

**Combined Final Notice of Public Explanation of a Proposed Activity in the 100-Year  
Floodplain and Wetlands and Finding of No Significant Impact**

**City of New York  
Office of Management and Budget (NYCOMB)  
Community Development Block Grant – Disaster Recovery Program**

This notice shall satisfy two separate but related procedural requirements for a property acquisition activity to be incorporated into New York City's Build It Back: Single-Family Houses (1-4 units) program (NYC BIB).

**FINAL NOTICE OF PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN THE 100-  
YEAR FLOODPLAIN AND WETLANDS**

The City has conducted a Re-evaluation of NYC BIB, as required by Executive Order (EO) 11988 for and EO 11990 in accordance with HUD regulations 24 CFR 55.20 Subpart C. This Re-evaluation is made to determine the potential affect that the proposed property acquisition activity in the floodplain and wetland resources will have on the human environment. Through the "Disaster Relief Appropriations Act, 2013" (Public Law 113-2, January 29) NYC has received federal Community Development Block Grant-Disaster Recovery (CDBG-DR) funding from HUD in the amount of \$1,713 billion to execute NYC BIB. This funding was allocated by HUD to help it address unmet housing needs as a result of Hurricane Sandy that impacted the City in October 2012. The CDBG-DR Funding (January 29, 2013) and the City's Partial Action Plan A for CDBG-DR (April 2013 and subsequent amendments) establish an outline of eligibility requirements, recovery priorities, and the method of distribution for the proposed activities to be executed under NYC BIB to assist eligible NYC residents.

NYC BIB proposes to incorporate the property acquisition activity in order to address the unmet need of applicants seeking a relocation option from their storm-damaged properties anticipated to be located partially or completely within, or near the floodplain and regulated wetlands. For this property acquisition activity NYC BIB has considered the location and types of properties owned by likely eligible applicants to design the requirements that respond to the unmet need; support the City's goals for resilient recovery from Hurricane Sandy; and meet National Objectives that address Low to Moderate Income Persons, Urgent Need, and Spot Slum and Blight. The addition of this new property acquisition activity will allow the NYC BIB program to facilitate the storm recovery of these applicants by offering a relocation service with the two alternatives for post-acquisition disposition of properties owned by willing sellers that meet basic criteria:

**Acquisition for Redevelopment (AFR):** Targeted for residential properties destroyed, substantially damaged, or requiring rehabilitation that present with a variety of characteristics that make acquisition both responsible and supportive of NYC's strategic resiliency efforts for properties determined suitable for residential use;

**Acquisition for Buyout (AFB):** Targeted for residential properties destroyed, substantially damaged, or presenting with constraints (i.e. substandard lot size, location in a special flood hazard area, regulated wetland, or over water) that make acquisition both responsible and supportive of NYC's strategic resiliency efforts for properties that should remain undeveloped in perpetuity.

To incorporate the proposed property acquisition activity into NYC BIB the following alternatives and mitigation measures have been considered to minimize adverse impacts and to restore and preserve natural and beneficial values of its floodplain and wetlands:

Action Outside the Floodplain and Wetlands: While their Hurricane Sandy-damaged homes are not located in the floodplain or wetlands, NYC BIB applicants are eligible for assistance with the rehabilitation or reconstruction of their homes, and with the reimbursement of eligible expenses. For applicants with properties situated in vulnerable floodplain, wetlands, and/or in a sensitive coastal management zone who seek relocation outside these vulnerable areas, a NY State-funded program has offered a limited property buyout opportunity. NYC BIB herein proposes to offer the AFR and AFB alternatives with relocation assistance, which are expected to serve a percentage of applicants whose unmet housing needs are not addressed by the existing City or State-funded activities.

Proposed Action in the Floodplain and Wetlands: Many NYC BIB applicants are electing to return to their properties situated in or adjacent to the floodplain and wetlands. Multiple alternative approaches to protect properties in these areas have been considered for the City's CDBG-DR housing programs, including elevation of structures to comply with the City's Building Code and the National Flood Insurance Program (NFIP). Additional measures to meet the City-adopted Enterprise Green Community Standards to enhance resiliency of homes to future storms are being incorporated into project designs. Under the AFR alternative, residential properties located in the floodplain will be rehabilitated or redeveloped for resale in compliance with NYC BIB construction standards, and with deed restrictions on land use, construction footprint, occupant density and income. Under the AFB alternative, properties located in the floodplain and wetlands will be donated or sold with deed restrictions that ensure they remain as open space in perpetuity.

No Action: Should the property acquisition not be incorporated into the NYC BIB program, the City goals of restoring the health and safety of hurricane-damaged housing for its residents would not address the unmet housing needs of applicants willing to relocate and who cannot be served with existing activities. Nor would it enable NYC BIB to support planning and implementation of resilience measures to mitigate damage from future weather extremes. Residents could continue to be displaced from their homes located in the floodplain or wetlands, live in damaged, unsafe, and unsanitary housing within the hurricane-damaged neighborhoods or seek shelter elsewhere. Poor structural integrity of hurricane-damaged homes within the floodplain and wetland would put residents at a greater risk should a flood event occur, especially if homes do not meet current elevation requirements. Abandoned structures may not be demolished, posing a lingering health and safety risk, with possible storm-debris field hazards affecting water quality if subject to flood conditions. Storm debris fields on residential properties would potentially remain unaddressed, also posing a threat to public health and water quality.

The Re-evaluation of the Tier I Environmental Review of the NYC BIB program activities to incorporate property acquisition indicates there would be no adverse effect to the environmental conditions that existed across the City prior to Hurricane Sandy. This is primarily because neither land use nor densities would change, and replacement structures would be comparable to pre-disaster housing, while less vulnerable to flood and other certain hazards. Minor possible adverse effects were identified for ambient noise levels, air quality, socioeconomic conditions related to population displacement, solid waste, storm water runoff, and traffic volume. These possible temporary impacts were determined to be limited to the period of construction activity

and appropriate minimization and mitigation measures will be undertaken to minimize these impacts. As low to moderate income households most heavily impacted by Hurricane Sandy represent the priority population targeted for receipt of NYC BIB assistance, environmental justice concerns are being addressed by offering safe, affordable, energy efficient homes to at least 50 percent of eligible applicants from these income categories. These results indicate a finding of no significant impact on the human environment from the proposed property acquisition activity. Site-specific review will help determine potential environmental impacts, beyond the possible temporary ones to the target property, for the following impact categories: historic and cultural resources, the floodplain, wetlands, threatened and endangered species, and other environmental hazards. The impacts for these categories are expected to be minor given the environmental mitigation measures to be implemented.

The City determined that implementation of NYC BIB does not substantially change the prior land uses and serves to meet unmet housing needs in the aftermath of Hurricane Sandy in October 2012 and no practicable alternative exists other than to conduct the proposed property acquisition activity. This activity will have no significant impact on the environment because the action area and target AFR properties will already have been either State or locally determined suitable for residential development, while the AFB properties will be converted from residential to open space. Since NYC BIB will conduct construction activities on suitable residential sites with appropriate site-specific mitigation; no impacts to floodplain or wetlands are anticipated as a result of the proposed action.

This notice is required by Section 2(a)(4) of EO 11988 for Floodplain Management and is implemented by HUD Regulations found at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, and for the Protection of Wetlands through EO 11990. The 8-Step Decision Making Process includes public notices and the examination of practicable alternatives to building in the floodplain and wetlands. The confirmation of address locations is in progress, but initial estimates indicate applications from households impacted by Hurricane Sandy will include those for properties situated in the 100-year floodplain and thus potentially considered for rehabilitation or reconstruction.

Additional project information including floodplain maps of the affected sites are contained in the Environmental Review Record currently on file with: Calvin Johnson, Assistant Director, 255 Greenwich Street, 8th Floor, New York, NY 10007 and may be examined from 10:00AM to 5:00PM. To review the floodplain maps of the affected sites, visit [www.region2coastal.com](http://www.region2coastal.com). This posting can be found by using the following link <http://www.nyc.gov/builditback> and then clicking on "Reports and Public Notices". The City is interested in alternatives and public perceptions of possible adverse impacts that could result from the project as well as potential mitigation measures.

#### FINDING OF NO SIGNIFICANT IMPACT

The City has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 is not required. Additional project information is contained in the Environmental Review Record on file with Mr. Calvin Johnson, Assistant Director, New York City Office of Management and Budget, 255 Greenwich Street, 8<sup>th</sup> Floor, New York, NY 10007 and may be examined or copied weekdays 10:00 A.M. to 5:00 P.M.

#### PUBLIC COMMENTS

Any individual, group or agencies disagreeing with this determination or wishing to comment on the project may submit written comments to NYCOMB. Comments should reference which Notice they are addressing and must be received in writing by mail to the above address or submitted via email to [CDBG-DREnviro@omb.nyc.gov](mailto:CDBG-DREnviro@omb.nyc.gov). The minimum 15 day calendar comment period will begin the day after this publication. All comments received by November 16 will be considered.

City of New York: Bill de Blasio, Mayor  
Dean Fuleihan, Director, New York City Office of Management and Budget  
Date: October 30, 2015