



City of New York
Office of Management and Budget (NYCOMB)

**Community Development Block Grant – Disaster Recovery Program
Early Notice and Public Explanation of a Proposed Activity in
the 100-Year Floodplain and Wetlands**

To: All Interested Agencies, Groups, and Individuals:

This is to give notice that The City of New York (NYC) is proposing to undertake activities within the 100-year floodplain and wetlands relating to the United States Department of Housing and Urban Development's (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) program. President Obama signed the "Disaster Relief Appropriations Act, 2013" (Public Law 113-2) into law on January 29, 2013. Among other appropriations, the Act included \$16 billion in CDBG-DR funds "for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from Hurricane Sandy and other eligible events in calendar years 2011, 2012, and 2013". This notice is required by Section 2(a)(4) of Executive Order (EO) 11988 for Floodplain Management and EO 11990 for Protection of Wetlands and is implemented by HUD Regulations found at 24 CFR 55.20(b) for the HUD action that is within and/or affects the floodplain and wetlands.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and wetlands as well as 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, an adequate public notice program can be an important public educational tool. The dissemination of information about floodplains and wetlands can facilitate and enhance 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 and wetlands, it must inform those who may be put at greater or continued risk. The 8-Step Decision Making Process includes public notices and the examination of practicable alternatives to building in the floodplain and wetlands.

Projects funded with CDBG-DR are located in areas of impact from Hurricane Sandy throughout the City's five Boroughs. With this grant NYC targeted \$1.713 billion for the recovery path known as "NYC Build It Back: Single-Family Houses" (NYC Build It Back) to fund activities designed to help homeowners and tenants of Hurricane Sandy-damaged single-family housing properties (1 to 4 units) achieve permanent, sustainable housing solutions allowing them to return to their homes and neighborhoods where possible. A Finding of No Significant Impact (FONSI) for these rehabilitation and reconstruction activities was published on June 28, 2013. This FONSI was reaffirmed in subsequent Tier I Re-evaluations on January 9, 2014 and June 17, 2014, which respectively incorporated a reimbursement activity and a Breezy Point resident relocation option into the NYC Build It Back program.

Notification is hereby given to the public that NYC is proposing to incorporate a property acquisition activity into NYC Build It Back in order to address the unmet need of an estimated 160

eligible applicants seeking a relocation option from their storm-damaged properties anticipated to be located partially or completely within or adjacent to the 100-year floodplain and regulated wetlands. For this property acquisition activity NYC Build It Back has considered the location and types of properties owned by likely eligible applicants to design the requirements that both respond to the unmet need and support NYC goals for resilient recovery from Hurricane Sandy. The addition of this new property acquisition activity will allow the NYC Build It Back program to facilitate the storm recovery of these applicants by offering a relocation service with the following 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 the 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 use CDBG-DR funds for property acquisition from eligible applicants, NYC Build It Back will ensure that each action meets at least one of the following National Objectives determined by the end use of the property as described below:

1. Low to Moderate Income (LMI) Persons: The property must be occupied by a low to moderate income homeowner or tenant (applicable to AFR only),
2. Urgent Need: The property will be occupied by a non-LMI storm-impacted homeowner or tenant (applicable to AFR only),
3. Urgent Need: All improvements on the property must be demolished/cleared and the property must remain undeveloped in perpetuity in order to mitigate the risk of future loss (applicable to AFB only),
4. Spot Slum and Blight: The acquisition and disposition of the property must be designed to eliminate specific conditions of blight or physical decay in an area not designated as a slum or blighted area (applicable to AFR and AFB).

The determination of property eligibility, appraisal, and appropriate end use will be completed by NYC Build It Back. Under its subrecipient agreement with NYC, the qualified non-profit organization, Project ReBuild Inc., will complete the process by, among other potential tasks, acquiring and securing the properties as required until post-acquisition disposition is finalized.

- If properties are destined for housing rehabilitation redevelopment, construction will be performed in accordance with an NYC construction permit and NFIP requirements and sold with end use restrictions on land use, construction footprint, occupant density, and occupant income.
- If properties are destined for buyout, they will be donated or sold with deed restrictions that ensure they remain as open space in perpetuity to a government agency, an adjacent property owner, a for-profit or a non-profit organization that operates natural open spaces.

Under the CDBG-DR grant for NYC Build it Back, the rehabilitation, reconstruction, reimbursement, and acquisition activities on storm-damaged residential properties may be undertaken in the 100-year floodplain, as well as a regulated wetland with the required permits. NYC does not anticipate critical actions within its territory located in the 500-year floodplain.

Project information including floodplain and wetland maps of the affected sites are contained in the Environmental Review Record currently on file with: Calvin Johnson, Assistant Director, CDBG-Disaster Recovery, 255 Greenwich Street, 8th Floor, New York, NY 10007 and may be examined from 10:00 AM to 5:00 PM or using the following link <http://www.nyc.gov/html/housingrecov> and then clicking on "Public Notices". To review the floodplain maps of the affected sites, visit www.region2coastal.com. NYC is interested in alternatives and public perceptions of possible adverse impacts that could result from the project as well as potential mitigation measures. All interested persons, groups and agencies are invited to submit written comments regarding the proposed use of federal funds to support a project located in a floodplain. Written comments must be received by the OMB Assistant Director's office during the hours of 10:00 AM and 5:00 PM, mailed to Calvin Johnson at the above address, or submitted via email at CDBGDR-enviro@omb.nyc.gov. The minimum 15 calendar day comment period will begin the day after the publication and end on the 16th day after the publication. Such comments should be received by OMB on or before October 26, 2015.

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

Date: October 9, 2015