of the project’s FEMA HMGP application.

Additional non-substantial text updates have been made throughout the IOCS Chapter to reflect the August 25, 2015 Federal Register Notice waivers and more current details on the aforementioned projects.