



**U.S. Department of Housing and Urban Development**

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Washington, DC 20410  
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**Environmental Assessment  
Determinations and Compliance Findings for HUD-assisted Projects  
24 CFR Part 58**

**Project Information**

**Project Name:** Red Hook Coastal Resiliency & Food Bazaar Substation Flood Protection

**HEROS Number:** 900000010463478

**Responsible Entity:** City of New York Mayor's Office of Management and Budget (OMB)

**Grant Recipient** (if different than Responsible Entity): NYCDDC

**State/Local Identifier:** SANDRDHK/23OOM013K

**Preparer:** Julie Freeman

**Certifying Officer Name and Title:**

Julie Freeman, Senior Assistant Director, Community Development - Entitlement & Disaster Recovery (OMB)

**Consultant** (if applicable): NV5, Inc.

**Direct Comments to:**

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Via email to [CDBGComments@omb.nyc.gov](mailto:CDBGComments@omb.nyc.gov)

### **Project Location:**

The Red Hook Coastal Resiliency project is broken into two project zones:

- Atlantic Basin Zone to the north; and
- Beard Street Zone to the south.

For specific locations, please see the FEMA Environmental Assessment (SANDRDHK – Red Hook Coastal Resiliency, 4085-DR-NY) incorporated into this review as **Appendix E**. Section 4.2 provides narrative descriptions and Appendix B includes maps of each zone.

The minor scope addition discussed in this EA, the Red Hook Food Bazaar Substation Flood Protection component, is located within the Beard Street area at the intersection of Conover and Reed Streets, Red Hook, Kings County, New York.

### **Maps, photographs, and other documentation of project location and description:**

See attachments provided.

### **Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**

The Red Hook Coastal Resiliency (RHCR) project is a coastal protection project funded by the City of New York, Federal Emergency Management Agency (FEMA), New York State Division of Homeland Security and Emergency Services (DHSES), and the U.S. Department of Housing and Urban Development (HUD) aimed at reducing flood risks due to coastal storm surge and sea level rise along Red Hook's waterfront.

RHCR consists of a newly constructed integrated flood protection system (IFPS) that provides a passive level of protection to include raising street grades to an elevation of 8 to 10 feet with active protection through “deployables”, such as flip-up gates and sluice (sliding) gates, to an elevation of 10 feet. The proposed project would focus on two topographically low-lying areas that are most vulnerable to coastal storm surge and sea level rise on Atlantic Basin and along Beard Street. The project would consist of flood walls along with raised and re-graded streets to fully integrate the flood protection system into the community. The project will also incorporate pedestrian and bicycle access via the Brooklyn Waterfront Greenway as well as streetscape improvements such as planting strips, street furniture, safety striping, and ADA accessibility.

FEMA has awarded the project nearly \$80 million in Hazard Mitigation Grant Program funding (HMGP Project # 4085-0092 / S # 2525). FEMA previously prepared an Environmental Assessment (EA) in accordance with Section 102 of the National Environmental Policy Act (NEPA) of 1969, as amended; and the Regulations for Implementation of NEPA (40 Code of Federal Regulations [CFR] Parts 1500 to 1508). FEMA completed its review and issued a Finding of No Significant Impact on March 22, 2024.

The City has allocated \$10 million in Community Development Block Grant – Disaster Recovery (CDBG-DR) funding to this project: approximately \$5.5M to the RHCR project at large, and \$4.5 million to a minor scope addition described below. However, the work scope remains substantially the same. Accordingly, through this HUD EA, the City is adopting

FEMA's EA and supplementing the review with details related to the inclusion of this additional work.

The Red Hook Food Bazaar Substation Flood Protection Project ("The Proposed Action" or "proposed project") focuses on the Red Hook Food Bazaar substation located at the SE corner of the intersection of Conover and Reed Streets (**Appendix B, Figures 1-3**). The proposed project site is contained within the RHCR project area and the proposed project was developed in conjunction with the RHCR project. The proposed project would integrate seamlessly into the fabric of the Red Hook community and improve the long-term resiliency of the neighborhood.

The Proposed Action consists of the construction of an IFPS that provides a passive level of protection at an elevation of 8 feet with active protection through a "deployable", a flip-up gate, to an elevation of 10 feet. This approach maximizes coastal flood risk reduction benefits while minimizing impacts to the community. This alternative reduces adverse impacts of the proposed project to the Red Hook Food Bazaar substation and provides for effective maintenance and operation of the flood protection system via the public right-of-way (ROW).

Please note the City is considered a federal subrecipient for FEMA funding purposes and may be referred to as "the Subrecipient" when referencing analyses completed pursuant to the FEMA EA.

**Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:**

Section 404 of the Robert T. Stafford Relief and Emergency Assistance Act of 1974 (42 U.S.C. Section 5170c), as amended, authorizes FEMA to provide funding to eligible grant applicants for activities with the purpose of reducing or eliminating risks to life and property from hazards and their effects. The purpose of the Proposed Action is to provide flood protection measures around the substation located on the Food Bazaar property, thereby reducing potential damages from tidal and storm surge caused by storm events. The Food Bazaar is the area's largest supermarket and serves the nearby Red Hook Houses, which is the largest public housing development in Brooklyn. The proposed project seeks to improve the resiliency of Red Hook to withstand future flooding and coastal storms.

**Existing Conditions and Trends [24 CFR 58.40(a)]:**

When Hurricane Sandy made landfall in October 2012, the Red Hook community experienced severe coastal storm surge flooding which caused significant damage to both residents and business owners. Red Hook is a low-lying waterfront area in eastern Brooklyn along the East River. From west to east, Red Hook is bordered by the Gowanus Bay, Gowanus Canal, and the Buttermilk Channel (a small tidal strait in Upper New York Bay, approximately one mile long and one-fourth mile wide, which runs between Brooklyn and Governor's Island). During Hurricane Sandy, Red Hook was inundated with flood waters exceeding six feet from all surrounding water bodies. This inundation impacted much of the neighborhood, including properties along the Columbia Street Waterfront District. Electricity outages affected most of

the neighborhood for several weeks following the storm, caused by damage to the electricity generation and distribution system, including the Red Hook Food Bazaar substation.

**Determination:**

X	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment.
	Finding of Significant Impact

**Approval Documents:**

**7015.15 certified by Certifying Officer on:** Will be completed following end of comment period

**7015.16 certified by Authorizing Officer on:** TBD

**Funding Information**

Grant Number	HUD Program	Funding Amount
P-21-NYC-36-LDZ1	Community Development Block Grant - Disaster Recovery	\$10,000,000

**Estimated Total HUD Funded Amount:** \$10,000,000

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$225,000,000

**Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. Please see the attached Runway Protection Zone map ( <b>Appendix B, Figure 4</b> ). The project is in compliance with the Airport Hazards requirements.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The Coastal Barrier Resources Act (CBRA) of 1982 designated relatively undeveloped coastal barriers along the Atlantic and Gulf coasts of the United States as part of the John H. Chafee Coastal Barrier Resources System and made these areas ineligible for most new federal expenditures and financial assistance. The U.S. Congress designates mapped areas called system units to reserve primarily for wildlife refuge, sanctuary, recreational, or natural resource conservation purposes. CBRA was amended by the Coastal Barrier Improvement Act of 1990, which added the new designation Otherwise Protected Areas (OPAs). OPAs are mapped areas where only federal flood insurance is restricted.</p> <p>The Red Hook Food Bazaar substation is not within the Coastal Barrier Resource Zone or an OPA covered under the CBRA. Therefore, the project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.</p>
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>While the project entails construction, flood control structures are not eligible for coverage under the National Flood Insurance Program. No further analysis or compliance is required.</p>
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</b>		
<b>Clean Air</b>  Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>Construction activities under the Proposed Action (i.e., site preparation, land clearing, material handling and demolition, etc.) may result in temporary increases in emissions from on-site equipment and machinery, including both road and non-road, light and heavy, gasoline and diesel-powered equipment and fugitive dust.</p>

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
		Fugitive dust or airborne dust is typically generated during groundbreaking and excavation activities. The proposed project would not have a significant impact related to Greenhouse Gases (GHGs) that contribute to climate change. The proposed project would help reduce impacts from increased storms that result from climate change. The project is in compliance with the Clean Air Act.
<b>Coastal Zone Management</b>  Coastal Zone Management Act (CZMA), sections 307(c) & (d)	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	The project area is located in the New York State coastal zone ( <b>Appendix B, Figure 5</b> ); therefore, the Proposed Action must comply with the forty-four policies established in the New York State Coastal Zone Management Plan (NYS CZMP). New York City also has a Waterfront Revitalization Program (WRP), which is NYC’s principal coastal zone management tool. It establishes the City’s policies for development and use of the waterfront and provides the framework for evaluating the consistency of local, state, and federal discretionary actions in the coastal zone. New York City Planning oversees the NYC WRP.  In accordance with the requirement of the CZMA, FEMA consulted with New York State Department of State (NYSDOS) on August 12 <sup>th</sup> , 2022, for determination of Coastal Consistency Conformance for the RHCR project. FEMA determined that the RHCR project, which encompasses the location of the Red Hook Food Bazaar substation, would have a negligible effect on the Coastal Zone and would not have negative impacts on scenic resources or coastal erosion. NYSDOS concurred with FEMA’s Coastal Zone Consistency Determination for the RHCR project on October 25, 2022 ( <b>Appendix D, Correspondence 1</b> ). As the RHCR project area encompasses the Red Hook Food Bazaar

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
		substation area, the Proposed Action would have short-term negligible adverse impacts during construction and long-term minor beneficial impacts to increasing waterfront accessibility and protecting coastal resources consistent with CZMA and WRP ( <b>Appendix D, Correspondence 2</b> ). Any potential impacts to coastal resources because of any construction adjacent to the shoreline would be mitigated through Erosion and Sediment Control (ESC) plans and BMPs. The project is in compliance with the Coastal Zone Management Act.
<b>Contamination and Toxic Substances</b>  24 CFR Part 50.3(i) & 58.5(i)(2)	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	The City has prepared a Limited Phase I Environmental Site Assessment (Phase I) in conformance with the scope and limitations of American Society of Testing Materials (ASTM) E1527-21 and City Environmental Quality Review (CEQR) for the RHCR project. The Phase I covers the entire Red Hook neighborhood, including the Red Hook Food Bazaar substation area. This assessment shows 14 Recognized Environmental Conditions (RECs), 3 Historical RECs, 7 Controlled RECs, and 8 RECs within and adjacent to the RHCR project area. The environmental concerns include Federal Superfund Sites, Inactive Hazardous Waste Disposal Cleanup Sites, NYC Voluntary Cleanup Program Sites (VCP), Historical Auto Body Shops, Historical Dry Cleaners, and Formerly Used Defense Sites.  The City completed a Phase II Environmental Site Assessment Report (Phase II) for the RHCR project that identifies exceedances of Soil Cleanup Objectives for commercial and residential use for semi-volatile organic compounds (SVOCs) and metals throughout the project site. Groundwater samples contained exceedances of the Technical and Operational Guidance Series values for

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		<p>volatile organic compounds (VOCs), SVOCs, pesticides and metals. The Area of Concern (AOC) within the Beard Street area had 20 borings containing elevated exceedances compared to borings located outside this AOC.</p> <p>The Proposed Action would likely not result in the generation of hazardous materials as there are no hazardous waste or environmental requirement (E-designated) sites within or adjacent to the proposed project area. The Proposed Action is also not located adjacent to any environmental remediation sites (<b>Appendix B, Figure 6</b>). Construction activities would follow all applicable BMPs to ensure any encountered hazardous materials would be handled and remediated in accordance with all federal, state, and local laws, which may include removing hazardous materials currently on-site. Post-construction, as potential hazardous materials would be removed during construction, risks of encountering hazardous materials during emergency repairs to the Red Hook Food Bazaar substation infrastructure would be reduced or eliminated. Therefore, the Proposed Action would have an overall minor long-term beneficial impact from the reduced overall risk of release of hazardous materials and would reduce the potential for exposure to hazardous materials within the project area and the larger Red Hook neighborhood. The project is in compliance with contamination and toxic substances requirements.</p>
<b>Endangered Species</b>  Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The City first conducted a survey using the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) system to identify terrestrial species in the project area in 2022. IPaC identified two (2) federally threatened species that may occur in the project

<p><b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</p>	<p>Are formal compliance steps or mitigation required?</p>	<p>Compliance determinations</p>
		<p>area: Piping Plover (<i>Charadrius melodus</i>), and Red Knot (<i>Calidris canutus rufa</i>) and one (1) federally endangered species, Roseate Tern (<i>Sterna dougallii</i>), as potentially present in the project area. As the project area is entirely commercially and industrially developed, USFWS has not designated any critical habitat for these species within the project area vicinity (<b>Appendix D, Correspondence 3</b>). As part of this HUD EA, the City refreshed the IPAC Official Species List and confirmed no species and/or critical habitats have been added.</p> <p>FEMA conducted a survey using the New York State Department of Environmental Conservation Division of Fish and Wildlife New York Natural Heritage Program (NYSDEC NYNHP) to identify terrestrial species in the project area. This survey did not find any record of rare or state-listed animals or plants, or significant natural communities at or near the project site. NYSDEC NYNHP identified one (1) state threatened species that may occur within ¼ mile of the project site: common tern (<i>sterna Hirundo</i>). As the project area is entirely commercially and industrially developed, NYSDEC NYNHP has not designated any critical habitat for these species within the project area (<b>Appendix D, Correspondence 4</b>).</p> <p>The project site in Red Hook is located within a highly developed and industrialized section of Brooklyn’s waterfront, which is bulkheaded or otherwise composed of solid man-made shoreline protection structures. Therefore, the presence of federally listed species within or adjacent to the project area would be highly unlikely due to</p>

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
		unsuitable habitat conditions. The project is in compliance with the Endangered Species Act.
<b>Explosive and Flammable Hazards</b>  24 CFR Part 51 Subpart C	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.
<b>Farmlands Protection</b>  Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The City does not anticipate impacts to prime, unique, or farmland of statewide or local importance on behalf of the proposed project. The proposed project actions would occur at locations commensurate with the risk, within coastal, Census- identified urbanized areas, not subject to the Farmland Protection and Policy Act. The project is in compliance with the Farmland Protection Policy Act.
<b>Floodplain Management</b>  Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	FEMA produces Flood Insurance Rate Maps (FIRMs) to determine if an action is in the floodplain. FIRMs depict calculated locations of the one percent (100-year) and the 0.2% (500-year) floodplains, coastal high hazard areas, and base flood elevation levels. FEMA develops the FIRMs through a mapping process that takes into account topography and history of flooding in the region. Federal actions within the 100-year floodplain require the federal agency to conduct an 8-step review process to evaluate alternatives within the floodplain. For projects located within the floodplain, any potential adverse impacts must be mitigated when there are no practicable alternatives. In January 2015, FEMA released Preliminary FIRMs for New York City, which FEMA considers to be the best available data for actions within the Five Boroughs.  Based on Preliminary FIRM Panel 3604970192F ( <b>Appendix B, Figure 7</b> ) the Red Hook Food

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
		<p>Bazaar substation is located within flood zone AE (EL 10), which is subject to inundation by the 1% annual chance (or 100-year) flood event. The site is also within the coastal FFRMS floodplain (<b>Appendix A, Document 1</b>). The proposed project site is also shown as within the Limit of Moderate Wave Action expected to receive 1.5-foot or greater breaking waves during the 100-year flood event. As reviewed in the 8-step decision-making process (<b>Appendix A, Document 2</b>), the Proposed Action would not encourage further development in the floodplain as there would be no increase in developed land by the proposed flood protection system. Construction activities would comply with all federal, state, and local requirements including those for flood-resistant structures. The Proposed Action would reduce the risk of property damage to the Red Hook Food Bazaar substation and physical danger in the surrounding area resulting from floodwaters up to a 10% annual chance storm. The project is in compliance with Executive Orders 11988 and 13690.</p>
<b>Historic Preservation</b>  National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The New York State Historic Preservation Office (NYSHPO) maintains a regularly updated list of New York State’s historic properties that are subject to NYSHPO and federal agency review. This list is accessible through the NYSHPO-maintained Cultural Resource Information System (CRIS). FEMA evaluated the Proposed Action’s potential effects on cultural resources using CRIS and in consultation with NYSHPO.</p> <p>FEMA initiated the Section 106 consultation with NYSHPO on August 8<sup>th</sup>, 2022 on behalf of the RHCR project. On September 6<sup>th</sup>, 2022, NYSHPO concurred with FEMA’s determination of No Adverse Effect to Historic Properties for above</p>

<p><b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</p>	<p>Are formal compliance steps or mitigation required?</p>	<p>Compliance determinations</p>
		<p>ground and below ground resources for the RHCR project (<b>Appendix D, Correspondence 5</b>).</p> <p>FEMA conducted an archaeological and architectural study on behalf of the RHCR project. Based on the proposed scope of work, FEMA determined that the Area of Potential Effects (APE) for this undertaking would be limited to areas within and adjacent to Atlantic Basin and Beard Street for both above ground and below ground resources. The zones within the APE are defined using the NYC Department of Information Technology and Telecommunications (DoITT) maps (lot and blocks) and the adjacent viewsheds. FEMA evaluated the project area (APE) to identify National Register of Historic Places (NRHP)-listed resources, NRHP-eligible resources, resources already determined not NRHP-eligible, not previously evaluated for NRHP-eligibility, or “undetermined” by NYSHPO.</p> <p>In total, FEMA identified 2 resources in the RHCR archeological and architectural study that are adjacent to the Red Hook Food Bazaar substation location. For all properties, FEMA concurred with NYSHPO’s existing determinations (Note: The full list of properties by lot and block are included in <b>Appendix D, Correspondence 5</b>). FEMA concurred that one (1) of these properties is NRHP-eligible (480-500 Van Brunt Street), while one (1) is not NRHP-eligible (460 Van Brunt Street). CRIS lists 480-500 Van Brunt Street as eligible for listing on the NRHP.</p> <p>New York City Landmarks and Preservation Commission’s (NYCLPC) review of archaeological sensitivity models and historic maps for the RHCR project indicated that there is potential for the recovery of remains from 19<sup>th</sup> Century occupation within the RHCR APE. However, after review of the</p>

<p><b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</p>	<p>Are formal compliance steps or mitigation required?</p>	<p>Compliance determinations</p>
		<p>project plans, NYCLPC determined that the RHCR project is not likely to impact archaeological resources and concluded that no additional archaeological research was recommended for the RHCR project (<b>Appendix D, Correspondence 6</b>).</p> <p>In 2013, FEMA, the NY State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation, and the NYC Landmarks Preservation Commission (LPC) entered into a Programmatic Agreement (PA) to cover FEMA-funded projects undertaken pursuant to Disaster Declaration DR-4085-NY. The Delaware Nation, the Delaware Tribe of Indians, the Shinnecock Nation, and the Stockbridge-Munsee Community Band of Mohicans were invited signatories. <b>Appendix A, Document 3</b> notes the PA covers projects funded through HMGP. The New York City Mayor’s Office of Management and Budget, which assumed HUD’s authority for CDBG-DR-funded projects, signed onto the PA in June 2013. The PA remains in effect until all undertakings related to DR-4085-NY are completed (<b>Appendix A, Document 3</b>).</p> <p>FEMA did not identify any historic properties of religious and cultural significance to Participating Tribe(s) within or adjacent to the RHCR project area. FEMA did identify that the potential to encounter in situ Precontact and/or Historic archeological resources was low. Upon review of the Section 106 initiation letter and supporting documentation, SHPO concurred that the undertaking would have No Adverse Effect to historic properties. In the event of unanticipated discoveries, the project team will follow the Unexpected Discoveries protocols spelled out at</p>

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
		Stipulation III.B. of the Programmatic Agreement (PA).
<b>Noise Abatement and Control</b>  Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The Noise Control Act of 1972 required USEPA to create a set of noise criteria. In response, USEPA published <i>Information On Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety</i>, in 1974, which explains the impact of noise on humans. The USEPA report found that keeping the maximum 24-hour Ldn value below 70 dBA would protect most people from hearing loss. USEPA recommends an outdoor Ldn of 55 dBA. According to published lists of noise sources, sound levels, and their effects, sound causes pain starting at approximately 120 to 125 dBA (depending on the individual) and can cause immediate irreparable damage at 140 dBA. Occupational Safety and Health Administration (OSHA) has adopted a standard of 140 dBA for maximum impulse noise exposure.</p> <p>In June 2022 on behalf of the RHCR project, the Subrecipient conducted continuous long-term noise measurements in three locations in Atlantic Basin and two locations along Beard Street to identify background noise levels for the construction noise assessment. Long-term noise level measurements were reviewed to identify the minimum existing weekday daytime noise levels between 7AM and 3PM, coinciding with proposed construction hours. The hour with the minimum weekday daytime background noise level was identified at each site since it would result in the greatest potential noise level increase from proposed construction activities. Along Beard Street, noise levels were documented at Noise Measurement Site 4 (251 Conover Street), which is the closest noise measurement location to the</p>

<p><b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</p>	<p>Are formal compliance steps or mitigation required?</p>	<p>Compliance determinations</p>
		<p>proposed project site. This noise measurement site is located near the western portion of Beard Street, directly adjacent to the Pier 44 Waterfront Garden and a large truck parking lot (see <b>Appendix B, Figures 8-11</b> for Noise Analysis Locations and <b>Appendix C, Tables 5-16 to 5-25</b> for Construction Noise Assessment Results).</p> <p><u>Construction Impacts</u></p> <p>Under the Proposed Action, there would be limited temporary and localized effects on ambient noise levels during project construction. BMPs would include installation of an 11-foot-high solid perimeter barrier to block the work activity line of sight to sensitive sites. Based on this BMP, construction activities would result in potential noise impacts for a total of 1 to 18 weeks. The analysis location at 251 Conover Street, which is a three-story residential building, represents other mixed-use and multi-family residential buildings within the project area. Total duration of potential noise impacts at this analysis location is expected to last no longer than 11 weeks.</p> <p>Although construction-related noise associated with the proposed project would cause nuisance noise, the noise would be temporary and minimized or controlled by additional BMPs not considered in the noise assessment included within CEQR Chapter 28, Citywide Construction Noise Mitigation and listed within the Construction Impact Mitigation section. Based on the noise assessment, the Proposed Action’s construction activities are anticipated to have temporary, minor short-term adverse impacts on ambient noise levels due to mobile- and stationary sources.</p>

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
		<p><u>Operational Impacts</u></p> <p>Post-construction, the Proposed Action including flood walls, regrading of elements of the substation, and installation of a flip-up gate, which would not be a noise source. The Proposed Action's flip-up gate would only be deployed under emergency conditions and would require infrequent testing to ensure proper mechanical functionality. Since the gate only functions under emergency conditions and there are no new noise sources introduced with the Proposed Action, there would be negligible long-term noise or vibration impacts associated with the Proposed Action within the project area as noise levels would be relatively similar to pre-construction ambient sound levels. Overall, the Proposed Action would result in short-term minor adverse and long-term negligible noise impacts. The project is in compliance with HUD's Noise regulation.</p>
<b>Sole Source Aquifers</b>  Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	USEPA has designated the project area as part of the Kings/Queens Counties Aquifer System and is not a sole source aquifer. The project is in compliance with Sole Source Aquifer requirements.
<b>Wetlands Protection</b>  Executive Order 11990, particularly sections 2 and 5	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	FEMA implements Executive Order (EO) 11990 through 44 Code of Federal Regulations (CFR) Part 9 concurrently with EO 11988 Floodplain Management and uses the 8-step decision making process to evaluate potential effects on, and mitigate impacts to, wetlands and floodplains. NYSDEC administers and regulates wetlands under the Freshwater Wetlands Act (Article 24 of Environmental Conservation Law) and the Tidal Wetlands Act (Article 25 of Environmental Conservation Law - 6 New York Codes, Rules, and

<p><b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</p>	<p>Are formal compliance steps or mitigation required?</p>	<p>Compliance determinations</p>
		<p>Regulations Part 661). The USFWS National Wetland Inventory (NWI) map is considered the best available information for wetland mapping.</p> <p>FEMA conducted the 8-step decision-making process for the Proposed Action (<b>Appendix A, Document 2</b>). USFWS classifies aquatic habitats into five distinct categories: marine, estuarine, riverine, lacustrine, and palustrine wetlands. Based on a review of the USFWS Wetlands Mapper, there are no designated wetlands in the project area (<b>Appendix B, Figure 12</b>). NYSDEC categorizes tidal areas to identify wetlands and aid in administering programs for tidal wetland protection. Based on Subrecipient review of the NYSDEC Environmental Resource Mapper, the DECinfo Locator, and the Tidal Wetland Map for the area, NYSDEC categorizes the tidal areas adjacent to the project area as littoral zone. Additionally, NYSDEC designates Tidal Wetland Adjacent Area (TWAA) as the area adjacent to the regulated tidal wetland area as defined in New York Codes, Rules, and Regulations (NYCRR) Part 661.4. The proposed project site is not within the NYSDEC regulated TWAA (<b>Appendix B, Figure 13</b> and <b>Appendix D, Correspondence 7</b>).</p> <p>The USFWS NWI map shows there are tidal wetlands and littoral zones adjacent to the project area. The surrounding water bodies are mainly characterized by the USFWS NWI as Estuarine and Marine Deepwater Wetlands, which are defined as open water estuaries, bars, sounds, and open oceans. Littoral Zones are tidal wetland zones that include all lands under tidal waters which are not included in any other category listed under the Tidal Wetlands Inventory. In coastal environments, the littoral zone (or intertidal zone) extends from the high-water mark, which is rarely inundated, to</p>

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
		shoreline areas that are permanently submerged, such as a sea, lake, or river. There are also areas of Estuarine Marine Wetlands near the Pier 44 Waterfront Garden. These areas are defined by the USFWS NWI as coastal areas with vegetated and non-vegetated brackish and saltwater marsh, shrubs, beach, bar, shoal, or flat. The NYSDEC Tidal Wetlands Map categorizes the tidal areas near or adjacent to the project area as littoral zone. No wetlands, meeting the definition of wetlands under Section 404 of the Clean Water Act, are within the project area. The project is in compliance with Executive Order 11990.
<b>Wild and Scenic Rivers</b>  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not within proximity of a NRWS river. The project is in compliance with the Wild and Scenic Rivers Act.

**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]: Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact - May require mitigation

**(4)** Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	The Proposed Action would have a long-term minor beneficial impact on Land Use and Planning, as current and future development would be protected from flooding.
Soil Suitability / Slope / Erosion / Drainage / Storm Water Runoff	3	The Proposed Action would have a minor short-term adverse impact on geology, topography, and soils, with minor long-term beneficial effects as a portion of the topography of the site would be raised to a higher elevation that would prevent flooding and potential erosion of surface material.
Hazards and Nuisances including Site Safety and Noise	3	The Proposed Action would result in short-term minor adverse and long-term negligible noise impacts. Temporary adverse impacts would be mitigated as described in the Noise Abatement and Control section and Mitigation section.

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	1	The Proposed Action involves the construction of a flood control system. While the project will result in temporary construction jobs, it will not add density or long-term commercial activity to the area. Thus, it will not disproportionately or adversely impact the community.
Demographic Character Changes, Displacement	2	As the Proposed Action will not involve an increase in density or displacement, it will not disproportionately or adversely impact the overburdened community.
Environmental Justice	N/A	Compliance not currently required due to executive orders issued in January of 2025.

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	The Proposed Action would have no short-term or long-term impacts to educational and cultural facilities as

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>
		there are none in or around the proposed project location.
Commercial Facilities	2	The Proposed Action would have minor short term adverse impacts during construction but long-term beneficial impacts during operation to commercial facilities. The proposed project would reduce the impacts of storm surge and flooding to area businesses, particularly the Red Hook Food Bazaar substation and therefore, the Red Hook Food Bazaar.
Health Care and Social Services	2	The Proposed Action would have no short-term impacts during construction and long-term minor to moderate beneficial impacts on public health and safety. The Proposed Action would reduce the susceptibility of the Red Hook neighborhood to future flood hazards and thereby protect the public health and safety of the Red Hook community. In addition, the Proposed Action would maintain FDNY, NYPD, and medical service access to the neighborhood by mitigating flooding conditions.
Solid Waste Disposal / Recycling	2	The Proposed Action would have no short-term impacts during construction and minor to moderate beneficial long-term impacts to solid waste disposal/recycling as the project will not increase the number of people in the area. In addition, the Proposed Action would reduce the risk of future flood damage to solid waste disposal/recycling in Red Hook and access to solid waste disposal/recycling would be maintained during flooding events.
Wastewater / Sanitary Sewers	2	The Proposed Action would have no short-term impacts during construction and minor beneficial long-term impacts on wastewater/sanitary sewers. The adjacent Red Hook Coastal Resiliency project will implement a stormwater pollution prevention plan (SWPPP) during construction that will include the Red Hook Food Bazaar project area. The Proposed Action would reduce the risk of future flood damage to wastewater/sanitary sewers in Red Hook and proposed green infrastructure will reduce CSO events in the area.

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>
Water Supply	2	The Proposed Action would have no short-term or long-term impacts on water supply.
Public Safety - Police, Fire and Emergency Medical	2	The Proposed Action would have no short-term impacts during construction and minor to moderate beneficial long-term impacts on public safety. The Proposed Action would reduce the risk of future flood damage to residential properties in Red Hook and reduce the chance of property damage and physical danger resulting from floodwaters up to a 10% annual chance storm. The Proposed Action would reduce the susceptibility of the Red Hook neighborhood to future flood hazards and thereby protect the public health and safety of the Red Hook community. In addition, the Proposed Action would maintain FDNY, NYPD, and medical service access to the neighborhood by mitigating flooding conditions.
Parks, Open Space and Recreation	2	The Proposed Action would have no short-term or long-term impacts on parks, open space, aesthetic resources or viewsheds. The Proposed Action would reduce the risk of future flood damage to parks and open space in Red Hook and reduce the chance of property damage and physical danger resulting from floodwaters up to a 10% annual chance storm. The adjacent RHCR project would regrade, expand and connect to the existing Brooklyn Waterfront Greenway (BWG) making it easier and safer to travel by bicycle throughout the Red Hook neighborhood.
Transportation and Accessibility	2	The Proposed Action would have short-term minor adverse impacts to transportation during construction and maintenance/operation of the deployable flip-up gate, with long-term minor beneficial impacts to mobility during and after flooding events including pedestrian, bicycle, and vehicular traffic. The adjacent RHCR project would regrade, expand, and connect to the existing Brooklyn Waterfront Greenway (BWG) throughout the Red Hook neighborhood making it easier and safer to travel by bicycle throughout the Red Hook neighborhood.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	<p>The Proposed Action would have negligible adverse short-term impacts and minor beneficial long-term impacts to water resources. The proposed project is not located within or adjacent to a tidal wetland, Coastal Barrier Resource Zone, or an OPA covered under the CBRA. The Proposed Action would not encourage further development in the floodplain as there would be no increase in developed land nor would the Proposed Action have any negative impacts on scenic resources or coastal erosion. The adjacent Red Hook Coastal Resiliency (RHCR) project will implement a SWPPP during construction that will include the Red Hook Food Bazaar project area. In addition, any potential impacts to coastal resources because of any construction adjacent to the shoreline would be mitigated through Erosion and Sediment Control (ESC) plans and BMPs. Upon completion, the Proposed Action would reduce the risk of future flood damage to the water resources in and adjacent to Red Hook.</p>
Vegetation, Wildlife	2	<p>The Proposed Action would have no short term or long-term impacts on vegetation or wildlife. There are no endangered or threatened species or habitats within or adjacent to the proposed project area. Existing street trees will be protected during construction.</p>
Other Factors		N/A

**Additional Studies Performed:**

N/A

**List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:**

	<b>AGENCY</b>	<b>CONSULTATION</b>	<b>SUBMISSION DATE</b>	<b>RESPONSE DATE</b>
<b>FEDERAL</b>	United States Fish and Wildlife Service	Section 7 Information for Planning and Consultation assessment	08/15/2022	N/A
	National Oceanic and Atmospheric Administration (NOAA) Fisheries	Essential Fish Habitat assessment	01/24/2022	N/A
	United States Environmental Protection Agency (USEPA)	EJScreen Community Report assessment	10/30/2023	N/A
<b>STATE</b>	NYS Department of State (NYSDOS)	Coastal Zone Management Act consultation	08/12/2022	10/25/2022
	NYS Historic Preservation Office (NYSHPO)	Section 106 Consultation	08/08/2022	09/06/2022
	NYS Department of Environmental Conservation (NYSDEC)	Joint Permit Application for a Tidal Wetlands Permit	07/13/2023	08/03/2023
	NYS Department of Environmental Conservation (NYSDEC) Division of Fish and Wildlife, New York Natural Heritage Program (NYNHP)	Natural Heritage Program Consultation	09/15/2022	11/08/2022

	<b>AGENCY</b>	<b>CONSULTATION</b>	<b>SUBMISSION DATE</b>	<b>RESPONSE DATE</b>
<b>CITY</b>	NYC Department of City Planning (NYC DCP)	Waterfront Revitalization Program (WRP) - Consistency Assessment	10/24/2023	11/02/2023
	New York City Landmarks and Preservation Commission (NYC LPC)	Environmental Review	11/07/2022	11/15/2022

Preparation of this EA involved available resources and/or consultation with the following federal, state, and local agencies:

- Federal:
  - US Army Corps of Engineers
  - US Fish & Wildlife Service
- State:
  - NYS Department of Environmental Conservation
  - NYS Office of Parks, Recreation, and Historic Preservation - State Historic Preservation Office
  - NYS Department of State
- Local:
  - NYC Department of Transportation
  - NYC Department of Environmental Protection
  - NYC Landmarks Preservation Commission
  - NYC Department of City Planning

**List of Permits Obtained:**

	<b>AGENCY</b>	<b>PERMIT</b>
<b>FEDERAL</b>	United States Army Corp of Engineers	<ul style="list-style-type: none"> <li>• River and Harbor Act Section 10 &amp; Clean Water Act Section 404 <ul style="list-style-type: none"> <li>○ Nationwide Permit #33: Temporary Construction, Access &amp; Dewatering</li> </ul> </li> </ul>
	United States Fish and Wildlife Service	<ul style="list-style-type: none"> <li>• Informal Consultation</li> </ul>

	<b>AGENCY</b>	<b>PERMIT</b>
	National Marine Fisheries Service	<ul style="list-style-type: none"> <li>NMFS Consultation   Essential Fish Habitat Assessment</li> </ul>
<b>STATE</b>	NYS Department of Environmental Conservation (NYSDEC)	<ul style="list-style-type: none"> <li>Natural Heritage Program Consultation</li> <li>State Pollutant Discharge Elimination System (SPDES) General Permit (GP) GP-0-20-001 Stormwater Discharges from Construction Activity</li> </ul>
	NYS Department of State (NYSDOS)	<ul style="list-style-type: none"> <li>Federal Consistency (Federal Coastal Consistency Assessment Form)</li> </ul>
	NYS Office of Parks, Recreations, and Historic Preservation (NYSOPRHP)	<ul style="list-style-type: none"> <li>Section 106 Consultation</li> </ul>
	NYS Department of Transportation (NYSDOT)	<ul style="list-style-type: none"> <li>Highway Work Permit for Non-Utility Work</li> <li>Transportation Enhancement Program Project Application</li> </ul>
	NYS Office of General Services (NYSOGS)	<ul style="list-style-type: none"> <li>Lands Under Water (specific to Beard Street portion)</li> </ul>
<b>CITY</b>	NYC Department of City Planning (NYCDCP)	<ul style="list-style-type: none"> <li>Uniform Land Use Review Procedure (ULURP)</li> <li>Waterfront Revitalization Program (WRP) - Consistency Assessment</li> </ul>
	NYC Department of Transportation (NYCDOT)	<ul style="list-style-type: none"> <li>Office of Construction Mitigation and Construction (OCMC) Permit</li> <li>OCMC Stipulations required for Maintenance and Protection of Traffic (MPT) approval</li> </ul>
	NYC Department of Environmental Protection (NYCDEP)	<ul style="list-style-type: none"> <li>Storm Sewer Permit</li> <li>MS4 Construction Permit</li> </ul>
	NYC Department of Small Business Services (SBS)	<ul style="list-style-type: none"> <li>Work Notice/Permit</li> <li>Affidavit for Certificate of Completion</li> </ul>
	NYC Public Design Commission (PDC)	<ul style="list-style-type: none"> <li>Design Commission Conceptual / Preliminary / Final Approval</li> </ul>
	NYC Department of Parks and Recreation (NYCDPR)	<ul style="list-style-type: none"> <li>Tree Work Permit</li> </ul>

**Public Outreach [24 CFR 50.23 & 58.43]:**

The Red Hook Food Bazaar Substation Flood Protection Project (“The Proposed Action” or “proposed project”) focuses on the Red Hook Food Bazaar substation located at the SE corner of the intersection of Conover and Reed Streets. This site is contained within the RHCR project area and the proposed project was developed in conjunction with the RHCR project.

For the original Environmental Assessment (EA), the Subrecipient published a public notice for the RHCR project in the **Brooklyn Paper** newspaper on January 26, 2024, and the **amNY** newspaper on January 29, 2024, to notify the public of the thirty-day public review and comment period. Accordingly, FEMA posted an electronic version of the RHCR EA to the FEMA website at <https://www.fema.gov/media-library/assets/documents> and the Subrecipient also posted an electronic version of the RHCR EA to <https://www.nyc.gov/site/rhcr/index.page>. Hard copies of the RHCR EA were also made available at the Miccio Community Center, 110 W 9th Street, Brooklyn, NY 11231 and Brooklyn Community Board 6 District Office, 250 Baltic Street, Brooklyn, NY 11201. Public comments were received during the 30-day comment period that ended February 27, 2024. Substantive comments were addressed (see Attachment E).

For this EA, the City has posted a public notice on its Community Development Block Grant - Disaster Recovery website ([www.nyc.gov/site/cdbgdr/](http://www.nyc.gov/site/cdbgdr/)), published the notice in the [\*City Record\*](#), and distributed the notice to the Consolidated Plan mailing list, which includes hundreds of interested persons, advocacy and community organizations, elected officials, and partner governmental agencies.

**Cumulative Impact Analysis [24 CFR 58.32]:** This EA considers the overall cumulative impact of the proposed alternatives and other actions that are related in terms of time or proximity. According to the Council on Environmental Quality (CEQ) regulations, cumulative impacts represent the impact on the environment, which results from the incremental impacts of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what government agency (federal or non-federal) or private entity undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR § 1508.7). In addition to National Environmental Policy Act (NEPA), other statutes require federal agencies to consider cumulative impacts. These include the Clean Water Act (CWA) Section 404 (b) (1) guidelines; the regulations implementing the conformity provisions of the CAA; the regulations implementing Section 106 of the National Historic Preservation Act (NHPA); and the regulations implementing Section 7 of the Endangered Species Act (ESA). If the alternative does not have direct or indirect effects for a particular resource, there can be no cumulative effects resulting from the project because there would be no impacts to add to past, present, or reasonably foreseeable actions.

FEMA broadly considers the potential for cumulative impacts based on the proposed action and experience with similar type projects. The Subrecipient is responsible for consulting with relevant federal, state, and local planning and regulatory agencies, and determining other

actions that are underway or proposed, at or near the project site that, in combination with the proposed project, could result in substantive cumulative effects.

Independent of the Proposed Action, multiple projects are ongoing and/or planned with the intent of upgrading infrastructure and improving flood resilience within the Red Hook neighborhood. New York City Housing Authority's (NYCHA) Recovery and Resiliency project at Red Hook Houses intends to construct flood resiliency measures and improvements for its NYCHA residents. FEMA does not anticipate any overlapping construction schedules or impacts with the Proposed Action.

The NYC Department of Parks and Recreation has three projects to remediate contaminated soils and reconstruct soccer and ballfields in the Red Hook Recreation Area with new synthetic turf. FEMA does not anticipate substantive levels of overlap based on proximity or the changes brought by those projects and the Proposed Action.

The NYC Economic Development Corporation and Port Authority of New York and New Jersey have proposed to create its second homeport (Homeport 2.0) located within the Atlantic Basin for nightly storage and maintenance of NYC Ferry vessels. Homeport 2.0 would accommodate maintenance and storage needs of additional vessels for an expanding NYC Ferry vessel fleet due to increasing ridership. Homeport 2.0 involves new maintenance slips, as well as a new travel lift and utility rack, to be installed at the site with anchor piles and monopiles to secure the slips and allow for the safe mooring of ferry vessels. FEMA does not anticipate substantive levels of overlap or increased usage of either facility based on this proximity, or the changes brought by that project and the Proposed Action.

The combination of all recovery development projects, including those mentioned above, would have cumulative effects to the Red Hook area. However, FEMA does not anticipate substantive cumulative impacts on resources addressed in this EA due to construction of these projects. Implementing BMPs and requirements identified through permitting are expected to limit individual and cumulative impacts for the Proposed Action. Mitigation measures to reduce impacts are addressed in each affected environment section and project conditions section.

**Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]:**

A discussion of the alternatives considered for the larger RHCR project is included in the FEMA EA. For the purposes of this HUD EA reevaluation, the following are the alternatives considered for analysis:

- 1) Alternative 1: No Action Alternative, and
- 2) Alternative 2: Proposed Action: Integrated Flood Protection System - 10-ft Elevation

The City has evaluated alternatives to provide protection to the Red Hook Food Bazaar substation against flooding. These alternatives were evaluated based on engineering constraints, environmental impacts, and the purpose and need of the project. Budgetary constraints were also considered in the feasibility evaluation of alternatives but are not a

primary determining factor. This Section reviews the No Action Alternative and feasible alternative.

Alternative 2, the Proposed Action, consists of the construction of an integrated flood protection system (IFPS) that provides a passive level of protection at an elevation of 8 feet with active protection through a “deployable”, a flip-up gate, to an elevation of 10 feet. The proposed project would focus on the Food Bazaar substation located at the SE corner of the intersection of Conover and Reed Streets. This approach maximizes coastal flood risk reduction benefits while minimizing impacts to the community. This alternative reduces impacts of the proposed project to the Food Bazaar substation and would provide effective maintenance and operations of the flood protection system on public rights-of-way (ROW). The project would consist of the below actions (Appendix B, Figure 1):

1. Construction of a proposed 1’ wide reinforced concrete “L-Wall” surrounding the existing substation,
2. Construction of a proposed hydraulic power unit,
3. Construction of a proposed deployable flip-up gate along the East side of the substation,
4. Raising an existing electrical cabinet just north of the substation to the proposed grade,
5. Removal and reinstallation of an existing 8’ wrought iron roller gate and swing gate just north of the substation to the proposed grade.

The Subrecipient anticipates construction to take approximately 2.5 years from the summer of 2025 to the Spring of 2028. The total construction time estimate allows for unforeseen delays and weather-related shutdowns that may slow the installation. The proposed project will be constructed in conjunction with the RHCR project. Construction of the proposed project will be performed by the same contractor as the RHCR project.

**No Action Alternative [24 CFR 58.40(e)]:** Under the No Action Alternative, no federal funds would be provided to reduce damages from flooding and coastal storm surge to the Red Hook Food Bazaar substation. There would be no permanent or temporary flood protection measures in place, leaving the substation and surrounding Red Hook community vulnerable to damages caused by storm surge and inundation by floodwaters. The substation and the residents and businesses directly adjacent to it would continue to experience property and infrastructure damage, dangerous conditions from utility outages, lack of transit and mobility from damaged and flooded roads, and significant delays in emergency service response times that could result in potential loss of life.

**Summary of Findings and Conclusions:**

<b>Area of Evaluation</b>	<b>No Action Alternative</b>	<b>Proposed Action: Short-term / Temporary Impacts</b>	<b>Proposed Action: Long-term / Permanent Impacts</b>
Geology, Topography, and Soils	No Impact	Minor Adverse	Minor Beneficial
Air Quality	No Impact	Minor Adverse	No Impact
Water Resources - Water Quality	Minor Adverse	Negligible Adverse	Minor Beneficial
Water Resources - Wetlands	Minor Adverse	Negligible Adverse	Minor Beneficial
Water Resources - Floodplain	Minor Adverse	Negligible Adverse	Minor Beneficial
Coastal Resources	No Impact	Negligible Adverse	Minor Beneficial
Biological Resources	No Impact	Negligible Adverse	No Impact
Cultural Resources - Architectural	No Impact	No Impact	No Impact
Cultural Resources - Archaeological	No Impact	No Impact	No Impact
Aesthetic Resources	No Impact	No Impact	No Impact
Environmental Justice	Moderate Adverse	Minor Adverse	Moderate Beneficial
Land Use and Planning	Minor Adverse	No Impact	Minor Beneficial
Noise	No Impact	Minor Adverse	Negligible Adverse
Transportation	Minor to Major	Minor Adverse	Minor Beneficial
Public Services and Utilities	Moderate Adverse	Negligible Adverse	Minor Beneficial
Public Health and Safety	Minor to Moderate Adverse	No Impact	Minor Beneficial
Hazardous Materials	No Impact	Minor to Moderate Adverse	Minor to Moderate Beneficial

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-

compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

<b>Law, Authority, or Factor</b>	<b>Mitigation Measure</b>
<p>The United States Environmental Protection Agency (USEPA) has established primary and secondary National Ambient Air Quality Standards (NAAQS) under the provisions of the Clean Air Act (CAA) of 1970 (42 U.S.C. Part 7401 et seq.).</p>	<p><b>Air Quality:</b> Temporary impacts associated with construction emissions would be mitigated through the implementation of air quality BMPs. All equipment and machinery would comply with applicable USEPA standards. Per USEPA regulations, ultra-low sulfur diesel fuel would be used for all diesel-powered construction equipment, limiting Sulphur Oxides emissions. Fugitive dust control measures such as speed limit reductions, sprayed water or other dust suppressant application, and regular vehicle rinsing would be managed according to proper standards and procedures. All activities under the Proposed Action would comply with applicable federal, state, and local laws and regulations regarding construction emissions. Upon completion, the proposed flood protection system would not be an emissions generator. As such, the proposed project would not have a significant impact on the effects of GHGs that contribute to climate change. The proposed project would also help reduce impacts from increased flooding and storms that result from the changing climate.</p>
<p>Regulations for complying with EO 11988 are detailed in 44 CFR Part 9.</p>	<p><b>Floodplain:</b> FEMA anticipates site- and activity-appropriate BMPs, which would minimize adverse effects on water quality and wetlands during construction. The BMPs would be highlighted in the ESC plans approved by NYSDEC. In addition, an industrial State Pollutant Discharge Elimination System (SPDES) permit would be used for any dewatering discharge during construction. Therefore, any construction-related stormwater runoff would be localized and would result in negligible short-term impacts on water quality and wetlands.</p>
<p>The Coastal Barrier Resources Act (CBRA) of 1982.</p> <p>CBRA was amended by the Coastal Barrier Improvement Act of 1990.</p>	<p><b>Coastal Resources:</b> Any potential impacts to coastal resources because of any construction adjacent to the shoreline would be mitigated through ESC plans/practices and BMPs.</p>
<p>The Magnuson-Stevens Fishery</p>	<p><b>Magnuson Stevens Fisheries Conservation Act &amp; Essential Fish Habitat:</b> Since the Red Hook Food Bazaar substation project area is included within the RHCR project area, FEMA has concluded that</p>

Law, Authority, or Factor	Mitigation Measure
Conservation and Management Act.	there may be negligible short-term adverse impacts during construction to aquatic life or critical habitat but no long-term impacts to aquatic life or critical habitat. As construction activities from the Proposed Action would occur entirely on land, any potential aquatic impacts would be mitigated through ESC plans and BMPs during construction.
The Noise Control Act of 1972 required USEPA to create a set of noise criteria. USEPA published <i>Information On Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety</i> , in 1974, which explains the impact of noise on humans.	<b>Noise:</b> Although construction-related noise associated with the proposed project would cause nuisance noise, the noise would be temporary and minimized or controlled by additional BMPs not considered in the noise assessment included within CEQR Chapter 28, Citywide Construction Noise Mitigation and listed within the Construction Impact Mitigation section.
Metropolitan Transportation Authority (MTA) NYCT	<p><b>Transportation:</b> A Maintenance and Protection of Traffic plan for temporary lane, sidewalk, and bike lane closures will be reviewed and approved by NYCDOT to mitigate anticipated impacts to traffic during construction.</p> <p>At the onset and end of flooding events, operation and maintenance of the proposed flip-up gate would require disruptions to traffic flow with durations lasting between two to eight hours (which includes opening and closing of the gate). The flip-up gate should be able to be deployed within 15-20 minutes with power or a maximum of 45 minutes with a telehandler. The one-hour time to open/close the gate includes deployment, time for the crews to move, as well as time to prep the area for deployment. However, during flooding events, the flood resiliency infrastructure would potentially minimize flooding in the project area, thereby, reducing impacts to localized transportation (e.g., walking, cycling, etc.) including flooded roads and sidewalks. Residents and businesses would maintain access and mobility within the flood protected area during a flooding event.</p>
Electricity - Con Edison	<b>Public Services and Utilities:</b> Impacts from stormwater runoff during construction would be mitigated through ESC plans and BMPs. The Proposed Action would floodproof the Red Hook Food Bazaar

Law, Authority, or Factor	Mitigation Measure
Sewer - Red Hook Wastewater Treatment Plant Water - NYCDEP Natural Gas - National Grid Cable Service - AT&T, Verizon Trash - NY Department of Sanitation	substation through raising of elements of the substation, as well as proposed flood walls. In addition, the proposed flip-up gate would prevent floodwaters from entering utility infrastructure at the proposed project site.
American Society of Testing Materials (ASTM) E1527-21	<p><b>Hazardous Materials:</b> The development and submittal of a site-specific Construction Health and Safety Plan (CHASP) based on possible exposure of workers and/or community to contaminants from the proposed project would be required. The CHASP would identify the possible locations and risks associated with the potential contaminants that may be encountered and the administrative and engineering controls that would be utilized to mitigate concerns. Additionally, NYC DDC will assign a construction community liaison to the project during construction to relay information regarding potential hazardous materials to residents.</p> <p>A Community Air Monitoring Plan (CAMP) will also be implemented during all soil disturbance activities in accordance with the New York State Department of Health Generic CAMP. Details of the CAMP will be included in the RAP.</p> <p>Contractors will dispose of excavated soils that are not suitable for reuse in accordance with 6 NYCRR Part 375 at the proper permitted receiving facilities. Contractors will treat groundwater recovered during dewatering to remove suspended sediment and dissolved contaminants in accordance with permit requirements prior to discharge to the nearby surface waterbody. No untreated groundwater would be discharged directly to the surface water. With these measures in place, construction of the Proposed Action would result in short-term minor adverse impacts due to hazardous materials.</p> <p>The Proposed Action would likely not result in the generation of hazardous materials as there are no hazardous waste or E-designated sites within or adjacent to the proposed project area. Construction</p>

<b>Law, Authority, or Factor</b>	<b>Mitigation Measure</b>
	activities would follow all applicable BMPs to ensure any encountered hazardous materials would be handled and remediated in accordance with all federal, state, and local laws, which may include removing hazardous materials currently on-site. Post-construction, as potential hazardous materials would be removed during construction, risks of encountering hazardous materials during emergency repairs to the Red Hook Food Bazaar substation infrastructure would be reduced or eliminated.

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

## ATTACHMENTS

<b>Attachment</b>	<b>Description</b>
Appendix A Documents	Contains Document 1 - FFRMS CISA and Document 2 - Floodplain and Wetlands 8-Step Process in Accordance with Executive Order 11988: Floodplain Management and Executive Order 11990: Wetlands
Appendix B Figures	Contains all figures referenced in this Environmental Assessment
Appendix C Tables	Contains all tables referenced in this Environmental Assessment
Appendix D Correspondence	Contains NYSDOS CZMA Consultation, NYCDCP WRP Consultation, USFWS Section 7 Consultation, NYNHP Consultation, NYSHPO Consultation, NYCLPC Consultation, NYSDEC Jurisdictional Determination