

Combined Final Notice and Public Explanation of a Proposed Activity in the 100-Year Floodplain, Notice of Finding of No Significant Impact (FONSI) and Intent to Request Release of Funds

To: All interested Agencies, Groups and Individuals

This is to give notice that the New York City Department of Housing Preservation & Development (HPD) under 24 CFR Part 58 has conducted an evaluation as required by Executive Order 11988, as amended by Executive Order 13690, in accordance with HUD regulations at 24 CFR 55.20 in Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded under US Department of Housing and Urban Development's (HUD) Section 8 Project-Based vouchers (PBVs) program, to be allocated by HPD or the New York City Housing Authority (NYCHA); the HOME Investment Partnership Program, Community Development Block Grant Disaster Recovery (CDBG-DR) allocated by New York City Office of Management (NYC OMB); and/or Mortgage Insurance from HUD's Risk Sharing program to be allocated by the New York City Housing Development Corporation.

Broadway Triangle Site A

The proposed project is located at 663-667 Flushing Avenue (Block 2272, Lot 49) and 29-31 Bartlett Street (Block 2269, Lot 52) in Brooklyn, Kings County, New York and is located in the Federal Flood Risk Management Standard (FFRMS) floodplain. The extent of the FFRMS floodplain was determined using a Climate Informed Science Approach (CISA) in which HPD uses the 2080 Future Floodplain informed by New York City (NYC) Climate Resiliency Design Guidelines (CRDG) and the NYC Panel on Climate Change ("NPCC"). The proposed project will utilize funding available through the US Department of Housing and Urban Development's (HUD) Section 8 Project-Based vouchers (PBVs) from the U.S. Department of Housing and Urban Development's (HUD) Project-Based Section 8 Housing Assistance Payments Program, to be allocated by HPD. The proposed project includes the development of two 9-story residential buildings, on two non-contiguous lots, containing approximately 78 units of affordable rental housing. In total, 16 PBVs would be allocated for the project. The units would be rented to households earning between 30% and 40% of Area Median Income (AMI). The proposed project would be facilitated by financing through HPD's Neighborhood Construction Program (NCP) and the Extremely Low and Low-Income Affordability (ELLA) program. Both sites—a 9,580 square foot (.022 acre) lot and a 5,000 square foot (0.11 acre) lot—are in the 2080s Future Floodplain. Given the existing coastal urban fabric surroundings and context, the proposed project would not adversely impact the natural function or beneficial value of the floodplain.

HPD has considered the following alternatives and mitigation measures to minimize adverse impacts and to restore and preserve natural and beneficial functions and intrinsic values of the existing floodplain: A No Action Alternative was evaluated, in which the project sites would remain in their existing condition. The project sites would remain underutilized as vacant land, and no affordable housing would be developed. No impacts on the floodplain are expected to occur as a result of the proposed project. To minimize potential harm to the floodplain, the proposed project will be required to comply with Appendix G “Flood Resistant Construction” of the NYC Building Code for construction within the floodplain in effect at the time of building construction. In addition, the proposed project would comply with the floodproofing requirements outlined in HPD’s Design Guidelines for New Construction Version 2.02. In addition, the following design measures will be implemented by the project sponsors:

The closest 1.0 percent flood height is 11 feet, and the design flood elevation (DFE) would be 13 feet. The first floor of 663-667 Flushing Avenue is located at an elevation of approximately 14 feet and would include the building’s mechanical and electrical systems, bicycle parking, residential lobby, commercial space, elevators, storage, and the superintendent’s unit. The second through ninth floors would contain residential units. The second floor is located at an elevation of approximately 27 feet. The first floor of 29-31 Bartlett Street is located at an elevation of approximately 14 feet and would include the building’s mechanical and electrical systems, residential lobby, an elevator, a community room, building storage, and bicycle parking. The second through ninth floors would contain residential units. The second floor is located at an elevation of approximately 24 feet. The first-floor electrical room walls and door 29-31 Bartlett Street will be floodproofed.

The vulnerable building features within the ground floor level would include the walls and flooring. The critical building features on the ground floor level include the mechanical and electrical systems. The elevator would be considered a potentially critical building feature, which if damaged, would have impact on the project and its ability to function as designed. The ground floor level would not introduce any hazardous features, materials, or substances that if made insecure, would result in a threat to public health or the environment.

HPD has reevaluated alternatives to building in the floodplain and has determined that it has no practicable alternative to floodplain development. Environmental files documenting compliance with Executive Order 11988, as amended by Executive Order 13690, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in the floodplain and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas.

Commenters are encouraged to offer alternative sites outside of the floodplain, alternative methods to serve the same project purpose, and methods to minimize and mitigate project impacts on the floodplain. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about the floodplain can facilitate and enhance Federal efforts to reduce the risks and impacts 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 the floodplain, it must inform those who may be put at greater or continued risk.

The environmental review record established for the project are on file at HPD, Office of Development, Environmental Planning Unit, 100 Gold Street, 7th Floor, New York, New York 10038. Comments and/or objections to the obligation of funds for the aforementioned project must be submitted to HPD electronically via email to nepa_env@hpd.nyc.gov, via mail addressed to Anthony Howard, Director of Environmental Planning at the above-referenced address, or by telephone at (212) 863-7248 from Monday through Friday 9am-5pm on or before the 15th day following the publication date of this notice. No comments or objections received after this date will be considered by HPD.

Request For Release of Funds

On or about the 16th day after publication, HPD will authorize Bartlett Crossing LLC to submit a request to HUD for the release of Section 8 PBVs to undertake a project known as Broadway Triangle Site A for the construction of two new residential buildings containing 78 units of affordable rental housing located at 663-667 Flushing Avenue (Block 2272, Lot 49) and 29-31 Bartlett Street (Block 2269, Lot 52) in Broadway Triangle neighborhood of Brooklyn, Community District 1.

Finding of No Significant Impact

HPD 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 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at 100 Gold Street New York, New York 10038 and may be examined or copied weekdays 10 A.M to 5 P.M.

Public Comments

Any individual, group, or agency may submit written comments on the ERR to the HPD Environmental Planning Unit. The environmental review record established for the project is on file at HPD, Office of Development, Environmental Planning Unit, 100 Gold Street, 7th Floor,

New York, New York 10038. Comments and/or objections to the obligation of funds for the aforementioned project must be submitted to HPD electronically via email to nepa_env@hpd.nyc.gov, via mail addressed to Anthony Howard, Director of Environmental Planning at the above-referenced address, or by telephone at (212) 863-7106 from Monday through Friday 9am-5pm on or before the 15th day following the publication date of this notice.

All comments received by the 15th day after publication will be considered by HPD prior to authorizing submission of a Request for Release of Funds. Comments should specify which notice they are addressing.

Environmental Certification

HPD certifies to HUD that HPD's Commissioner consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows Bartlett Crossing LLC to use Program funds.

Objection to Request Release of Funds:

HUD will accept objections to its release of funds and the RE's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if objections are on one of the following bases: (a) the certification was not executed by the Certifying Officer of HPD; (b) the RE has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to Luigi D'Ancona at NY_PH_Director@hud.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.